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Submission

to the

Appellate Tribunal of the Anglican Church of Australia

re

Primate's References under Section 63 of the Constitution

on

**Blessing of Persons Married According to the Marriage Act 1961
Regulations 2019 (Wangaratta)**

by

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FIRST REFERENCE

On 5 September 2019 the Primate made the following Reference to the Appellate Tribunal:

- A. At a session in August 2019 the Synod of the Diocese of Wangaratta purportedly made the **Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019** pursuant to Section 5 (2) of the *Canon Concerning Services 1992*.
- B. Section 5 (3) of the Canon Concerning Services 1992 provides that all forms of service used pursuant to Section 5 (2) “must be reverent and edifying and must not be contrary to or a departure from the doctrine of the Church.”

THE FOLLOWING QUESTIONS arising under the Constitution are referred to the Appellate Tribunal

1. Whether the regulation **Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019** made by the Synod of the Diocese of Wangaratta is consistent with the Fundamental Declarations and Ruling Principles in the Constitution of the Anglican Church of Australia.
2. Whether the regulation is validly made pursuant to the *Canon Concerning Services 1992*.

SECOND REFERENCE

On 21 October 2019 the Primate made an additional Reference to the Appellate Tribunal, at the request of 25 members of the General Synod, including:

THE FOLLOWING QUESTIONS arising under the Constitution are referred to the Appellate Tribunal

1. Whether the use of the form of service at Appendix A to the ***Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019*** made by the Synod of the Diocese of Wangaratta to bless a civil marriage which involved a union other than between one man and one woman, is consistent with the doctrine of this Church and consistent with the Fundamental Declarations and Ruling Principles in the Constitution of the Anglican Church of Australia.
2. Whether the use of any other form of service, purportedly made in accordance with section 5 of the *Canon Concerning Services 1992*, to bless a civil marriage which involved a union other than between one man and one woman is consistent with the doctrine of this Church and consistent with the Fundamental Declarations and Ruling Principles in the Constitution of the Anglican Church of Australia.
3. Whether, in light of the determinations to be made in Questions 1 & 2, the Regulations are validly made pursuant to the *Canon Concerning Services 1992*.

FUNDAMENTAL DECLARATIONS

The Fundamental Declarations are (emphasis added):

1. The Anglican Church of Australia, being a part of the One Holy Catholic and Apostolic Church of Christ, **holds the Christian Faith as professed by the Church of Christ from primitive times** and in particular as set forth in the creeds known as the Nicene Creed and the Apostles' Creed.
2. **This Church receives all the canonical scriptures of the Old and New Testaments as being the ultimate rule and standard of faith given by inspiration of God and containing all things necessary for salvation.**
3. **This Church will ever obey the commands of Christ, teach His doctrine,** administer His sacraments of Holy Baptism and Holy Communion, **follow and uphold His discipline** and preserve the three orders of bishops, priests and deacons in the sacred ministry.

RULING PRINCIPLES

The Ruling Principles are (emphasis added):

4. This Church, being derived from the Church of England, **retains and approves the doctrine and principles of the Church of England embodied in the Book of Common Prayer** together with the Form and Manner of Making Ordaining and Consecrating of Bishops, Priests and Deacons **and in the Articles of Religion sometimes called the Thirty-nine Articles** but has plenary authority at its own discretion to make statements as to the faith ritual ceremonial or discipline of this Church and to order its forms of worship and rules of discipline and to alter or revise such statements, forms and rules, provided that all such statements, forms, rules or alteration or revision thereof are consistent with the Fundamental Declarations contained herein and are made as prescribed by this Constitution. Provided, and it is hereby further declared, that **the above-named Book of Common Prayer, together with the Thirty-nine Articles, be regarded as the authorised standard of worship and doctrine in this Church, and no alteration in or permitted variations from the services or Articles therein contained shall contravene any principle of doctrine or worship laid down in such standard.**

Provided further that until other order be taken by canon made in accordance with this Constitution, a bishop of a diocese may, at his discretion, permit such deviations from the existing order of service, not contravening any principle of doctrine or worship as aforesaid, as shall be submitted to him by the incumbent and churchwardens of a parish.

Provided also that no such request shall be preferred to the bishop of a diocese until the incumbent and a majority of the parishioners present and voting at a meeting of parishioners, duly convened for the purpose, shall signify assent to such proposed deviations. Such meeting shall be duly convened by writing, placed in a prominent position at each entrance to the church and by announcement at the morning and evening services, or at the service if only one, at least two Sundays before such meeting, stating the time and place of such meeting, and giving full particulars of the nature of the proposed deviation.

5. **Subject to the Fundamental Declarations and the provisions of this chapter** this Church has plenary authority and power to make canons, ordinances and rules for the order and good government of the Church, and to administer the affairs thereof. Such authority and power may be exercised by the several synods and tribunals in accordance with the provisions of this Constitution.

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SUBMISSION BY DR DAVID PHILLIPS

Introduction

1. This submission addresses the questions posed by the Primate regarding the *Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019 (Wangaratta Regulations)* in the references dated 5 September 2019 and 21 October 2019.
2. The questions arise under the Constitution (**Constitution**) of the Anglican Church of Australia (**Church**). In particular, the questions arise in relation to the doctrine of the Church and the Fundamental Declarations (**Fundamental Declarations**) and the Ruling Principles (**Ruling Principles**) of the Church.
3. In this submission, unless otherwise indicated or placed in inverted commas, the word *marriage* is used to mean the understanding of the term as historically taught and practised by Christian communities, and those countries that have implemented their matrimonial law based on that Christian worldview. This understanding existed in English common law and was enshrined in the *Marriage Act 1961 (Cth)*, prior to the 2017 amendments of that legislation, in the following terms:

marriage means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.

4. Quotations from translations of the canonical scriptures of the Old and New Testaments (**Scriptures**) in this submission are from the English Standard Version of the Bible published in 2001 by Crossway.

Summary of this submission

5. Re the reference dated 5 September 2019, question 1 should be answered “no” – the Wangaratta Regulations are NOT consistent with the Fundamental Declarations and Ruling Principles in the *Constitution of the Anglican Church of Australia*.
6. Re the reference dated 5 September 2019, question 2 should be answered “no” – the Wangaratta Regulations are NOT validly made pursuant to the *Canon Concerning Services 1992*.
7. Re the reference dated 21 October 2019, question 1 should be answered “no” – the use of the form of service at Appendix A to the Wangaratta Regulations to bless a civil marriage which involved a union other than between one man and one woman, is NOT consistent with the doctrine of this Church and NOT consistent with the Fundamental Declarations and Ruling Principles in the *Constitution of the Anglican Church of Australia*.
8. Re the reference dated 21 October 2019, question 2 should be answered “no” – the use of any other form of service, purportedly made in accordance with section 5 of the *Canon Concerning Services 1992*, to bless a civil marriage which involved a union other than between one man and one woman is NOT consistent with the doctrine of this Church and NOT consistent with the Fundamental Declarations and Ruling Principles in the *Constitution of the Anglican Church of Australia*.

9. Re the reference dated 21 October 2019, question 3 should be answered “no” – the Wangaratta Regulations are NOT validly made pursuant to the *Canon Concerning Services 1992*.

The Wangaratta Regulations

10. The Wangaratta Regulations provide that:

Where a minister is asked to and agrees to conduct a Service of Blessing for persons married according to the Marriage Act 1961 the minister will use the form of service at Appendix A to these Regulations and no other form of service.

11. The service at Appendix A seeks God’s blessing on a couple who have entered a civil marriage under the Marriage Act 1961. This Act was amended by the Commonwealth of Australia Parliament in 2017 to redefine marriage as follows:

marriage means the union of 2 people to the exclusion of all others, voluntarily entered into for life.

Consequently, this service could purport to seek God’s blessing on a civil marriage that involved a union other than between one man and one woman.

12. The Wangaratta Regulations purport to be made pursuant to Section 5(2) of the *Canon Concerning Services 1992*.

The Appellate Tribunal’s jurisdiction

13. The Appellate Tribunal has jurisdiction under section 63(1) of the Constitution to hear and determine, or to give its opinion on, a question arising under the Constitution referred to it by the Primate.

14. During the discussions that led to the adoption of the Constitution, the position of the Appellate Tribunal was contentious. As to its purpose, the following views are of assistance:

The function of the tribunal is not to declare what in its opinion the faith, ritual, ceremonial or discipline ought to be, but what it is in the church.¹

A Bishop who has very definite views on some point of ecclesiastical opinions given in evidence before Tribunal ... it would be his duty to give a decision in accordance with [the existing position] and not in accordance with his own view if it differed.²

The constitution protects minorities who wish to retain the ‘status quo’ but not those who would embrace a variance.³

¹ W.S. Gee, *The Appellate Tribunal*, as quoted in John Davis, *Australia Anglicans & their Constitution*, Acorn Press, 1993, page 173.

² W.S. Gee, *The Appellate Tribunal*, as quoted in John Davis, *Australia Anglicans & their Constitution*, Acorn Press, 1993, page 174.

³ Kerrigan to McKie 6 August 1956, McKie Paper, as quoted in John Davis, *Australia Anglicans & their Constitution*, Acorn Press, 1993, page 174.

It must be a constitution which prevents the dragooning of minorities by triumphant majorities, while at the same time it does not countenance the frustration of majorities by intransigent minorities. It must also have safeguards which will prevent precipitate and hasty action and ensure that all will be done with due deliberation and mature thought.⁴

15. All the questions referred by the Primate to the Appellate Tribunal concern matters that arise under the Constitution.

15.1. Question 1 of the reference dated 5 September 2019 asks whether the Wangaratta Regulations are consistent with the Fundamental Declarations and Ruling Principles in the Constitution.

A question of consistency with the Fundamental Declarations and the Ruling Principles, which are in the Constitution, is a question that arises under the Constitution.

15.2. Questions 1 and 2 of the reference dated 21 October 2019 ask whether the Wangaratta Regulations, or the use of any other form of service, purportedly made in accordance with section 5 of the *Canon Concerning Services 1992*, to bless a civil marriage which involved a union other than between one man and one woman, are consistent with the *doctrine* of this Church and consistent with the Fundamental Declarations and Ruling Principles in the Constitution.

