

47/18 Property Use Policy

8/17 Statement of Anglican Doctrine of Marriage

(A further report from a member of the Synod.)

Purpose

1. This report responds to Synod resolutions 8/17 and 47/18, and to further consideration of these matters by the Standing Committee upon recommendation of its Subcommittee reappointed to consider the matter).

Recommendations

2. That Synod receive this report.
3. That Synod amend the diocesan Governance Policy Statement of Personal Faith by adding, in the appropriate place, the following words –

[I believe] that God created humanity with two complementary sexes – male and female – both equally made in God’s image; that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness; and that all human life is to be valued and protected from conception until death.

4. That Synod approve a procedure to enable the mover of such amendment sufficient time in Synod to enable Synod to consider this as a matter of principle.

Background

5. In October 2017, Synod resolved as follows in **8/17 Statement of Anglican doctrine of marriage**

Synod –

- (a) requests that Standing Committee appoint a committee of suitably qualified persons to consider whether the Diocesan Education Policy, the Corporate Governance Policy Statement of Faith, or any other relevant diocesan policies, statements or ordinances should be amended to state formally our Anglican doctrine that marriage is the union of a man and a woman for life to the exclusion of all others, so as to assist the ability of our Anglican schools and other organisations to maintain that it is a genuine, legitimate and justified occupational requirement for their board members, principals, executive officers and other relevant staff and office holders to hold to this traditional Christian belief about marriage, in order to maintain the Christian religious ethos of our institutions,*
- (b) affirms that such a committee could also consider any other core doctrinal matters currently relevant and contested in our society,*
- (c) encourages Standing Committee to consider making any amendments suggested by the committee, and*
- (d) asks that this be treated as a matter of urgency.*

6. In response, Standing Committee asked the Religious Freedom Reference Group (**RFRG**) to address the request in Synod Resolution 8/17. The RFRG appointed a subcommittee (the **Committee**). This Committee recommended to Standing Committee that the matter be dealt with by way of a Property Use Policy, which it drafted.

7. It also advised against amending the diocesan Statement of Faith in regards to the doctrine of marriage. Specifically it was reported that the Committee, while affirming that the teaching of Scripture on marriage is a key doctrine, came to the view that it would not be appropriate to put a

statement about marriage belief in the same category as our fundamental beliefs about the Bible, the atoning work of Christ and justification by faith alone.

8. It also rejected the idea of asking board members to assent to the Jerusalem Declaration, which addresses marriage, because the Jerusalem Declaration contained Anglican-specific affirmations that may have the unintended consequence of excluding some non-Anglicans (such as Baptists and Presbyterians) from serving on our diocesan boards.
9. The Standing Committee accepted these recommendations and reported along those lines to Synod in 2018.
10. In response, in October 2018, Synod resolved as follows in **47/18 Property Use Policy** –

Synod passes the Property Use Policy as a Policy of the Synod, and requests –

 - (a) *Synod members to provide feedback on the policy to the Diocesan Secretary by 28 February 2019, and*
 - (b) *Standing Committee to review the policy, including with reference to Resolution 8/17, and bring recommendations to the next ordinary session of the Synod.*
11. This report notes that paragraph (b) was added by way of successful amendment from the floor. In speeches on that matter, it was pointed out that the Property Use Policy obviously dealt primarily with Anglican *property* and its use. However, Synod's original request, repeated in 47/18, was directed towards *persons* and their beliefs, particularly board members, CEOs and principals of Anglican organisations and schools. Synod thus indicated further consideration should be given to adding a statement about marriage to the diocesan Statement of Faith.
12. At Standing Committee's request, the Committee has continued to consider the matter, weighing submissions passed onto it, in response to resolution 47/18.

