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GENERAL SYNOD

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TO THE APPELLATE TRIBUNAL ANGLICAN CHURCH OF AUSTRALIA

RESPONSE by the Right Reverend Dr. Peter Brain (a member of the Anglican Church of Australia since Confirmation in 1961; an ordained Deacon (1975), Priest (1975, parish minister (1975-1999; 2012-2017) and former Bishop of Armidale (2000-2012) and continuing to be active in parish work and life.

I SUBMIT that the answer to both Questions 1 and 2 asked by the Primate on 21/10/19 in the matter of "Blessing of persons married according to the Marriage Act 1961 Regulations 2019 (Wangaratta)" be "NO" for the FOLLOWING REASONS, set out below for your consideration.

1. OUR CONSTITUTION ACT 1961 states: DECLARES:

Chapter 1 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 (RP) Chapter 2

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 Thirtynine 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.*

2. I hope to show that Question (1) has, on plain reading of our Constitution and of the Marriage Service, along with the Services of Ordaining of Priests and Bishops is a question that should be answered "NO."

Question (ii) should be answered “NO” in that to bless a marriage between people other than “one man and one woman” is both inconsistent with the Fundamental Declaration and Ruling Principles and is “contrary to or a departure from the doctrine of this Church” (Canon 13, 1988, 5(3))

3. I shall seek to do this by an examination of the two Services mentioned above (2) which render the arguments in Primary Submissions by the Synod of the Diocese of Wangaratta concerning
  - (i) the attempted distinctions made between doctrine and matters of ceremonial, ritual and discipline (e.g. 6.2)
  - (ii) the Appellate Tribunal’s jurisdiction (11ff)
  - (iii) the Constitution (21ff)
  - (iv) the meaning of doctrine (28ff)
  - (v) the supposed differing interpretations of Scripture (64)either invalid or unnecessary.
4. In both cases I will seek to demonstrate how the word ‘blessing’ and prayers for blessing in our services are in a broader context which would constrain blessings to people and relationships that are not consistent with Scripture and inconsistent with the godly conduct prayed for in the Absolutions which follow the General Confession of our public services. Such blessings would not be consistent with or conducive to our public responsibility to hold out the promise and assurance of God’s grace to those who are repentant.
5. In appealing to the Book of Common Prayer and Scripture I do so in line with our Ruling Principles, Articles 6,7,19 and 20 and Fundamental Declarations 1-3 which affirm the primary role that Holy Scripture and the teachings of Christ play in our life together as a Communion. Everything must be brought to the touchstone of the Biblical Canon, including our services (Article 20), doctrine (Article 6), conduct that might be “called moral” (Article 7), “necessary to salvation” (Article 6) and the ordering of our sacramental and congregational life (Articles 19 and 34).
6. The BCP Service of Marriage begins 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; which is an honourable estate, instituted by God in the time of man’s innocency...” Here we have a direct answer to the question at #58 leaving open the possibility that the context of the formation of our liturgies should be considered in determining whether the BCP teaching on marriage as being between a man and a woman is a question of faith or ceremony reflecting tradition or the secular law of the time.

The intention of this BCP exhortation is to base marriage in the Creation, “instituted of God in the time of man’s innocency”. This is a clear reference to the pre-Fall chapters 1 and 2 of Genesis. This statement takes us directly to Christ’s teaching in Matthew 19:3-7, where, in condemning easy divorce, He affirms marriage as between a man and a woman when He quotes firstly Genesis 1:27 and then 2:18: <sup>4</sup> “Haven’t you read,” he replied, “that at the beginning the Creator ‘made them male and female,’ <sup>5</sup> and said, ‘For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh?’ <sup>6</sup> So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.”(NIV)

7. This pattern, where blessing is prayed for, is repeated after the vows and the giving and receiving of a ring, and prior to the statement, itself a quotation of Jesus' words in Matthew 19:6, "Those whom God hath joined together let no man put asunder."

*O Eternal God, Creator and Preserver of all mankind, Giver of all spiritual grace, the Author of everlasting life; Send **thy blessing** upon these thy servants, **this man and this woman**, whom we **bless** in thy Name; that, as Isaac and Rebecca lived faithfully together, so these persons may surely perform and keep the vow and covenant betwixt them made (whereof this Ring given and received is a token and pledge,) and may ever remain in perfect love and peace together, **and live according to thy laws**; through Jesus Christ our Lord."*

There is no question, therefore, that our BCP, following our Lord, upholds the Creation mandate for male-female marriage.