A question of consistency with the Fundamental Declarations and the Ruling Principles, which are in the Constitution, is a question that arises under the Constitution.

The word *doctrine* is defined in section 74(1) of the Constitution as "the teaching of this Church on any question of *faith*". The terms *doctrine* and *faith* are therefore interrelated.

The Macquarie Dictionary defines *doctrine* as:

- a particular moral or religious principle taught or advocated.
- that which is taught; teachings collectively.
- a body or system of teachings relating to a particular subject.

The Macquarie Dictionary defines several meanings of *faith* including:

- belief in the doctrines or teachings of religion.
- the doctrines which are or should be believed.
- a system of religious belief: the Christian faith; the Jewish faith.

The Fundamental Declarations and the Ruling Principles declare that the Anglican Church of Australia:

"... holds the Christian Faith as professed by the Church of Christ..." (Fundamental Declarations, section 1)

⁴ T T Reed, *Freedom and Rigidity* (1951), page 2. Reed papers, as quoted in John Davis, *Australia Anglicans & their Constitution*, Acorn Press, 1993, page 175.

"... receives all canonical scriptures of the Old and New Testaments as being the ultimate rule and standard of faith..." (Fundamental Declarations, section 2)

"... will ever obey the commands of Christ, teach His doctrine..." (Fundamental Declarations, section 3)

"... retains and approves the doctrine ... " (Ruling Principles, section 4)

declares an "authorised standard of worship and doctrine in this Church ..." (Ruling Principles, section 4)

The use of the terms *doctrine* and *faith* throughout the Fundamental Declarations and the Ruling Principles means a question of consistency with the *doctrine* (or *faith*) of this Church is a question of consistency with the Fundamental Declarations and the Ruling Principles. And a question of consistency with the Fundamental Declarations and the Ruling Principles, which are in the Constitution, is a question that arises under the Constitution.

- 15.3. Question 2 of the reference dated 5 September 2019 and Question 3 of the reference dated 21 October 2019 ask whether the Wangaratta Regulations are validly made pursuant to the *Canon Concerning Services 1992*.

Canon 5(3) of the *Canon Concerning Services 1992* provides that "all variations in forms of service and all forms of service ... must not be contrary to or a departure from the *doctrine* of this Church."

As set out above, *doctrine* is defined so as to make the term interrelated with *faith*, and each is used throughout the Fundamental Declarations and the Ruling Principles.

Thus, whether the Wangaratta Regulations are validly made pursuant to the *Canon Concerning Services 1992* becomes the question of whether the Wangaratta Regulations are "contrary to or a departure from the *doctrine* of this Church". That question in turn becomes the question of whether the Wangaratta Regulations are contrary to the Fundamental Declarations and the Ruling Principles. And a question of consistency with the Fundamental Declarations and the Ruling Principles, which are in the Constitution, is a question that arises under the Constitution.

16. Section 58(1) of the Constitution provides that the Appellate Tribunal, before determining "any matter involving doctrine upon which the members are not unanimous upon the point of doctrine", shall "obtain the opinion of the House of Bishops".

Anglican doctrine and faith

17. The Fundamental Declaration in section 3 of the Constitution provides that the Anglican Church of Australia will teach the *doctrine* of Jesus Christ. Section 74(1) of the Constitution defines *doctrine* as "the teaching of this Church on any question of faith".

18. The Fundamental Declaration in section 2 of the Constitution provides that “the ultimate rule and standard of faith given by inspiration of God” is the canonical scriptures of the Old and New Testaments. Section 74(1) of the Constitution defines “canonical scriptures” as “the canonical books as defined by the sixth of the Thirty-nine Articles.”
19. The Fundamental Declaration in section 1 of the Constitution makes a different and yet consistent declaration in relation to faith, specifically that the Anglican Church of Australia holds “the Christian Faith as professed by the Church of Christ”. This declaration is expressed in both the particular, i.e. “as set forth in the creeds known as the Nicene Creed and the Apostles’ Creed”, and in the general, i.e. “from primitive times”. As this is a single concept expressed in both the particular and the general, the particular provides guidance in understanding the general. Specifically, the Apostles’ Creed is not dated, but the Nicene Creed was finalised at the First Council of Constantinople in 381 AD. Accordingly if, as set out in the declaration, the Nicene Creed is a particular example of the “Christian Faith as professed by the Church of Christ in primitive times”, then the term “in primitive times” must be understood to extend at least until 381 AD. It is therefore instructive in questions of the doctrine and faith of the Anglican Church of Australia to consider the understanding of the Scriptures held by the Church Fathers, a position held in common with the English Reformers, such as:

19.1. Thomas Cranmer, Archbishop of Canterbury:

*Cranmer was a conservative reformer, and differed from those whose appeal was to Sola Scriptura: he took his stand on the Bible as interpreted by antiquity.*⁵

19.2. John Jewel, Bishop of Salisbury and author of *Apologia Ecclesiae Anglicanae* (The Apology for the Church of England).

*As for Cranmer before him, for Jewel the Fathers were not the fountainhead of original doctrine but the interpreters of that fountainhead which was Holy Scripture.*⁶

20. Further guidance is found within the work of Bishop Jewel:

20.1. The Apology for the Church of England was:

*... written in Latin to be read throughout Europe as the answer of the Reformed Church of England ... to those who said that the Reformation set up a new Church. Its argument was that the English Church Reformers were going back to the old Church, not setting up a new; and this Jewel proposed to show by looking back to the first centuries of Christianity.*⁷

20.2. With the Apology for the Church of England, Bishop Jewell wrote of the importance of Scripture. As evidence for that importance he drew upon the use of Scripture by the church in primitive times, such as Augustine (354 to 430 AD), Jerome (i.e. St Hierom as per the text below; 347 to 420 AD), Ambrose (340 to 397 AD):

⁵ Arthur Middleton, *Fathers and Anglicans*, MPG Books Limited, 2001, page 37.

⁶ Arthur Middleton, *Fathers and Anglicans*, MPG Books Limited, 2001, page 47.

⁷ *The Apology of the church of England, by John Jewel*, edited by Henry Morely, Introduction <<http://www.gutenberg.org/files/17678/17678-h/17678-h.htm>>.

With this sword did Christ put off the devil when He was tempted of him: with these weapons ought all presumption, which doth advance itself against God, to be overthrown and conquered. "For all Scripture," saith St Paul, "that cometh by the inspiration of God, is profitable to teach, to confute, to instruct, and to reprove, that the man of God may be perfect, and thoroughly framed to every good work."

Thus did the holy fathers always fight against the heretics with none other force than with the Holy Scriptures. St Augustine, when he disputed against Petilian, a heretic of the Donatists: "Let not these words," quoth he, "be heard between us, 'I say, or you say:' let us rather speak in this wise: 'Thus saith the Lord.' There let us seek the Church: there let us boult out our cause." Likewise St Hierom: "All those things," saith he, "which without the testimony of the Scriptures are holden as delivered from the Apostles, be thoroughly smitten down by the sword of God's word." St Ambrose also, to Gratian the emperor: "Let the Scripture," saith he, "be asked the question, let the prophets be asked, and let Christ be asked."

For at that time made the Catholic fathers and bishops no doubt but that our religion might be proved out of the Holy Scriptures. Neither were they ever so hardy as to take any for a heretic whose error they could not evidently and apparently reprove by the self-same Scriptures. And we verily do make answer on this wise, as St Paul did: "According to this way which they call heresy we do worship God, and the Father of our Lord Jesus Christ; and do allow all things which have been written either in the law or in the Prophets," or in the Apostles' works."⁸

21. The Ruling Principles also contain reference to *doctrine*. Section 4 of the Constitution provides that the Anglican Church of Australia:
 - 21.1. "retains and approves the doctrine and principles of the Church of England embodied in the Book of Common Prayer ... and in the Articles of Religion sometimes called the Thirty-nine Articles...";
 - 21.2. may alter its practice, provided that alteration is "consistent with the Fundamental Declarations contained herein..."; and
 - 21.3. declares that "the above-named Book of Common Prayer, together with the Thirty-nine Articles, be regarded as the authorised standard of worship and doctrine in this Church, and no alteration in or permitted variations from the service or Articles therein shall contravene any principle of doctrine or worship laid down in such standard."
22. Accordingly, the Ruling Principles contained in section 4 of the Constitution set out that a standard for the doctrine of the Anglican Church of Australia can be found in the Book of Common Prayer and the Articles of Religion. Finally, the Ruling Principles in section 4 require that any variation to services shall be consistent with the Fundamental Declarations. Thus, Anglican Archdeacon Emeritus John Davis observed (emphasis added):

⁸ *The Apology of the church of England, by John Jewell, edited by Henry Morely, pages 26-27*
<<http://www.gutenberg.org/files/17678/17678-h/17678-h.htm>>.

'Plenary authority' is taken (in section 4) to make numerous changes including liturgical revision, but these changes must conform with the Fundamental Declarations and constitutional procedure. The Book of Common Prayer together with the 39 Articles is 'the authorised standard of worship and doctrine'. Provision is made for liturgical change, provided there is no contravention of 'any principle or doctrine or worship' in the formularies. Section 4 does however open up the possibility of a multiplicity of diocesan usages.⁹

Scripture and the nature of marriage

23. A central issue in all the questions referred to the Appellate Tribunal for determination is whether any form of service purporting to bless a civil marriage involving a union other than between one man and one woman is consistent with the teaching of the Scriptures.

Marriage is the union of a man and a woman

24. The Lord Jesus Christ addressed the nature of marriage in Matthew 19:4-5 saying:

Have you not read that he who created them from the beginning made them male and female, and said, 'Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh'?

The scriptures referred to by Jesus were Genesis 1:27:

So God created man in his own image, in the image of God he created him; male and female he created them.

and Genesis 2:24:

Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh.