Committee Recommendations and Discussion

13. The Committee suggests that the Statement of Faith 'defines the Christian faith with reference to the Nicene Creed and Apostles' Creed, and paragraph 2 adds three further (protestant and evangelical) core beliefs that are not sufficiently articulated in the creeds - the authority of the scriptures, the atonement and justification by faith only. As important as the doctrine of marriage is, it is not in the same category as these core beliefs.'
14. The Archbishop's view is reported as suggesting that, 'the purpose of the Statement of Personal Faith is to require that those who serve in key roles in our organisations are Christians', and that 'Sections 1 and 2 are a statement of reformed protestant Christian faith, which could be signed (for example) by Presbyterians and Baptists.'
15. The Committee has noted that the Property Use Policy specifies limits on the use of property in light of a wider range of significant doctrinal matters than marriage and human sexuality alone (which is addressed in paragraph 18 of the policy). Additional key areas regarding the doctrine of the human person are covered in paragraph 15. This highlights the following areas:
 - All human beings uniquely created in the image of God, loved by God and precious to him.
 - Humanity created by God with two complementary sexes – male and female – both equally in his image.
 - Equality of people of all races and abilities as equal in God's sight.
 - The beginning and end of life determined by God alone.
16. The Committee considered amending the diocesan Statement of Faith to require signatories to affirm the "doctrines, tenets and beliefs of the Anglican Church of Australia in the Diocese of Sydney", including those expressed in the diocesan Property Use Policy, and to acknowledge the requirement of the diocesan Property Use Policy that church property is not to be used contrary to these doctrines, tenets and beliefs.

17. However, the Committee, with advice from the Archbishop, has determined that, as with the Jerusalem Declaration, such an addition would contain Anglican-specific affirmations that may have the unintended consequence of excluding some appropriate non-Anglicans (such as Baptists and Presbyterians) from serving on our diocesan boards and schools.
18. Instead the Committee considered it adequate to amend the Statement of Faith to require board members, chief executive and school principals to fulfil their duties not only “in accordance with its Christian ethos and its constituting ordinance” as presently required, but also in accordance with “other applicable ordinances and policies of the Synod”. It was also suggested that each organisation might be encouraged to amend its constituting ordinance to refer specifically to the obligation of compliance to particular relevant ordinances.
19. Standing Committee instead resolved to ask Synod to amend the Governance Statement Policy Guidelines with a new paragraph 37 indicating that diocesan organisation should comply with all applicable ordinances and policies of the Synod (as amended from time to time) including, as applicable the Investment of *Church Trust Property Ordinance 1990*, the *Accounts, Audits and Annual Reports Ordinance 1995*, the *Anglican Schools Ministry Ordinance 2016*, and the *Sydney Anglican Use of Property Ordinance 2018*. It also intends that SDS be asked to produce an induction pack to ensure that directors and board member were aware of their obligations in relation to compliance with these ordinances and policies.
20. In the view of this report, such an approach involves the clumsy requirement of reference to multiple separate documents, several of which are lengthy, by potential nominators and nominees, so as to determine what beliefs nominees must uphold before accepting nomination to a board of, or the senior executive role in, an Anglican organisation. This does not aid simplicity or clarity in our processes.
21. In addition, it by no means ensures that a board member, CEO or principal personally believes the key doctrines identified in the Property Use Policy. It appears arguable this approach would still allow (for example) a school principal to promote and/or operate by a personal belief about marriage that was opposed to the doctrine of the diocese, provided this did not involve the use of school property.
22. This approach also relies on many schools and other organisations agreeing to amend their constituting ordinance, then successfully promoting such amending ordinances to the Standing Committee. An examination of existing Anglican school ordinances indicates that quite a few schools have not got around to modernising their ordinances. So such an approach may take considerable time before being widely agreed by organisations and schools. Some organisations and schools may never actually resolve to act.
23. This report also argues that the views of the Committee on the purpose of the Statement of Faith could have been strengthened by reference to the wording of our Corporate Governance policy itself. The first point of its Governance Standards, under the heading “Christian leadership shaped by the Bible”, states that “The board members of a diocesan organisation elected by the Synod, the chair of the board and the chief executive officer must profess a personal Christian faith shaped by the Bible.”
24. According to our own policy, the implied purpose of the Statement of Faith is to articulate a Christian faith *shaped by the Bible*. This certainly includes the three additional protestant and evangelical core beliefs added in the current Statement of Faith. But there can also be other beliefs basic to a Christian faith shaped by the Bible that are not sufficiently articulated by the Creeds. And threats to an orthodox faith shaped by the Bible may, and often do, come also from liberal theological and social directions, as in the case of the debate unleashed by attempts to redefine marriage.
25. This report also notes that the Corporate Governance Policy clearly envisages that the Statement of Faith may change, by referring to its “initial form” and by specifying the mechanism for change (“in a form determined by Synod”, a power which has been delegated to Standing Committee, though any three members can refer such a change back to Synod).
26. Summarising these insights from the Corporate Governance Policy, the benchmark implied for assessing changes to the Statement of Faith, and specifically the bullet points in its paragraph 2, would be whether the change aids the articulation by board members and chief executive officers, in our current context, of a personal Christian faith that is *shaped by the Bible*.

