

**The Response of the Board of Assessors
to Questions of the Appellate Tribunal
concerning the Wangaratta Reference relating to
the Validity of the Service of Blessing for Same-Sex Unions**

The issues surrounding the topic of same-sex unions and their liturgical blessing have generated an enormous literature over the course of the last few decades. This response does not deal with each issue arising from this debate but is focussed on the four questions put by the Appellate Tribunal for clarification and advice.

1. *One of the many issues in the Reference is the meaning and scope of the words “the Christian Faith as professed by the Church of Christ from primitive times and in particular set forth in the creeds known as the Nicene Creed and the Apostles’ Creed”. Which of the Thirty-Nine Articles and which (if any) part of any other document (including Holy Scripture) contains statements relevant to the Wangaratta references about the **faith** of the Anglican Church of Australia and what are they?*

a. It is assumed in Fundamental Declaration #1 that the Christian faith existed before the Creeds were composed (“from primitive times”), and that the Creeds are a baptismal and eucharistic summary of our trinitarian profession.

b. In Fundamental Declaration #1, the word “Faith” is preceded by the definite article and is capitalised, suggesting a body of belief with recognisable shape before the composition of the Creeds, appealing to the Scriptures as the primary authority, with the commentary of the earliest Christian writers as later exposition.

c. We note that the language of “faith” can be used to mean “trust in a promise” (Rom 4:16), or “the content of what is believed” (Jude 3). These are broader categories than the distillation of our profession in the Creeds. The Fundamental Declaration #1 quoted here assumes that the Christian faith cannot be reduced to what the Nicene and Apostles’ Creeds contain.

d. The Scriptures can use the language of “faith” when referring to devotional dispositions or moral commitments. Noah “by faith” constructed an ark “in reverent fear” (Heb 11:7), and “by faith” Abraham “offered up Isaac” (Heb 11:17), even when these might have appeared foolish in the eyes of their generation. The New Testament speaks of “departing from the faith” when marriage is forbidden or abstinence from foods is enjoined (1 Tim 4:1-3), or being “disqualified regarding the faith” because certain leaders were corrupt in mind and opposed the truth (2 Tim 3:8), and still others were described as “faithless” for pursuing unrighteous acts (Rom 1:28-32). Behaviour has a necessary connection to the faith confessed (Js 2:14-26).

e. The language of “Faith” in the Articles encompasses much more than profession of the Trinity. We note that in Article VI an “article of the Faith” is understood to mean not just belief in the Trinity but any teaching that can be read in the Scriptures or proved from the Scriptures and therefore required of believers, including matters of obedience.

f. We note therefore that the Apostles’ and Nicene Creeds do not contain an entire summary of Christian belief in the early Church. They summarise orthodox doctrines mainly in response to crucial controversies, both theological and ethical. This was because the church was seen as “holy,” an epithet referring to the church’s union with Christ and therefore requiring the holiness of its members. In “An Explanation of the Creed,” Nicetas of Remesiana (c. 335–414) makes clear that, “These ‘churches’ ceased to be holy, because they were deceived by the doctrines of the Devil to believe and behave differently from what Christ commanded and from the tradition of the Apostles,”

providing essential background to the statement in the Apostles' Creed, "I believe in ... the holy [...] church" and in the Nicene Creed "We believe in one holy [...] church". See *Niceta of Remesiana: Writings* (Washington: The Catholic University of America Press, 1949), 50.

g. One such controversy regarding holiness concerned the committing of particularly serious sins (sometimes called "mortal sins" or "crimes") after baptism. Three sins were universally deemed by the early church so grave that those who committed them were to be excommunicated from the church: idolatry, murder, and sexual immorality. In the early church the "crime" of sexual immorality encompassed any sexual act outside of biblically licit heterosexual marriage, which included homosexual activity. For example, Basil of Caesarea says, "He who commits shameful deeds with men will be allotted the time prescribed for him who transgresses by adultery." See *Letters* 217.62 (Washington, DC: Catholic University of America Press, 1955), 110.

