



16 November 2017

FCANZ response to the Motion 29 Working Group Interim Report

This is the formal response to the Motion 29 Working Group's Interim Report. The Fellowship of Confessing Anglicans - New Zealand (FCANZ) are thankful for the opportunities we have had to engage with the Working Group and for this chance to formally respond to the Interim Report. This response builds on our initial draft of 31st August 2017 and is the result of ongoing prayer, discussion, and consideration. As a result of this we have developed and refined some matters found in our initial response. We have sought to set these out with utmost clarity, and we pray the Working Group will also continue to hear our genuine sense of thankfulness and a desire to work together which we have earlier expressed.

THANKFULNESS

There is much to be thankful for in the Report. A serious failure of previous reports has been that the date of their release has provided insufficient time for genuine discussion and debate prior to General Synod being asked to make decisions based upon them. This Working Group is to be commended for producing a report that has met their deadlines and allowed space and time for prayer, consideration, and response prior to General Synod/Te Hinota Whanui (GSTHW) 2018. The Report has a warm and positive tone, it is easy to read and understand, and its brevity is appreciated.

Notwithstanding our comments below, the Report is a sincere attempt to safeguard the opposing theological convictions of those in our church and expresses a genuine spirit of compromise. It provides an excellent platform upon which comment and engagement can occur, and we hope that our comments here will be received in a similar spirit.

We also acknowledge the considerable time given, and effort made, by the members of the Working Group, and indeed the personal cost paid by those participating members. Certainly, it appears that those on the Group who hold particular views on this issue have not let those views colour the process, elements, or outcome of the Interim Report.

COMMENTS

Before we address our concerns, there are a few things we think should be noted:

1. Whilst the Group have remained within its terms of reference (focusing only on ecclesial structures within our three Tikanga church), the Report recommends the introduction of a practice prior to the church agreeing on a theological position. Specifically, it lays out a way for this church to bless same-sex marriages without debating and finally deciding whether to do so is consistent with God's Word, or permissible under our Constitution and Formularies. We are concerned that it is not good process to allow practice before agreeing on the principle, especially when many (ourselves included) believe the practice to be contrary to the Doctrines of Christ set forth in the Scriptures and as expressed in our Formularies.
2. The current Report is silent on rightly-ordered relationships and ordination; this is different from previous reports. We will address this more fully below.
3. We note that there is a move in the Report towards the individual choice of bishops as to whether they allow (or refuse to allow) blessing of same-sex marriages in their dioceses. This sits uncomfortably within a Synodically-governed church such as ours, and potentially marginalises lay-people from the life of their diocese.
4. We disagree with the Report when it states that implementation of its recommendations will allow 'ongoing debate to continue' on matters of human sexuality. We too have a desire for ongoing conversation, but a change in practice is not required for these discussions to continue. It is our view that any discussions around matters of human sexuality are likely to be more difficult and more adversarial if a change in practice is allowed prior to a change in theological position being decided.
5. We acknowledge and are thankful for the grace shown in Section H1 of the Interim Report.

CONCERNS

The nature of an Interim Report means that there are many issues which raise questions. Below are five of our major concerns.

Teaching vs Practice

The Report focuses on the practice of blessing same-sex marriages, but is silent on what may be taught about such unions. Currently, our church holds that marriage between a man and a woman is the only place where sexual activity should occur, and any sexual activity outside of such a marriage is to be repented of. The Interim Report maintains this position by leaving the definition of a marriage in the Formularies undisturbed. Our Constitution declares that no person acknowledging the authority of GSTHW may "advocate or inculcate doctrines which are repugnant to the Doctrines and Sacraments of Christ."

This means that those who hold to the Doctrine of Christ regarding sexuality are able to continue unchanged in their teaching and preaching without fear of breaching the requirements of the Constitution. But there is no such confidence for those who will teach (either in the liturgies used for same-sex blessings, or in their general preaching and teaching) that same-sex

relationships are now blessed by God.

In short, while what is proposed in the Report provides for the act of blessing a same-sex civil marriage, it appears that no office holder may teach of the blessedness of the union between two people of the same gender. We believe that for both convictions to be safeguarded it is reasonable to expect that both positions are able to be taught. This is not, nor can be, the case, as the church cannot teach that something is both blessed by God and to be rejoiced in, and is not blessed by God and to be repented of.

For the avoidance of doubt, FCANZ is not advocating that the position of our church changes; we are simply noting that this issue highlights the incompatibility of the two convictions within one structure. This is also seen clearly in the changes proposed to Title G, Canon XIV.

Inconsistency with our Constitution and Formularies

Title G, Canon XIV. currently ensures that any Anglican services performed must be consistent with the Constitution and Formularies of our church. The proposed change would allow services to occur that are acknowledged to be inconsistent with our Constitution and Formularies. This is an admission that whilst the Constitution and Formularies are not being actively changed, they are simply being avoided for the purposes of this issue.

It is difficult to avoid the conclusion that a Canon is being amended in such a way so as to circumvent the operation of a fundamental provision of the Constitution. We question whether this is legally possible or morally appropriate. Because what is proposed is a change to Canons, and as Anglicans we submit to obedience to the bishops as they are bound by the Canons, this will make the proposed changes difficult for many, and untenable for some.

While we acknowledge the provisions and protections offered (such as the change to the declarations and the introduction of Christian Communities), these would still require that members of our church be part of a body that openly disregards its own standards, teaching, and requirements - (standards, teaching, and requirements which must be consistent with Scripture). This is a specific example of our wider concern (explained next).

