

**THE REFORMATION, THE MASS  
AND THE PRIESTHOOD**

*By the same Author :*

UNIFORM WITH THIS VOLUME

---

THE REFORMATION  
THE MASS AND THE PRIESTHOOD

VOL. I. THE REVOLT FROM THE MEDIÆVAL CHURCH

*18s. net.*



Ernest C. Messenger  
Ph.D. (Louvain)

THE REFORMATION  
THE MASS AND  
THE PRIESTHOOD

*A DOCUMENTED HISTORY WITH SPECIAL  
REFERENCE TO THE QUESTION OF  
ANGLICAN ORDERS*

VOLUME II  
ROME AND THE REVOLTED CHURCH

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## INTRODUCTION

### I

IN the first volume of this work<sup>1</sup> I endeavoured to establish the parallelism which existed between the Reformation abroad and the Reformation of the Church in this country. I explained the doctrinal innovations of the Continental Reformers, and showed that these were reflected in new liturgical services. In particular, the new conceptions of the Eucharist led to new Communion services, and the corresponding new ideas of the nature of the ministry led to new rites of ordination. The old Catholic conception of a true sacrificial priesthood was replaced by the Protestant conception of an evangelical ministry of the Word and the Sacraments. Having thus dealt with the Continental Reformation, I turned to the English movement, and after showing how the ground was prepared for the change under Henry VIII, traced the events of the reign of Edward VI in detail. This made it clear that the Anglican Reformation was carried out with the assistance and advice of the Continental Reformers, and followed a precisely similar plan. The Catholic doctrinal standard was abolished and replaced by new Protestant doctrines from abroad. A new liturgy was also introduced, in harmony with the new doctrines. In particular, the Catholic doctrines of the Real Objective Presence and the Sacrifice of the Mass were abandoned, and new Communion services drawn up to express the new Protestant conceptions. The conception of the ministry underwent a corresponding change, which was in turn expressed in a new ordination rite, just as had been done abroad. The three higher grades of the ministry were retained, as Apostolic and Primitive, but it was made clear that these offices were not stages of a sacrificial priesthood, as understood in the Catholic Church, but degrees in an evangelical ministry of the Word and the Sacraments. In the case of both the new Communion services and the new Ordination rite, foreign Protestant services were taken as models, and closely followed.

<sup>1</sup> *The Reformation, the Mass and the Priesthood*: Volume I: "The Revolt from the Mediæval Church."

It was not to be expected that such a thesis would pass without being challenged, and in point of fact the work has met with severe hostile criticism, especially from Anglican writers. It will be of interest to see what these have to say :

(1) Dr. A. J. Macdonald, in the *Record*,<sup>1</sup> says : " One feature does merit approval. Dr. Messenger shows quite clearly that the Anglican Church is a Church of the Reformation." He adds : " We knew that already." But is it not precisely a point which many Anglican writers conceal, and even deny ?

The same reviewer says that one aim of my work is " to prove that the Anglican Reformation settlement was conducted deliberately upon non-episcopal Continental lines," and adds, " that, of course, is ridiculous." It is difficult to understand how Dr. Macdonald can thus misrepresent my real thesis, in view of the clear statement I make on p. 458 of my first volume, and equally clear statements elsewhere. The Anglican Reformers, like their Continental brethren, had no objection to the retention of a pastoral episcopate. Circumstances here favoured such a retention, circumstances abroad were, for the most part, against it. But Anglican and Continental Reformers were at one in holding that, in any case, the episcopate was merely the highest grade of an evangelical ministry, and was not the " high priesthood " as understood by Catholics.

(2) The reviewer in the *Guardian*<sup>2</sup> remarked that my " main contention," which is " that in successive stages of the Anglican Ordinal, what is intended to be given is not ' power ' but ' authority to execute an office,' " together with " the repeated parallelism, ' the Bucerian and Anglican rites,' are probably regarded " by me as my " principal achievements." He makes no attempt to destroy these " achievements," beyond remarking that some " have deemed other conclusions more consonant with an extended study of the Reformation, as well as with reason and common sense."

(3) A more definite attack upon my position was made by the *Church Times* in a review printed under the heading " Half-baked History,"<sup>3</sup> and also by the Rev. H. Beevor, of Pusey House, Oxford, in an article in *Theology* for September, 1936. The similarities between these are so striking that one is tempted to infer that they are both from the same pen. Against my argument concerning the terminology used in the Anglican Ordinal, both urge that " authority " is the normal sixteenth-century

<sup>1</sup> June 5th, 1936.

<sup>2</sup> May 1st, 1936.

