

IN THE APPELLATE TRIBUNAL

ANGLICAN CHURCH OF AUSTRALIA

IN THE MATTER OF questions referred by the Primate –
Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019 (Wangaratta)

I refer to the notification by the Primate on 21 October 2019 and make the following submission:

Question 1

I submit that the form of service referred to above (hereinafter referred to as “the Regulations”) is not consistent with the doctrine of this Church and is not consistent with the Fundamental Declarations and Ruling Principles in the Constitution of the Anglican Church of Australia.

1. The Constitution of the Anglican Church of Australia firmly grounds the faith and doctrine of the Church in the Holy Scriptures in Part 1 Chapter 1 under the heading “Fundamental Declarations” which by the very heading emphasises the vital importance of the following statements:
 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.
2. The Church’s foundation on Scripture is also affirmed in Article 6 of the 39 Articles of Religion.
3. The teaching of Scripture¹ is clear that marriage is a creation event and between one man and one woman as affirmed by Jesus². Scripture does not state, imply or allude to any form of union other than between a man and a woman that is in accordance with God’s plan for creation. Scripture does however condemn same-sex intimacy³.
4. In accordance with Scripture, the Church’s teaching on marriage is reflected in “The Form of Solemnization of Matrimony” as contained in the Book of Common Prayer which states, inter-alia, “... 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;”.

5. The Regulations' operative section is to bless civil marriage other than between one man and one women and purports to do this on the basis that the blessing of a civil marriage is not a marriage service. Yet the very intent of this regulation is to seek God's blessing and favour on two people who have married, that in essence would be viewed as the same outward sign as Christian marriage.
6. As the Church holds the Scriptures "as being the ultimate rule and standard of faith given by inspiration of God"⁴ and that Scripture nowhere endorses same-sex intimacy but rather condemns it, such union is outside the will of God and cannot be blessed.
7. The church as well as the broad community have held that marriage is between a man and a woman for millennia except for a handful of years very recently. Though changed community attitudes do pose serious pastoral questions and needs for the church, the response must be in accordance with the church's doctrine, declarations and principles and first and foremost in accordance with God's will as spoken in the Scriptures. The church must be diligent and faithful in not being persuaded to act contrary to God's will⁵.

Question 2

I submit that the use of any form of service referred to is not consistent with the doctrine of this Church and is not consistent with the Fundamental Declarations and Ruling Principles in the Constitution of the Anglican Church of Australia for reasons stated above.

Question 3

I submit that the Regulations are therefore not validly made pursuant to the Canon Concerning Services 1992.

Glenn Muskett

11 December 2019

¹ Genesis 1-2, Leviticus 18

² Matthew 19

³ Romans 1, 1 Corinthians 6

⁴ Constitution, Chapter 1, 2

⁵ 2 Timothy 4