In saying this, Jesus declares (among other things) that marriage is between a male and a female. Further, this is not a new teaching, but one grounded in God's perfect creation, before the advent of sin. Thus, from the beginning, marriage forms part of God's created order and brings together as "one flesh" the sexually dimorphic man and woman.

25. The only other type of marriage recorded in the Scriptures is polygynous marriage, such as the relationships of Jacob, King David and King Solomon.

25.1. Although each of these men enjoyed great favour from God, it would be wrong to conclude that God's favour represents divine endorsement of all their actions. Jacob stole from his brother; David committed adultery and murder; and Solomon engaged in idolatry. These examples, of theft, adultery, murder and idolatry, are all clearly forbidden by the Ten Commandments.

⁹ John Davis, *Australian Anglicans and their Constitution*, Acorn Press, 1993, page 176.

25.2. In Jewish understanding, while the Torah does not forbid polygamy, it never endorses the practice. The examples of biblical figures who wedded more than one wife are considered to have done so for specific reasons. Rabbi Gershom Ben Judah (960-1040):

... best known for his important 'Takkanoth' (laws) dealing with social and family life, which he enacted with the approval of the Rabbinical authorities of his time, and which were accepted by all the Jews of Europe, "as if they were given on Mount Sinai." Among these Takkanoth the most well known [is] the prohibition of polygamy.¹⁰

25.3. The instances of polygyny in the Old Testament are best understood as a description of events as they occurred, and not an endorsement of polygamous marriage. Jesus treated some Old Testament practices in this manner (Mark: 10:4-9):

[The Pharisees] said, "Moses allowed a man to write a certificate of divorce and to send her away." But Jesus said to them, "Because of your hardness of heart he wrote you this commandment. But from the beginning of creation, 'God made them male and female.' 'Therefore a man shall leave his father and mother and hold fast to his wife, and the two shall become one flesh.' So they are no longer two but one flesh. What therefore God has joined together, let not man separate."

Thus, when Jesus acknowledged the Old Testament method of divorce, he did not endorse that practice. The Old Testament practice arose in the context of the sinful world, but Jesus called those who would follow him to marriage as created by God prior to the Fall.

25.4. Additionally, the Anglican Church of Australia is obliged to reject the practice of polygamy, given Article XX of the Thirty-nine Articles that states in part:

... it is not lawful for the Church to ordain anything that is contrary to God's Word written, neither may it so expound one place of Scripture that it be repugnant to another.

26. Accordingly, only two understandings of marriage exist in the Old Testament:

- Polygynous marriage, which is not part of God's created order but rather arose in the context of sin. The inclusion of polygyny in the Old Testament is a description of events, not a prescription for the practice of the church.
- Marriage that God created before sin entered the world, which is the exclusive union of one man and one woman for life. This is the concept of marriage to which Jesus calls those who would follow him.

¹⁰ Naftali Silberberg, "Does Jewish Law Forbid Polygamy?", Chabad.org, retrieved 9 December 2019.

27. Understandably, marriage is not mentioned in the creeds of the early church, which addressed matters that were contentious at the time. Marriage was not contentious then. Where marriage is mentioned in the writings of the early church fathers, it is always understood as the union of a man and a woman. For example, in the letter of Ignatius (bishop of Antioch, estimated 50 AD to early 100s AD) to Polycarp (bishop of Smyrna, estimated 60 AD to 155 AD) Ignatius writes:

Tell my sisters to love the Lord and to be altogether contented with their husbands. Similarly urge my brothers in the name of Jesus Christ "to love their wives as the Lord loves the Church."¹¹

28. In summary, the Scriptures, as understood both now and by the Church of Christ in primitive times, are clear that marriage, as created by God, is between one man and one woman for life.

Marriage reflects the union of Christ and his church

29. Jesus referred to himself as the bridegroom, for example in Matthew 9:15, Mark 2:19 and Luke 5:34. The marriage of Christ and his church, the bridegroom and his bride, is anticipated with great joy in Revelation 19:7 and 21:2,9.

The apostle Paul refers to the union of a man and his wife in marriage as a profound mystery reflecting the union of Christ and the church (Ephesians 5:31-32).

These references to the union of Christ and his church at the culmination of history portray marriage as an asymmetrical bond. This cannot be represented by same-sex relationships.

Same-sex unions are condemned by God

30. Not only are same-sex relationships incapable of expressing the male-female order of God's creation, sexual relations between people of the same sex are specifically condemned in the Scriptures.

- 30.1. The following passages, for example, condemn homosexual activity as abominable, dishonourable and unrighteous, and a bar to inheriting the kingdom of God:

You shall not lie with a male as with a woman; it is an abomination. (Leviticus 18:22)

If a man lies with a male as with a woman, both of them have committed an abomination. (Leviticus 20:13)

God gave them up to dishonourable passions. For their women exchanged natural relations for those that are contrary to nature; and the men likewise gave up natural relations with women and were consumed with passion for one another, men committing shameless acts with men and receiving in themselves the due penalty for their error. (Romans 1:26–27)

¹¹ "Letter to the to the Polycarp", Order of St. Ignatius of Antioch, Antiochian Orthodox Christian Archdiocese, translated by Cyril Richardson, <<https://www.orderofstignatius.org/polycarp>>.

Do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practice homosexuality ... will inherit the kingdom of God. (1 Corinthians 6:9-10)

Jesus includes homosexual behaviour among several activities that defile a person:

Out of the heart come evil thoughts, murder, adultery, sexual immorality, theft, false witness, slander. These are what defile a person. (Matthew 15:19–20)

The Greek word translated here as “sexual immorality” is *porneiai*, which refers to any kind of extramarital, unlawful or unnatural sexual intercourse, including homosexual activity, according to Friberg's *Analytical Lexicon to the Greek New Testament*.¹²

30.2. The condemnation of homosexual activity in the Scriptures was reinforced by the early church.

For example, Athenagoras the Athenian, a 2nd century philosopher and Christian, writes in his letter to Roman emperors and conquerors:

*[T]hose who have set up a market for fornication and established infamous resorts for the young for every kind of vile pleasure – who do not abstain even from males, males with males committing shocking abominations, outraging all the noblest and comeliest bodies in all sorts of ways, so dishonouring the fair workmanship of God.*¹³

Tertullian (160-225) in his treatise *On Modesty* writes in defence of Christian chastity. After condemning adultery, he clearly shows the church's horror for sins against nature:

*But all the other frenzies of passions – impious both toward the bodies and toward the sexes – beyond the laws of nature, we banish not only from the threshold, but from all shelter of the Church, because they are not sins, but monstrosities.*¹⁴

Eusebius Pamphili (260-341), Bishop of Cæsarea in Palestine and the “Father of Church History”, writes in his book *Demonstratio Evangelica* (quoting Leviticus 18:2-5,24) that God, in the Law given to Moses:

*having forbidden all unlawful marriage, and all unseemly practice, and the union of women with women and men with men ... adds: "Do not defile yourselves with any of these things".*¹⁵

¹² Cited in the Wikipedia entry on “Fornication”.

¹³ Athenagoras the Athenian, "A Plea for the Christians", ch. 34, tr. B P Pratten, New Advent, <<http://www.newadvent.org/fathers/0205.htm>>.

¹⁴ Tertullian, *On Modesty*, ch. 4, tr. S Thelwall, New Advent, <<http://www.newadvent.org/fathers/0407.htm>>.

¹⁵ Eusebius of Cæsarea, *Demonstratio Evangelica*, Church History Book 4, ch. 10, tr. W J Ferrar, <www.earlychristianwritings.com/fathers/eusebius_de_06_book4.htm>.

30.3. Clearly, the Scriptures and early church consistently teach that any sexual union other than between a married man and woman is condemned by God and that anyone engaging in such activity is excluded from inheriting the kingdom of God.

Things necessary for salvation

31. The matters on which the second Fundamental Declaration affirms the Scriptures as the ultimate rule and standard of faith are “things necessary for salvation”.

In the New Testament, “salvation” is often described using phrases such as “entering the kingdom of God” or “having eternal life”. For example, in Matthew 19:16-25, a rich young man asked Jesus what he needed to do to “have eternal life”. Later, when discussing the incident with his disciples, Jesus “said how hard it is for a rich person to enter the kingdom of God” (Matthew 19:16). The astonished disciples then asked: “Who then can be saved?” Jesus and his disciples clearly considered the terms “salvation”, “having eternal life” and “entering the kingdom of God” as essentially synonyms.

When Paul writes (1 Corinthians 6:9–10) that “neither the sexually immoral, nor idolaters, nor adulterers, nor men who practise homosexuality ... will inherit the kingdom of God”, he is saying that avoiding these things – including homosexual activity – is necessary for salvation. Consequently, the need to avoid homosexual activity is one of the matters on which the Scriptures are the ultimate rule and standard of faith, according to the second Fundamental Declaration.

Summary

32. **According to the Scriptures, marriage can only be between a man and a woman. Only the asymmetric marital bond of a man and a woman can portray the union of Christ and his church. Any other sexual union between two people is not marriage, is condemned by God, excludes inheritance of the kingdom of God and is therefore contrary to the Fundamental Declarations.**

Scripture and the purposes of marriage

33. According to the Scriptures, marriage has three main purposes: procreation and raising the next generation, complementary partnership, and avoidance of sexual immorality. These purposes are consistent with the findings of social, psychological and neurological research on human needs and behaviour. These purposes are best fulfilled in accordance with God’s design for creation and his commandments to those who would follow him, through the exclusive and enduring union of a man and a woman, namely marriage.

A purpose of marriage: conceiving, bearing and raising children

34. When Jesus spoke about marriage in Matthew 19:4 he was quoting Genesis 1:27. The following verse sets out a central purpose of marriage, namely in Genesis 1:28:

And God blessed them. And God said to them, “Be fruitful and multiply and fill the earth and subdue it...”

Thus, a core purpose of marriage in God's creation order, as the sexual union of a man and his wife, is to conceive children and thereby be "fruitful and multiply".