<sup>3</sup> July 17th, 1936.

translation of "potestas," and add that Bucer himself speaks of the "potestas" conferred in ordination. But my argument is not based simply on the use of the word "authority" in the Anglican Ordinal, but rather upon the phrase "authority to execute an office." It is quite true that "potestas" can sometimes be translated by "authority," especially when the reference is to "jurisdiction." For Catholic theologians and canonists often distinguish between the "potestas ordinis" and the "potestas jurisdictionis." The phrase "authority to execute an office" is quite suitable for the conveying of the "potestas jurisdictionis," but not very suitable for the conveying of the "potestas ordinis." As to Bucer's use of the word "potestas," it is noteworthy that this is concerned precisely with *jurisdiction*, for he says that "the imposition of hands . . . signifies that to him is given power (potestatem) that he may *teach and govern* the Church in the place of Christ." It is equally beside the point to urge that where the English form of the Articles of Religion has "authority," the Latin has "potestas," for once again the reference here is to *jurisdiction*: The English article speaks of "men who have public *authority* to call and send ministers into the Lord's vineyard"; the Latin has: "quibus *potestas* vocandi ministros atque mittendi." Thus, where Bucer and the Latin Articles of Religion use the word "potestas," it is obviously in the sense of "potestas jurisdictionis," i.e. "authority." It seems equally clear that the phrase "authority to execute an office" in the Anglican Ordinal signifies jurisdiction rather than any true "potestas ordinis."

The second point made by the *Church Times* reviewer, and by the Rev. H. Beevor in *Theology*, is that, whereas I lay great stress on the use of the word "exhibere" by Continental and English Protestants when speaking of the Eucharist, and say that "the Church never makes use of the term 'exhibited' in her own exposition of the doctrine of the Real Presence," the word is in point of fact employed by St. Thomas Aquinas, and also in the Cologne *Enchiridion*.<sup>1</sup>

Actually, all this is irrelevant. My Anglican critics have quoted *half* a sentence from my book, away from its context. The passage occurs in the chapter which deals with the Council of Trent, and comes at the end of my translation of the Council's

<sup>1</sup> The *Church Times* gave no references, but the Rev. H. Beevor in *Theology* mentioned St. Thomas's *Summa Theologica*, III, q. 75, art. 1, and q. 76, art. 2. I myself indicated these in letters to the *Church Times* on July 24th and 31st, 1936, adding a further reference to III, q. 80, art. 4, ad. 1.

Decrees on the Eucharist. In fact, my sentence continues : " the term only occurs in the eighth canon, which is condemning a statement made by the Reformers."<sup>1</sup> It should have been obvious that by " the Church " I meant " the Church at the Council of Trent." It was not my intention to assert that the term had never been used by Catholic writers. It could undoubtedly be used in a perfectly orthodox sense, and was so used by St. Thomas Aquinas, the theologian of Transubstantiation. It certainly has an equally orthodox meaning in the Cologne *Enchiridion* of 1537. Mr. Beevor gives only one instance from this work, i.e. that on p. 76, but there are others, e.g. on pp. 49 and 54. The passage on p. 49 is particularly illuminating. The Catholic writer here remarks that the Eucharist is more excellent than other sacraments, because in the latter the external element is not changed. Thus, the water of baptism and the oil of chrism are not changed, " neque Spiritus Sanctus . . . in eisdem elementis essentialiter continetur, quamvis credentibus in mysterio exhibeatur et detur." Thus, the Holy Ghost is " exhibited and given " in Baptism and Confirmation, but the Body and Blood of Christ are not merely " exhibited and given " in the Eucharist, but are really and truly " contained " substantially under the species of bread and wine. We gather from this that the term " exhibited " may be used of the Eucharist, as of other sacraments, but it is not adequate to express the Real Objective Presence. In any case, it certainly does not signify this doctrine when used by those who deny it. Accordingly, when St. Thomas says that " Christus carnem suam nobis exhibet in hoc sacramento invisibili modo," and the *Enchiridion* of Cologne says that the words of institution show " quid nobis in hoc sacramento Christus exhibet," it is obvious that they do not mean merely what Bucer, for example, meant when he said that " the bread and wine be signs exhibitivæ, that is to say, such signs as do give the things signified," or again, " In all my writings I bear witness that there is specially in the Holy Supper an exhibition of the Body and Blood of Christ. . . . The bread is shown and given to the senses, and at the same time the Body of the Lord, that is, the communion of the Lord, is exhibited and given to faith."<sup>2</sup> I showed in my first volume that not only Bucer, but also Melancthon, Calvin and Zwingli all displayed a remarkable preference for this term " exhibit," in connection with their Eucharistic doctrine. It is all too plain that they used

<sup>1</sup> Page 210.<sup>2</sup> See passages quoted on p. 163 of Vol. I.

it in an un-Catholic sense. This use lasted long after the Reformation period, for the Scottish Communion service, drawn up about 1619 and proposed for use in the Scottish Episcopal Church, had this phrase in its Prayer of Consecration :

“ Send down, O Lord, thy blessing upon this sacrament, that it may be unto us the *effectual exhibitive instrument* of the Lord Jesus.”<sup>1</sup>

It is said that this service was largely due to Cowper, Bishop of Galloway, who, in one of his works, explains that the sacramental bread is “ appointed by God to be a sign and a seal, and an exhibiting instrument of Christ’s body.” The Rev. Dr. Sprott, in his notes to *Scottish Liturgies of the Reign of James VI*, says<sup>2</sup> :