8. This is further made plain in the BCP Marriage Service:

- (i) Prayer for children: *O Merciful Lord, and heavenly Father, by whose gracious gift mankind is increased; We beseech thee, assist with thy **blessing** these two persons, **that they may both be fruitful in procreation of children**, and also live together so long in godly love and honesty, that they may see their children christianly and virtuously brought up, to thy praise and honour; through Jesus Christ our Lord.*

Blessing is prayed for because children are a possibility in male-female marriage, once again reflecting our Creator's intention, revealed in the Genesis blessing and command: "God blessed them and said to them, 'Be fruitful and increase in number...'" (Genesis 1:28)

- (i) **and in the blessing**, *Almighty God who in the beginning did create our first parents, **Adam and Eve**, and did sanctify and join them together in marriage; Pour upon you the riches of his grace, sanctify and **bless** you, that ye may please him both in body and soul, and live together in holy love unto your lives' end. Amen*

9. The blessing of a secular marriage is entirely proper where a man and a woman would seek to "live together in holy love unto [their] lives' end" because this is in line with God's revealed will expressed as an ordinance of Creation ("at the time of man's innocency", BCP, following Genesis 1 and 2) and which is in line with our Lord's teaching in Matthew 19:3-7 and explicit throughout the BCP marriage service.

10. It follows that neither same-sex marriage, nor a blessing of same-sex marriage, can be seen as an expression of: "liv(ing) according to Thy laws" or "an honourable estate instituted by God." The institution of marriage by God was expressly to be between a man and a woman in the BCP exhortation and prayers.

11. This is further implied in the Marriage service, in Psalm 128, "**Blessed** are they that fear the Lord: and walk in his ways" and the alternate Psalm (67), "God be merciful to us and **bless** us: and show us the light of his countenance, and be merciful to us. That thy way may be known upon earth: Thy saving health among all nations."

Blessing comes to those who seek to walk in the Lord's ways, though none of us does this perfectly and we constantly need God's pardon, grace and strength to do so.

12. However, blessing is always for the purpose of living in step with the Lord and showing forth His ways on earth. These Psalms are consistent with our public services that, like our Lord, assure us of His grace and blessing when we repent. In Morning and Evening Prayer and the Holy Communion, pardon is available but only given to those who pray "...we do earnestly repent, And are sorry for all our misdoings...Forgive us all that is past: And grant that we may ever hereafter serve and please Thee in newness of life." The Absolution, itself a blessing, comes with the condition "...to all them with hearty repentance and true faith turn to him."
  
13. All this assumes that same-sex practice (as distinct from same-sex orientation) remains a sin. This has not been addressed and therefore not established in the Wangaratta submission. The following must be taken into account. Our Lord's list of evil things from within our hearts that defile us in Mark 7:20-23: "*He went on: "What comes out of a person is what defiles them. <sup>21</sup>For it is from within, out of a person's heart, that evil thoughts come—sexual immorality, theft, murder, <sup>22</sup>adultery, greed, malice, deceit, lewdness, envy, slander, arrogance and folly. <sup>23</sup>All these evils come from inside and defile a person"* includes sexual immorality, which is just one of the thirteen unflattering sins. It is generally held to cover all sexual practice that is inconsistent with the considerate sexual act between a man and a woman who are married to each other. It rules out such practices as adultery (also specified), sex between unmarried people and same-sex people, bestiality, prostitution, paediality, group sex, and pornography. Other lists of sins could be added from the apostle Paul which extend but do not exhaust the list of sins: Romans 1:18-32; 1 Timothy 1:8-11; 1 Corinthians 6:9-11 and Galatians 5:19-21. The first three of these refer to same-sex practices. These lists remind us that same-sex practice is neither the only sin nor the unforgiveable sin. The wide array, like a mirror, catches us all out, but as with our Lord and His apostle they call us back to Him in repentance and faith. Every Christian prepared to bring every kind of sin in hearty repentance will find pardon and transforming grace. Titus 2:11-14 (one of our set Christmas epistles) sets this forth clearly, reminding every believer, whether of hetero- or same-sex attraction, of the promised grace in Christ that enables us to live for Him in every aspect of our lives.
  