h. There was debate over how a person could re-enter the church after committing such a sin but none over the seriousness of sexual immorality. It was universally agreed that a person would not receive forgiveness from a "crime" through re-baptism but through public repentance (because they had been publicly excommunicated). This teaching is summarised in the Nicene Creed by the affirmation of belief in: "one baptism for the forgiveness of sins," which concerned church discipline not how one became a Christian. See David F. Wright, "The Meaning and Reference of 'One Baptism for the Remission of Sins' in the Niceno-Constantinopolitan Creed," in *Infant Baptism in Historical Perspective: Collected Studies* (Milton Keynes: Paternoster, 2007), 55-60.

i. The Thirty-nine Articles affirm the creedal teaching about "the holy church" and the "forgiveness of sins." Article XVI (*Of Sin after Baptism*) teaches that some post-baptismal sins are so serious that a person may "depart from grace given." The first and third Homilies, and Articles XVI and XXXIII, affirm that those who commit serious sins (including sexual sins) are to be excommunicated from the visible church until there is repentance. This reflects Augustine's understanding of creedal statements concerning belief in the "holy [...] church" and "forgiveness of sin": "However, in the Holy Church the remission of even crimes themselves, no matter how great they may be, by God's mercy need not be despaired of by those who do penance according to the gravity of their sins. But when the crime committed is such that the sinner is also cut off from the body of Christ, we must consider in the act of repentance not so much the measure of time as the measure of sorrow; for, a contrite and humbled heart God will not despise." See Augustine, *Faith, Hope, and Charity* (New York: Newman Press, 1978), 65-66.

j. It has been argued in those submissions supporting the decision of the Wangaratta synod that Anglicans have freedom in matters of adiaphora outside of our commitment to the Apostles' and Nicene Creeds, so that matters of sexual ethics are left to the individual's conscience. However, we have argued that the creeds do address sexual ethics in the church, but also declare the authority of the Holy Trinity, Father, Son, and Spirit over our every part of lives, and our commitment to this. The creeds have a disciplinary not just a unifying function.

k. Article XXXV says the Homilies "contain godly and wholesome doctrine." The Homily on Scripture (Homily #1) is directly about Article VI and widens the meaning of "all things necessary for salvation" in application of the Scriptures to include matters of behaviour and not merely belief. For example:

For in Holy Scripture is fully contained what we ought to do and what to eschew, what to believe, what to love and what to look for at God's hands at length ... there is nothing that more maintaineth godliness of the mind and expelleth/driveth away [1559]

*ungodliness than doth the continual reading or hearing of God's Word, if it be joined with a godly mind and a good affection to know and follow God's will. For without a single eye, pure intent and good mind, nothing is allowed for good before God. And on the other side, nothing more obscureth/darkeneth [1559] Christ and the glory of God, nor induceth/bringeth in [1559] more blindness and all kinds of vices, than doth the ignorance of God's Word. See Gerald Bray, *The Books of Homilies: A Critical Edition* (Cambridge: James Clarke & Co., 2015), 7, 9, 10.*

l. We note that in twentieth century ecumenism, the language of faith was used broadly in the "Faith and Order" movement, treating any concern that would create obstacles for church reunion, as distinct from the "Life and Work" movement which was concerned with society, economics and politics. The question before the Tribunal regarding the blessing of same-sex unions is a matter of faith and order, for it concerns our doctrine as well as behaviour governed by such doctrine. It is not a matter of "Life and Work" from ecumenical perspective.

m. In summary, when speaking of the Faith of the Anglican Church, we insist that this includes matters of obedience as well as doctrine. This has been demonstrated in writings of the patristic era, debates in the Reformation era expressed through the Articles, the Book of Common Prayer, and the Homilies, twentieth century usages, all of which build on the Scriptural texts cited above.

