

New Zealand Anglicans Divide over Gay Ordination

A Response to the Joint Standing Committee's Report

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In my view, the Joint Standing Committee's Report has not adequately identified the actual position of the House of Bishops and therefore has underestimated the distance that remains between TEC and the rest of the Communion.

Same-sex Blessings

In regard to Same-sex blessings, the Primates were seeking to clear up an ambiguous situation between the authorisation of Public rites and tacit permission at the local level for same-sex blessings to continue. As the Primates wrote, "It is the ambiguous stance of The Episcopal Church which causes concern among us." The Report indicates that this request has been met. However, the House of Bishops themselves state that a significant minority of Bishops, while not authorising such rites, do make "allowance" for such blessings. In their words, "the majority of bishops do not make allowance for the blessings of same-sex unions." This clearly implies that while most "do not" a significant minority indicates that there is no new move from the House of Bishops to withdraw permission for such rites or to discipline any fellow bishops who make "allowance" for such blessings. The Report sees this as acceptable under the provision of "a breadth of private response to situations of individual pastoral care." quoting the Primates own words. However, this is exactly where the House of Bishops needed to clarify their position. Do they see "individual pastoral care" as involving same-sex blessings, or not? In addition, the Primates in no way intended "individual pastoral care" to involve the local provision of same-sex blessings. Instead, along with the Windsor Report, they called for a moratorium on all such public rites. Consequently, the Report has failed to identify that a most serious division remains between the House of Bishops and the rest of the Communion.

Consecration of Bishops in sexual relationships outside of marriage

In regard to the consecration of Bishops, it is frustrating in the extreme the way in which the House of Bishops first hides behind the constitutional requirements of their General Convention and then, when it suits, to stand on the freedom of their episcopal consciences to follow the truth as they see it. As an example (and perhaps the true source of all our present Communion issues), the Bishops were happy to ignore the General Convention in 1979 when the Convention decided that the ordination of practising homosexuals was "inappropriate". Instead, the Bishops deliberately flaunted the General Convention declaring that it was their "apostolic leadership and prophetic witness" to do so.

In regard to the present situation, the House of Bishops had plenty of opportunity to consider wording that would have unambiguously complied with the Primates request, but choose not to do so. Instead, they have retained the right to act prophetically should they deem it expedient.

Therefore, I have no confidence that the House of Bishops have responded adequately to the Primates and the Report is wrong in its conclusion that they have "clearly affirmed" the request of the Windsor Report.

Pastoral Issues and Incursions by Uninvited Bishops

The House of Bishops have refused the Primates offer to provide pastoral support for dissenting congregations and dioceses. Yet they still aggressively pursue congregations through the civil courts. I believe it is highly one-sided on their part to call for an immediate end to such interventions while not adequately making provision for dissenting groups within TEC. This shows an unwillingness to accept any accountability from the wider Communion. The Report looks to downplay the significance of this issue in a way that ignores the reality of the local situation.

Is there common ground?

The most unhelpful statement in the Report is its view that some common ground is emerging throughout the Communion. They quite wrongly conclude,

"The Communion seems to be converging around a position which says that while it is inappropriate to proceed to public Rites of Blessing of same-sex unions and to the consecration of bishops who are living in sexual relationships outside of Christian marriage, we need to take seriously our ministry to gay and lesbian people inside the Church and the ending of discrimination, persecution and violence against them."

This "position" is not supported at all by the House of Bishops' statement. For they conclude their statement by declaring,

"We proclaim the Gospel that in Christ all God's children, including gay and lesbian persons, are full and equal participants in the life of Christ's Church."

While the Report speaks of "ministry to", the House of Bishops proclaims, "participants in". This is, of course, the very issue that is dividing the Communion! To imply that they are in any way equivalent statements is most

unhelpful. It most certainly does not justify the confidence of the Report that the "Communion seems to be converging around a position". In my view we are as divided as ever.

Conclusion

The House of Bishops continues to insist on governing its life on theological principles that are contested by the rest of the Communion. What the Communion seeks is an opportunity to openly discuss and critique these principles. That cannot happen while TEC proceeds with blessings, ordinations and consecrations of persons in same-sex relationships. The Windsor Report is essentially a call for actions to stop so that dialogue may begin. The Primates have valiantly tried to clarify with TEC whether they are prepared to follow this course. The Report says that they have and that the "Communion should move toward closure on these matters". However, the statement of the House of Bishops does not support this conclusion. Nor does it support the view of the Report that common ground is emerging between TEC and the rest of the Anglican Communion.