“ The word ‘ exhibit ’ was then understood as equivalent to ‘ apply,’ and it was constantly used of the Lord’s Supper to set forth the doctrine of the Reformed Church—that the elements are the instruments by which Christ’s Body and Blood are imparted to the faithful. Thus Cowper says that the elements ‘ are not only signs representing Christ crucified, nor seals confirming our faith in Him, but also effectual instruments of exhibition, whereby the Holy Spirit makes an inward application of Christ crucified to all that are His.’ ”

It is clear that this meaning approximates to that attached to the term by Bucer, Calvin, and Melancthon. As to its use in Anglican formularies and writings, in view of the known opinions of the Anglican reformers, and their acknowledged indebtedness to their foreign colleagues, it is surely reasonable to assume, in the absence of evidence to the contrary, that it is being used in the Protestant and not in the Catholic sense, i.e. in the sense of Bucer, etc. and not in the sense of Thomas Aquinas and the *Enchiridion*. And it is still a remarkable fact that the Council of Trent abstained from making use of it in its own exposition of Eucharistic doctrine. Nevertheless, it is open to Anglicans to vindicate its orthodoxy in any particular formulary or context.

(4) *Theology* for August, 1936, also contained a review of my work by Dr. F. L. Cross. He remarks that my “ leading thesis ” is that “ the Reformation in England was a much more ‘ Protestant,’ not to say more political, affair than is commonly supposed,” adding that among my proofs is “ a detailed examination of the Prayer book of 1549,” my method being to “ compare that Book with its pre-Reformation ancestors.” Dr. Cross comments : “ Having adopted this method, it is not surprising

<sup>1</sup> Italics mine.

<sup>2</sup> *Works*, p. 263.

that our author finds a great many changes in a 'Protestant' direction," but "had Dr. Messenger, however, compared the Book of 1549 with the Protestant forms of service on the Continent, we suspect he would have had a very different tale to tell." But the reader will observe that on pp. 382 to 398 of Vol. I, I compare the Communion service of 1549, not only with the old Sarum Missal, but also with the new Eucharistic rites drawn up by Martin Luther, and I show how close is the parallel between the German and the English services.

(5) More important, perhaps, are the admissions made by several Anglican reviewers. Thus, Canon Wilfred Knox, in the *Cambridge Review*<sup>1</sup> talks of my "elaborate attempts to show the influence of Bucer on the Anglican Reformation," but allows that "It is obvious that, both in language and doctrine, the English Reformers were affected by the Continental movement." He can only urge that it is "equally clear that they (the Anglican Reformers) did not commit themselves to abandoning anything which they believed could be proved by the appeal to Scripture, to rest on divine authority." But surely the question is, not whether the Reformers considered the Catholic conception of the Sacrifice and the Priesthood to "rest on divine authority," or not, but whether they rejected them. There can be no doubt as to this!

Mr. Beevor, in *Theology*, allows that "there is a close relation between the Anglican rite of Ordination and the draft contained in Bucer's work," though he still seems to think that Bucer may have written his work after the Ordinal of 1550. He adduces no evidence, however, and does not discuss mine, which, I may therefore fairly claim, still holds the field. Mr. Beevor also allows that "it can be proved from their writings that Cranmer and other individual Reformers held defective views concerning the Sacrament," and also allows that there is ambiguous language concerning the Sacrifice in the Anglican Communion service. He urges that the early liturgies were equally ambiguous. That *may* be so, but in any case the ambiguity is in each instance to be determined by the known views of the compilers. Thus, the "defective views" of the Anglican Reformers give us the real meaning of the Anglican Communion rite.

As to the ministry itself, it is very significant that the *Church Times* reviewer remarks that "no serious student of the New Testament can believe that St. Peter or St. Paul believed the essence of their ministry to consist in 'power to offer sacrifice and

<sup>1</sup> May 8th, 1936.



to celebrate Masses as well for the quick as for the dead.'” Similarly, Mr. Beevor says in *Theology*: “the essence of the Christian ministry is to be found in the power to preach the Word and to dispense the Sacraments,” adding that “a belief that the Apostles thought of themselves as primarily and essentially sacrificing priests finds no support in the pages of the New Testament.” In other words, the *Church Times* reviewer and Mr. Beevor reject the Catholic conception of the priesthood, as defined at Trent,<sup>1</sup> and set forth instead a definition of the ministry which would be accepted by any Nonconformist or other Protestant pastor. Doubtless, the Anglican Ordinal would suffice to convey such a “ministry of the Word and the Sacraments,” if the Christian priesthood were merely of that nature. But it is precisely our claim that the Catholic priesthood has as its essential power something more, namely, the power to consecrate and offer the Body and Blood of Christ in the Sacrifice of the Mass. It is significant that the Anglican writers quoted above seem to disclaim such power. It confirms our own view, that Anglican Orders are not meant to be, and are not, in fact, Orders as understood in the Catholic and Roman Church.