35. This purpose, to be "fruitful and multiply", is also expressed in Jeremiah's letter to the exiles in Babylon – Jeremiah 29:6:

Take wives and have sons and daughters; take wives for your sons, and give your daughters in marriage, that they may bear sons and daughters; multiply there, and do not decrease.

36. The purpose to be "fruitful and multiply" extends well beyond conception, to bearing and raising children to become the next generation of godly adults. This is clear from the prophet Malachi who calls men to be faithful to the wife of their youth. Why? To raise "godly offspring" – Malachi 2:15 (emphasis added):

*Did he not make them one, with a portion of the Spirit in their union? And **what was the one God seeking? Godly offspring.** So guard yourselves in your spirit, and let none of you be faithless to the wife of your youth.*

Producing godly offspring involves a long-term commitment of a husband and wife to each other in order to provide loving care and training of their children until adulthood and beyond.

37. The purpose of marriage in the bearing and raising of children was professed by the Church of Christ in primitive times, as the following examples show.

- 37.1. Irenaeus, Bishop of Lyon (around 120 to 200 AD), defends God's purpose of marriage as taught in the Scriptures and condemns "the inventors of any sort of opinion which they may have been able to call into existence" who:

preached against marriage, thus setting aside the original creation of God, and indirectly blaming Him who made the male and female for the propagation of the human race.¹⁶

- 37.2. John Chrysostom, Bishop of Constantinople (347 to 407 AD), affirms the teaching of Scripture on marriage in the Paul's letter to the Ephesians:

For there is nothing which so welds our life together as the love of man and wife ... because when [husbands and wives] are in harmony, the children are well brought up, and the domestics are in good order, and neighbours, and friends, and relations enjoy the fragrance.¹⁷

38. Same-sex unions cannot (naturally) procreate children. Consequently, such unions cannot (naturally) fulfil this purpose of marriage. Furthermore, obtaining a child through artificial means intentionally deprives the child of either a mother or a father, which can be detrimental to the child's development and sense of identity.

¹⁶ Irenaeus, Bishop of Lyon, *Against Heresies*, Book 1, Chapter 28, <<http://www.newadvent.org/fathers/0103128.htm>>.

¹⁷ John Chrysostom, Bishop of Constantinople, *Homily 20 on Ephesians*, <<http://www.newadvent.org/fathers/230120.htm>>

39. As set out in Scriptures and professed by the early church, God's created order intended the conceiving, bearing and raising of children to occur within marriage: the exclusive and enduring union of a man and a woman. Accordingly, this function is one of the purposes of marriage.

A purpose of marriage: complementary partnership of a man and a woman

40. When speaking about marriage, Jesus quoted Genesis chapter 2. A little earlier in that chapter the purpose of complementary partnership is mentioned:

Then the Lord God said, "It is not good that the man should be alone; I will make him a helper fit for him." (Genesis 2: 18)

The implication is that, while men and women are equally created in God's image (Genesis 1:27), men are prone to suffering loneliness and God addressed this by providing female companionship – in a complementary relationship. Significantly, research on loneliness has found that "unmarried men showed higher levels of loneliness than unmarried women" and "widowers were lonelier than widows".¹⁸

41. The apostle Paul expands on the complementary relationship between husbands and wives in his letter to the Ephesians (5:22-33), likening the marriage relationship to that between Christ and his church. He concludes with the exhortation:

Let each one of you love his wife as himself, and let the wife see that she respects her husband. (Ephesians 5:33)

Paul here affirms that, in creating men and women equal but different, God's purpose was to enable them to complement each other in marriage to the benefit of both.

42. Abundant evidence is available of the universal physical, neurological and psychological differences between men and women, for example in *The Psychology of Sex Differences*.¹⁹ Current research confirms the neurological basis of these differences:

*Recent studies indicate that gender may have a substantial influence on human cognitive functions, including emotion, memory, perception, etc. Men and women appear to have different ways to encode memories, sense emotions, recognize faces, solve certain problems, and make decisions.*²⁰

These commonly observed differences were popularised in John Gray's bestseller: *Men Are from Mars, Women Are from Venus: A Practical Guide for Improving Communication and Getting What You Want in Your Relationships*.²¹ The complementary natures of men and women can contribute a vitality to a marital relationship not present in other relationships.

¹⁸ Martin Pinquart, "Loneliness in Married, Widowed, Divorced, and Never-Married Older Adults", *Journal of Social and Personal Relationships*, 1 February 2003.

¹⁹ Eleanor Maccoby and Carol Jacklin, *The Psychology of Sex Differences*, Stanford University Press, 1974.

²⁰ Jiang Xin, et al., "Brain Differences Between Men and Women: Evidence from Deep Learning", *Frontiers in Neuroscience*, 8 March 2019.

²¹ John Gray, *Men Are from Mars, Women Are from Venus: A Practical Guide for Improving Communication and Getting What You Want in Your Relationships*, HarperCollins, 1 January 1992.

43. The Russian existentialist philosopher Nicholas Berdyaev suggested that loneliness occurs because, deep down, we all realise that neither a man by himself nor a woman by herself is biologically completely human. Each lacks the attributes and capabilities of the opposite sex and, in that sense, each is incomplete – and lonely – without the other.²²

Homosexual relationships seemingly fail to satisfy this deep longing, as indicated by the significantly higher divorce rates among same-sex unions, compared with male-female marriages.²³

44. Parents need to provide a stable loving environment for their children to thrive. They also need to be role models of manhood and womanhood, so their children can develop into mature men and women.

Same-sex partnerships are less able to provide a stable loving environment for any children in their care. Males and females who engage in homosexual activity have much higher rates of interpersonal maladjustment, depression, conduct disorder, domestic violence, alcohol or drug abuse, anxiety, and dependency on psychiatric care than heterosexuals.²⁴ A recent survey of sexuality and mental health outcomes concluded:

*Compared to the general population, non-heterosexual subpopulations are at an elevated risk for a variety of adverse health and mental health outcomes.*²⁵

These are risk factors for dependent children.

45. The evidence is that the risks are real. An important study of primary school children living in three family types – married heterosexual couples, cohabiting heterosexual couples and homosexual couples – indicates that children raised by same-sex couples may be at risk of academic under-achievement, social problems and gender confusion.²⁶

Even more worrying are indications of an increased incidence of incest between minor children and homosexual parents of both sexes.²⁷

²² Nicholas Berdyaev, *Freedom and the Spirit*, Freeport, NY: Libraries Press, 1972.

²³ Gunnar Andersson, Turid Noack, Ane Seierstad and Harald Weedon-Fekjær, "The Demographics of Same-Sex 'Marriages' in Norway and Sweden", in Marie Digoix and Patrick Festy (eds), *Same-sex Couples, same-sex Partnerships, and Homosexual Marriages: A Focus on Cross-National Differentials*, no 124, 2004, 247-264.

²⁴ R. Herrell *et al.*, "Sexual Orientation and Suicidality: A Co-twin Control Study in Adult Men", *Archives of General Psychiatry*, 56, 1999, 867-74; D. M. Fergusson *et al.*, "Is Sexual Orientation Related to Mental Health Problems and Suicidality in Young People?" *Archives of General Psychiatry*, 56, 1999, 876-80; M. J. Bailey, "Homosexuality and Mental Illness," *Archives of General Psychiatry*, 56, 1999, 883-4.

²⁵ Lawrence S. Mayer and Paul R. McHugh, "Sexuality and Gender: Findings from the Biological, Psychological, and Social Sciences", *The New Atlantis*, Fall 2016.

²⁶ S. Sarantakos, "Children in three contexts", *Children Australia*, vol 21, no 3, 1996.

²⁷ P. Cameron and K. Cameron, "Homosexual Parents", *Adolescence*, 1996, 31(124), 757-66; P. Cameron and K. Cameron, "Homosexual Parents: A Comparative Forensic Study of Character and Harms to Children", *Psychological Reports*, 82 (1998): 1155-91.

46. The evidence is that God's provision of marriage to unite a man and a woman in a complementary partnership is intended as a blessing for both them and their children. Ultimately the love between married parents and their children is intended as a blessing for the nation of which they are part, as the apostle Paul reminds us in Ephesians 6:2.

A purpose of marriage: avoiding sexual immorality

47. In his first letter to the Corinthians, the apostle Paul addresses some questions of sexual morality. Should Christians be complete ascetics and eschew all sexual relations? Should the unmarried and widows remain single and should husbands and wives abstain from coitus?

Paul's answer is, "No." While commending singleness, he is more concerned about the temptation to engage in sexual immorality. Asceticism is not a Christian obligation. Marriage between a man and a woman is permissible and so are sexual relations within marriage. The priority is to avoid yielding to the temptation of sexual relations outside (male-female) marriage.

But because of the temptation to sexual immorality, each man should have his own wife and each woman her own husband. The husband should give to his wife her conjugal rights, and likewise the wife to her husband. (1 Corinthians 7:2-3)

To the unmarried and the widows I say that it is good for them to remain single, as I am. But if they cannot exercise self-control, they should marry. For it is better to marry than to burn with passion. (1 Corinthians 7:8-9)

In short, avoiding sexual immorality is a purpose of (male-female) marriage.

48. Those who engage in homosexual activity, both male and female, may argue that they should be entitled to same-sex "marriage" for a similar reason: to avoid yielding to the temptation of promiscuity.

However, this argument by analogy is invalid. There is a vast difference between allowing (male-female) marriage, which the Scriptures say is to be honoured by all (Hebrews 13:4), and endorsing same-sex partnerships, which the Scriptures condemn (as detailed above).

49. Moreover, if this argument by analogy were accepted, it could easily be extended using the same logic to other situations.

- What about married men and women who are tempted to engage in extra-marital affairs? Should adultery or polygamy be accepted?
- What about adults who are sexually attracted to minors? Should paedophilia or child "marriage" be accepted?
- What about people who are sexually attracted to close relatives? Should incest or consanguineous "marriage" be accepted?

People experiencing these immoral temptations are called reject the temptations and remain chaste – and so are those who experience same-sex attraction.