Revd Malcolm Falloon Warden
Latimer Fellowship

Meeting of Latimer and Mainstream with the Bishops. An outline of a discussion with them on same-sex ordinations

On Tuesday, 19 December 2006, Bob Robinson and Malcolm Falloon from Latimer, and Michael Hewat and Max Scott from Anglican Mainstream, met with Archbishop David Moxon, and Bishops David Coles and Tom Brown. The meeting was from 10.00am to about 2.00pm, and took place in the Koru Lounge at Wellington Airport.

Our meeting began with prayer and a Bible Study on Luke 3:1-20, led by Michael Hewat.

Each of us spoke about our perception of the situation in New Zealand. We told the bishops of the seriousness that the church was in, how people were already leaving and some parishes were considering whether or not they can remain in the Church of the Province. The silence from the Bishops' meetings was perceived by many as a tacit agreement with the actions of the Bishop of Dunedin. The bishops were told of the difficulties that have arisen over the ordination and licensing of a person in a same-sex relationship in the Auckland Diocese, and of the difficulties that these actions have caused for some involved in outreach, particularly to people of non-Christian faiths. The reasons for the 'protest' at the Ordination Service in the Dunedin Diocese were explained. We also explained to the Bishops our view of the Canon on Discipline and our understanding that the ordination and conducting of civil union ceremonies for same-sex couples was a departure from the Doctrine of the Church concerning marriage and the right ordering of sexual relationships. We also commented on the inadequacy of the statement that Bishops had released in addressing the issues facing the Church.

The bishops listened to our presentation with deep and respectful interest. They acknowledged the difficult situation that we saw ourselves to be in. They informed us that a number of Bishops had engaged one another 'robustly' on some of these matters with regard to the ordination of a person in a same-sex relationship. However the Bishops as a whole believed that they were unable to exercise any legal authority in this matter and had decided, as a group, not to make any public statement other than the general one that had been issued, although some Bishops had informed their clergy, or some of their clergy, of their disagreement with Bishop George going ahead with the ordination.

The Bishops then informed us of the process that they wish to follow. First they would like restraint exercised by all. They did not want the discussions to take place through the public media or through the internet. They preferred a process that involved face-to-face meetings with people or groups of people. On our part, we would assume that this would include restraint by Bishops in the matters of ordination and licensing, although this was not guaranteed. It was pointed out that this restraint was not a legal imposition and that there may be people already in the process for ordination who were in a same-sex relationship. They assured us the Bishops had agreed that those entering the process towards ordination would be informed of the current general position of the Church on the matters of marriage, chastity and celibacy. We would expect this to conform to the resolution on human sexuality passed at the 1998 Lambeth Conference and subsequent statements made by the Primates Meetings, etc.

This period of restraint would last until General Synod 2008, at which time the General Synod would consider whether to extend this time or proceed with some other action. It was made clear that there can be no provision of doctrine in regard to sexual relationships for clergy unless explicitly enacted by General Synod.

In 2007, there would be a 'Hui on Hermeneutics'. It was indicated that Latimer and Mainstream would be consulted about the Hui.

They indicated that they had been considering a draft covenant produced by the Church of the Province of Australia and they would be inviting comprehensive study of this covenant.

Our impression was that this meeting was a beginning of an ongoing discussion. We believe that the Bishops were seriously interested in such discussion, but that unless we continue to press for it, it might not occur.

However, we are grateful for the Bishops' initiating of this discussion at this moment. We would have desired a public assurance of a halt to all licensing and ordaining of those in a sexual relationship outside of marriage. This was not given, but we were also assured that no tacit approval was being given to licensing or ordaining people in such relationships. For us this is not a satisfactory situation and we will continue to make clear our belief that such actions are contrary to Scripture, involve a change of doctrine of the Church with respect to marriage and break that Disciplinary Canons on chastity. We are disappointed that the bishops have not been able to say more clearly that the Dunedin ordination is simply wrong - wrong biblically, wrong theologically and wrong constitutionally.