Other minor points raised by Anglican reviewers are dealt with in Appendix III, which also includes corrections of errors in typography, etc., in Vol. I. But I think I can fairly claim that the thesis set forth in my first volume has not been disproved. There has been no attempt by Anglicans to challenge my claim that the doctrinal and liturgical reforms in this country were initiated and controlled by the Protestant party, with the help of the foreign Reformers, and that they were carried through in spite of the opposition of what I have called the “Anglo-Catholic” party at that time. This is of the utmost importance in determining the significance of these reforms. The new conceptions of the Eucharist and the ministry were intended to replace the traditional Catholic conceptions of the Mass and the Priesthood, and this was fully recognised at the time by both Catholics and Protestants.

The evidence for this is set forth in my two volumes. It is

<sup>1</sup> “Sacrificium et sacerdotium ita Dei ordinatione conjuncta sunt, ut utrumque in omni lege exstiterit. Cum igitur in Novo Testamento sanctum Eucharistiæ sacrificium visibile ex Domini institutione Catholica Ecclesia acceperit: fateri etiam oportet, in ea novum esse visibile et externum Sacerdotium . . .” (Sess. xxiii, cap. i.)

<sup>2</sup> “Si quis dixerit, non esse in Novo Testamento Sacerdotium visibile et externum, vel non esse potestatem aliquam consecrandi et offerendi verum corpus et sanguinem Domini, et peccata remittendi et retinendi . . . anathema sit.” (*Ibid.*, canon 1.)

cumulative in its force, and as such is overwhelming. Anglican criticisms have doubtless shown that, taken separately, individual points are not strong enough to *prove* my thesis, but in history as in other matters, there is such a thing as the convergence of probabilities.

Space will not allow me to deal with other Anglican reviews, nor with the much fairer, though equally critical reviews which have appeared in Presbyterian, Catholic and secular journals. Such points as seem to call for treatment are dealt with in Appendix III.

## II

In this second volume, I take up the story at the beginning of the reign of Queen Mary, and give a careful and detailed account of the process by which England was reconciled to the Catholic Church, and in particular, of the treatment then accorded to Edwardine orders. I show that the rejection of those orders by the ecclesiastical authorities, both here and in Rome, was complete and absolute, and that in particular, there is no foundation for the oft-repeated statement that Bishop Scory's Edwardine orders were recognised by Bishop Bonner. It was a different bishop altogether who was reconciled.

Next I study the re-establishment of Anglicanism under Queen Elizabeth, discussing incidentally what really happened at the Nag's Head. I show how little truth there is in the claim that the ground lost under Edward VI was recovered in the reign of the daughter of Anne Boleyn. The Elizabethan Anglican Church stands out in all its nakedness as a purely Protestant body, with a Protestant doctrinal standard and a Protestant liturgy.

I carry on the story till 1662, because it is said that, at any rate, the Church of England recovered the Catholic conception of things through the Caroline divines. I show that the "High Church" party of that time remained faithful to the general Protestant conception of the Eucharist and the Ministry, and that all through this period, Anglicans of all schools agreed in repudiating the possession of the priesthood as understood in the Church of Rome. Catholic writers had a comparatively easy task in showing that the Anglican Church does not possess a true priesthood, though unfortunately, they did not confine themselves to the safe grounds of doctrine, but added unsound considerations of a historical order.

In Part Seven, I deal with the lengthy theological discussions of Anglican Orders by Catholic writers and the ecclesiastical authorities, beginning with the Holy Office cases of 1684 and 1704, and including an account of the Courayer controversy. I proceed to give a history of the events leading up to the appointment of the Papal Commission of 1896, and of its *sequelæ*. Later chapters give accounts of the Malines Conversations, and of the recent recognition of Anglican Orders by the Old Catholics and some of the Eastern Orthodox Churches. The last chapter gives a review of the whole subject, in which the results of the historical investigation are considered in the light of the accepted principles of Catholic sacramental theology.

There are three appendices. The first deals with the precise force of Pope Leo's Bull, *Apostolica Curae*. The second discusses the validity of Abyssinian Orders. The third is devoted to additional notes to Volume I, and *corrigenda*.

In the course of the work, I occasionally criticise some inaccurate statements put forward by Anglican writers on the subjects under discussion. It is regrettable to have to do this, but very necessary, in view of claims such as the following, put forward by the late Archbishop of Canterbury :

"Our wish in the Church of England, as all our best representatives testify, has always been for daylight, fresh air, outspoken truthfulness, and candour—the unswerving assertion of what we believe to be true without concealment or reserve, and, so far as possible, with a frank disregard of the diplomatic expediency and so forth which has taken so large a place in the words and acts of Roman controversialists ever since the Middle Ages."<sup>1</sup>

Against this claim we may set the admission made by the late Canon Bright, Regius Professor of Ecclesiastical History at the University of Oxford, and himself by no means a "pro-Roman" historian :

"He would be much deceived who should imagine that the temptation to manipulate facts, to misrepresent the purport of events, or to read unwarrantably between the lines of documents, has never been too strong for Anglicans."<sup>2</sup>

At any rate, this criticism might be applied to some Anglican writers referred to in the present volume. It might be said in reply that this failing is not confined to Anglican writers. That I freely admit. It might also be urged that it is not found in all

<sup>1</sup> Letter to Lord Halifax, April 24th, 1895, in *Life of Lord Davidson*, by the Right Rev. Dr. Bell, Bishop of Chichester, Vol. I, p. 233.

