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GENERAL SYNOD

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To.

Registrar Appellate Tribunal,  
Anglican Church of Australia.

Question: 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 Declaration and Ruling Principles in the Constitution of the Anglican Church of Australia.

The acceptance of the regulation bypasses an open debate within the Church about the acceptance of same sex marriage to the Anglican Community and gives authority to registered celebrants who are also members of the clergy to openly bless marriages of homosexual couples thereby giving tacit approval to the practice of homosexuality and same sex marriage.

1. If the Church permits the unqualified Blessing of persons married according to the Marriage Act 1961: Regulations 2019 it will conflict with Part 1. - Chapter 1. – Fundamental Declarations and Chapter II – Ruling Principles of the Church constitution.

**The Apostles Creed** calls to the Christian to state a belief in the Communion of Saints but the issue of same sex marriage set before the Church is divisive and harmful both to the Australian Church but also to the communion of believers across the globe as there are many Christian Churches, members of the Anglican Communion, who do not accept same sex marriages as a Christian practice and therefore will find it hard to fellowship with Australian Anglicans and will possibly sever fellowship.

**The Canonical Scriptures** as the ultimate rule and standard of faith are unquestionably opposed to the practice of homosexuality. Judges 19 and Romans 1 are clearly opposed and there is no need to quote a host of other passages that can be added to these passages. In consequence there is no instance of marriage between same sex couples recorded in the scripture. Remarkably there is very little written in the scriptures about the sin of sodomy comparative to idolatry and adultery. It does not seem to have been a social issue in biblical times. Ancient Hebrew society eschewed such behaviour.

As the Regulation of the Diocese of Wangaratta is contrary to the teaching of scripture it conflicts with the Fundamental Declarations of the Church and is inconsistent with the doctrine of the Church. It is contrary to the constitution.

Question: 2. Whether the regulation is validly made pursuant to the ***Canon Concerning Services 1992.***

The Ruling Principles stated in the Church constitution declare that ***the Book of Common Prayer (BCP.) together with the Thirty nine Articles be regarded as the authorised standard of worship and doctrine in the Church and no alteration in or permitted variation from the services or Articles therein contained shall contravene any principle of doctrine or worship laid down in such standard.***

The Form of Solemnization of Matrimony in the BCP clearly caters for a union between a man and a woman. The form of blessing starts with the words: *Dearly 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.....*

The BCP states one purpose of the marriage is for procreation.

The solemnization is stated firstly to a man and then to a woman, there is no provision for addressing two people of the same sex. *Who giveth this woman to be married to this man?* This question is a clear indication of a marriage between a man and woman.

The reading: Psalm 128, centres on a traditional marriage between a man and woman with a resultant family.

The Homily (18) in Article XXXV of the Articles relates to a relationship in marriage between a man and woman.

The Wangaratta Diocese alternate **Service of Blessing for persons who have been married according to the Marriage Act 1961** omits these important passages listed above and in consequence changes the doctrine and spirit of the Marriage service. This change is inconsistent with **Canon Concerning Services 1992** para 5, subsection (1) and (3).

- (1) and (3). (1) States that the Minister may make and use variations which are **not of substantial importance** but the omission of the stated intent of the BCP Solemnization of marriage between a man and woman in the **Service of Blessing** completely changes the purpose of the service. It is a **substantial** omission. It is a change to the doctrine of this Church and in conflict with the position taken in the Holy Scriptures and also to subsection (3) which states **All variation..... must not be contrary to or a departure from the doctrine of the Church.**

Although subsection (4) makes provision for the bishop of the diocese to determine if the variations conform to the doctrine of the Church it appears that in this instance the Primate has reservations about this determination and is right to appeal it.

Most of the Book of Common Prayer of 1662 was sourced from the work of the evangelical Archbishop, Thomas Cranmer's prayer book of 1552. The canon law in the time that Cranmer served in the Church forbade marriage for all priests and yet he married twice. He followed the teaching of scripture rather than the recognised thinking of his times which favoured celibacy within the Church. It may have been during these years that he compiled the BCP Marriage Service. Thomas Cranmer rejected the erroneous teachings of his day and lived his life in the light of Christ and his Word. He was martyred in March 1553.

Like the canon law in the time of Thomas Cranmer, the laws of a modern Liberal Democracy often conflict with the ethics and values of the Christian Church. The blessing of same sex marriages by the Anglican Church conflicts with the scripture, the BCP, the Thirty- Nine Articles of religion and the constitution of the Anglican Church of Australia. The Church will probably be subjected to criticism if it rejects the blessing of civil marriages unconditionally but historically Christian ethics have never been identical to social laws and have often borne criticism.

The BCP marriage ceremony has never historically been intended to serve the homosexual communities of society. Any attempt to recognise Christian acceptance of same sex marriage within the Anglican Church will require a substantial revision of the doctrine of the Church. To introduce that revision surreptitiously is a departure from the Christian norm which has always used councils to determine orthodox doctrine.

Question:

**3. Whether, in light of the determination to be made in Questions 1 & 2, the Regulations are validly made pursuant to the Canon Concerning Services 1992.**

If the Appellate Tribunal finds in favour of 1 and 2 stated above then the corollary is the invalidity of the **Blessing of Persons Married according to the Marriage Act Regulations 2019** on the grounds that the Regulations are in conflict with the Fundamental Declaration and Ruling Principles in the Constitution of the Anglican Church and harmful to the Communion of Saints.

The Appellate Tribunal must then find that the Regulations are inconsistent with the Canon Concerning Services 1992 para 5, subsection (1) and (3) and the Regulation should therefore be withdrawn or disallowed or both.

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