In Summary:

1. We are grateful for the personal leadership that Archbishop David Moxon is bringing to this situation as the tikanga Pakeha Archbishop and would want to do all that we can to support him in this. However, we consider this issue of vital importance for the whole Province of Aoteroa, New Zealand and Polynesia and therefore of concern to all three tikanga. Therefore we urge all the Bishops of our church to be actively engaged in ongoing dialogue.
2. We acknowledge and support the call for a 'Windsor space' to allow for appropriate discussion by the whole church on the ordination of persons in sexual relationships outside of marriage. We are further thankful that the Bishops have given an undertaking not to initiate any further ordinations of such persons until these discussions have been completed. We believe that these discussions are only at their earliest stages and have been seriously damaged by recent events. We have also heard the Bishops' requests that these discussions do not take place through the media and via the internet. We agree that discussions through the media may cause misunderstanding and may create a false impression of the church's position. We do not intend to initiate discussion through the media, nor do we expect 'liberal' bishops to use the media to air their own personal views.
3. We welcome the acknowledgement of General Synod as the appropriate body for deciding matters of order in our church and that so-called 'local practice' can not override the traditional teaching and order of our church. However, given the imbalance of theological representation at the last General Synod and the needlessly provocative nature of a number of its decisions, we ask that the church at all levels work hard at ensuring that all viewpoints are allowed to be heard in this debate without being labelled, marginalised or silenced.
4. We have a pastoral concern that the house of Bishops felt unable to make a public statement as to the policy they have agreed to follow and have chosen instead to express their collegiality through personal responses. We note that the Bishop of Dunedin and his Diocesan Council have made a public statement as to their stance, as well as statements that have been quoted in the news media. This has created a pastoral crisis for many laypeople in our church, who will not have the benefit of direct contact with their Bishop. We will do our best to convey to our membership as truthfully as we can the position that the Bishops wish to adopt, but are concerned for the many orthodox Anglicans with whom we are not in contact. In the past the Bishops have been very willingly in their public statements to give reassurance to the liberal wing of the church. Why are they not free to do the same for those of an orthodox viewpoint?

We will continue to engage the bishops 'robustly', and make public such discussions (except where a request is made for an aspect of the discussion be treated confidentially). We urge all Anglicans to take up the invitation of the Bishops to discuss in person this crisis with their respective diocesan bishop(s). Please pray for the Bishops and for ourselves that the outcome of all of this will be a church that is biblically orthodox in its mission and its behaviour.

An Open Letter from the Warden of the Latimer Fellowship to the Archbishops and Bishops of the Anglican Church of Aotearoa, New Zealand and Polynesia

10 November 2006

Dear Archbishops,

I write this letter to you and the House of Bishops for two reasons. Firstly, to explain to you the nature of our protest in the Dunedin Cathedral during the ordination service of November 4. Secondly, to outline for you how this present crisis in our church is related to the wider Communion crisis as detailed in the [Windsor Report](#) (2004).

Firstly, the nature of our protest.

Although it was widely known that Juan Kinnear was in a same-sex relationship, there had been no public admission of that fact from the Bishop of Dunedin until his [Statement](#) on Friday November 3. Even as late as Wednesday afternoon (November 2), the Bishop of Christchurch, in a public meeting, expressed his lack of knowledge of the circumstances of the ordination. This suggests that either the Bishop of Dunedin had withheld important information from the Bishops during their conference call of Friday (October 27), or a number of Bishops (including my own) were deliberately withholding from the church significant information about what was to take place. Both scenarios are extremely serious and damaging to the integrity and openness of our church. In our view they warranted the public protest we made.

This being the case, we determined to respond truthfully and faithfully to the liturgical question, People of God, are you willing that Juan should be ordained deacon? We attended the Service in Dunedin in order to answer, No, we are not! We made this response to draw attention to the fact that this ordination was taking place without the necessary consultation having occurred and in spite of the failure of the Bishops to address the very serious matters we had raised with them.

We offered to present a [Statement of Protest](#) to the Bishop, but he simply ignored our voices and continued with the liturgy as if nothing had happened. This, in itself, I considered an ungracious response to our objections and emptied the liturgical words of all meaning. This is particularly so when the liturgy requires the Bishop to declare, Our authority is in Scripture and in the Church's continuing practice through the ages. In the case of Juan Kinnear this is not true.

In terms of our own church rules, this issue of ordination cannot be separated from the blessing of same-sex unions. And how can it be otherwise given the exemplary nature of ordained ministry. To ordain a person in a same sex relationship is already to have declared that the sexual relationships of that person are chaste (that is, rightly ordered) and an example for others to follow (that is, exemplary). This is clear from a consideration of the [Canons of our Church](#).

Secondly, I would like to draw your attention to the following points relating to the Windsor Report and the crisis in the Anglican Communion.