14. However, to excise one sin, that of same-sex practice, would logically mean that we would no longer expect and require repentance from gossipers, the greedy, thieves, adulterers etc. It would also mean that we should bless any of the activities prohibited in these texts. This would lead to a complete denial of apostolic teaching, not to mention the teaching and discipline of Christ. To allow a blessing of same-sex couples would of necessity lead us to the acceptance of all sin and endorse a gospel that requires no repentance. Such a gospel would amount to a contradiction of our Lord's teaching on forgiveness in His prayer, "Forgive us our sins", His call to repentance at Matthew 3:2, "Repent ye for the kingdom of God is at hand", (BCP Morning Prayer) and His calls for the radical avoidance of sin in the Sermon on the Mount.

15. If we are to exclude same-sex practice from these lists it will mean:

- (i) to be consistent, that we would no longer uphold the long-established practice of offering absolution only after confession in our public liturgies.
- (ii) we would be against:

(a) the teaching of Christ -Matt. 3:2 ("Repent"- BCP Morning Prayer) and John 8:1-11- we cannot, with integrity, rejoice in our Lord's "neither do I condemn you" without heeding His "go and sin no more."

(b) the Apostle John's words, found in 1 John 1:8-9, *If we say that we have no sin, we deceive ourselves, and the truth is not in us. If we confess our sins, he is faithful and just to forgive us our sins, and to cleanse us from all unrighteousness* in Morning and Evening Prayer and Words of Assurance in Holy Communion (1 John 2:1 *If any man sin we have an Advocate with the Father, Jesus Christ the righteous; and he is the propitiation for our sins.*)

(c) our unbroken liturgical order of absolution following confession.

- (iii) We will become a "grace-less", "cheap grace" church since there is no Dominical or Denominational warrant for pardon or assurance of forgiveness to those who remain unrepentant.

16. In the Ordinal for Priests and Bishops our Lord's words from John 20:19ff are quoted and read. The apposite words are "*Whosoever sins ye remit, they are remitted unto them, and whoseever sins ye retain they are retained*" (Bishops) and "*Whose sins that thou dost forgive, they are forgiven, and those sins thou dost retain they are retained*" (Priests).

Were a blessing to be allowed in our Church, as being requested in this Submission, its Priests and Bishops would be guilty of the most serious sins of:

- (i) Withholding grace by removing same-sex practice as a sin.
- (ii) Not offering pardon, and therefore retaining, by withholding the means of remitting/forgiving sins.
- (iii) Failing to teach that this sin is a breach of our Lord's and His apostles' teaching by offering blessing and acceptance apart from repentance and amendment of life. This is contrary to our Lord's commands and discipline.
- (iv) Failing to offer the assurance that grace (as strength) is available to all repentant sinners for amendment, transformation and obedience. This would render us unfaithful shepherds whose teaching is lacking (John 10:12), who fail to minister to God's "children", "Christ's spouse and body" and who fail to trust "the Heavenly assistance of the Holy Ghost" (BCP, Ordering of Priests).

17. The Priests and Bishops concerned are in the most dangerous position themselves and place the church in a position of unmistakeable peril. Consider these statements from the Ordinals:

- (i) *Have always therefore printed in your remembrance, how great a treasure is committed to your charge. For they are the sheep of Christ, which he bought with his death, and for whom he shed his blood. The Church and Congregation whom you must serve, is his Spouse and his Body. And if it shall happen the same Church, or any Member thereof, to take any hurt or hindrance by reason of your negligence, ye know the greatness of the fault, and also the horrible punishment that will ensue. (The Ordering of Priests.)*

- (ii) *...as also to beware, that neither you yourselves offend, nor be occasion that others offend...*  
(The Ordering of Priests).
- (iii) The Bishop's question, *Will you then give your faithful diligence always to minister the Doctrine and Sacrament, and the Discipline of Christ, as the Lord commanded, and as this Church and realm hath received the same, according to the Commandments of God; so that you may teach the people committed to your Cure and Charge with all diligence to keep and observe the same?*  
And the Priest's answer, *I will do so, by the help of the Lord.* (The Ordering of Priests).
- (iv) The Archbishop's question, *Will you deny all ungodliness and worldly lusts, and live soberly, righteously, and godly, in this present world; that you may show yourself in all things an example of good works unto others, that the adversary may be ashamed, having nothing to say against you?*  
And the Bishop's answer, *I will so do, the Lord being my helper.* (The Consecration of Bishops)