50. When considering questions of sexuality, it is important to distinguish between attraction, identity and activity.
- **Attraction** of a sexual nature outside marriage, whether same-sex or opposite-sex, is a form of temptation to commit evil – and from which we pray to be delivered in the Lord’s Prayer. Temptation in itself is not a sin. Jesus was tempted in the wilderness by the devil, yet he was without sin. However, a person can give into temptation through entertaining (rather than rejecting) sinful desires, even if no action has been taken to further such desires.²⁸ The critical question is how we respond to temptation. We are called to reject temptation, as Jesus did in the wilderness.
 - **Identity** is how we understand and describe ourselves. The Catechism in the Book of Common Prayer answers the question of how Christians should understand themselves: “I was made a member of Christ, the child of God, and an inheritor of the kingdom of heaven.” A person who is tempted to steal, but doesn’t, is not a thief and should not identify as a thief. Someone who is tempted to commit adultery, but doesn’t, is not an adulterer. Likewise, a person who experiences same-sex attraction, but remains chaste, is not and should not identify as a homosexual.
 - **Activity** of a sexual nature outside marriage, whether same-sex or opposite-sex, is what Paul calls “sins against his (or her) own body” (1 Corinthians 6:18). When he calls believers to “flee from sexual immorality”, he is referring to the bodily sins of fornication, adultery and homosexual practice.
51. Claims are frequently made that people are born either gay or straight, famously by Lady Gaga in her song *Born This Way*.²⁹ Such a claim was made about some gay students at “Churchie”, the Anglican Church Grammar School in Brisbane, by Rev Anne James of the Metropolitan Community Church. She said:

*These are kids that were born gay, they didn't choose it, they're not choosing to be contrary to the norm, or anything like that. They were born gay, just as much as people are born left-handed or they're born with curly hair or something like that.*³⁰

The idea that homosexuals are “born that way” and that there is a “gay gene” has become a modern myth, widely believed in academic and media circles. But what is the evidence?

52. Researchers Bearman and Bruckner at Columbia and Yale Universities comment that “social scientists and geneticists alike stress the obvious point that neither genes, nor hormones, nor specific social situations determine sexual behaviour by themselves. Rather, the extent to which same-sex and opposite-sex desires are expressed in the individual is seen to be a complex interplay of biological, social, and situational factors.”³¹

²⁸ See Matthew 5:27-28; Book of Common Prayer, form of confession (emphasis added) “*Almighty God, Father of our Lord Jesus Christ, Maker of all things, Judge of all men; We acknowledge and bewail our manifold sins and wickedness, Which we, from time to time, most grievously have committed, By thought, word, and deed...*” <<http://justus.anglican.org/resources/bcp/1662/HC.pdf>>

²⁹ “Born This Way (song)”, Wikipedia.

³⁰ Matt Wordsworth, “‘Churchie’ embroiled in anti-discrimination row”, *ABC News*, 14 April 2008

³¹ P S Bearman and H Bruckner, 2002, “Opposite-sex twins and adolescent same-sex attraction”, *American Journal of Sociology*, Vol 107, pp 1179–1205.

Distinguished scholars Lawrence Mayer and Paul McHugh at Johns Hopkins University School of Medicine, in a survey of findings from the biological, psychological and social sciences on sexuality and gender, say:

*The understanding of sexual orientation as an innate, biologically fixed property of human beings – the idea that people are “born that way” – is not supported by scientific evidence.*³²

Human behaviour is complex. Humans are not robots. There is no single gene governing sexual preference or any other preference. There is no gene for smoking, dancing or making sarcastic remarks.³³

53. Some of the most important insights into the relative influence of genes and social environment on behaviour – nature and nurture – have come through twin studies. Such studies generally look for three kinds of influence: genetic (heritability), shared environment (family influence) and unique environment (chance or choice).

To produce robust results, twin studies need to be large-scale and use random samples. Three robust studies in recent years have addressed the question of same-sex attraction: Bailey,³⁴ Långström³⁵ and Burri.³⁶ All three studies found that the dominant influence on same-sex attraction is not genes, but unique life experiences.

54. One of the strongest arguments against homosexuality as an inborn, unalterable condition is change in sexual orientation. Scientific literature shows that sexual orientation is not fixed but fluid. People change between homosexual and heterosexual orientation to a surprising degree in both directions, but a far greater proportion of homosexuals become heterosexual than heterosexuals become homosexual. Some of the change is therapeutically assisted, but in most cases it appears to be circumstantial. Life itself can bring along the factors that make the difference.

³² Lawrence S. Mayer and Paul R. McHugh, "Sexuality and Gender: Findings from the Biological, Psychological, and Social Sciences", *The New Atlantis*, Fall 2016.

³³ Neil E and Briar K Whitehead, 2010, *My Genes Made Me Do It! A Scientific Look at Sexual Orientation*, (Lower Hutt, NZ, Whitehead Associates); available at: <<http://www.mygenes.co.nz/>>.

³⁴ J Michael Bailey, *et al.*, 2000, "Genetic and Environmental Influences on Sexual Orientation and Its Correlates in an Australian Twin Sample", *Journal of Personality and Social Psychology*, Vol 78, No 3, pp 524-536.

³⁵ Niklas Langstrom, *et al.*, 2010, "Genetic and Environmental Effects on Same-sex Sexual Behavior: A Population Study of Twins in Sweden", *Archives of Sexual Behavior*, Vol 39, pp 75-80.

³⁶ A Burri, *et al.*, 2011, "Genetic and Environmental Influences on Female Sexual Orientation, Childhood Gender Typicality and Adult Gender Identity", *PLoS ONE*, Vol 6, Issue 7, e21982.

55. Several researchers have reported major spontaneous changes in sexual attraction and behaviour over time. For example, a study of Dutch adult males found that, of those who had experienced same-sex attraction at some stage of their lives, about half reported those feelings disappeared later in life.³⁷ And a New Zealand cohort study found that one half of females and one third of males with occasional same-sex attraction at 21 years had only opposite-sex attraction as 26-year-olds.³⁸ Clearly, a third to a half of same-sex attracted young adults find themselves attracted to the opposite sex later in life.
56. Sexual attraction is particularly unstable in adolescents. US longitudinal research on adolescent health, using large-scale surveys of 16, 17 and 22 year-olds, revealed major changes in romantic attraction and sexual behaviour between these ages.³⁹ Of the boys who identified at 16 years as same-sex attracted, 72% were opposite-sex attracted by the age of 22 years – they had “discovered” girls. And of the same-sex attracted girls at 16 years, 55% were opposite-sex attracted by 22.

If the US results on changes between the ages of 16 and 22 years are combined with the New Zealand changes between 21 and 26 years, some 80% of same-sex attracted teenage boys and girls become opposite-sex attracted as adults a decade or so later. The common claim that sexual attraction is unchangeable is a myth.

57. The following personal stories of men and women who have left a homosexual lifestyle behind provide some insights into the fluidity of sexual attraction.
- **Michael Glatze**, founder of Young Gay America and editor of its magazine, was a leading “gay rights” activist for ten years. He became aware of homosexual feelings at about the age of 14 and publicly declared himself “gay” at age 20. But he left the homosexual community at the age of 30 after experiencing a mysterious inner conflict.

“‘Coming out’ from under the influence of the homosexual mindset was the most liberating, beautiful and astonishing thing I’ve ever experienced in my entire life,” Glatze said. “Homosexual sex is entirely ‘lust-based’ and can never fully satisfy. It’s a neurotic process rather than a natural, normal one.”⁴⁰
 - **Charlene Cothran** had been a lesbian activist for three decades. She had published *Venus* magazine for 13 years – with a circulation climbing to 38,000 among the US black homosexual and lesbian community. After she became a Christian and turned her back on lesbianism, Charlene gave her magazine a new mission “to encourage, educate and assist those who desire to leave a life of homosexuality.”⁴¹

³⁷ T G M Sandfort, 1997, "Sampling male homosexuality", in J. Bancroft (Ed.), *Researching sexual behavior: Methodological issues*, pp 261–275 (Bloomington, IN: Indiana University Press).

³⁸ N Dickson, C Paul, and P Herbison, 2003, "Same-sex attraction in a birth cohort: Prevalence and persistence in early adulthood", *Social Science & Medicine*, Vol 56, pp 1607–1615.

³⁹ Ritch C Savin-Williams and L Ream Geoffrey, 2007, "Prevalence and stability of sexual orientation components during adolescence and young adulthood." *Archives of Sexual Behavior*, Vol 36, Issue 3, pp 385-394.

⁴⁰ Art Moore, "'Gay'-rights leader quits homosexuality", *WND*, 3 July 2007.

⁴¹ Amy Tracy, "The Rebirth of Venus", *Christianity Today*, 23 March 2007.

- **Dr Lisa Diamond**, associate professor in psychology and gender studies at the University of Utah has done a longitudinal study of 80 same-sex-attracted females and found that after five years one quarter no longer identified as lesbian or bisexual.

She says there is considerable anecdotal evidence that some lesbians have changed their orientation. "In many college communities, women that come out as lesbian during their college years, only to drop this identification after graduating, are jokingly called 'LUGs' – Lesbians Until Graduation," she says.⁴²

- **Luca di Tolve** was once a young homosexual man but is now a happily married father. His true story was told by Italian pop star Guiseppe Povia, who also once had "a gay phase" that lasted seven months. Povia's soft rap song "Luca era gay" (*Luca was once gay*) hit the headlines after coming second in the 2009 San Remo Music Festival in Italy.

Luca told his story to the Italian newspaper *Il Giornale*. He explained that people develop same-sex attractions because of experiences during childhood. For Luca, a key factor was his parents' divorce. His father left home and young Luca "remained alone in a feminine environment, playing with dolls". Luca later came to understand that his emotionally detached father and obsessive mother had unintentionally created confusion about his sexual identity.⁴³

- **James Parker** was adopted and grew up in northern England. There he was sexually abused by teachers and an older boy, became addicted to pornography and alcohol, and "came out" as homosexual to his parents at the age of 17. After moving to London to attend university, he lived a promiscuous gay lifestyle – until he met a man who became his steady partner.