We are facing the same failure to properly consult that the Communion faced when it commissioned the Windsor Report in response to actions taken by the North American churches — actions which, in the words of the Primates, caused a deep tear in the fabric of the Communion. The Windsor Report criticised the North American churches for acting unilaterally and failing to observe the Fundamental Principles, underlying the Communion (see especially [paragraphs 67-69](#) and [93-94](#)). This same failure is seen here in New Zealand in the unilateral actions of the Bishop of Dunedin. Our protest was not that of a radical special interest group, but one of faithful Anglicans who did not want to see the same mistakes repeated here that have been made overseas.

It is commonly argued in our Church that the Windsor Report says nothing about the ordination of people in same-sex relationships. However, this is wrong. [Paragraph 23](#) of the Report rightly places this very issue between the two presenting issues of same-sex blessings and the consecration of a gay Bishop:

Two sets of interrelated questions have arisen in several provinces of the Communion: whether or not it is legitimate for the church to bless the committed, exclusive and faithful relationships of same sex couples, and whether or not it is appropriate to ordain, and/or consecrate to the episcopate, persons living in a sexual relationship with a partner of the same sex.

The use of and/or within a dependent clause makes it plain that ordination in general is referred to, as well as the consecration of bishops in particular (as does the description of sets of interrelated questions). This is as it should be, for by doing the greater (i.e. consecrating a bishop) then the lesser is also covered.

I feel the need to spell this out in order to correct what appears to be a misconception among the House of Bishops about the Windsor Report. In a [Pastoral Letter](#) from the Bishops, following the release of the Windsor Report, they wrote, We also note that this report does not address the issue of new ordinations of gay and lesbian people.

This is a misreading of the Report and goes against both the letter and the spirit of the resolutions of the Lambeth Conference, reiterated, as they are, by the Primates' Meeting. ([paragraph 27](#)). Lambeth (1998) clearly warned against proceeding with the ordination of persons in same gender unions and the Primates further re-affirmed this position as having moral force and commanding the respect of the Communion as its present position on these issues ([paragraph 25](#)).

Moreover, it is clearly contrary to the letter and spirit of the Windsor Report for the House of Bishops to maintain that the Bishop of Dunedin can conduct such ordinations as he and his Diocese sees fit. When the [Bishop states](#) that, The Bishop and the Diocesan Council are satisfied that this ordination is consistent with the rules of our church and with the past practice of this diocese. and does so without any reference to the wider church, he is in effect declaring the matter to be a local option.

This is the same faulty logic for which the Windsor Report criticized the North American Churches, for the Communion-wide reaction clearly undercuts any argument that such decisions are purely local ([paragraph 24](#)). It is also in defiance of Resolution 34 of the ACC-12 (Windsor Report, [Appendix page 8](#)) that calls upon diocese and individual bishops not to undertake unilateral actions or adopt policies which would strain our communion with one another without reference to their provincial authorities. The Bishop of Dunedin decided to proceed with an ordination based solely on a local interpretation of the rules and supposed local past practice, in spite of clearly stated local and national dissent from such ordinations. That decision ignored completely the wisdom offered to us by the Windsor Report.

For these reasons, it is surely clear that the ordination conducted by the Bishop of Dunedin on November 4 was against the Constitution and Canons of our Church and in denial of the spirit and letter of the Lambeth Bishops, Communion Primates, the Anglican Consultative Council and the Windsor Report itself.

I know that, as Archbishops, you have wished for more time to be able to carefully consider matters raised by the Windsor Report. But I fear that the Bishop of Dunedin's actions have robbed you of that option. I cannot underscore enough how seriously many of us consider this matter to be for the on-going health of our church. As the Archbishop of Canterbury wrote in his [pastoral letter](#) of June 2006, An isolated local Church is less than a complete Church.

Therefore, we appeal to you as Archbishops and Bishops, as guardians of the Church's discipline, to break your silence. As the Ordinal (NZPB 1989) declares, bishops are called to promote peace and unity among all God's people, and so we ask you to keep the Church true to its faith by publicly dissenting from the Bishop of Dunedin's actions. For not to do so will give tacit approval to his actions and will deepen the present crisis even further, both in New Zealand and across the Communion.

Revd Malcolm Falloon

Warden of the Latimer Fellowship

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Letter of concern to the three co-presiding Archbishops from Executive of the Latimer Fellowship and Anglican Mainstream NZ

To the three co-presiding Archbishops of the Anglican Church in Aotearoa, New Zealand and Polynesia.

