



The Working Group
c/- Rev. Michael Hughes
General Secretary of ACANZP
PO Box 87188
Meadowbank
AUCKLAND

27 September 2016

Dear Rev. Hughes

SUBMISSION OF THE FELLOWSHIP OF CONFESSING ANGLICANS NEW ZEALAND REGARDING POSSIBLE STRUCTURAL ARRANGEMENTS FOR THE ANGLICAN CHURCH IN AOTEAROA, NEW ZEALAND AND POLYNESIA (ACANZP).

We write in response to the Archbishop's invitation of 3 June 2016 to identify possible structural arrangements for consideration by the Working Group.

SUBMITTER

The Fellowship of Confessing Anglicans (New Zealand) was formed in 2016 with the dual aims of promoting faithfulness and providing fellowship within the Anglican church in Aotearoa, New Zealand and Polynesia. Our Board consists of men and women, both lay and those ordained as bishops and priests. We identify with one conviction regarding the blessing of same-gendered relationships, believing that the church should not undertake such blessings as they are not consonant with Scripture or Tradition.

SUBMISSION

We wish to be clear that as a Fellowship we are not advocating change. We are content with the theology, form, and structure of our church as they currently exist. We have no desire for change or alteration to the status quo on the matters under consideration. However, we recognise that structural changes would be necessary in order to maintain and safeguard both theological convictions currently present in our church concerning the blessing of same-gendered relationships.

The call for such structures acknowledges the reality that the question of blessing same-gendered relationships is not a 'second order issue'. Both these theological convictions (or 'integrities') sustain their own internal consistency, while at the same time expressing

PO BOX 995 CHRISTCHURCH 8140

HELLO@FCANZ.ORG

difficulty with the other. We note this as a statement of fact and logical consistency rather than as a pejorative or judgemental statement.

EXECUTIVE SUMMARY

This submission concludes that there is an alternative structural solution that safeguards both theological convictions concerning the blessing of same-gendered relationships.

We propose that an Extra-Provincial Diocese is established alongside the existing province of ACANZP, both covering the geographical area of Aotearoa, New Zealand and Polynesia.

There is no existing structural framework within contemporary Anglicanism which can be adopted to address all the concerns facing our church. This proposal builds on two distinct structures already present within the Anglican Communion to provide what we consider to be the best solution for our situation. It safeguards both convictions, ensuring that neither will be perceived as being 'less' than the other, and guaranteeing that both retain Anglican ecclesiological legitimacy.

In arriving at the proposal we considered both the local and global settings and have drawn from existing Anglican ecclesiology found within the worldwide Communion.

Locally, we have carefully considered our existing Anglican ecclesiology and Te Pouhere/Constitution of this three Tikanga church. Furthermore we considered the two opposing theological convictions.

Globally, we have described the history of the issue, the approaches within some provinces in response, and have also examined existing structural arrangements across the worldwide Anglican Communion.

We have reached two clear conclusions. Firstly, that both theological convictions concerning the blessing of same-gendered relationships cannot coexist within a single ecclesial structure. Secondly, that the diocese is generally regarded as the primary unit of Anglican ecclesiology, and there are a number of ways in which this is expressed in the Communion.

As such we present our logic in arriving at our finding that the existing Provincial structure complemented by an Extra-Provincial diocese provides a legitimate solution to the request for a possible structural arrangement. It safeguards both theological convictions; is consistent with Anglican ecclesiology; and with Te Pouhere/Constitution of this three Tikanga church.

THE LOCAL SETTING

Within our province there exists the concept of two ‘integrities’ or theological convictions. Each conviction holds a position on the issue of blessing same-gendered relationships. They are the opposite sides of a single coin. In order to grasp the significance of the two convictions we have sought to understand and express below the conviction which differs from ours. We understand that those who believe that blessing such relationships is consonant with the doctrines of Christ wish to see such blessings formally acknowledged in our church’s doctrine and practice. Such acknowledgement is necessary, for to not do so would be contrary to Jesus’ gospel of love, acceptance, and full inclusion for all peoples. In this view, current structures and rites must therefore be changed to legitimately allow the church to bless same-gendered relationships.

