

SUBMISSION TO THE APPELLATE TRIBUNAL

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GENERAL SYNOD

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In the matter of Questions referred by the Primate under section 63(1) of the Constitution

And in the matter of the *Blessing of Persons Married According to the Marriage Act 1961 Regulations 2019 of the Synod of Wangaratta*

Ridley College makes the following submission:

1. In preparing candidates for ordination for several dioceses, Ridley College is a party interested in the doctrine and practice of the Anglican Church of Australia.
2. Ridley College upholds the practice that only those ordained as priest can undertake a liturgical ministry of blessing, and acknowledges that the nature of blessing belongs to the spiritual not temporal sphere.
3. As the matter of blessing belongs to the spiritual authority of the Anglican Church, in the matter of the blessing of persons of the same gender married under civil law, we argue that the Diocese of Wangaratta has acted beyond its authority which in the province of Victoria restricts dioceses to temporal authority.
4. The service for the blessing of civil union prepared by the Liturgy Commission, on which the Diocese of Wangaratta has built its case, did not contain within its remit an application to the blessing of same sex marriage. Such an application falls outside of the design of the Canon concerning Services 1992 which gave limited permission for local variance. The application to same sex marriage is clearly not just a matter of local contingencies but of national concern and implications.
5. In the Scriptures, blessing is not merely a practice which can be offered indiscriminately but assumes that the words spoken advance divine purposes for the creation. We maintain that a blessing is not a pastoral affirmation, but a theological recommendation. The blessing of God in Genesis 1 is not focussed on human flourishing generically, but on God's specific command to multiply and subdue the earth. The language of "good" has teleological shape, for something is good when it furthers divine intentions for the creation. The submission made by Professor Lee fails to recognise that blessing in Genesis 1 is dependent on God's design for human procreation within the creation.
6. After Adam and Eve sin in Genesis 3, blessing is understood in relationship to curse when human beings do not pursue God's divine intentions for the creation (for example in Deuteronomy 27-28). Professor Lee's submission does not recognise that the Scriptures make clear that human behaviour can fall outside of the sphere of God's blessing. Same sex union is such an example.
7. Professor Lee states that we have no right to withhold what God has blessed. However this assumes a great deal about the nature of blessing and asserts without qualification that the blessing of same sex marriage is indeed consistent with God's will.
8. In Anglican liturgy, the blessing of the priest at the end of Eucharist assumes the prior confession of sin and consequent absolution given by the priest before the Eucharist. Blessing is not disconnected from questions of sin and obedience. Not every human practice can be blessed.
9. In liturgies used for blessing same sex unions drafted in other jurisdictions, we note that prefaces focus on a liberationist ethic appealing to the story of the Exodus, avoiding arguments which appeal to the creation account in Genesis 1 and 2. This demonstrates that liturgists have decided that these accounts from Genesis are ultimately unable to support a defence of the blessing of same sex unions.

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10. Professor Lee recognises that there is no single text in the Scriptures which affirms either same sex intimacy or same sex marriage. At this point we concur.
11. Ridley College has produced a document outlining several positions which are held within our national church on the matter of same sex marriage. It should be pointed out that the position upheld by the Diocese of Wangaratta and Professor Lee is not the unanimous position of those arguing for change in our regulations. Their arguments do not command universal acceptance by those advocating for change.
12. It seems to us that the position espoused by the Diocese of Wangaratta is a minority opinion in the national church and should not be assumed to command majority support.
13. We disagree with the conclusion of the Wangaratta Diocese that marriage is not a doctrine in our church. There are many in our church who affirm holy matrimony as a sacrament, a view which thereby asserts marriage to be a matter of doctrine.
14. As the Book of Common Prayer contains a marriage service which asserts the rightful union of a man and a woman in marriage, and the Book of Common Prayer is protected in our Constitution as foundational to the life of the Anglican Church of Australia, only a union between a man and a woman can be blessed in our church.
15. Further, the service of marriage in BCP contains the explicit affirmation (using the words of Christ from Matthew 19) that marriage between a man and a woman is a creation good, a statement that constitutes the doctrine of Christ. It is our position that the regulation recently formulated by the Dioceses of Wangaratta is in contravention of the Fundamental Declarations.
16. The language of “doctrine” is used to describe that which is officially taught, and there can be no doubt that the official teaching of the Church in England since 1662 and derivatively the Anglican Church of Australia has been that marriage is between a man and a woman.
17. The vocabulary of “doctrine” has a particular constitutional or legal definition because it appears in our constitution in the Fundamental Declarations. Teaching on marriage (which is assumed to be the doctrine of Christ in BCP) is not in our church of less significance than the content of the Creeds which is also affirmed in the Fundamental Declarations I(1), along with the authority of the Holy Scriptures I(2).
18. It is argued that Anglican Christians have freedom in matters of adiaphora outside of our commitment to the Apostles’ and Nicene Creeds. However we must recognise that the purpose of these catholic Creeds is to assert and protect the deity of the Son and the deity of the Spirit, not just to defend philosophically the nature of the Trinity. Our unity as a church is not based on our ability to affirm credal beliefs but more fundamentally to declare thereby our commitment to the Lordship of Christ and of the Spirit over each part of our life. The creeds have a disciplinary function. Unity is compromised when Christ’s authority over the expression of same sex intimacy is contested.
19. The doctrine and principles of our church explicitly include the teaching of the Book of Common Prayer according to the Ruling Principles II(4), which defines and circumscribes our teaching concerning marriage.
20. It is expressly stated in our Ruling Principles II(6) that our unity is based on the Fundamental Declarations, in which questions of doctrine are affirmed and deviations from such doctrines are expressly forbidden.

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21. It should further be recognised that the Australian postal survey concerning same sex marriage returned results which demonstrate less support amongst religious groups to change the definition of marriage than in the broader population.