

On the bull "apostolicæ curæ"

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ON
THE BULL “APOSTOLICÆ CURÆ”.

SS. D. N. Leonis Divina Providentia Papæ XIII Litteræ Apostolicæ de Ordinationibus Anglicanis. London, Burns and Oates, 1896. — Responsio Archiepiscoporum Angliæ ad Litteras Apostolicas Leonis Papæ XIII de Ordinationibus Anglicanis. London, Longmans, 1897. — A Treatise on the Bull “Apostolicæ Curæ”. London, S. P. C. K., 1896. — The Bull “Apostolicæ Curæ” and the Edwardine Ordinal by F. W. Pullar M. A. of the Society of S. John the Evangelist, Cowley. London, S. P. C. K., 1896. — Anglican Orders. A speech delivered in the Large Hall of the Church House, Oct. 15, 1896, by G. F. Browne, D. D. Bishop of Stepney and Canon of S. Paul’s. London, S. P. C. K., 1896. — The Internal Evidence of the Letter “Apostolicæ Curæ” as to its own Origin and Value by William Edward Collins, M. A. Professor of ecclesiastical History at King’s College, London. London, S. P. C. K., 1897. — On the Bull “Apostolicæ Curæ”. A lecture delivered at the Divinity School, Cambridge, on Friday, Nov. 6, 1896, by Henry Barclay Swete, D. D. Regius Professor of Divinity. Cambridge, Mac Millan and Bowes, 1896. — A Letter on the Papal Bull “Apostolicæ Curæ”, by the Rev. Herbert H. Jeafferson M. A. London, Skeffington and Son, 1897. — The Marian Reaction, by Walter Howard Frere of the Community of the Resurrection. London, S. P. C. K., 1896. — The Papal Bull on Anglican Orders. Church Quarterly Review, January 1897, pag. 365—400. — The Pope and the Anglicans: [1] The Sources of the Bull, by the Rev. T. A. Lacey; [2] The Policy of the Bull, by Catholicus. The Contemporary Review, December 1896, pag. 793 to 809. — The Papal Bull, by Sidney F. Smith S. J. The Contemporary Review, January 1897, pag. 30—40.

The papal condemnation of Anglican Orders which appeared last September has naturally excited a great deal of interest. The reunion of Christendom has been very much in the air of late. It has presented itself to many minds as the one great necessity of the day. It has been discussed, longed for, prayed for, and as the conditions of the problem have been more clearly recognised, so the truth, that Newman saw plainly

enough in his anglican days, that the method of proselytism employed by the English Romans with so much vigour and a certain amount of success, can never do anything, but make divisions more bitter and lasting, has been driven home with more and more force to the consciences of all. Hopes for some time rose high. It was felt that a great change had taken place in the Vatican when Leo XIII. succeeded Pius IX. Some learned French ecclesiastics had examined with much care and learning the question of Anglican Orders in all its aspects and had published the results of their researches to the world. Those researches had established our case in all its fulness. The French Romanists spoken of were anxious that their conclusion should be officially recognised. They joined hands with Lord Halifax in the wish to bring about corporate reunion and they saw that the first step towards that result must be the full recognition of our orders. The matter was brought before the notice of the Pope. A commission was appointed to study the question and report to the Holy Office, which should then consider the matter and deliver judgment upon it. Three of the commissioners—Duchesne, Gasparri and de Augustinis, the learned Jesuit—were known to be in favour of the validity of our orders. It might naturally be supposed that Leo, in taking the matter into consideration, was seeking to remove a difficulty and not to create a new barrier in the way of all *rapprochement*. These things certainly gave much ground for hope. Still there were many at home who thought it was too good to be true. They estimated what it would mean for the Vatican to go back on its regular practice and to admit that for the last three centuries, led away by ignorance and prejudice, it had consistently authorised the sacrilege of reordaining unconditionally those who were already in full priests orders. Those who took this view have proved to be right. At a special sitting of the Holy Office under the presidency of the Pope, the matter was finally considered and the condemnation embodied in the Bull delivered. As will be seen from the heading of this article the literature that the Bull has given rise to has been abundant, and it is scarcely too much to say, that on the whole the quality has been equal to the quantity. The most important document is of course the one that I have placed next the Bull itself. The reply of