Those who disagree with such blessings consider that changing our current doctrine or practice to permit such blessings would be contrary to the doctrines of Christ. His gospel offers the forgiveness of God to all who repent. If the church were to declare that God now blesses what Scripture calls sinful behaviour, the need for repentance would be removed, and therefore God’s forgiveness not sought.

These two convictions are clearly distinct and we consider that they are theologically opposed and incompatible. Those of each conviction understand that holding the other view is done with genuine integrity. However, we note that logically, each conviction also necessarily considers as sinful that which the other considers blessed.

Same-gendered relationships are either blessed by God or are to be repented of. As demonstrated above, our church can officially and formally maintain only one position at a time. Therefore the only way for both to exist and be safeguarded is to have a distinct structure of authority and doctrine within which the conviction can be held, and hence General Synod’s courageous recognition that the two convictions cannot be held and safeguarded within our current ecclesiastical structure.

There are two specific reasons why under our existing Te Pouhere/Constitution two distinct structures are the only workable solution we can see. The first is that all who hold an office in our province must submit to the authority of General Synod (Constitution Part C.15). Both theological convictions seek that their position be formalised by General Synod. They seek this either through the provision of a rite of blessing for those of the same gender, or through the maintenance of existing rites whereby blessed couples are of different genders. If this were to happen one conviction would then be required to submit to a position that they believe to be inconsistent with the doctrine of Christ. Because of the political structure of our province, all who hold office must submit to this authority. It doesn’t matter what internal structures/dioceses/orders etc. are created or rearranged, ultimately it is to General Synod that each must submit.

Secondly, our Te Pouhere/Constitution states that:

... no doctrines which are repugnant to the Doctrines and Sacraments of Christ as held and maintained by this Church shall be advocated or inculcated by any person acknowledging the authority of General Synod / te Hīnota Whānui.¹

This is applied in Canon I.11.6 of Title D where Ministers shall

... teach only doctrine and interpretation of the Faith that are in conformity with the formularies of this Church, and not teach private or esoteric doctrine or interpretation in contradiction of those formularies.

Because of the diametric nature of the issue, General Synod will either declare same-gendered relationships to be blessed by God or not. Therefore anyone submitting to the authority of General Synod must only teach what is in conformity to this view. They will not be free to state that the church is wrong, or to teach the other view.

We recognise that it is possible to argue that Te Pouhere/Constitution could be changed, and that submission to authority and determination of doctrine could rest with local dioceses. We have considered this and observe that this approach would not safeguard either conviction. This is because devolving authority to the diocesan level does not address the incompatibility of the two convictions. Individuals and parishes who held to a conviction other than that of their diocesan bishop would find themselves in opposition to the authorised theological position to which they have submitted.

While the desire grounded in Motion 30 for one church with two convictions was admirable, we see that there is no existing or possible conjoined structure within our current provincial framework that will “safeguard both theological convictions concerning the blessing of same-gendered relationships”.

THE GLOBAL SETTING

In February our Archbishops wrote to the province of ACANZP recognising that amongst the Communion Primates “there was wide acknowledgement that these matters are and will be debated in every corner of the Anglican World and that, in time, every part of the Communion will have to navigate these matters.” The Chief of Staff to the Archbishop of Canterbury has observed that success in dealing with these issues “will not be measured on whether or not it prevents a fracture, but on ‘how we fracture’.” Our national church is faced with another opportunity to lead the world in providing such structures which adapt

¹ Part C, 14, Te Pouhere/Constitution of the Anglican church in Aotearoa, New Zealand, and Polynesia.

to local conditions and cultures, and to set an example for how such significant differences can be navigated to allow for both theological convictions to be safeguarded.

The matter of same-gendered relationships has been debated widely throughout the Anglican Communion. At the highest level, the Lambeth Conference of 1998 resolved its position (which is consistent with the current position of ACANZP as expressed in Te Pouhere/Constitution and Formularies).