2. *Can you please refer the Tribunal to two or three respected, published, available works or articles discussing the history and scope of Article VI? In that Article, what is meant by the words "containeth all things necessary to salvation"?*

a. The purpose of Article VI is to affirm the sufficiency of Scripture in all things necessary to salvation, to insist on the authority of Scripture to judge the doctrine of the Church, and to affirm the books of the Old Testament listed as canonical writings, excluding the Old Testament Apocrypha. This Article affirms the New Testament canon as received, without the New Testament apocrypha.

b. Further rejection of misleading teaching and late medieval accretions is found in Cranmer's Homily #1 (written in 1540 before the Articles and providing inspiration for Article VI), which rejected the "stinking puddles of men's traditions."

c. The English Reformers were at one with the early church leader Athanasius in reinforcing the point that moral living is an entailment of salvation: "These [books of the canon] are fountains of salvation, that they who thirst may be satisfied with the living words they contain. In these alone is proclaimed the doctrine of godliness. Let no man add to these, neither let him take ought from these." See Athanasius, "Festal Letter 39," *NPNF2* 4:551-552.

d. We note that Article VII explicitly connects the nature of salvation or everlasting life through Christ which is taught in both Old and New Testaments, to "the obedience of the Commandments which are called Moral." The scope of Article VI leads to the explanation of Article VII, which demonstrates the connection between faith, and order, and their moral implications.

e. This very connection between faith and obedience is made clear by Oliver O'Donovan in relation to Article VI: "They [the Reformers] were not in the business of defining a *minimum* content of Christian faith which, however deficient, would suffice to ensure the believer his place in the Kingdom of Heaven – and nor should any of us be in

that doubtful business. ‘Necessary to salvation’ can mean only one thing: that it is pertinent to the Gospel of Jesus Christ, which demands of us, for the salvation of our souls, our total faith and obedience. Belief in Christ is indivisible.” See Oliver O’Donovan, *On the Thirty-nine Articles: A Conversation with Tudor Christianity* (Carlisle: Paternoster, 1993), 52.

f. For further respected, published works on this question, see: Gerald Bray, *The Faith We Confess: An Exposition of the 39 Articles*. (London: Latimer, 2009); J. A. Null, ‘Thomas Cranmer and the Anglican Way of Reading Scripture’, *Anglican and Episcopal History* 75/4 (2006): 488–526; M. Foord, ‘Article VI’, in L. Gatiss (ed.), *Foundations of Faith: Reflections on the 39 Articles* (London: Church Society, 2018), 50–54.

g. In summary, the phrase “containeth all things necessary to salvation” means that the Holy Scriptures have authority, convey power, and are sufficient to lead us to faith in Christ, they judge all teaching and behaviour which might endanger our obedience to Christ, and they provide assurance of the right path towards eternal life in Christ.

3. *Does the Anglican Church of Australia have a teaching on whether persistence in sexual immorality precludes a person from salvation in Christ Jesus? Where is this teaching set out? In this context, is sexual immorality different from other forms of sinfulness?*

a. The Apostle Paul asserts that persistence in sexual immorality precludes salvation in Christ: “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 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 Cor 6:9-11). In the very next paragraph, Paul goes on to state that sexual sin is of a different type from other sins: “The body is not meant for sexual immorality, but for the Lord, and the Lord for the body ... Flee from sexual immorality. Every other sin a person commits is outside the body, but the sexually immoral person sins against his own body ... So glorify God in your body” (1 Cor 6:13-19). This is consistent with the Old Testament law in which different types of transgression provoke different consequences and punishments. The teachings of the church, in many documents or formularies, explicitly follow Holy Scripture on this point.