18. To which we add the Dominical warnings:

*"Therefore anyone who sets aside one of the least of these commands and teaches others accordingly will be called least in the kingdom of heaven, but whoever practices and teaches these commands will be called great in the kingdom of heaven. For I tell you that unless your righteousness surpasses that of the Pharisees and the teachers of the law, you will certainly not enter the kingdom of heaven."* (Matthew 5:19-20)

*"And whoever welcomes one such child in my name welcomes me. If anyone causes one of these little ones—those who believe in me—to stumble, it would be better for them to have a large millstone hung around their neck and to be drowned in the depths of the sea. Woe to the world because of the things that cause people to stumble! Such things must come, but woe to the person through whom they come!"* (Matthew 18:5-7)

## THE COMMUNION SERVICE

19. We are taught by Jesus to love both God and others. God's love for us in Christ caused Him to come amongst us and then go to the cross in order to redeem us. This remains His generous purpose. The pattern has always been the same in our liturgies- repentance, faith and assurance with a view to godly living. So we come repentant (Prayer of Preparation, Commandments, General Confession, Absolution), receive the *Words of Assurance for those who truly and humbly repent*, we receive with outstretched hands from our Lord and then we go with the blessing *"... and we most humbly beseech thee, O heavenly Father, so to assist us with thy grace, that we may continue in that holy fellowship, and do all such good works as thou hast prepared for us to walk in; through Jesus Christ our Lord, to whom, with thee and the Holy Ghost, be all honour and glory, world without end. Amen."*

This blessing, always available to forgiven sinners, is held out in the Communion services, but only to the repentant. This teaching is both in line with Christ (“Repent...” Matthew 3:2, Morning Prayer), His apostles (1 John 1:8-9, Morning and Evening Prayer) and our Book of Common Prayer.

20. THE COSTS OF CONFESSIONLESS BLESSING.

- (i) We cannot expect the display of the Holy Spirit’s fruit. To put it another way, Galatians 5:19-20 must be owned and repented of if the nourishing and winsome fruits (Galatians 5:21-23) are to be displayed.
- (ii) The power of the gospel to transform will not be seen unless our sin is owned and repented of (1 Cor. 6:9-11). The Corinthian church, despite all its failings, was built upon those from different backgrounds who were repentant, and as such, being transformed by the Holy Spirit. This passage is part of the Canonical Scriptures that our Fundamental Declarations set forth as “the ultimate rule and standard of faith given by inspiration of God and containing all things necessary for salvation.” (Constitution, 1.2)

We note that this is part of the same epistle from which we derive significant teachings on matters we (rightly) cherish. These include:

- (a) the importance of unity (chapters 1-3)
- (b) the Lord’s Supper (11:17-32), which forms part of the Prayer of Consecration, words of administration and exhortations to a right preparation forgoing to the Table (BCP Holy Communion)
- (c) instructions about good order for fellowship and worship (11:2-16), spiritual gifts etc. (12:1-39)
- (d) the well-known chapter 13 on love and
- (e) the reading from 1 Corinthians 15 on our Lord’s resurrection which is the set reading in our 1662 BCP Funeral Service.

The point is, to maintain integrity to our Fundamental Declarations, we cannot receive, indeed rejoice, in these chapters while ignoring or reinterpreting 6:9-11, with its clear affirmation of the power of the gospel to transform sinners of every kind.

21. Article 20, *The Church hath power to decree Rites or Ceremonies, and authority- in Controversies of Faith: And yet 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.*

*Wherefore, although the Church be a witness and a keeper of Holy writ, as it ought not to decree any thing against the same, so besides the same ought it not to enforce any thing to be believed for necessity of Salvation,* itself a fundamental expression of our Ruling Principles sets forth the importance of Scripture, and at the same time offers us a vital principle in the interpretation of Scripture. It would be serious enough to set aside this passage (1 Cor. 6:9-11), but even more so when its teaching is fully in accord with other scriptures, including

- (a) concerning the married, male-female context for sexual expression, Genesis 1:27, *So God created mankind in his own image, in the image of God he created them; male and female he created them* and 2:18, *The LORD God said, “It is not good for the man to be alone. I will make a helper suitable for him”* and Matthew 19:4-6, *“Haven’t you read,” he*

*replied, "that at the beginning the Creator 'made them male and female,'<sup>5</sup> and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'?<sup>6</sup> So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate."*