October 23, 2006

Dear Archbishops,

We bring to your attention, on behalf of our respective memberships, a matter of deep concern that we believe has serious implications for the well being of our church in New Zealand.

We are reliably informed that the Bishop of Dunedin, the Rt Revd George Connor, intends to ordain Juan Kinnear to the Diaconate on 4th November 2006 even though the Bishop is fully aware that Mr Kinnear is in a same-sex relationship.

If this is correct, then the Bishop is clearly taking unilateral action that contravenes the Lambeth Resolution 1.10. Such a step would also jeopardise the careful process of restraint and respect that has been set out for the Anglican Communion under the Windsor Report (2004) and the Primates Statement from Dromantine (2005). Therefore the Bishop of Dunedin is, in effect, choosing to 'walk apart' from not only the rest of the New Zealand Anglican Church, but also from the majority of the worldwide Anglican Communion. We consider the proposed ordination to be highly inappropriate, ill-considered and provocative.

1. It is inappropriate, for while many divisions on this issue remain unresolved, this action will hinder rather than help our common life.
2. It is ill-considered, for any ordination deserves the recognition and respect of the whole church and not just within the diocese in which it takes place. This proposed ordination is unlikely to achieve this.
3. It is provocative, for it throws out a challenge to all those who feel deeply that such ordinations are wrong and prematurely shuts down important conversations at the very time when our recent General Synod has called for more careful listening.

We therefore respectfully ask you, as our Archbishops, to urge the Bishop of Dunedin not to proceed with this ordination and to allow an opportunity for the House of Bishops to establish a common policy on this matter for the good ordering of our church.

It saddens us that we are placed in the position of writing such a letter as this and there is a very short time frame before this ordination is due to occur. However, knowing that such an action will harm the church in New Zealand and hurt fellow Anglicans all over the world, we will, if this ordination is allowed to proceed, be compelled to appeal to the wider Anglican Communion for help in this matter.

Yours faithfully,

Revd Malcolm Falloon (Latimer Warden)

Revd Andrew Allan-Johns (Anglican Mainstream NZ)

Letter of response from the Archbishops to Latimer and Mainstream

The Co-presiding Bishops

The Bishop of Aotearoa

The Senior Bishop of the New Zealand Dioceses

The Bishop of Polynesia

Latimer Fellowship of New Zealand

October 30, 2006

Dear Malcolm and Andrew

Thank you for your letter we received on Friday, October 27, 2006.

We respond to your letter following a conference call of all the Bishops on Friday.

Over the last two years there have been in-depth discussions between Bishops about the combined effect of the Lambeth Resolutions and the Windsor Report for our own Episcopal practice in this Church in all its diversity.

The Bishops are continuing to engage deeply with each other over their interpretations of the Reports in the light of our present context. We continue to take the issues involved very seriously as well as their consequences.

We are all ultimately accountable to our General Synod and the Three Houses and Three-Tikanga of that Synod.

The General Synod has called for on-going dialogue which is as yet unfinished as we share in the international dialogue invited by the Anglican Instruments of Unity.

Cross-Tikanga dialogue is still at an early stage but is beginning to deepen and intensify. In this dialogue the Co-presiding Bishops believe that in the name of the world-wide prayerful study and listening, mutual respect, and restraint in all these areas is being asked for within the Anglican Communion. We are part of processes that are proceeding with great delicacy and care, by Bible study, by listening and by robust dialogue, as the Lambeth Resolutions and the Windsor Report asks us to do.

We continue to invite deep and prayerful weighing of these questions in this Church.

In deep prayer at this time.

Yours in Christ

Co-presiding Bishops

+Jabez Bryce

+Brown Turei

+David Moxon

A statement from Bishop George Connor, Anglican Bishop of Dunedin, and the Diocesan Council of the Diocese of Dunedin.

On Saturday November 4 the Bishop of Dunedin, The Rt Rev George Connor, will ordain three deacons, one of whom is in a committed same sex relationship.

The Bishop and the Diocesan Council are satisfied that this ordination is consistent with the rules of our church and with the past practice of this diocese.

They are aware that divergent views are held in the church about such ordinations, and that people of good will and deeply reasoned faith stand on both sides of the argument.

It is in the nature of our sexuality that it evokes deep responses, linked to our sense of identity, and those responses can be polarising: Issues of human sexuality are currently a matter of debate in the world wide Anglican Communion and in this country and diocese.

Bishop Connor and the Dunedin Diocesan Council rejoice at the beginning of these new ministries and pray that the new deacons be supported in their ministry.