Some provinces have challenged the Lambeth resolution, either by contravening it, or seeking to do so. The resulting disagreements have led to the splitting of some provinces. An example of this is in North America. After the province split, the new Anglican church in North America (ACNA) was formed alongside the established Episcopal Church (TEC). Established in 2009 ACNA now represents over 100,000 Anglicans in 1000 congregations across the United States, Canada, and Mexico. Geographically, it overlaps the provinces of Canada, Mexico, and The Episcopal Church of USA, all members of the Anglican Communion. The unmanaged manner of the division caused grief and difficulty for all.

In addition to new structures there have been a number of Anglican movements established to promote the theological convictions of both sides. Examples include:

- Fellowship of Confessing Anglicans. Established in 2008 following the first Global Anglican Future Conference (GAFCON) in Jerusalem. FCA is a movement lead by a Primates' Council and considers that it represents the majority of the world's Anglicans. It has established branches in Australia, the United Kingdom and New Zealand
- Scottish Anglican Network. Established in 2005 as a network within the Scottish Episcopal Church (SEC).
- LGBTI Mission. Established February 2016 to remove barriers to LGBTI people within the Church of England. It has nine objectives including celebrating same sex marriage.

Notably, we are not aware of a single example of an existing Anglican church structure which supports the theology and practice of both the conservative and liberal convictions on same-gendered relationships.

ANGLICAN ECCLESIOLOGY

The Anglican church has always recognised that the times and places within which it exists are liable to change. Historically the 39 Articles state that traditions

...may be changed according to the diversities of countries, times, and men's [sic] manners, so that nothing be ordained against God's Word.²

The Constitution of our national church employed this principle in the creation of our three Tikanga province. Essential to being Anglican is having the ability and courage to adapt and adopt structures which will best allow the spread of the gospel of Christ and the sharing of his generous love to all.

This adaptation is seen not only in our islands but also internationally. The diocese is generally regarded as the primary unit of Anglican ecclesiology and there are a number of ways in which this is expressed in the Communion. Apart from the most common practice of dioceses gathering into provinces there are a number of **extra-provincial dioceses**.³ Some of these engage directly with the Archbishop of Canterbury and receive primatial oversight from him; others relate more closely with provinces geographically close to them. The diocese of Cuba is overseen by a metropolitan council comprised of the primates of three provinces. Some extra-provincial dioceses (EPDs) have one bishop; others have more. They are an established, recognised and authentic expression of Anglican ecclesiology. They participate in Anglican instruments of unity (such as Lambeth), and have proven to be effective in the expansion of God's kingdom.

The idea of having two Anglican structures within the Communion which overlay each other geographically is less common, but not unknown. Since 1980 there have been two distinct and independent dioceses which each minister to the countries of France, Germany, Italy etc. The diocese of Europe is part of the Church of England, and the Convocation of Episcopal Churches in Europe is under the jurisdiction of the Episcopal Church. While not at this time seen elsewhere in the world, it has proven possible to have geographically overlapping Anglican jurisdictions.

² Article 34, Articles of Religion.

³ The diocese of Tasmania, The Anglican church of Bermuda, the Church of Ceylon, the Lusitanian Catholic Apostolic Evangelical Church in Portugal, the parish of the Falkland Islands, the Spanish Reformed Episcopal Church, and the Episcopal Church of Cuba

THE PROPOSAL

Considering the situation within ACANZP, and the existing range of established Anglican ecclesiology, we consider that the only way to safeguard both theological convictions is to have two parallel Anglican structures within Aotearoa, New Zealand and Polynesia. These structures each need to be able to give expression to their own theological conviction as doctrine; and each needs to be able to hold those ministering within them to those standards of doctrine.

Therefore we propose that an an Extra-Provincial Diocese is established alongside the existing province of ACANZP, both covering the geographical area of Aotearoa, New Zealand and Polynesia.