b. In our services of public worship, we include times of confession and absolution not as something to be done in a perfunctory way (since “God pardons all who truly repent”), but rather in recognition that unless we continually turn to God and seek his forgiveness we may preclude ourselves from salvation in Christ. The absolution declares that God our Father “has no pleasure in the death of sinners but would rather they should turn from their wickedness and live.” Assurance of forgiveness is offered to those who “truly repent and believe his holy Gospel.” There is an implied recognition here that those who do not repent and believe but rather persist in sin are in danger of coming under God’s judgement. As Anglicans, we acknowledge the concept *lex orandi, lex credendi* (the rule of prayer [is] the rule of faith), which means that our faith and our practice are bound together. We affirm in absolution, an act of repentance and assurance in authorised forms of worship, the teaching of the church concerning the link between sexual immorality and salvation.

c. Article XXIX (*Of the Wicked which eat not the Body of Christ in the use of the Lord’s Supper*) affirms this in its recognition of the possibility of church members who are “void of a lively faith,” although they partake of the sacraments, are “in no wise ... partakers of

Christ.” Instead through eating and drinking the sacrament, they are doing so “all to their condemnation.”

d. Such teaching is reflected in the words of the Exhortation in the BCP service of the Lord’s Supper. There the priest calls the congregation to “examine your lives and conversations by the rule of God’s commandments.” The congregation is warned that “if any of you be a blasphemer of God, an hinderer or slanderer of his word, an adulterer, or be in malice, or envy, or any other grievous crime,” if they deliberately continue in that state and then partake of the holy Communion they risk that “the devil enter into you, as he entered into Judas, and fill you full of iniquities and bring you to destruction both of body and soul.”

e. The Prayer book therefore teaches that persistence in sin may preclude a person from salvation in Christ Jesus. Nevertheless, it repeatedly affirms that grace and mercy are extended towards those who repent and entrust themselves to the Saviour.

f. The Prayer book does not normally make a distinction between general persistence in sin, and particular persistence in sexual immorality. It is worth noting however that within the catechism part of our duty towards our neighbour is the need to “keep my body pure” – a reference to the command not to commit adultery.

g. This commandment is explored in depth in the Books of Homilies, referred to in Article XXXV as containing “godly and wholesome doctrine,” with particular exposition in Homily #9 in the First Book of Homilies.

h. This homily describes sexual immorality (“whoredom and uncleanness”) as a sin “above other vices” which has “overflowed almost the whole world to the great dishonour of God.” The homily then describes the nature of sexual immorality and its impact on the church and the world. Particular focus is given to Christ’s teaching in the sermon on the Mount: “you have heard that it was said to them of old, thou shalt not commit adultery, but I say unto you, whosoever sees a woman, to have his lust of her, has committed adultery with her already in his heart.” The author of the homily notes other Scriptural texts which warn of the eternal consequences of sexual immorality, concluding with the admonition to all believers to avoid fornication (“let every man have his own wife, and every woman her own husband”), and for those who feel able through the work of God’s spirit to lead a celibate life, to praise him for his gift and to maintain their celibacy by the reading of the Scriptures, continual prayer, and other virtuous exercises.

i. In the first Book of Homilies, the sermon called *Against Adultery*, written by Thomas Becon, quotes at length from Paul’s argument in 1 Corinthians 6: “For every sin that a man committeth is without his body; but whosoever committeth whoredom sinneth against his own body.”

j. In the second Book of Homilies, the sermon called *An Homily on the State of Matrimony* quotes Paul from 1 Corinthians 6 again and makes plain the church’s understanding of the text: “Which sort of men that liveth so desperately and filthily, what damnation tarrieth for them ... This horrible judgment of God ye be escaped through his mercy, if so be that ye live inseparately according to God’s ordinance.”

k. If practices of sexual intimacy within marriage can be morally neutral, but which are nonetheless sinful outside of marriage, how much more should we expect a practice that is nowhere in the Scriptures affirmed (like same-sex sexual intimacy) be singled out for condemnation.