<sup>2</sup> *Waymarks in English Church History*, p. 241.

Anglican writers, and that I also gladly allow. But there is certainly room for more objectivity and candour in Anglican works on the Reformation period. Too often, unpalatable facts are either not mentioned, or else are explained away. It is not by such methods that the cause of truth is advanced, or that the reunion of all Christians will be brought nearer.

To the list given in the first volume of those who have assisted me, I would like to add the following names : first and foremost, the Most Reverend Dr. Hinsley, Cardinal Bourne's successor in the See of Westminster, and kindest of Archbishops ; the Right Rev. Mgr. Hallett, Rector of St. John's Seminary, Womersley ; the Right Rev. Mgr. Godfrey, Rector of the English College, Rome ; the Very Rev. Canon Mahoney ; the Very Rev. Fr. Hugh Pope, O.P. ; the Rev. W. Gumbley, O.P. ; the Rev. John Rogers, S.J., of Campion Hall, Oxford ; the Rev. F. O'D. Hoare, O.S.C. ; the Rev. A. Beck, A.A. ; the Rev. Dr. Albion ; and the Rev. Dr. Curtin. (The last four have rendered invaluable service in the reading of proofs.)

I also gratefully acknowledge the help given me by some who are not of the household of my faith, such as the Right Rev. Dr. Bell, Bishop of Chichester ; the Rev. Canon Douglas, Secretary of the Foreign Relations Committee of the Church of England ; the Rev. Sir Edwyn Hoskyns, Librarian of Corpus Christi College, Cambridge ; the Rev. Prebendary Chanter, Treasurer of Exeter Cathedral, who gave me information from the Exeter records ; the Rev. Proto-priest Gala Galaction, of the Rumanian Orthodox Church ; the Right Rev. Bishop Heiler, of the German Lutheran Church ; the Rev. Dr. McMillan, of St. Leonard's Parish Church, Dumfermline ; Miss I. Churchill, Assistant Librarian of Lambeth Palace Library ; Miss B. Hamilton Thompson, sometime Librarian of St. Hugh's College, Oxford ; Dr. Charles Cotton, Mr. W. P. B. Cove, and Mr. F. Tyler, all of the Canterbury Cathedral Library ; and Mr. G. W. Henderson, of the Chapter Library at St. Paul's Cathedral. I must also express my thanks to Mr. Percy O. Bramble for so kindly examining the Norwich diocesan records on my behalf.

Next I must acknowledge the permission so willingly given to utilise various sources. First I have to thank his Eminence Cardinal Canali, for allowing me to utilise some letters written by Mgr. Merry del Val in 1896, and published in Mgr. Cenci's Italian biography of the Cardinal. I had hoped to be able also

to utilise some letters written by Mgr. Merry del Val in the same year, 1896, to Cardinal Vaughan, dealing with the situation in Rome arising out of the activities of the Anglicans and their friends, but in view of the introduction of the cause of beatification of the late Cardinal Merry del Val, his Eminence Cardinal Canali has not felt it possible to grant the necessary authorisation. In any case, the subject-matter of the correspondence is largely covered by the letters from Mgr. Moyes to Cardinal Vaughan written during the same period and cited in this volume by kind permission of his Grace the Archbishop of Westminster. Incidentally, I take the liberty of correcting one or two errors in detail which occur in Mgr. Cenci's otherwise excellent life of Cardinal Merry del Val.

I also thank Dom Philip Langdon for allowing me to quote an unpublished letter written by the late Cardinal Gasquet.

In the case of one or two letters quoted in this present volume, careful enquiry has failed to ascertain the name of the persons whose leave should be obtained. Under these circumstances I have thought it best to assume permission, being very confident that there is nothing in the letters to which objection would be taken by those concerned.

Lastly, my grateful thanks are due to authors and publishers who have allowed me to utilise the following works : *The Life of Lord Davidson*, by the Right Rev. Dr. Bell, Bishop of Chichester (Oxford University Press) ; *The Church of England and Episcopacy*, by the Rev. Canon A. J. Mason (Cambridge University Press) ; *Anglo-Roman Relations*, by C. G. Bayne (Clarendon Press) ; *Lollardy and the Reformation*, by James Gairdner (Macmillan) ; *The Elizabethan Prayer Book*, by Rev. Dr. Gee (Macmillan) ; *The Relations of the Anglican Churches with the Eastern Orthodox*, by the Rev. Canon J. A. Douglas (Faith Press) ; *The Validity of Anglican Ordinations*, by Archbishop Papadopoulos (Faith Press) ; *The Validity of English Ordinations*, by Chrestos Androustos, translated by F. W. Groves Campbell (Richards Press) ; *Documents on Christian Unity*, two series, edited by the Right Rev. Dr. Bell, Bishop of Chichester (Oxford University Press) ; *Leaves from my Diary*, by F. A. Gasquet (Burns Oates) ; *The Life of Cardinal Vaughan*, by J. Snead-Cox (Burns Oates). I also thank Messrs. Burns Oates for permission to utilise material contained in an article I wrote for the *Dublin Review* for January, 1936, and also to quote from my *Epistle from the Romans*, and *The Lutheran Origin of the Anglican Ordinal*. Especially do I thank the Society for