After attending a Catholic prayer meeting, he experienced a profound spiritual awakening and ended his same-sex relationship. Through a painful journey he found for the first time a strong sense of masculinity. He knows people who have grown into a life of chastity but still experience levels of same-sex attraction.

James discovered an attraction to the opposite sex. After moving to Perth, he eventually married and became a father. "I've lived the committed homosexual and committed heterosexual partnerships – they're radically different," he says.⁴⁴

- **Jackie Hill Perry** used to be a lesbian. In her book *Gay Girl, Good God*, she tells of growing up fatherless and experiencing gender confusion. She embraced masculinity and homosexuality passionately.⁴⁵ She knew that conflicted with Christian teaching. But she felt unable to stop loving women, when homosexuality felt more natural to her than heterosexuality.

⁴² Lisa Diamond, "Was It a Phase? Young Women's Relinquishment of Lesbian/Bisexual Identities Over a 5-Year Period", *Journal of Personality and Social Psychology*, Vol 84, No 2, 2003, 352-364.

⁴³ Michael Cook, "Luca era gay", *Mercatornet*, 11 October 2012.

⁴⁴ Ben Smith, "James Parker: 'From Gay-Activist to Husband and Father'", *Catholic Outlook*, 19 May 2016.

⁴⁵ Jackie Hill Perry, *Gay Girl, Good God: The Story of Who I Was, and Who God Has Always Been*, B&H Publishing Group, 3 September 2018.

At age nineteen, Jackie came face-to-face with what it meant to be made new. God turned her heart toward Him – not in a church, or through contact with Christians – but in her own bedroom.

- **Rosaria Butterfield** was a tenured English professor at Syracuse University, specialising in Queer Theory, a postmodern form of gay and lesbian studies. Aged 36 and sceptical of all things Christian, she was in a committed lesbian relationship and was deeply involved in the LGBT (Lesbian Gay Bisexual Transgender) community.

One day, Rosaria wrote an editorial in the local newspaper criticising a Christian ministry. Pastor Ken Smith wrote a kind and probing letter in response – and so began a friendship that changed Rosaria's life, eventually leading to her Christian conversion.

In her book, *Secret Thoughts of an Unlikely Convert*, Rosaria outlines the challenges she faced during her journey of repentance and transformation.⁴⁶

Slowly but steadily, her feelings about herself as a woman and her sexuality started to change. Over time, she fell in love with a pastor. She married him and is now a home-schooling mother of four adopted children.

- **Nick Kuiper** was bullied as a child and didn't know how to handle it. His family had migrated from Holland when he was four and he was closest to his mother. His father's hearing was badly damaged during the war and he had little English, making communication with him very difficult. Nick says:

I left home at 17 and was often lonely. A hippie who befriended me introduced me to a hotel where the people were very caring and accepted me. They were homosexuals.

I looked for a lifelong partner, but I quickly learnt that there is a great instability in the homosexual scene. The percentage of long-term relationships is very small.

Two Christian women befriended me, and I developed a real hunger for the Word of God. At that time, I also found out my homosexual partner had been unfaithful to me. I was devastated.

One night, I read that homosexuality was an abomination to God. I suddenly knew that it was sin. I heaved sobs of repentance before the Lord. I had started attending church and was very lonely, but over the next three years my love for the Lord eventually overcame my desire for homosexual relationships.

I am now free from the grip of homosexuality, but I have to walk daily in the life of the Spirit. I am now married, and my wife and I have been blessed with two sons.⁴⁷

⁴⁶ Rosaria C. Butterfield, *The Secret Thoughts of an Unlikely Convert: An English Professor's Journey into Christian Faith*, Crown & Covenant Publications, 2012; see also Tony Reinke, "From Radical Lesbian to Redeemed Christian", *DesiringGod.org*, 19 February 2013.

⁴⁷ *Australia's New Day*, June 1986.

58. The evidence is that some involved in homosexual activity do change. This was also true in the first century, as is clear from the apostle Paul's first letter to the Corinthians, where he writes (emphasis added):

*Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practise homosexuality ... will inherit the kingdom of God. And **such were some of you**. But you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and by the Spirit of our God. (1 Corinthians 6:9-11)*

Some members of the Corinthian church had engaged in homosexual practices but had changed: they had been washed, sanctified and justified by Christ.

That is still true today. Some who previously engaged in homosexual practices have changed and are now either celibate or married (to an opposite-sex partner).

Doctrine Commission "common ground"

59. In the Foreword to the book *Marriage, Same-Sex Marriage and the Anglican Church of Australia*, the Doctrine Commission members report finding some initial "common ground".⁴⁸ While some of these statements are acceptable, others should not go unchallenged.
60. The Doctrine Commission members report "common ground":

That same-sex attraction is not a sin or a mental illness or a psychological disorder.

As mentioned above (section 50), it is important to distinguish between **attraction**, **identity** and **activity**. It is agreed that sexual **attraction** (whether same-sex or opposite-sex) is a temptation and not a sin. However, a person's **identity** should not be determined by sexual attraction – someone who experiences same-sex attraction, but remains chaste, is not and should not identify as a homosexual. And sexual **activity** outside marriage (whether same-sex or opposite-sex) is a bodily sin.

The question of whether same-sex attraction is a mental illness or a psychological disorder is more fraught. When the DSM-II (the US Diagnostic and Statistical Manual of Mental Disorders, version 2) was first published in 1968, homosexuality was considered a mental disorder. Gay rights activists began a campaign against American Psychiatric Association (APA) at its convention in 1970:

The activists disrupted the conference by interrupting speakers and shouting down and ridiculing psychiatrists who viewed homosexuality as a mental disorder. In 1971, gay rights activist Frank Kameny ... grabbed the microphone and yelled: "Psychiatry is the enemy incarnate. Psychiatry has waged a relentless war of extermination against us. You may take this as a declaration of war against you."⁴⁹

⁴⁸ *Marriage, Same-Sex Marriage and the Anglican Church of Australia: Essays from the Doctrine Commission*, Anglican Church of Australia, June 2019, p 6.

⁴⁹ "Diagnostic and Statistical Manual of Mental Disorders", *Wikipedia*, accessed 3 December 2019.

In the context of continuing gay activism, the APA Board of Trustees agreed in December 1973 to redefine homosexuality as a “sexual orientation disturbance”.⁵⁰ This decision was subsequently upheld in a vote of APA members by a 58% majority.⁵¹ Then in 1987, homosexuality was completely removed from the DSM. Thus, the decision not to view homosexuality as a mental disorder can be seen as a political response to the vigorous and lengthy campaign by gay activists.

Nevertheless, it remains true that homosexuals experience a much higher rate of mental disorders than the general population:

*Members of the non-heterosexual population are estimated to have about 1.5 times higher risk of experiencing anxiety disorders than members of the heterosexual population, as well as roughly double the risk of depression, 1.5 times the risk of substance abuse, and nearly 2.5 times the risk of suicide.*⁵²

61. The Doctrine Commission members report “common ground”:

That same-sex attraction is not a voluntary choice. Most gay men and lesbian women would say that they have no choice in who they are attracted to and cannot – and feel no desire to – change this.

Same-sex attraction is not a voluntary choice – it is a temptation to engage in sexual immorality and no temptation (per se) is a voluntary choice. Of course, individuals have some choice about whether they allow themselves to be exposed to temptations.

While many gay men and lesbian women may feel they cannot change, the reality is that many do – as documented above (sections 55-58). Same-sex-attracted teenagers may say they cannot change, but the evidence is that some 80% of same-sex-attracted teenagers become opposite-sex attracted a decade later (sections 55-56). The reality is that numerous people who feel unable or unwilling to change their same-sex attraction do become opposite-sex attracted later in a myriad of different circumstances (see some stories in section 57).

An excellent video documenting multiple cases of same-sex-attracted people who changed orientation is *Such Were Some of You*, available on DVD from Koorong.⁵³

Another story of orientation change is told in the YouTube video *Homosexuality Was My Identity*.⁵⁴ During the video Becket says: “When I was living that gay life for many many years, I was 100% sure that was my identity. It felt like I was born that way. It was my orientation. It was my identity, and I felt like it was immutable.” Yet he subsequently experienced radical change.

⁵⁰ “The A.P.A. Ruling on Homosexuality”, *The New York Times*, 23 December 1973, p 109.

⁵¹ Jack Drescher, “Out of DSM: Depathologizing Homosexuality”, *Behavioral Sciences (Basel)*, 4 December 2015.

⁵² Lawrence S. Mayer and Paul R. McHugh, “Sexuality and Gender: Findings from the Biological, Psychological, and Social Sciences”, *The New Atlantis*, Fall 2016.

⁵³ *Such Were Some of You: Faith, Hope and Homosexuality*, Pure Passion Media, April 2016.

⁵⁴ *Homosexuality Was My Identity*, Anchored North, www.youtube.com/watch?v=K8a5I0yv0Dw

Feelings that same-sex attraction is immutable are an unreliable guide, because feelings change. The reality is that many people with such feelings do experience subsequent change.

If the Doctrine Commission members had listened to more stories of such changes in orientation, their “common ground” should have been different.

62. The Doctrine Commission members report “common ground”:

That ‘reparative therapy’ to re-orient sexual attraction to heterosexual patterns is ineffective in the vast majority of cases. Individuals who have participated in such therapy based on an unrealistic hope or promise of re-orientation have experienced harm as a result.

This widely held view is not supported by the available evidence. Assessment of this claim requires clarification of terms such as “reparative therapy”, “re-orientation”, “effectiveness” and “harm”.

Reparative therapy is a term coined by Dr Joseph Nicolosi, Sr, founder of NARTH (the National Association for Research and Therapy of Homosexuality). Dr Nicolosi stressed that his reparative therapy was aimed at people who experienced *unwanted* same-sex sexual attractions. It was never intended for people who identify as gay and are content with their gay-self-identification.⁵⁵ Reparative therapy is one of several approaches to “sexual orientation change efforts” (or SOCE).

Sexual orientation is generally used to describe sexual attraction to other people on a continuum from exclusively heterosexual to exclusively homosexual.