our Archbishops addressed as it is to all the Bishops of the Catholic Church is worthy of all consideration. It has the great advantage too of being in Latin so that those to whom English is unfamiliar can study it easily. I would strongly advise anyone interested in the matter at all to study the Bull and the reply together. The contrast is very startling. Even in the matter of language the English document is immensely superior. It is written in excellent Latin and the English Version that has been issued bears all the character of a translation. The Bull is different. Mr. Collins in his little pamphlet has examined it with some care and has, I think, proved, what is really pretty plain to any reader, that the great bulk of the Bull was originally written not in Latin but in English and afterwards translated by a not very competent hand. This is perhaps a small matter, but it is one of the pieces of evidence that prove, that the decision of the Bull was the result not of a full honest investigation of the truth, but of considerations of policy and in particular of the consideration of the results that might follow to the Roman mission in England if our Orders were recognised. It is well known that Cardinal Vaughan was full of apprehensions for the future, and that he did all he could to secure the result that he desired. "There is not the smallest doubt" as Catholicus says "that the Pope gave way before the violent pressure of the English Catholic bishops and the Roman congregations."

Next in importance to the Archbishops' Reply comes the Treatise. It was issued by the Church Historical Society and contains nearly all that has been said, or I think can be said, by way of criticism of the statements and arguments of the Bull. Mr. Frere's work is a solid historical investigation of an obscure and difficult subject which was begun long before the Bull appeared, and which I have put at the head of this article because it contains in anticipation the refutation of alleged facts on which the Pope builds much. The other documents are of a slighter and more ephemeral character. Perhaps the most interesting of them are the articles in the Contemporary. Mr. Lacey was in Rome along with Father Pullar, during the time the commission was sitting, and gives us much of interest as to what actually went on there. Incidentally the almost complete ignorance of English concerns which pre-

vailed in Rome comes out clearly and the influence which considerations, not of history or theology, but of the actually existing conditions played on the minds of men. The other two articles are the productions of Romanists and exhibit the startling contrast between the views of different sections of Romanists that we have been familiar with since the appearance of the Life of Cardinal Manning. Catholicus admits fully how large a part political considerations played and how the Bull is the result of the triumph of one party over the other. To Father Sidney Smith the Pope is the infallible head of the Church, who can never make a mistake and can never be moved by any but the highest motives and the most exalted ideas of truth.

But I must pass on to make a few remarks on the contents of the Bull itself and of the answers that have been given. The Bull naturally falls into three parts. The first is historical and deals with the practice and decisions of the Holy See on the matter. The second points out reasons for condemning the English Ordinal for defect of Form and the third for defect of Intention.

The first of these is really the most important. It appears that when the Reports of the Commissioners came before the Holy Office, the first thing that was done was to enquire into past rulings, and when these were seen to be adverse to our Orders, it seems that Cardinal Mazzella, who presided over the sittings previous to the final one, forbade any attempt to go behind them. If this was so it is clear at once that the subsequent examination of our Ordinal could only be carried out with the intention of discovering reasons in support of a foregone conclusion.

What then is the historical evidence? Of recent custom of course there is no doubt. But has that custom been invariable, has it been based on sound investigations and the ascertainment of truth, or was there a time when the Holy Office was willing to recognise priests ordained by the English Ordinal and were the decisions subsequently given based on ignorance backed up by considerations of policy? There are two points that come up for consideration. First the treatment of the clergy, who had been ordained in the days of Edward VI., after the kingdom had been reconciled to the Holy See under Mary and

secondly the case of John Clement Gordon which was adjudicated upon by Clement XI. The first of these matters is in many ways obscure and I cannot ask for space to go into it in any detail. The Pope has produced no new documents to throw light on the matter. The old ones which he quotes are five in number. They are well known and are printed at length in the Appendix to the Treatise. Leo XIII. interprets them as proving that the clergy ordained by the Ordinal of Edward were invariably reordained or turned out of their livings. It is enough to say that any one who will read what is said in the Treatise on this subject will be quickly convinced that the Pope's inference rests on serious misunderstandings of the documents he is interpreting and on ignorance of the state of things prevailing in England at that time. Mr. Frere has examined the Episcopal Registers so far as they exist and all other available documents and has proved, I think beyond question, that there is no trace of any priest having been deprived of his benefice simply because he had been ordained by the Edwardine Ordinal or of his being required to seek reordination. The question is undoubtedly obscure. Any fresh light that might be thrown on it by documents hitherto unpublished in the Vatican or elsewhere would be very welcome from an historical point of view. It would not of course in the least shake our belief in our orders to find that Julius III. and Paul IV. had treated them as null, but if it could be proved it would do something to help out the case of Leo XIII. On the other hand if the new light were to verify, as it most likely would, the conclusions arrived at by Mr. Frere the argument from the consistent practice of the Holy See would be at an end.