Safeguarding Theological Convictions

We thank the Working Party for its desire to 'make every effort to keep the unity of the Spirit through the bond of peace' (Ephesians 4:3). The Report provides protection from prosecution for undertaking, or refusing to undertake, the practice of blessing same-sex civilly married couples. But for many people their conviction doesn't simply end at undertaking blessings, or not being required to undertake them. There are those who want to see full inclusion and legitimization of those in same-sex relationships across our Province, not limited by the conviction of a particular bishop or priest. Equally there are those who do not believe that the church should move from its current position and allow any such blessings. Neither of these convictions are protected, and we remain unconvinced that they can both exist within the same ecclesial structure.

This Report suggests that what is proposed will safeguard all theological convictions. We do not believe it will. There will likely be clergy and same-sex couples within dioceses where their bishop's choice will not allow their conviction to be enacted. Conversely there will be those who believe it is contrary to God's Word and our Constitution for anyone to be permitted to conduct such blessings - this conviction too will not be safeguarded if any bishop allows any such blessings.

Ongoing change?

The Interim Report hopes that our church will continue to have ongoing conversations on this issue. Presumably these conversations will center on the church either embracing full marriage and ordination, or the cessation of all blessings of same-sex relationships in our church. If these conversations continue in the direction the Report establishes, then it is not unreasonable to expect to see our Church marrying and ordaining those in same-sex relationships. FCANZ urges the Working Party to be honest and open about this, and to recognise that it is impossible for one ecclesial structure to hold both convictions.

We still consider that the most honest, gracious, generous, and kind way to truly safeguard both theological convictions is through the creation of a structure which is both truly Anglican and distinct from the ACANZP (we refer to the Extra-Provincial Diocese proposed in our initial submission to the Working Group). While we acknowledge that this may require "the involvement and agreement of a large number of disparate parties" and "the co-operation of ministry units, dioceses and trust boards" etc., we believe that it is still the best way forward. We are willing to do all we can to help create such a structure, for either theological conviction to populate.

If, however, what is proposed in the Report is the full and final extent of our church's move towards inclusion, then this should be specifically agreed to by GSTHW. Indeed if this were the case then we believe that, with some changes (see below), the protections and structures may be workable.

Uncertainty of Episcopal Oversight

The Report's most significant proposal is the creation of Christian Communities to provide protection for those of a conviction different to their diocesan Bishop. As we understand it, these Communities are grounded within current structures, and come under the authority of a Visiting Bishop from within our church. We don't believe the language of Religious Orders is appropriate in this context so will use Christian Communities exclusively.

We agree with the need for episcopal oversight. For those in a diocese where a bishop acts in ways believed to be unconstitutional or inappropriate, impaired relationships will ensue. Some form of alternative episcopal oversight is necessary and the Interim Report starts looking at how such a relationship could work. However, we are concerned about the specifics of how this will come about. For example, the legitimacy of any Christian Community is dependent on the

House of Bishops recognising such a Community. If the House of Bishops were to decide the Community was no longer desirable (for whatever reason) it would cease to be recognised in our Province, and the protections offered for the theological convictions it encompasses would no longer be available.

Moreover, these Communities don't provide any genuine protection when a diocesan bishop allows (or prohibits) practices within their Diocese/Hui Amorangi that members of the Community believe to be unconstitutional or inappropriate. Simply having an additional episcopal relationship with the bishop of a Christian Community doesn't address the impaired relationships clergy and parishes would encounter in that situation. Bishops also have the most significant voice and authority in the process of ordaining and placing clergy in parishes.

Therefore, if indeed the introduction of blessing same-sex civil marriages is the ultimate end, and no further changes are proposed, it may be possible for the structural unity of our Province to be maintained by creating a structure that provides **alternative episcopal oversight, rather than simply additional episcopal support**. This alternative, episcopally led structure would be for clergy and parishes who cannot come under the episcopal oversight of their diocesan bishop. To be clear, even this change may be insufficient to address the cumulative effects of other issues (some of which are raised above), or the general principle of Anglicans feeling that their church has gone beyond the bounds of the faith in permitting the blessing of a sexual relationship which is not the marriage of a man and a woman. But we do consider that without the change to alternative episcopal oversight, the proposals simply cannot work for those of a conservative conviction.

For the sake of completeness, any structure including alternative episcopal oversight would need to have the same powers and responsibilities as any other episcopally led structure. In essence, it would need to function as an additional diocese, with the ability to gather as a synod, elect a bishop, and govern itself as a member of the ACANZP. The bishop would have the power to ordain and place clergy. The bishop would be consecrated the same as any other bishop, with the same rights and responsibilities. We reiterate that, for some, even this may be insufficient protection, as the bishop of this new structure would still be bound by the Canons of the church. These Canons would explicitly allow for the blessing of same-sex marriages and don't allow for the discipline of those who undertake such blessings.

We appreciate that this is a significant development of the suggestions provided in the Report, but one which we feel is a minimum necessity to truly safeguard the convictions of those who wish to uphold a traditional position. We are thankful for the grace shown in the Report to allow feedback, and would welcome the opportunity to discuss our views in person with the Working Group.

CONCLUSION

We are thankful for the Working Group and the Report. We agree with its desire to walk together in peace with those who disagree. However, we continue to doubt that it is truly possible to include all theological positions on this issue within one structure (because the two opposite convictions each see the other as inappropriate and untenable) and so still see the establishment of an Extra Provincial Diocese as the most honest, gracious, generous, and kind way for Anglicans of all convictions to move forward in the mission and ministry they believe God is calling them to. Notwithstanding that, we want to do all we can to maintain unity and so we have engaged as fully as possible with the excellent effort of the Working Group and offer these thoughts for them as they write their final report. We would hope the church chooses to address the theology of what is proposed before making changes to practice. However in the absence of this (and at the very least) we see the need to bolster the episcopal oversight parameters contained in the Report to maintain its possible acceptability and workability.

Again, we hope that our comments are found to be clear and helpful, and received in the manner intended.

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