- (b) the assurances of washing, sanctification and justification through the work of Jesus on the cross and the Holy Spirit in our lives in passages like John 3:3-5, 1 Peter 1:17-2:3; Ezekiel 36:24-27; Matthew 5:17-20; 1 Thess. 4:1-8 and Titus 3:1-8.
- (c) being a matter of "necessary for salvation", where the phrase *...neither the sexually immoral nor idolaters nor adulterers nor men who have sex with men<sup>10</sup> nor thieves nor the greedy nor drunkards nor slanderers nor swindlers will inherit the kingdom of God* ( 1 Cor. 6:9b-10) is repeated in Galatians 5:21, following our Lord's words in Matthew 5:20, *For I tell you that unless your righteousness surpasses that of the Pharisees and the teachers of the law, you will certainly not enter the kingdom of heaven* and 5:48, *Be perfect, therefore, as your heavenly Father is perfect.*

22. We will be failing repentant people, our church people and the community by not encouraging distinctive behaviour that is different to the world for the following reasons:

- (a) Blessing worldly behaviour stands in direct contradiction the Baptismal prayers- *O merciful God, grant that the old Adam in this child may be so buried that the new man may be raised up in him[her].*

*Grant that he [she] may have power and strength to have victory, and to triumph, against the devil, the world and the flesh.*

-and the Baptismal question, *Dost thou, in the name of this child, renounce the devil and all his works, the vain pomp and glory of the world, with all covetous desires of the same, and the carnal desires of the flesh, so that thou wilt not follow, nor be led by them?*

- (b) Appearing to commodify sex as the defining mark of a loving relationship, thus appearing to make sexual relationships a necessary component of a happy life.
- (c) In so doing we neglect the value of non-sexual friendships which are available to all people.
- (d) We let down same-sex attracted people by failing to remind them of God's grace to His trusting people to enable them to live a chaste and celibate life, as is prayed for in the Litany, *That it may please thee to give to all thy people increase of grace to hear meekly thy Word, and to receive it with pure affection, and to bring forth the fruits of the Spirit, **We beseech thee to hear us, good Lord.***

and the Absolution or Remission of sins in Morning Prayer, *...Wherefore let us beseech him to grant us true repentance, and his holy Spirit, that those things may please him, which we do at this present; and that the rest of our life hereafter may be pure, and holy; so that at the last we may come to his eternal joy; through Jesus Christ our Lord. Amen.*



23. Scriptural and BCP blessings are not only conditional upon repentance and faith but are given in order that those who are blessed might be a blessing to others.

- (i) This is, as we noted earlier, clearly seen in Psalm 67:1, one of the set Psalms in the BCP Service of Marriage. The historic blessing of those married in accord with God's word has been experienced by generations of men and women since the teachings of Christ. The blessing of a marriage that falls outside of God's order, reverses the pattern, (of a man and woman complementing each other,) thus inviting God's judgement rather than His blessing. Since the roles have been confused and reversed, the blessing of God is surrendered and instead opens up the possibility of 'anti-blessings', i.e. of being "given up" by God (Romans 1:24, 26, 28).
- (ii) Indeed, offering the sanctioned blessing being proposed renders us complicit in opposing God as the Apostle reminds us at the end of his catalogue of sins that are the result of suppressing God's truth. His concluding words, *Although they know God's righteous decree that those who do such things deserve death, they not only continue to do these very things but also approve of those who practice them,* (Romans 1:32) must be taken seriously by all who exhort one another each week to "Love God and to love one another." We cannot be a blessing to others if we approve that of which our loving God expressly disapproves.
- (iii) The famous blessing of our Lord (Matthew 5:1-11) is pronounced on believers who, recognising their poverty of spirit, come as those mourning their sin humbly in order to receive the righteousness they need from Christ. This, in turn, enables us to be salt and light (5:13-16) in the world which paradoxically persecutes us for knowing Christ and proclaiming His unique salvation and lifestyle. The way of believers will always be different to, and often opposed by, the world. To be a blessing as individuals and as a church will often mean we are out of step with the world we have been called and sent to bless. Here is the paradox, seen in our Lord and expected of His church and its members: to be a blessing to the world we must be prepared to be different to, and opposed by, the world.
- (iv) Blessing is needed by all Christians so that we might please God, and so in the BCP "Prayer for the Clergy and People" (Morning and Evening Prayer) we pray, *Almighty and everlasting God, who alone workest great marvels; Send down upon our Bishops, and Curates, and all Congregations committed to their charge, the healthful Spirit of thy grace; and that they may truly please thee, pour upon them the continual dew of thy blessing. Grant this, O Lord, for the honour of our Advocate and Mediator, Jesus Christ. Amen.*
- (v) The previously mentioned Psalm 67 is also to be found as one of the two responses to the reading of the New Testament in Evening Prayer. An obedient response will seek God's mercy and the blessing of his "countenance" that "thy way may be known upon earth: thy saving power among all nations." (67:1-2)