Amending the Statement of Faith

27. This report now argues that our Statement of Faith should be amended to include key matters of longstanding, orthodox biblical anthropology that are vigorously contested and threatened in the wider world today.
28. Specifically, it is recommended that section 2 of the “Governance Policy for Diocesan Organisations Appendix 3: Statement of Personal Faith” be amended by addition of the following subparagraph –
 - (d) *[I believe] that God created humanity with two complementary sexes – male and female – both equally made in God’s image; that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness; and that all human life is to be valued and protected from conception until death.*
29. Human anthropology is widely seen as the over-arching ‘watershed’ or dividing line issue for Christians in our era, although underlying it is the authority and sufficiency of Scripture.
30. The biblical Christian views, noted above, of marriage and human sexuality, of humanity being made in two sexes, and of the sanctity of human life are longstanding aspects of orthodoxy, widely seen as distinctives of Christian practice, from early church history. Yet they are being repeatedly undermined in our society.
31. Regarding marriage, this report notes that the marriage of a man and a woman, a groom and a bride, appears in the first and last chapters of the Bible (Genesis 1 & 2 and Revelation 19, 21, 22). This central place at beginning and end of the meta-narrative of Scripture is seen as highly significant by many theologians.
32. Marriage is also a central image of the relationship between God and his people (e.g. in multiple prophetic books), and between Christ and his church (Eph 5:31-32; John 3:29, synoptic parables of the bridegroom, and in Revelation). As such, the non-symmetrical difference of the bride and groom in their complementarity are important to this image of salvation. God in Christ is not a generic ‘spouse’ or ‘partner’, but a faithful, redeeming husband!
33. This report also further notes that family is the fundamental, pre-political unit of society, and marriage is the fundamental building block of family. For example, marriage is central to the patriarchal narratives and promises, central to the 10 Commandments, i.e., commandments 7 and 10; and central to New Testament ethics (e.g., Ephesians 5-6, Colossians 3, Titus 2).
34. In addition, the amendment now being proposed to the Statement of Faith addresses two other key issues in the doctrinal area of anthropology. These are two key issues contested in our society and also identified in the Property Use Policy, alongside marriage and human sexuality. They are those of God’s creation of humanity with biological sex, and the sanctity or dignity of human life, especially at its beginning and end.
35. From the first pages of Scripture, we see that humans are made in two biological sexes, male and female, equally in God’s image, and precious to him. This reality has ongoing significance for us and our gender considerations in human life. This matter has been extensively, carefully and sensitively articulated and explored in the Gender Identity Report brought to Synod in 2017 and the Gender Identity Initial Principles of Engagement approved at Synod in 2018.
36. God’s sovereignty over life and death is again seen from the first pages of Scripture until the last, alongside God’s particular concern for the protection of the weak and vulnerable. Acts 17:25 says, “God himself gives all people life and breath and everything else.” Psalm 104:29 says of all living creatures, “When [God] take[s] away their breath, they die and return to the dust.” Psalm 139 is a famous and moving application of this doctrine to an individual human life.
37. As those made in the image of God, both Genesis 9:5-6 and the sixth of the Ten Commandments (along with the case law by which it is was applied variously in Israel), indicates that no one should kill another human life, without exceptional and just cause. Hence the wide concern in the Christian churches against abortion and euthanasia.