But the main stress is laid not on the doings of the Vatican in the days of Mary but on the decision arrived at by Clement XI. in the case of Gordon. John Clement Gordon was Bishop of Galloway in Scotland. After the revolution of 1688 he went into exile along with James II. and in 1704 petitioned the Pope to declare his orders null and to reordain him. The matter was taken into consideration by the Holy Office and Gordon's petition granted. The grounds on which the decision was arrived at have never been clearly known. Gordon's own petition based the nullity of his orders on the Nag's Head

fable and on wildly incorrect statements as to the character of the English Ordinal, and it has been commonly supposed that the Holy Office accepted Gordon's statements as true and declared his orders null on the strength of them. Leo XIII. has however declared that this was not so. He tells us that it is proved by "documents of incontestable authenticity" that the consideration of Parker's ordination was altogether set aside and that the decision was arrived at simply on the ground of "defect of form and intention". This is in many ways extremely satisfactory. It brushes aside once and for all many of the difficulties that have been raised by Roman controversialists and narrows the issue to matters that are comparatively easy to understand and on which we have plenty of light. To these matters—the defect of form and intention—which have been put forward with so much emphasis in the recent Bull I must now turn.

The Pope has not seen fit to publish any of the documents relating to the Gordon case, to which he somewhat obscurely refers, but we may take it that they could add nothing to the argument, which he has himself adduced as to the defect of form and intention in our Ordinal. What then are these arguments? And first with regard to Form?

It seems to have been made out quite clearly that there never has been anything which can claim the title of a "Catholic" Rite of ordination. The early rites seem to have been very simple and very various. In fact every Bishop seems to have had the right to use his own form provided only that he retained the laying on of hands with prayer. No doubt too it was needful that in some way or other the particular order to which the candidate was being promoted should be indicated, but this seems often to have been done very obscurely. Thus the Form for ordaining a Deacon in the Canons of Hippolytus contains no direct mention of the Diaconate but implies it by a reference to S. Stephen. I need not stop to quote other cases. A collection of various Forms is printed in the Appendix to the Treatise and the Bishop of Stepney has worked the matter out very conclusively in his Speech. Judged by these standards there can be no doubt that our English Ordinal is sufficient and more than sufficient. I do not lay any stress on the addition made in 1662 of the words "for the

office and work of a priest" to the "Recipe Spiritum Sanctum", because as the Pope says the Ordinal was for a century without them and therefore its validity must be judged of apart from them, and also because the imperative words are a late addition to the Ordinal and therefore, however good they may be in themselves, they are not part of the necessary Form. That Form our Ordinal retains and always has retained in the laying on of hands and the prayers for the candidates, and the intention of the whole office is clearly expressed in the words which are put into the mouth of the Archdeacon at the very beginning: "Reverend Father in God, I present unto you these persons present, to be admitted to the order of Priesthood."

The matter seems very plain and in fact this objection to the Form appears to be given up. Leo XIII. does not seem to maintain that the many ceremonies introduced into the Roman Ordinal are essential, and he seems to have abandoned the decree of Eugenius IV. that the necessary Form is to be found in the "Porrectio Instrumentorum". It is not the Form itself that is wanting, but the method by which it was arrived at. It is not simply the fact that things are not there, but that they have been deliberately removed and the removal shews that the compilers while they retained the old words—Bishops, Priests and Deacons—used them in a new sense. This seems to me to be the gist of the Pope's somewhat obscure argument, and it is certainly the line adopted by Father Sidney Smith in his defence of the Pope in the Contemporary. But that being so the objection to the Form has really disappeared and has been merged in the alleged defect of intention.