To seek God's blessing for a sexual relationship outside of that set forth in both Old and New Testaments is not something we can do if we seek to uphold any or all of our Fundamental Declarations or Ruling Principles, being in contradiction of

- (a) Old and New Testament Canon (Gen. 1:27; 2:24)
- (b) Jesus' endorsement of the above in Matthew 19:3-7
- (c) The BCP Marriage Service

- (vi) The Book of Common Prayer for the Ember Weeks concludes:  
*And to those which shall be ordained to any holy function give thy grace and heavenly benediction; that both by their life and doctrine they may set forth thy glory and set forward the salvation of all men; through Jesus Christ our Lord. Amen*

To ask for God's "heavenly benediction" is to ask for his blessing. The purpose of this heavenly benediction is that a minister's life and doctrine may "set forth thy glory" and "set forward the salvation of all men." Prayer for blessing is clearly contingent upon and for the purpose of living and teaching what is in accord with God's will as revealed in Scripture (Article 6 and enshrined in the Book of Common Prayer.) The Wangaratta proposed blessing now before us cannot expect God's heavenly benediction. However, it can be expected when a minister's life and teaching is in accord with Scripture and our Ruling Principles.

The outlined service seeking God's blessing on a same-sex couple married in accord with the Australian Marriage Act, now amended, is inconsistent with our formularies in both its request for blessing and the relationship for which that blessing is sought, since we are not at liberty as Anglicans to bless a relationship that both the Book of Common Prayer and Scripture confirm as being outside of God's will.

## 24. CONCLUSION

- (i) In light of the above I would respectfully suggest that the Appellate Tribunal's task is not to adjudicate theology, but to make its vital decision on the unmistakably clear statements of both the Fundamental Declarations and the Ruling Principles.

In summary:

- of Christ's teaching in His endorsement of the Creational account of Genesis 1:26-27 and 2:24 in Matthew 19:3-7
  - of the Book of Common Prayer Marriage Service which grounds this in the same Genesis account and teaching of Christ endorsed by His apostle (Eph. 5:31)
- (ii) The Wangaratta proposed service of blessing fails to explain
- (a) why it can advocate a practice through the provision of an authorized blessing that, along with many others, is considered a sin in both the canonical scriptures and the Book of Common Prayer and
  - (b) why this proposal, which overturns the confession-absolution pattern of our services should be made an exception to this pattern.
- (iii) That the blessing of God is a display of His grace and ought to be prayed for publicly is not in question. The question is, "Can a blessing be given to a relationship or persons whose relationship is out of step with the Canonical Scriptures and the Marriage Service of the Book of Common Prayer?"

This is not a matter of denying either pardon or ongoing grace. To be consistent with both Scripture and the Book of Common Prayer, pardon and grace ought only be offered upon repentance and trust in Christ, which will be seen in a desire for amendment of life. The commentary of John Murray is apposite. "There is a total difference between surviving sin and reigning sin; the regenerate in conflict with sin and the unregenerate complacent to sin. It is one thing for sin to live in us; it is another for us to live in sin."

25. The pattern of pardon following confession of sin is that of the canonical Scriptures and is therefore repeated and required in our public services. This is accompanied by the expectation that general confession be demonstrated in amendment of life, as indeed, it is prayed for in the Absolution.

A "Yes" answer to either or both of the Primate's questions would be an endorsement of behaviour and a relationship which is clearly inconsistent "with the doctrine of this church" and "with the Fundamental declarations and Ruling Principles in the Constitution of the Anglican Church of Australia."

26. For these reasons I respectfully call upon the Tribunal to answer "No" to both Question 1 and Question 2 of the Primate's Reference so that Section 5(2) "must be reverent and edifying and must not be contrary to or a departure from the doctrine of this church", may, in line with our Fundamental Declarations and Ruling Principles, be upheld and continued.

Peter R. Brain

9<sup>th</sup> December, 2019