Effectiveness of reparative therapy or SOCE is assessed in terms of any significant shift away from homosexual orientation and towards heterosexual orientation. The effectiveness of SOCE therapies must be judged in comparison with the effectiveness of therapies for other psychological conditions, such as depression.

Harm is sometimes claimed by those who have undergone SOCE and subsequently had negative life experiences, such as depression or suicidal ideation. However, it must be born in mind that correlation is not causation. Claims of harm from SOCE need to be assessed in comparison with groups receiving no therapy, gay-affirming therapy and therapy for other conditions.

Numerous studies published in professional journals over recent decades show significant change in sexual orientation among those seeking such change.⁵⁶

⁵⁵ “Dr Nicolosi's Beliefs”, www.josephnicolosi.com

⁵⁶ W Freeman & R G Meyer (1975), “A behavioral alteration of sexual preferences in the human male”, *Behavior Therapy*, 6, 206–212; L Hatterer (1970), *Changing heterosexuality in the male: Treatment for men trouble by homosexuality*, McGraw-Hill; J Munzer (1965), “Treatment of the homosexual in group psychotherapy”, *Topical Problems of Psychotherapy*, 5, 164–169; E M Pattison & M Pattison (1980), “‘Ex-gays’: Religiously mediated change in homosexuals”, *American Journal of Psychiatry*, 137, 1553–1562; R A Truax & G Tournay (1971) “Male homosexuals in group psychotherapy”, *Diseases of the Nervous System*, 32, 707–711; L M Diamond (2007), “A dynamical systems approach to the development and expression of female same-sex sexuality”, *Perspectives on Psychological Science*, 2, 142–161; L M Diamond (2008), *Sexual fluidity: Understanding women’s love and desire*, Harvard University Press.

The research by US academics Jones and Yarhouse, published in 2011 in a peer-reviewed scientific journal, is particularly significant because it involved a longitudinal study over 6-7 years.⁵⁷ Longitudinal studies overcome some the limitations of retrospective studies. The authors studied both sexual orientation change and indications of harm.

The initial sample of 98 subjects (72 men and 26 women) participated in “religiously mediated” counselling. The authors tracked 63 to the conclusion of the study – a retention rate of 64%, which “compares favourably to that of respected longitudinal studies”. The outcome was that 53% of participants experienced significant *wanted* change from same-sex attraction – 23% to opposite-sex attraction and 30% to chastity.

Whether the process produced harm was assessed using a “validated measure of psychological distress”. The study found that “the only statistically significant trends that emerged ... indicated *improving* psychological symptoms”. Thus, the religiously mediated SOCE process seems to have reduced the likelihood of harm.

A comprehensive report, covering decades of research, on changes to sexual orientation through multiple reorientation therapies provides extensive evidence that change is possible and unlikely to be harmful.⁵⁸

A recent detailed survey describes research on whether sexual orientation change efforts are effective or harmful.⁵⁹ It provides evidence that SOCE therapies about as effective as psychological counselling for other unwanted issues, such alcohol abuse, social phobias or eating disorders. And there is no evidence that negative experiences (“harm”) are any more common among those who have undergone SOCE therapies than those who have not.

The Doctrine Commission’s “common ground” view that reparative therapy is ineffective and harmful is contrary to the available evidence and should not be accepted.

Summary

63. **According to the Scriptures, marriage has three main purposes: procreation and raising the next generation, complementary partnership, and avoidance of sexual immorality. These purposes are consistent with the findings of social, psychological and neurological research on human needs and behaviour. They can only be adequately fulfilled through the exclusive and enduring union of a man and a woman, namely marriage.**

Scripture and the role of marriage for God’s people

64. In the history of God’s people, marriage has always been much more than a personal relationship of a man and a woman. It has had a vital role of forming, binding and sustaining the community of God’s people.

⁵⁷ Stanton L Jones & Mark A Yarhouse (2011), "A Longitudinal Study of Attempted Religiously Mediated Sexual Orientation Change", *Journal of Sex & Marital Therapy*, 37:5, 404-427.

⁵⁸ James E Phelan, Neil Whitehead & Philip M Sutton, "What Research Shows: NARTH’s Response to the APA Claims on Homosexuality", A Report of the Scientific Advisory Committee of the National Association for Research and Therapy of Homosexuality, *Journal of Human Sexuality*, 2009.

⁵⁹ Peter Sprigg, "Are Sexual Orientation Change Efforts (SOCE) Effective? Are They Harmful? What the Evidence Shows", Family Research Council, 7 September 2018.

Marriage forms, binds and sustains communities

65. **Forming.** God's promise to Abraham and his wife Sarah was that their descendants would form a great nation, who would be blessed and be a blessing to others, and who would have a covenant relationship with God (Genesis 12:2, 15:5, 17:1-7). Notably, the blessing and covenant would be through the child of Abraham's marriage, not the children of his concubine. In short, the marriage of Abraham and Sarah would be the vehicle for forming a covenant community of God's people.
66. **Binding.** Marriage not only binds a man and his wife; it also plays a vital role in binding God and his covenanted people. In Jewish tradition (reflected in Joel 2:16 and Psalm 19:5), a bride and groom are married under a *chuppah* (canopy), which spiritually "represents the presence of God over the covenant of marriage".⁶⁰ In Christian tradition too, wedding vows are made in God's presence as a witness to their union. God's role as witness is to encourage faithfulness, with the goal of raising *godly offspring*:

The LORD was witness between you and the wife of your youth, to whom you have been faithless, though she is your companion and your wife by covenant. Did he not make them one, with a portion of the Spirit in their union? And what was the one God seeking? Godly offspring. So guard yourselves in your spirit, and let none of you be faithless to the wife of your youth. (Malachi 2:14–15)

Furthermore, God's desire for marriages to raise godly children is the reason for prohibiting intermarriage with unbelievers:

You shall not intermarry with [gentiles], giving your daughters to their sons or taking their daughters for your sons, for they would turn away your sons from following me, to serve other gods. Then the anger of the LORD would be kindled against you, and he would destroy you quickly. (Deuteronomy 7:3–4)

The strength of Jewish opposition to marrying a non-Jew is dramatically portrayed in the musical *Fiddler on the Roof*. Tevye (a poor Jewish milkman) reluctantly agrees to his oldest daughter marrying a poor tailor and to his next daughter marrying a revolutionary. However, when his third daughter announces that she will marry outside the Jewish faith, Tevye explodes. He refuses to speak to her and tells his family to consider her dead.

This principle of prohibiting intermarriage with unbelievers in the early church was reinforced by the apostle Paul:

Do not be unequally yoked with unbelievers. For what partnership has righteousness with lawlessness? Or what fellowship has light with darkness? (2 Corinthians 6:14)

67. **Sustaining.** The families formed by godly married couples and their children can make a major contribution to sustaining the community of God's people. This is evident from the fifth commandment:

Honour your father and your mother, that your days may be long in the land that the LORD your God is giving you. (Exodus 20:12)

⁶⁰ "Chuppah", *Wikipedia*, <<https://en.wikipedia.org/wiki/Chuppah>>.

This commandment is the first with a promise, as the apostle Paul reminds the readers of his letter to the Ephesians (6:2). David Klinghoffer, in his book *Shattered Tablets*, comments:

The primary beneficiary of the promise of long days “upon the land that the Lord your God gives you” is not the individual, but the society. After all, it was to the Israelites as a nation, not to individual Jews, that the Lord gave the land.⁶¹

Klinghoffer adds:

James Dobson, for one, has it right in his book Dare to Discipline ... “Young children typically identify their parents ... and especially their fathers ... with God. Therefore, if Mom and Dad are not worthy of respect, neither are their morals, their country, their values and beliefs, or even their religious faith.”

Respect for parents, in other words, is a necessary condition for moral education, which is a necessary condition for a society’s thriving, perhaps for its very survival.⁶²

Impact of marriage on God’s people

68. Throughout the Scriptures the temporal bond of marriage between a man and his wife is associated with the spiritual bond between God and his people.

Jewish life revolves around two institutions: the home and the community. Each is endowed with unique meaning, and between these two – the private and public spaces – education, ritual, and everyday life takes place.

The Jewish home is where the core identity of young Jews is formed. And it is formed not through abstract ideas, but through concrete experiences of the five senses. The tastes, smells, sounds, and images of Jewish life are first experienced in the home – through observance of Shabbat and festivals, living a Jewish life every day, and making the home a meaningful Jewish space...

Jewish families cannot live in isolation. To live a full Jewish life requires engagement with other Jews, a Jewish community. The community provides services and experiences that the home cannot, and in addition, fellowship and participation in community have inherent spiritual value in Judaism.⁶³

69. The impact of natural families – married men and women with their children – on the wider community of which they are part is explored by Mary Eberhardt in her book *How the West Really Lost God*. She argues that the decline of the natural family in the Western world has had a significant impact on the decline of Christian belief. She writes:

⁶¹ David Klinghoffer, *Shattered Tablets: Why We Ignore the Ten Commandments at Our Peril*, Doubleday, 2007, p 118.

⁶² David Klinghoffer, *Shattered Tablets*, p 119.

⁶³ "Jewish Home and Community: The two pillars of Jewish life", My Jewish Learning, accessed 15 November 2019, <www.myjewishlearning.com/article/jewish-home-community>

[People] have simply assumed ... that the decline in the natural family was a mere consequence of the shrinking of belief. This book makes the case that the reverse is also true – in other words, that the ongoing deterioration of the natural family itself has both accompanied and accelerated the deterioration in the West of Christian belief.⁶⁴

70. The teaching of the Scriptures and evidence from other sources indicate that married men and women, and the families they form with their children, have a profound influence on the wider community. Stable male-female marriages and associated families could be vitally important for the future vitality of the Anglican Church.