l. The BCP includes a warning against sexual immorality described with the synonym “fornication” in the epistle reading from Ephesians 5 on the Third Sunday in Lent, where the sinner risks forfeiting their inheritance in the Kingdom of God if there is no repentance. Using this language, the Great Litany prays for deliverance “from all fornication, and all other deadly sin, and from all the deceits of the world, the flesh and the devil.”

m. In the BCP, sexual immorality lies under the most severe condemnation in the service of “A Commination, or Denouncing of God’s Anger and Judgements against Sinners,” where the priest pronounces this warning: “Cursed are the unmerciful, *fornicators*, and adulterers, covetous persons, idolaters, slanderers, drunkards, and extortioners. Amen” (italics added). And to those who are unrepentant of these sins: “Then shall appear the wrath of God in the day of vengeance, which obstinate sinners, through the stubbornness of their heart, have heaped unto themselves, which despised the goodness, patience, and long-sufferance of God, when he calleth them continually to repentance.” A curse assumes God’s settled opposition to certain practices, disallowing the possibility of salvation, unless there is hearty repentance and amendment of life.

n. Sexual immorality is without excuse in the lives of those ordained. It is assumed in the Ordinal of 1662, in “The Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests and Deacons” that those so called will be of “vertuous conversation.” We note that in this Ordinal, the bishop exhorts the one about to be priested with words that connect doctrine with moral behaviour: “... that ye may so endeavour your selves from time to time, to sanctifie the lives of you and yours, and to fashion them after the *rule and doctrine of Christ*, that ye may be *wholesome and godly examples* and patterns for the people to follow” (italics added). Doctrine implies moral duties and the clear requirement and demonstration of moral probity.

o. We note in Cranmer’s *Confutation of Unwritten Verities* – essentially a tract against the priority of tradition as a source of authority in the life of the church – these words which place moral teachings alongside doctrinal commitments: “For they be but things indifferent to be believed, or not believed, and are nothing like to scripture, to the Articles of the Faith, the Ten Commandments, ne [sic] to such other moral learnings, as are merely derived out of scripture: for they must of necessity be believed and obeyed of every Christian man” (516).

p. Such teachings on the gravity of unrepentant sexual sin assume Scriptural texts setting out the nature of marriage (Gen 2:18-25, Mt 19:3-12), the immorality of sexual intercourse outside of monogamous marriage between a man and a woman (Mk 7:21, Eph 5:3-7, Rev 22:15), and homosexual activity as contrary to God’s will (Rom 1:26-27, 1 Cor 6:8-10).

q. In summary, the Anglican Church of Australia does teach (a) that persistence in sexual immorality precludes a person from salvation in Christ Jesus, (b) that such an ethical expectation is found in its prayer books, articles of religion, books of homilies, and preeminently in Scripture, and (c) that while sexual immorality is listed alongside other sins yet by its public nature affords disgrace to the church in ways that other sins may not.

4. *Do you see any doctrinal impediment or difficulty with the baptism of a child of a same-sex married couple according to one of the Anglican Church of Australia’s authorised rites, including the use of the prayer for the child’s parents?*