Promoting Christian Knowledge for their general permission to utilise works published by them. Their names are sufficiently indicated in the work itself, but I must especially mention Bishop Frere's valuable study, *The Marian Reaction*; works by the Rev. Dr. Firminger; *Liturgy and Worship*; and the *Reports* of the Lambeth Conferences. And lastly I must thank Messrs. Longmans, Green & Co., for permission to quote Dr. Darwell Stone's invaluable *History of the Doctrine of the Holy Eucharist*, *A Roman Diary*, by the Rev. Canon Lacey, and Lord Halifax's book, *Leo XIII and Anglican Orders*. Messrs. Longmans, and the Burleigh Press also deserve my best thanks for the trouble they have taken in the production of this work.

The titles of books utilised are usually given in full when quoted for the first time. Afterwards, sufficient indication is given for their identification. Similarly, "P.S." after a work by a Reformer signifies the edition published by the Parker Society. I have adopted a like practice in other cases.

In transcribing passages from sixteenth century writers I have occasionally modernised the spelling. I have not thought it necessary to give any special indications of this.

E. C. MESSENGER.

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PART FIVE

THE RECONCILIATION OF ENGLAND WITH ROME  
UNDER QUEEN MARY



## CHAPTER I

### THE ECCLESIASTICAL POSITION OF ENGLAND, AND ROME'S KNOWLEDGE OF IT

#### A. THE ECCLESIASTICAL POSITION OF ENGLAND.

1. For a proper understanding of the ecclesiastical events of the reign of Queen Mary, and especially of the measures taken by the Holy See in connection with the reconciliation of England with Rome, it is desirable that we should begin by explaining the position of English people at that time from the standpoint of the law of the Catholic Church, i.e. Canon Law, and especially the position of the Church and churchmen in this country.

Until the Anglican Schism, which was consummated in 1535,<sup>1</sup> the English Church had been merely two provinces of the Catholic Church, united with the other provinces throughout the world in a common allegiance to the Pope, the centre of Unity. The Schism had been prepared by a series of Acts in Parliament and Convocation under Henry VIII, culminating in the universal repudiation by the English Bishops of their Bulls of Appointment, by which they held their sees from Rome, and the taking out of fresh letters of appointment from the King, early in 1535, acknowledging that jurisdiction comes from the Crown.<sup>2</sup> From that moment we may say that a separate heretical and schismatic body came into existence, i.e. the Anglican National Church, or the "Church of England," as we now use this term. There were, it is true, different parties in that Church, as we have seen, but all three groups, the "Anglo-Catholics," the "Protestants," and the "Opportunists," repudiated the Papal Supremacy, accepted that of the Crown, and thus acquiesced in the *schism* from the Holy See. Moreover, all were, in varying degrees, guilty also of *heresy*. In the case of most of the "Anglo-Catholic" party,<sup>3</sup> the heresy was practically con-

<sup>1</sup> See Vol. I, p. 239.

<sup>2</sup> See Vol. I, p. 238.

<sup>3</sup> See Vol. I, p. 240, for the explanation of our use of the term "Anglo-Catholic" here.

fined to the acquiescence in the idea of a separate national church, and the repudiation of the Supremacy of the Roman See, which had been solemnly defined at the Council of Florence. But some even of the "Anglo-Catholics" were becoming unsound on other matters. The "Protestant" party were, of course, heretical on many other points as well, and in particular, they denied Transubstantiation, which had been defined at the Council of the Lateran in 1215, and other Catholic doctrines which were part of the ordinary teaching of the Church—e.g. the Sacrifice of the Mass. The "Opportunist" party were in the main singularly lacking in settled religious convictions, or at any rate acted as if they had none, and hence were also constructively heretical.

The Schism had been perpetuated in the reign of Edward VI, and the heretical character of the new Church had become still more manifest, by the introduction of new rites and doctrinal formulæ, all more or less heretical.

The English authorities, of course, claimed that they were within their rights in thus setting up this new and heretical religious institution under the domination of the Crown. But the Catholic Church, which claims to exist throughout the world by divine right, could not admit the right of English people thus to separate from her Communion and to set up a separate organisation. From the Catholic Church's point of view, therefore, there was no such thing as a *de jure* separated English Church in this country. Instead, from the Catholic standpoint, the king, bishops, clergy and laity, all members of the Catholic Church, were guilty, in varying degrees, of the sins of heresy and schism, and incurred the canonical penalties attached to these offences. There was no need for the Holy See to excommunicate the English Church as such, and indeed it is not customary to excommunicate moral bodies or communities.