They also acknowledge the pain of those who cannot agree with this decision and commit themselves to listening and dialogue and further exploration of the issues.

Response from Latimer to the Bishop of Dunedin

November 3, 2006

Dear Bishop George,

I urgently ask you to reconsider your actions in the light of the [Statement](#) of your own Diocesan Council. For they plainly state that they are aware of divergent views about same-sex ordinations, yet say they are satisfied that this ordination is consistent with the rules of our church.

Forgive me for being blunt, but since when does a Diocesan Council make decision for the the whole church? Especially when they themselves admit that there are differing views in our Church. Even if you take one particular view on what is permitted, you must wait until proper constitutional process has taken place. To not uphold the discipline and due process as given in our constitution places you in breach of the very canons you are claiming as the basis of proceeding with the ordination.

If it is so clear that same-sex relationships can be blessed and that persons in such relationships can be ordained, why has our General Synod not passed a resolution declaring this to be the case? Why has so much distressed been caused in our church over something that is meant to be plain? The facts are that, at the very least, this has not been tested against our canons and therefore all such ordinations must wait until that process has taken place. In this regard, it is a simple matter of justice for those who disagree with you.

For it places our Archbishops and the house of Bishops in a extremely difficult position. Do they share your view concerning same-sex blessings? If so, why are they unable to say so publicly? If they take different views on the matter (as appears to be the case), then you must postpone the ordination until there is agreement as to what our constitution does and does not permit. Due process is just as much a part of our constitution as the rules themselves.

It also places me and others who share my views in a difficult position. For under Title D we are required to exercise a duty of collaboration with their colleagues in this Church . Since our church has not yet finished its process of discernment on this matter, how can we in good conscience maintain such a duty?

The same paragraph (Canon 1, Part A, paragraph 3) also requires that all ordained ministers have a public duty of ensuring the regulations and Canons of this Church are complied with. Therefore, for this ordination to proceed, it will not only disregard the views of a large section of our church but will also precipitate a constitutional crisis for which there has been no precedence (as claimed by your Diocesan Council).

Ordinations are for the whole church and so it is wrong for the particular opinion of any one Bishop and Diocesan Council to circumvent a process that should involve us all.

Yours sincerely

Malcolm Falloon
(Latimer Warden)

Constitutional Basis for objecting to the Ordination of Persons in same-sex relationships

By Revd Malcolm Falloon
(Warden of the Latimer Fellowship of NZ)

1. Bishops of our church are bound by the Constitution of our Church. Bishops are also the primary guardians; of discipline in the church (Title D, Canon 1, Part C, paragraph 1). That is, they have a public and private duty to enforce the section of our Canons known as [Title D, Of Standards](#).
2. It is an important principle of our Canons that the suitability of an ordination candidate depends not only on their ability to perform the role of an ordained Minister but also on appropriate standards of behaviour in relationships and in personal life. (Title D, Canon 1, Part A, Paragraph 2). It is these standards for sexual relationships that are then further explained in the Canon under Part A, paragraph 10.4 and sub-paragraphs.
3. The full paragraph is as follows:
4. 10.4 CHASTITY:
5. Chastity is the right ordering of sexual relationships.
6. 10.4.1 Ministers are to be chaste. Promiscuity is incompatible with
7. chastity.
8. 10.4.2 The sexual abuse of children is an utter disregard of
9. humanity
10. and a complete repudiation of the teaching of Christ.
11. So a Minister must be chaste which is defined as the right ordering of sexual relationships.
12. The objection is that a person in a same-sex relationship is not in a sexual relationship that this church has ever declared to be ordered and thus his personal life fails to meet the appropriate standards needed for ordained Ministry as set out under Title D, Part A, Paragraph 2.
13. The ordination of a person in a same-sex relationship implies that our Church already orders (i.e. blesses) same-sex relationships. Which it does not. Therefore he is in an unordered relationship that disqualifies him from being a suitable candidate for ordination.
14. This objection is further reinforced by the general principle of Title D, Canon 1, Part A, Paragraph 1, where it is recognised that ordained Ministers exercise a representative Ministry and are expected to lead an exemplary way of life. Consequently, given the controversial status of same-sex relationships in our church (and indeed Communion wide) such relationships cannot be considered exemplary. It should also be noted that, even if a Bishop personally views such relationships in a favourable light, to proceed with an ordination that will knowingly cause scandal to many sections of the church, must still be considered a breach of this paragraph of Title D.
15. This Canon should not be considered discriminatory, for it also applies to heterosexual persons in de facto relationships and civil unions. As I understand it, no bishop will ordain people in these categories (for good reason), and so the same should apply to those in same-sex relationships.
16. In establishing whether a same-sex relationship exists, it is not generally necessary for a Bishop to ask intrusive questions. For under the Property (Relationships) Act, the Law Courts use a number of criteria for establishing the "fact" of de facto relationships (which includes same-sex relationships). These criteria can helpfully be used by bishops as a minimum standard on which to base their decisions. The [Family Law Section](#) of the New Zealand Law Society's website gives a helpful summary.