We consider that this proposal is consistent with Anglican ecclesiology, maintaining the diocese as the primary unit of church, and adapting patterns that already exist internationally. While the EPD necessarily sits alongside (but separate to) the existing structures of the province we note that the Te Pouhere/Constitution provides for engagement with, and relationship between, ACANZP and non-ACANZP dioceses located in the Pacific.⁴

In principle either theological conviction could populate this new structure. We consider that there are advantages for those who are seeking to change the Te Pouhere/Constitution to allow for the blessing of same-gendered relationships to make use of an EPD, as there would be opportunity to write the constitution and formularies in a way which makes explicit mention of the blessing of same-gendered relationships. If this were the case, there would be no need to change the existing Formularies of ACANZP. Moreover, we are aware that there is a large group of parishes within our church who have not yet decided on the issue for themselves but who are comfortable living in the Anglican church as it is. It would appear that the most gracious way forward for them would be to allow them to have time and space to decide for themselves which way they want to go.

Alternatively, those who seek to maintain consistency with existing doctrine and practice could also exist within an EPD, adopting the Fundamental Provisions of Te Pouhere/Constitution (at least) which would provide historical continuity with the birth of Anglicanism in these islands. In this scenario there remains a requirement to change the Formularies of ACANZP to provide for the blessing of same-gendered relationships. We note, that to do this, there is a risk of imposing change on those Anglicans who have yet

⁴ Part C.8 of the Constitution/Te Pouhere states “The General Synod / te Hīnota Whānui may associate itself with any dioceses which may be formed among the other islands of the Pacific Ocean upon such terms and conditions including representation on the General Synod / te Hīnota Whānui as it may from time to time prescribe.”

to decide on the issue. Questions have also been raised as to whether it is legally possible to change the Formularies in this way.

CONSIDERATIONS FLOWING FROM THE PROPOSAL

The Archbishops have noted that proposals of possible structural arrangements do not need to be formed in detail but can be 'high level' suggestions. We recognise that the formation of an EPD is a significant change to our current structural arrangements. The proposed structure presents some unique challenges and requires additional consideration of detail. Without seeking to direct the working party, we identify the following issues as those that may need to be considered if an EPD was to be established.

Creation of an Extra Provincial Diocese

We consider that it would be preferable for General Synod to bring the EPD into existence, recognising that there are other ways that this might happen. Indeed, even by opening this discussion about structural change, General Synod is offering leadership to the worldwide Anglican Communion as we wrestle with a challenging issue.

On plain reading there does not appear to be any secular legislative or legal impediment to the creation of the EPD.

Episcopacy

This diocese would be overseen by a diocesan bishop. Our Te Pouhere/Constitution currently provides for the possibility of a single diocese having episcopal oversight shared between two or more bishops (Constitution Part E, 5.1). There are a number of ways in which episcopal oversight could be established. One is that an existing bishop (or bishops) in ACANZP takes this role. If this were not possible, temporary episcopal oversight could be provided by or through the Primates until an election within the EPD selects a new bishop, who would then be consecrated by bishops from within ACANZP and/or from neighbouring provinces. Primatial oversight could be by the Archbishop of Canterbury or, if this were not possible, the example of the diocese of Cuba with its Metropolitan Council of three extant Primates offers an alternative structure. The exact makeup of the EPD would depend on the number of parishes contained within it and may change as parishes are added and/or new churches are planted.

Governance

The EPD will require founding documents (such as a Constitution, etc.), and these will be inherently Anglican. Integral to this will be synodical governance, recognising that the EPD itself will have a view and there are a variety of alternative forms of synodical governance which could be adopted.

CONSIDERATIONS FOR TRANSFERRING

Parishes

Because of the nature of our Anglican parochial system each structure would be able to establish ministry units throughout these Islands. Neither structure would be bound by existing parish boundaries. We acknowledge that this means that where the EPD establishes a parish there would be two Anglican parishes present in a specific geographical location. While currently unknown in our situation, this is the reality of a parallel structure and follows the current Anglican experience in Europe.

The exact mechanism for a parish moving from one structure to the other can be determined upon the adoption of this proposal. We consider that it would take a high degree of parishioner involvement to make the decision, and that all parishes should have the opportunity to make such a choice. For the sake of clarity and confidence for all, we recommend such decisions should be made within five years of the formation of the EPD. When a parish makes such a decision, it should be respected and recognised by the province and the bishop of the EPD.