- a. In treating pastoral encounters such as this, we begin by recognising that Scripture does not condemn homosexual temptation. Temptation is not a sin; Jesus himself was tempted. So a particular person's experience of ongoing same-sex attraction and temptation is not the issue at hand. Rather, Scripture condemns homosexual activity and the belief that it is morally permissible for any Christian.
- b. In relation to baptism, it is the Book of Common Prayer of 1662 that is the formulary against which our doctrine of baptism must be measured. In this formulary, it is the godparents who make the declarations. Hence this authorised rite in the Anglican Church of Australia does not require the parents, whether a same-sex married couple or a heterosexual couple, to make such declarations for their children to be baptised. The dialogue between godparents and clergy in BCP is as follows: "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?" Answer. "I renounce them all." Nevertheless, since the question put to the Board of Assessors allows for other baptism services as well as the service in the BCP, the following answer will address the issue from such a vantage point.
- c. The baptism service in APBA speaks of baptism as "the gift of our Lord Jesus Christ." Yet as with all gifts, this gift needs to be received by faith – it is not automatically bestowed regardless of faith. In the case of children, this faith is that of the parents and godparents who before a congregation "must express their own trust and commitment to the promises of God, and their intention to bring up their children in the faith and practice of the Church."
- d. The sacrament of baptism has no efficacy unless received by faith, either of those making promises on behalf of another, or by the one being baptised in water.
- e. Our baptismal rites assume parents or sponsors who can make promises on behalf of the child to be baptised. Those promises contain explicitly Christian convictions, attitudes, and prayers.
- f. The Catechism assumes that those making promises on behalf of a child exercise repentance and faith, which the child then personally affirms at their confirmation (APBA, 818). Sherlock comments: "... An infant is not baptised because of who their parents may be (their bloodline), but because some Christians (their sponsors) trust that the child is called to grow up in Christ." See *Australian Anglicans Worship: Performing APBA* (Mulgrave: Broughton, 2020), 172.
- g. The baptism service invites "the sponsors of those unable to answer for themselves" (i.e. both godparents *and* parents— see note 11 on APBA, 71) to accept the responsibilities placed upon them in bringing their child for baptism, and publicly commit to encouraging the child, by their prayers and example, in the life and faith of the Christian community. The very act of baptism occurs on the basis that children will be brought up in the faith of the church, which as noted above, includes matters of Christian obedience, not only of belief or verbal profession.
- h. Since the Anglican Church of Australia does not affirm same-sex marriage within the life and faith of the church, it would be incongruous to invite a same-sex couple to make such a public statement. The Church's teaching is that marriage is only between a man and woman, and thus to invite a same-sex couple to raise their child in a way that their own lifestyle fails to exemplify, could lead to an accusation that the church encourages hypocrisy. By the very act of standing up in front of the church to make promises as a

same-sex couple, the couple are publicly declaring themselves to be unrepentant.

i. Where sponsors cannot make this declaration with honesty, baptism ought to be delayed until sponsors can make such promises with full integrity. By doing this the church is not refusing the baptism of a child but is rather giving an opportunity for couples to grow in their understanding of the teaching of the church so that they can raise their children within the bounds of the faith of the church.

j. Although pastorally this may seem difficult, the church is nevertheless called to be a steward of the sacraments entrusted to it by Christ and not to treat them carelessly nor lightly.

k. God pours out the rain on the just and the unjust, so any private prayer for same-sex married parents would focus on common grace gifts like peace, health, honesty, or generosity, but would not assume a blessing on their married state, for God cannot bless that which is named as sin.

l. The service of Baptism is situated in APBA in a sequence of services designed to focus on Christian identity and is not to be understood therefore as a rite of passage to be offered indiscriminately. See Charles Sherlock, *Australian Anglicans Worship: Performing APBA*, 163.

m. The Canon Concerning Baptism 1992 (p8) recognises that the sponsors (including parents) will both nurture and instruct this child in the Christian faith, and importantly will provide an example of godly living to the one baptised.

n. In summary, there is no impediment to the baptism of a *child* of a same-sex married couple, though this would preclude the same-sex married couple themselves from being the *sponsors* while they are continuing to live unrepentantly in a same-sex relationship.

The Board of Assessors wishes to express their appreciation to the Tribunal for the opportunity to discern these responses to the four questions referred to them. We stand ready to offer further details concerning the citations given if required, and trust that these answers prove useful in your further deliberations. We assure the Tribunal of our ongoing prayer and Christian fellowship.

Rev'd Canon Dr Rhys Bezzant
Rev'd Dr Andrew Ford
Rev'd Dr Martin Foord
Rev'd Dr Wei-Han Kuan
Rev'd Canon Dr Mark Thompson
Rev'd Canon Dr Richard Trist
Rev'd Dr Lionel Windsor

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