38. Social engineering and advocacy for legislative and administrative changes undermine and oppose these biblical views in preference for radical personal autonomy via the redefinition of marriage, the promotion of transgender ideology, significant loosening of abortion laws, and the adoption of euthanasia laws. These changes are being pushed on our churches and our organisations.
39. People in our Anglican churches need clarity and consistency in leadership that holds to the biblical teaching on these central, yet publicly contested matters. It is reasonable and wise to expect the key governors and chief leaders of our schools and organisations also to hold to the biblical teaching on these matters, so as to be able to maintain our distinctive Christian faith with consistency.
40. There is also a clear and pressing need to assist our Anglican schools and other organisations to demonstrate that it is a genuine, legitimate and justified occupational requirement for their board members, and principals or chief executive officers, to hold to these traditional Christian beliefs.

Addressing Objections

41. It has been argued that although important, our doctrine of marriage is not in the same category as the “core beliefs” currently itemised in the Statement of Faith, as not sufficiently articulated by the Creeds.
42. This assumes that statements of faith only ever address ‘really core’ doctrines. This is not true. Historically, statements of faith often emerged in response to the issues being contested at the time of their production, not all of which can be characterised as absolutely central to salvation. Some recent statements of faith include currently contested matters, like the Jerusalem Declaration, which touches notably on marriage!
43. Likewise the 39 Articles do place significant focus on matters like justification by faith only, and the sacraments, because these were key matters contested at the time of their composition, and not covered by the Creeds. But the 39 Articles also address issues like the death penalty, the right to bear arms, the right to private property, and Royal Supremacy. Although Anglican clergy in our diocese are required affirm them in their proper context, surely we do not argue these matters are central or core to gospel matters of salvation. Yet such matters are addressed in that statement of faith.
44. Indeed, other classical Protestant statements of faith like the Westminster Confession and the Second Helvetic Confession do make the traditional understanding of humanity and marriage explicit, so it is not idiosyncratic for us to do so in our Corporate Governance Statement of Faith.
45. Perhaps one reason the 39 Articles do not address marriage is that Anglicans have been a little different historically from some other Protestants, in that we have a basic formulary for ‘public worship’, alongside our statement of faith, to which subscription is required by clergy. Of course, our *Book of Common Prayer* (and *An Australian Prayer Book*, etc.) clearly make the traditional doctrine of marriage central in the marriage service. The result is that what is taught in the *Book of Common Prayer* formulary as basic is not elsewhere referenced, unlike some other comparable Protestant confessions/statements of faith.
46. This report argues that we are free to amend our current diocesan Statement of Faith to address what are arguably the key issues of our day.
47. Furthermore, this report notes that the Doctrine Commission’s recent report, “Human Sexuality and the ‘Same Sex Marriage’ Debate”, also affirms the close connection of the significance of marriage not only in creation but also in salvation.

“Rather than contracting, the significance of marriage in creation actually expands with this promise of the new creation in Christ Jesus. As we saw above, the one-flesh bond between a husband and a wife was integral to the creator’s desire to set up his image in the world. Marriage, in fact, played the primary role from which the rest of humanity expanded. In the gospel we learn that now through Christ Jesus and in the church “the manifold wisdom of God might now be made known to the rulers and authorities in the heavenly places. This was according to the eternal purpose that he has realized in

Christ Jesus our Lord” (Eph. 3:8–11). The purpose is both eternal and realized in Christ Jesus our Lord. So the significance of the original institution expands because, unlike the church, marriage is both a testimony to God as creator and God as saviour (a point repeated in Ephesians 5:22ff.).”

48. Reflecting especially on Ephesians 5:22ff, the Doctrine Commission states,

“Just as the reality of the church reveals the eternal purposes of God in the world, the reality of human marriage is specifically designed to reflect the redemptive means by which God’s wisdom is made known – through the loving and sacrificial character of Christ’s ministry for the church in the world. [...]

Ephesians 5:31-32 allows us to see afresh the theological dimension to marriage. The bond between a man and woman which always had the potential to represent God in the world (cf. Gen. 1:26-28) finds its deepest meaning in the way it mirrors the relationship between Christ and his body. This fits with the way this common human institution is used in the Old Testament, where the prophets use marriage as a concrete analogy of the state of the relationship between the Lord and Israel. However, the significance of the testimony of marriage is that the eternal purposes of God are being made known in the world. This gives marriage an extraordinary importance for God’s activities in the world but, at the same time, it enables us to understand something extraordinary about God’s intentions for marriage.” [Original emphasis.]