A de facto relationship begins when both parties are over 18 years and they are living together as a couple. In determining whether two persons live together as a couple, a number of factors are taken into account, including: the duration of the relationship; whether they live in the one house; whether they have a sexual relationship; the degree of financial dependence or interdependence; the ownership, use and acquisition of the property; the degree of mutual commitment to a shared life; the care and support of children; the performance of household duties; the reputation and public aspects of the relationship. It is therefore possible that two persons could live together for a period of time before their relationship would be deemed to be a de facto relationship in terms of the Act. It is also possible that a couple could maintain two separate residences yet because of their financial interdependence, the presence of children, and the way they hold themselves out as a couple, they could be regarded as being in a de facto relationship. The issue of whether a relationship is a de facto relationship in terms of the Act and the date that it began will be questions of fact for the Court.

16. It is my submission that it would be a breach of the Church's Canons for a Bishop to proceed with the ordination of a candidate who, in all likelihood, would be found to be in a same-sex de facto relationship under the terms of the Act. This, of course, is a minimum standard for the church, with a

higher standard being expected of those who are to be ordained given the exemplary nature of their office.

17. It is commonly supposed that our Church has made no ruling as to the status of homosexual relationships and to maintain that Bishops are free to follow precedence and/or discretion in these matters. However, a Bishop would be wrong to do so, for the Canons are in fact quite clear. The interpretation of the Canons are based not on precedent or the opinion of a bishop but on the [Church's Constitution](#), and in particular the Formularies of the Church as contained in the Fundamental Provisions (page iii (a))
18. Clause 1 of The Fundamental Provisions states:

This Branch of the United Church of England and Ireland in New Zealand doth hold and maintain the Doctrine and Sacraments of CHRIST as the LORD hath commanded in His Holy Word, and as the United Church of England and Ireland hath received and explained the same in the Book of Common Prayer, ...

19. So along with the Scriptures themselves, the doctrine of our church (including the right ordering of sexual relationships) is determined by how our church hath received and explained the same in the Book of Common Prayer (1662).
20. The Revd Max Scott (Vicar of Hillsborough in the Auckland Diocese) makes the following case from the BCP.

The section to be found in the Book of Common Prayer that explains the doctrine of the Christ in regards to human sexuality is to be found in the opening statements of the The Form of [Solemnization of Matrimony](#) and particularly in the words concerning the causes for which Matrimony was ordained —

It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.

This was reworded in the [1928 Revision](#) of the Service [also part of the Formularies as defined in the Appendix to Title G] to read:

It was ordained in order that the natural instincts and affections, implanted by God should be hallowed and directed aright; that those who are called to this holy estate, should continue therein in pureness of living. Ó This revision was not intended to produce a change in doctrine, but rather to present the second cause for matrimony in more positive terms without changing its meaning.

It is clear from these that a cause for marriage is to provide that context in which sexual relationships may be rightly ordered. Sexual relationships outside of this right ordering are thus contrary to the Title D, Canon 10.4. This would include homosexual relationships. It is in this context that about 15 years ago the Bishops stated that those who are engaged in sexual relationships outside of marriage may not hold the Bishop's license. In our Province, the ordination of a person who is a sexual relationship outside of marriage would place that person, by virtue of ordination, in breach of Title D, Canon 10.4.1. For a Bishop to do this would be for that Bishop to act irresponsibly. If the Bishop persisted in this action, it could be construed that that Bishop no longer felt bound by the Doctrine of the Province and thus is himself to come under the church's discipline.