English people, ecclesiastical and lay, had, as we have said, fallen in varying degrees into heresy and schism. These are both grave sins, according to Catholic teaching, and the Church had attached to them various penalties or "censures" incurred by their commitment. True, according to Catholic teaching, a censure is incurred only by those who are "formally" guilty of committing the sin, and not by those who are only "materially" guilty. But the distinction between formal and material heretics and schismatics had little practical importance so far

as England was concerned at that time, and the supposition would be that, in the absence of proof to the contrary, all English people had acquiesced, at least in the schism, and to some extent in the heresies involved therein. Some individuals might indeed plead that so far as they submitted to the new state of things, they did so only under compulsion, and that they never formally acquiesced either in the heresy or the schism. Queen Mary herself was one of these, for she said expressly that she did not consider that she had really incurred ecclesiastical censures, and precisely for this reason.<sup>1</sup> Those who took part in the Pilgrimage of Grace under Henry VIII, and in the Western Rising under Edward VI, might also have made the same plea. But even in these cases, the Church authorities would consider that a dispensation from censures should be obtained *ad cautelam*.

And if all this is true of the laity in general, it is especially true of the bishops and clergy. It is useless to argue that the great Reforming Acts were passed, not by the Church, but by the civil power, and that therefore they did not affect the canonical status of churchmen. For it was notorious that these Acts were accepted also by the ecclesiastical authorities. Convocation itself had accepted the Royal Supremacy, the bishops had acknowledged that they held their sees only from the Crown, and had surrendered their independence. Moreover, they had taken the Oath of Supremacy, repudiating the Papacy. And bishops and clergy alike acquiesced in the liturgical and disciplinary innovations which were heretical in character and implication. Even so stalwart an "Anglo-Catholic" as Bishop Bonner publicly used the First Prayer Book of Edward VI at St. Paul's Cathedral.<sup>2</sup> Indeed, those of the "Anglo-Catholic" party who succeeded in retaining their positions during the reign of Edward VI did so only at the price of their acceptance of the reforms introduced.

There is another important point. Few of the existing bishops at the beginning of Mary's reign had been appointed to their sees by the Pope. Most of them had been appointed by the Crown after the consummation of the schism, and, from the standpoint of Canon Law, these had absolutely no right to hold their sees, quite apart from the question of heresy or valid orders, for the Pope had not acquiesced in or approved of these schismatic appointments. Hence, from the Catholic point of view, these bishops were intruders into the sees they occupied, and

<sup>1</sup> *Venetian Calendar*, V, p. 557. Cf. p. 34.

<sup>2</sup> *Greyfriars Chronicle*, p. 62.

had no rightful jurisdiction. The same would have to be said of the parochial clergy appointed by these intruding bishops.

There were other complications in the case of the clergy, with which we shall deal later on. But we must first consider the canonical effects of heresy and schism into which English people had almost all fallen, in some degree or other.

2. It is hardly necessary in these days to establish that the Papal Canon Law had full force here in England in pre-Reformation times. The researches of Maitland, Brooke, etc.,<sup>1</sup> have made this quite plain. The ecclesiastical position in England was accordingly governed mainly by the *Corpus Juris Canonici*. But to this would have to be added such decisions of Popes and Councils as had appeared between the closing of the *Corpus Juris* and the beginning of the reign of Queen Mary. Amongst these would be the Fifth Council of the Lateran, 1512-1517. More important for our purpose is the promulgation of censures, etc., by the Pope which took place every year in the Bull known as *In Cena Domini*. All this was supplemented by local ecclesiastical legislation, such as that found in the *Provinciale* of Lyndwood, the famous English canonist, who wrote in the fifteenth century. Of course it was understood that such local legislation bound only in so far as it was not contrary to the legislation of the Church as a whole, or at least in so far as any derogation from such universal law might have the approval, expressed or implied, of the Sovereign Pontiff.

To the above we might add the special promulgation of censures against England contained in the Bull of Pope Paul III, *Ejus qui immobilis*, dated August 30th, 1535, but not actually published till December, 1538.

Even then, it was published only in Rome, and not in two other places outside, as specified in the terms of the Bull itself. Accordingly, it must remain a matter of doubt, whether it

<sup>1</sup> See especially Maitland, *Roman Canon Law in the Church of England*; Z. N. Brooke, *English Church and the Papacy*; and Morgan's article on Lyndwood in the *Dictionary of English Church History*. Speaking of the power of the Archbishop of Canterbury in pre-Reformation times, Morgan writes: "Nor can the Archbishop override legatine constitutions. Lyndwood is quite clear that the Constitutions of Otto and Ottobone are superior to those of any English prelate or council. An English prelate cannot put any statutory interpretation upon them; his power is merely executive, not authoritative." Maitland's thesis was questioned by Phillimore in his article in the *Encyclopædia Britannica* on Canon Law in England, but even Phillimore had to admit that "as to foreign particular constitutions in England there are a great number of them, of which it has been and is admitted that they have currency in England. However papal in their origin, post-Reformation lawyers have regarded them as valid," and he adds that a Decree of Innocent III in the Fourth Lateran Council was recognised by the English Courts as late as 1848.



actually took its canonical effect here in England. We will, however, describe its contents in due course.<sup>1</sup>

3. It will be of interest here to set forth the canonical effects of heresy and schism, as found in the sources of Church Law mentioned above.