Curiously enough the intention of the compilers of our Ordinal is the one thing that is put forth more explicitly perhaps than anything else. Their views are contained in the Preface. "It is evident unto all men", they said, "diligently reading the Holy Scripture and ancient authors that from the Apostles' time there have been these orders of ministers in Christ's Church: Bishops, Priests and Deacons. Which orders were evermore had in such reverend estimation, that no man might presume to execute any of them, except he were first called, tried, examined and known to have such qualities as are requisite

for the same, and also by public prayer and imposition of hands were approved and admitted thereunto by lawful authority. And therefore to the intent that these orders may be continued, and reverently used and esteemed in the Church of England; no man shall be accounted or taken to be a lawful Bishop, Priest or Deacon in the Church of England, or suffered to execute any of the said functions, except he be called, tried, examined and admitted thereunto, according to the form hereafter following, or hath had formerly Episcopal Consecration or Ordination.”

Now the meaning of this seems perfectly plain. From the first there was the threefold ministry in the Church. The powers of that ministry were conferred on it by Christ himself. Those powers have always been the same. If the Medieval Priest claimed for himself any powers that were not exercised by the Priest of the first ages, those claims were not sound. The Church of England intends to continue to give to her priests all those genuine priestly powers conferred by Christ and ever since continued. She claims nothing more: she will be content with nothing less. That seems clear enough: that is the teaching of the Ordinal. But then the Romanist turns round and says that that is all very well, but that we know from the doings and sayings of those who compiled the Ordinal that they really meant something very different, that they used the old words to hide from men's eyes the true meaning of the revolution they were effecting, that when they spoke of Priests and Bishops they did not mean Catholic Priests and Bishops but two orders of Protestant Ministers. Now the reply to this is very easy. It seems sufficient indeed to remark that the intention of the Church must be learnt, if we are to go outside the plain words of the Ordinal itself, not from the private opinions of those who compiled it, but from the opinions of the Bishops who were content to introduce it and use it. And what were they?

In discussions on this subject great stress is laid and in many ways rightly laid on the views and teaching of Cranmer. He was undoubtedly the leading member of the bodies which drew up the Ordinal and the other parts of the Prayer Book, but it is simply absurd to cull from Cranmer's works statements which may have implied heretical views on his part

and then to argue that those statements give the real meaning that all the Bishops in England intended when they used an Office in itself perfectly orthodox. The Ordinal was issued in 1550. Out of the twentyone Bishops who were then administering Dioceses in England only one—Heath of Worcester—refused to use it. Of the twenty who adopted it, nine—Thirlby, Sampson, Kitchin, Goodrich, King, Chambers, Wharton, Salcot and Aldrich—continued to hold their dioceses under Mary and willingly acquiesced in all the changes that were introduced in her reign. Did these men, when they accepted the new Ordinal of Edward, understand that they were no longer ordaining men to the old offices of Priest and Deacon, but that they were appointing a brann new Protestant Ministry? It is enough to ask the question to see the answer.

A great deal more might be said on this subject. There are many interesting questions which the Bull suggests on which I have said nothing. What I have tried to do is to indicate the main points in dispute and to point out the strength of the Anglican position. Of that position we for our part have not the slightest doubt. Corporate reunion with any other branch of the Church can only proceed on the full recognition of our orders. Rome has definitely shut the door against further approach, but the Churches of the Roman obedience are not the whole of Christendom. The thoughts of Englishmen are now turned towards the Churches of the East. The present Bishop of London went as the representative of the English Church to the coronation of the Czar. He was received at Moscow with all due respect and given precedence of the envoy of the Pope. The Archbishop of York has lately been spending some weeks in Russia, entering into friendly intercourse with Russian Ecclesiastics and taking part in their Holy Week and Easter Services. These things in time must bear fruit. The cobwebs of ignorance and prejudice will gradually be done away and brotherly love will spring up with new vigour between the Orthodox and the Anglicans. But what of the Old Catholics? It has all along proved very difficult to arouse any interest in them in this country. It appears to me that there is an opportunity now for doing something to get rid of the hitherto prevailing apathy. Let the authorities of Old Catholics take up seriously this question of our Orders,

examine it in the light of all the documents that have recently appeared concerning it, let the investigation be carried on with all the light that English experts could throw on it, not as in Rome, with closed doors, and then if in the end the Old Catholic Body proclaimed its recognition of the validity of our Orders a good deal would have been accomplished to arouse interest and to bring about a possible reunion between us.

A. J. C. ALLEN.