Resources

The guiding principle that should apply is that the work of the gospel can continue unimpeded and in its current form. To achieve this the current resources allocated to any parish should remain with that parish. We recognize that this may present practical challenges (given the current legislative framework and vehicles of property ownership within the Church). Certainly it will require a gracious resolve to work through this issue.

We note that, with few exceptions (including the St John's College Trust Board), General Synod/te Hinota Whanui does not own assets within the province. Effective control is held at diocesan level. Therefore, while General Synod/te Hinota Whanui has significant power to create the EPD and recognise it as authentically Anglican, it would be necessary for individual dioceses to implement the principle outlined above; that any parish within either structure (ACANZP or EPD) should maintain its current resources. We expect that all property, ***real and personal***, currently held in trust for the benefit of the parish would be held in similar vehicles within the EPD. Finally, we consider the existing ownership structure within ACANZP would remain undisturbed.

RELATIONSHIPS

ACANZP and EPD

We consider that provision should be made for both ACANZP and the EPD to enjoy open dialogue and relate to each other as fellow Anglicans. The existing ACANZP Constitution provides for General Synod to invite association from other dioceses in the Pacific. We consider that a reciprocal arrangement within the EPD would be appropriate. In addition, we would expect that individual bishops and priests from each Anglican structure would

relate collegially. This would not be dissimilar to the current experience we share locally with other Christian churches and denominations.

ABC and EPD

As noted above, primatial oversight could be sought from the Archbishop of Canterbury. We consider that it would be appropriate for the archbishops of ACANZP to communicate with the Archbishop of Canterbury early in the process to determine whether he would be willing to act in this capacity, as well as to gain his wisdom on the process.

Liturgy

A New Zealand Prayer Book / He Karakia Mihinare o Aotearoa is recognized as a Taonga for Anglicans. We consider that both Anglican structures would continue to use this Prayer Book as the basis for their liturgical life.

Three Tikanga

The principles of the three Tikanga structure are to allow for each Tikanga partner to express its mind as an equal partner in the decision making process; and to allow for the exercising of ministry to those within the culture of each Tikanga.⁵ These principles should be preserved within both structures. They will continue within ACANZP as it currently exists and also within the new EPD, recognising that how these are to be applied should be determined by the EPD itself.

CONCLUSION

The Fellowship of Confessing Anglicans New Zealand is comprised of members of the Anglican Church in Aotearoa New Zealand and Polynesia. We are committed and passionate members of our church, and believe that within our denomination God is glorifying his Son by the power of the Holy Spirit and is transforming men and women in our islands. We have no desire for change or alteration to the status quo on the matters under consideration.

However, we don't see that on this issue unity is possible within our current structures. This is because of the diametric nature of the issue (same-gendered relationships are either blessed or they are not), and the theological incompatibility of the two convictions. It is also because of the nature of authority that comes into play within ecclesiastical structures.

Therefore we consider that the best way forward is two structures that allow all to remain Anglican whilst providing for a clear distinction between the two theological convictions.

⁵ <http://www.anglican.org.nz/About/History>

The creation of an Extra-Provincial Diocese allows this to happen. Moreover it has precedent and validity within contemporary Anglicanism. The example of Europe (and more recently North America), demonstrates that two Anglican structures can exist in the same geographical area. This solution allows both the EPD and ACANZP to be perceived and promoted as genuinely Anglican.

We recognise that this solution may be difficult to enact and will require a gracious resolve to implement. At the very least it will require a continuation of the goodwill demonstrated by the last two General Synods. However, it would be a bold and world-leading act, and one which we believe God will bless for the good of the church.

Rev. Jay Behan (Chair)
Rt. Rev. Derek Eaton
Rev. Lorraine Lloyd
Rev. Dale Williamson

Mrs Jane Halliday
Rev. Michael Hewat
Rev. Dave Clancey
Ven. Tim Mora