49. In summary this Report argues that man-woman marriage is far more central to biblical witness and closer to fundamental doctrine connected to the heart of saving faith than may be at first obvious.
50. The Committee’s recent report suggested that, "It is undesirable and impractical to attempt to itemise in the Statement of Faith a list of all other doctrinal matters currently relevant and contested in our society." However this is something of a straw man. The matters of gender and sanctity of life, have been included alongside marriage, largely at the urging of some diocesan leaders that if marriage was addressed, then these other basic matter of anthropology were just as basic, and equally threatened.
51. By contrast, the amendment being suggested for the Statement of Faith does not cover many of the doctrinal or ethical matters covered by the Property Use Policy, such as racism or gambling or drug use. Nor is there any need to comment on climate change or refugees in a Statement of Faith because views commonly held by Bible-based Christians are often within current mainstream of our society.
52. So the proposed amendment’s focus is on the watershed issue of our day: contested biblical anthropology, flowing from our creation by God in his image, for his sovereign purposes, involving gender, marriage and sanctity of life. These longstanding Christian beliefs are found from very first chapters of Genesis, and are foundational to biblical narrative and redemptive history. Refusing to affirm them is symptomatic of a lack of confidence in Scripture’s authority or sufficiency.
53. Some have argued that the requirement entailed in approving this addition to the Statement of Faith imposes a burden that is too wide-reaching on diocesan organisations. However, affirming the Statement of Faith is only required of board members and the chief executive of an organisation and the principal of a school. It is not required of any other executive staff, let alone regular employees, where considerable organisational variety and discretion is already permitted and practised.¹
54. In addition, this report notes that the amendment proposed to the Statement of Faith as drafted does not specify the nature of the complementary sexes, nor ‘lock in’ any particular view on gender relationships. As such, it avoids entirely the risk of being overly prescriptive about gender roles in the context of the Statement of Faith.

¹ Of course, the governing body of an organisation or school could choose in its own employment policies, having regard to its particular context and needs, to require affirmation of the Statement of Faith by candidates for some other particular positions, for example, senior executive staff, or assistant principals or faculty heads. Likewise, rectors in parishes may be assisted by this Statement of Faith in providing a model of what affirmations they could require of church members before appointing them to certain positions within the parish under the *Parish Administration Ordinance 2008* (e.g. 3.17, 3.18 and 3.18A of Schedule 1 and 3.16, 3.17 and 3.17A of Schedule 2).

55. Furthermore, the amendment being proposed here in regards to valuing and protecting all human life from conception until death is not as quite as specific as that implied by the Property Use Policy's tighter claim that God alone determines the beginning and end of life. Neither does the amendment prescribe any precise detail on how our leadership should respond to specific proposals regarding abortion or euthanasia. The same point can be made about responding to the specifics of particular changes that occur at law regarding gender.
56. Lastly, the amendment proposed does not dictate a particular view on how our churches and organisations ought to relate to society in general on such matters, let alone how the leadership of our organisations and schools ought to express or advocate for Christian views on such matters in the public arena.

Conclusion

57. In practical terms, strong anecdotal evidence is that members of Standing Committee are now, before nomination, commonly asking candidates for election to casual vacancies whether or not they hold to the traditional view of marriage. However, this approach is piecemeal in the topics covered, is not universal in practice, and relies on informal goodwill and attentiveness of members inquiring whether the nominator has raised such matters.
58. In addition, there is no process to inquire about such informal 'screening' conversation that covers all those directly nominated and then elected to board positions by the Synod itself.
59. Subjective conversation with potential nominees will remain important in our electoral and appointment processes. However, signing the Statement of Faith is the one objective step that applies to everyone elected or appointed.
60. If amended as suggested, the Statement of Faith would remain a statement of protestant Christian faith, which could be signed (for example) by Presbyterians and Baptists who serve in our organisations. It remains simple to understand and administer, not requiring additional reference to other documents.
61. The Statement of Faith would continue to be focused on fundamental biblical doctrine. With the amendment suggested, it enables us to ensure strong biblical convictions among our leadership at the highest level of our Anglican organisations, in areas where this is being challenged by our society.

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