Summary

71. **The Scriptures teach that marriage and family life have a vital role in forming, binding and sustaining the community of God's people. The transmission of the Christian faith from one generation to the next seems to depend, to a significant extent, on loving marriages and families. If the community of the Anglican Church is to have a vibrant future, it needs to uphold marriage as the exclusive voluntary union of a man and a woman, entered into for life.**

Scripture and the nature of blessing

72. The concept of *blessing* in the Scriptures is contrasted with that of *cursing*, just as life is contrasted with death, and good with evil. In his final words to the people of Israel, Moses exhorts them to faithfully obey God and receive his blessings and warns of the curses that will result if they do not (emphasis added):

*If you faithfully obey the voice of the LORD your God, being careful to do all his commandments that I command you today, the LORD your God will set you high above all the nations of the earth. And all these **blessings** shall come upon you and overtake you, if you obey the voice of the LORD your God.*

*If you will not obey the voice of the LORD your God or be careful to do all his commandments and his statutes that I command you today, then all these **curses** shall come upon you and overtake you. (Deuteronomy 28:1-3, 15)*

73. In the New Testament, Jesus presents an equally vivid distinction between those who will be blessed by God and those who will be cursed (emphasis added):

*When the Son of Man comes in his glory ... he will separate people one from another as a shepherd separates the sheep from the goats. And he will place the sheep on his right, but the goats on the left. Then the King will say to those on his right, 'Come, you who are **blessed** by my Father, inherit the kingdom prepared for you from the foundation of the world...*

*Then he will say to those on his left, 'Depart from me, you **cursed**, into the eternal fire prepared for the devil and his angels... (Matthew 25:31–34, 41)*

⁶⁴ Mary Eberstadt, *How the West Really Lost God: A New Theory of Secularization*, Templeton Press, 2013.

74. In both the Old and New Testaments, the blessings flow from obeying the commands of God – the Mosaic law in the Old Testament and the commands of Christ in the New Testament.

It follows that a service of blessing can be in accordance with the Scriptures only if the purpose of the service is to endorse persons or actions that obey the commands of God. Since same-sex relationships are condemned by God, they cannot legitimately be endorsed by a service of blessing.

Summary

75. **The Scriptures teach that God’s blessings follow obedience to the commands of Christ, whereas rejection of His commands leads to the curse of eternal fire. A service seeking God’s blessing is only appropriate in obedience to Christ’s commands. Since same-sex unions are condemned by God (for reasons given earlier) they cannot attract God’s blessing. A service purporting to seek God’s blessing of sinful actions would be contrary to the Fundamental Declarations and Ruling Principles.**

Inconsistency with the Ruling Principles

76. The Ruling Principles of the Anglican Church of Australia state:

This Church, being derived from the Church of England, retains and approves the doctrine and principles of the Church of England embodied in the Book of Common Prayer ... as the authorised standard of worship and doctrine in this Church, and no alteration in or permitted variations from the services or Articles therein contained shall contravene any principle of doctrine or worship laid down in such standard.

77. The part of the Book of Common Prayer most relevant to the questions under consideration is *The Form of Solemnization of Matrimony*.

The preface to this service states clearly that those to be joined in holy matrimony are a man and a woman (emphasis added):

*Dearlly beloved, we are gathered together here in the sight of God, and in the face of this Congregation, **to join together this man and this woman in holy Matrimony**; which is an honourable estate, instituted of God in the time of man's innocency, signifying unto us the mystical union that is betwixt Christ and his Church...*

78. The preface sets out the three purposes “for which Matrimony was ordained”:

First, It was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name.

Secondly, It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.

Thirdly, It was ordained for the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity. Into which holy estate these two persons present come now to be joined.

These are the three purposes given in the Scriptures and summarised above at 34-39, 47-58 and 40-46 respectively.

79. The preface also warns that unions contrary to the Scriptures are invalid:

[B]e ye well assured, that so many as are coupled together otherwise than God's Word doth allow are not joined together by God; neither is their Matrimony lawful.

Since same-sex unions are condemned in the Scriptures, any service purporting to couple them are not joined by God and are invalid.

80. The service is expressed in complementary terms, with the man and woman making slightly different promises. And a single ring is given by the man and received by the woman as an expression of their union. These complementary elements are in accordance with the Scriptures, as outlined in paragraphs 40-46 above.

A service involving two people of the same sex would not have these complementary elements.

Summary

81. The Form of Solemnization of Matrimony in the Book of Common Prayer embodies the teaching of the Scriptures (outlined in sections 23 to 58 above) that:

- marriage is between a man and a woman;
- marriage was ordained for the purposes of procreation, avoidance of sin and complementary companionship.; and
- any union contrary to God's Word is not blessed by God.

Consequently, any union contrary to the teaching of the Scriptures, including a same-sex union, is contrary to the Ruling Principles and thus unlawful in the Anglican Church of Australia.

The answer to questions 1 of the first reference from the Appellate Tribunal, dated 5 September 2019, is "no". The blessing of same-sex civil "marriages" is NOT consistent with the Fundamental Declarations or Ruling Principles of the Anglican Church of Australia.

Inconsistency with Anglican doctrine

82. The second reference from the Appellate Tribunal, dated 21 October 2019, asks two questions regarding Anglican doctrine – whether it is consistent with the doctrine of this Church to bless a civil marriage involving a union other than between one man and one woman using:

- the form of service at Appendix A to the Wangaratta Regulations, or
- any other form of service, purportedly made in accordance with section 5 of the *Canon Concerning Services 1992*.

83. Both questions hinge on whether the use of any form of service, to bless a civil marriage which involved a union other than between one man and one woman, is consistent with the doctrine of this Church.

84. Since the third Fundamental Declaration affirms that this "Church will ever obey the commands of Christ, teach His doctrine...", the "doctrine of this Church" must be consistent with Christ's doctrine.
85. As mentioned at 15 above, section 74(1) of the Constitution defines doctrine as "the teaching of this Church on any question of faith." The second Fundamental Declaration affirms the Scriptures as the ultimate rule and standard of faith on things necessary for salvation. Thus, the test of consistency with the doctrine of this Church becomes a test of consistency with the Scriptures.
86. The Ruling Principles also address the "doctrine of this Church". They state that the "Book of Common Prayer, together with the Thirty-nine Articles" are "regarded as the authorised standard of worship and doctrine in this Church". And Article 6 – Of the Sufficiency of the holy Scriptures for salvation – essentially affirms the second Fundamental Declaration, namely that the Scriptures are the ultimate rule and standard of faith on things necessary for salvation.
87. Consequently, both the Fundamental Declarations and the Ruling Principles require the test of consistency with the doctrine of this Church to be a test of consistency with the Scriptures.
88. This submission argues in sections 23 to 58 above that same-sex unions are condemned in the Scriptures and cannot be considered "marriage". Sections 72 to 75 argue that any form of service purporting to bless something that is condemned in the Scriptures is invalid. It follows that any form of service purporting to bless a civil marriage involving a union other than between one man and one woman is contrary to the doctrine of the Church.

Summary

89. **The answer to questions 1 and 2 of the second reference from the Appellate Tribunal, dated 21 October 2019, is "no". The blessing of same-sex civil "marriages" is NOT consistent with the doctrine of this Church and NOT consistent with the Fundamental Declarations or Ruling Principles of the Anglican Church of Australia.**

Canon Concerning Services 1992

90. The first reference, dated 5 September 2019, asks whether the Wangaratta Regulation "is validly made pursuant to the *Canon Concerning Services 1992*". The second reference, dated 21 October 2019, asks whether "in light of the determinations to be made in Questions 1 & 2, the Regulations are validly made pursuant to the *Canon Concerning Services 1992*".
91. The *Canon concerning Services 1992* provides in section 4(1) that the authorised forms of service are those in the Book of Common Prayer and those authorised by "a canon of the General Synod in force in the diocese of which that parish is part." Section 4(2) allows a minister "the discretion allowed by section 5".
92. Section 5(2) of the Canon states:

Subject to any regulation made from time to time by the Synod of a diocese, a minister of that diocese may on occasions for which no provision is made use forms of service considered suitable by the minister for those occasions.

However, this discretion is subject the condition in section 5(3), namely:

All variations in forms of service and all forms of service used must be reverent and edifying and must not be contrary to or a departure from the doctrine of this Church.

93. For reasons given in earlier parts of this submission, the Wangaratta Regulations are contrary to the Fundamental Declarations and the Ruling Principles and hence also contrary to the doctrine of this Church. Consequently, the Wangaratta Regulations are not validly made under the Canon.

94. Section 5(4) of the Canon states:

A question concerning the observance of the provisions of sub-section 5(3) may be determined by the bishop of the diocese.

However, the bishop of a diocese is bound by the Constitution and cannot validly authorise a variation that is contrary to the doctrine of the Church.

Summary

95. **Consequently, the Wangaratta Regulations are not validly made pursuant to the *Canon Concerning Services 1992*.**

Conclusion

96. Re the reference dated 5 September 2019, question 1 should be answered “no” – the Wangaratta Regulations are NOT consistent with the Fundamental Declarations and Ruling Principles in the *Constitution of the Anglican Church of Australia*.

97. Re the reference dated 5 September 2019, question 2 should be answered “no” – the Wangaratta Regulations are NOT validly made pursuant to the *Canon Concerning Services 1992*.

98. Re the reference dated 21 October 2019, question 1 should be answered “no” – the use of the form of service at Appendix A to the Wangaratta Regulations to bless a civil marriage which involved a union other than between one man and one woman, is NOT consistent with the doctrine of this Church and NOT consistent with the Fundamental Declarations and Ruling Principles in the *Constitution of the Anglican Church of Australia*.

99. Re the reference dated 21 October 2019, question 2 should be answered “no” – the use of any other form of service, purportedly made in accordance with section 5 of the Canon Concerning Services 1992, to bless a civil marriage which involved a union other than between one man and one woman is NOT consistent with the doctrine of this Church and NOT consistent with the Fundamental Declarations and Ruling Principles in the *Constitution of the Anglican Church of Australia*.

100. Re the reference dated 21 October 2019, question 3 should be answered “no” – in light of the answers to Questions 1 & 2, the Wangaratta Regulations are NOT validly made pursuant to the *Canon Concerning Services 1992*.