21. This is the received tradition of our Church. This tradition cannot be altered by indiscreet and/or irregular ordinations by previous Bishops, but only by a specific proposal enacted by General Synod under Part B, Clause 6 of the Constitution. No such proposal has ever been passed by our General Synod, nor is it likely that such a proposal could ever be successful as it would clearly depart from the Doctrine and Sacraments of Christ as defined in the Fundamental Provisions of this Constitution (Part B, clause 5) of which the Book of Common Prayer (1662) is an integral part.
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Press Release: Friday 2 November 2006

Thursday, 2 November 2006: Leading Anglicans said today that the ordination of a 'practising homosexual' in Dunedin this Saturday could split the Church in New Zealand and the Anglican Communion.

(Click for [contact information](#).)

The Latimer Fellowship and Anglican Mainstream NZ have written a letter to the three Archbishops of the New Zealand Church appealing to them to stop or postpone the ordination of a man who is understood to be in an 18-year same-sex relationship. The Bishop of Dunedin, the Rt Revd George Connor, has announced his intention to ordain him in Dunedin on Saturday 4th November.

The Latimer spokesperson, the Revd Malcolm Falloon, said "Archbishop David Moxon recently called for up to seven years of careful listening and conversation. The Bishop of Dunedin appears to have given him less than seven weeks!"

"We believe that this ordination should be at least postponed until after proper consultation and debate has been conducted on what is certainly a deeply divisive issue," said the Revd Max Scott, Chairman of Anglican Mainstream NZ and Vicar of a parish in the Auckland Diocese.

The view expressed in the letter was that, if this ordination proceeds, it would not only [breach the Constitution](#) and Canons of the Church but fly in the face of the calls for restraint on this issue from the wider Communion and the Archbishop of Canterbury.

In a separate letter the Vicar's of New Zealand's 10 largest Anglican Churches have also expressed their own protest at the proposed ordination.

As yet, the Archbishops and the house of Bishops have been unable to give a clear response to the letters, though Latimer and Mainstream were assured that on-going discussions are being held with the Dunedin Bishop.

The background to this controversy is a series of moves by Anglicans in America and Canada to act unilaterally on same-sex blessings and the ordination of candidates in same-sex relationships, despite repeated warnings from the rest of the Anglican Communion that this could lead to a split. Similar unilateral actions by New Zealand Bishops will only heighten this crisis.

Due to the inadequate response from the New Zealand Bishops, the Latimer Fellowship and Mainstream have been compelled to write to the Archbishop of Canterbury and other bishops throughout the Anglican Communion requesting their assistance.

"We want them to know that the actions of one bishop in New Zealand do not have the support or agreement of all the New Zealand Anglican Church" said Rosemary Behan, an Anglican lay member of the General Synod and a member of the Latimer Fellowship. "We are requesting the Archbishop of Canterbury's help and intervention so that the Anglican Church in New Zealand do not offend their brothers and sisters in Christ, throughout the world." she said.

The Latimer Fellowship is a 60-year-old society of Evangelical Christians within the Anglican Church who seek to maintain the authority of the Bible in the church's life. Website: www.latimer.org.nz

Anglican Mainstream NZ is a network of faithful Anglicans advocating for orthodox faith, promoting biblical values and building a strong church. Website: www.anglican-mainstream.co.nz

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Statement of Protest

We have publicly expressed our protest at the actions of the Bishop of Dunedin in ordaining a man in a same-sex relationship for the following reasons.

1. It ignores the clear teaching of the Bible on matters of human sexuality. We cannot call holy what the Bible does not call holy, nor can we bless behaviour that does not belong in the kingdom of God.
2. It disregards 2000 years of the Christian understanding of the Bible on which the Anglican Church is founded. The church from the very first days has insisted on either marriage or celibacy for its ordained ministers, and the Anglican Church has always affirmed this.
3. It violates the rules of our Church and denies those who disagree with the Bishop the right to a fair hearing and due process. The Bishop of Dunedin is not authorised or free to apply the rules of the Church merely subject to his own opinions.
4. It dismisses the call for a "moratorium" on such actions from the leaders of the Anglican Church worldwide and deepens the current crisis that is in the words of the Communion's Archbishops "tearing the fabric" of the Anglican Communion.
5. It completely undermines the process of careful listening and conversation that the General Synod and our Archbishops have requested by unilaterally acting in a way that effectively shuts down all debate.

Therefore we appeal to the Archbishops of this church and the whole House of Bishops, as "guardians" of the Church's discipline, to break their silence. As Bishops called to "promote peace and unity among all God's people", we ask them to "keep the Church true to its faith" by publicly dissenting from the Bishop of Dunedin's actions. For not to do so will give tacit approval to the Bishop's actions and will precipitate a constitutional crisis in our Church.

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