The Decretals of Gregory IX<sup>2</sup> say that all heretics are excommunicated :

“Excommunicamus itaque et anathematizamus omnem hæresim extollentem se adversus hanc sanctam, orthodoxam et catholicam fidem, quam superius exposuimus, condemnantes hæreticos universos, quibuscunque nominibus ceaseantur . . . Credentes præterea, receptatores, defensores et fautores hæreticorum excommunicationi decernimus subjacere, firmiter statuentes ut postquam quis talium fuerit excommunicatione notatus, si satisfacere contempserit intra annum, ex tunc ipso jure sit factus infamis. . . Si vero clericus fuerit, ab omni officio et beneficio deponatur. . . Clerici non exhibeant hujusmodi pestilentibus ecclesiastica sacramenta, nec eos Christianæ præsumant tradere sepulturæ . . . alioquin suo priventur officio, ad quod nunquam restituantur absque indulto Sedis Apostolicæ speciali.”

And again<sup>3</sup> :

“Universos qui de sacramento Corporis et Sanguinis Domini nostri Jesu Christi, vel de Baptismate, seu de peccatorum Confessione, Matrimonio, vel reliquis ecclesiasticis sacramentis, aliter sentire aut docere non metuunt quam sacrosancta Romana Ecclesia prædicat et observat . . . vinculo perpetui anathematis innodamus . . . Quicumque manifeste fuerint in hæresi deprehensi, si clericus est, vel cujuslibet religionis obumbratione fucatus, totius ecclesiastici ordinis prærogativa nudetur, et sic, omni officio et beneficio spoliatus ecclesiastico, secularis relinquatur arbitrio potestatis . . . nisi continuo post deprehensionem erroris, ad fidei catholicæ unitatem sponte recurrere et errorem suum ad arbitrium episcopi regionis publice consenserit abjurare.”

Thus, those who teach any doctrine on the sacraments contrary to that taught by the Roman Church, are heretics. Note also that clerics who fall into heresy are to be deposed from their offices and benefices.

<sup>1</sup> On the publication of the Bull in Rome, see Constant, *Reformation in England*, pp. 256 n., 273 ; Pastor, *History of the Popes*, XII, pp. 468-9, and references there given. It may be remarked that publication in two places outside Rome was ordered so that Henry VIII should not be able to plead ignorance of its contents, and that, in point of fact, he knew all about it before it was published. See Dixon, *Hist. of the C. of E.*, II, p. 94. An instruction for Cardinal Pole stated that the Apostolic see “publicavit bullam” (*English Historical Review*, 1922, p. 423).

<sup>2</sup> Lib. V, tit. vii, cap. 13, “Excommunicati sunt omnes hæretici, quibuscunque nominibus nominentur.” We quote from the edition published at Magdeburg in 1747.

<sup>3</sup> Decretals of Gregory IX, lib. V, tit. vii, cap. ix, “Ad abolendam.”

The Papal Bull *In Cæna Domini*, as published annually from 1536 onwards, expressly declared the followers of Luther to be heretics :

“Excommunicamus et anathematizamus . . . omnes hæreticos. . . . Wiclevistas seu Hussitas . . . necnon per fel. rec. Leonem PP. X. prædecessorem nostrum superioribus annis damnatam, impiam et abominabilem Martini Lutheri hæresim sequentes, ipsique Martino quominus puniri possit quomodolibet faventes et quoslibet alios hæreticos quocunque nomine receptatores, liberosque ipsius Martini aut quorumvis aliorum ejusdem sectæ, sine auctoritate nostra aut in suis domibus tenentes, imprimentes, aut quomodolibet defendentes, ex quavis causa, publice vel occulte, quovis ingenio vel colore. Et generaliter quoslibet defensores eorumdem.”<sup>1</sup>

It is important to note that those who reject the claims of the Roman See are to be treated as heretics. Thus, we have the *Decretum Gratiani*, I pars, dist. 22, can. i, *Omnes* :

“Qui Romanæ ecclesiæ privilegium ab ipso summo omnium ecclesiarum capite traditum auferre conatur, hic proculdubio in hæresin labitur, et cum ille vocetur injustus, hic est proculdubio dicendus hæreticus. Fidem quippe violat, qui adversus illam agit quæ mater est fidei, et illi contumax invenitur qui eam cunctis ecclesiis prætulisse cognoscitur.”

Also the *Extravagantes Communes* lib. I, tit. viii, cap. i, contains the famous Bull *Unam Sanctam* of Boniface VIII, with the heading, “Omnes Christifideles de necessitate salutis subsunt Romano pontifici.”

Again, the *Decretum Gratiani*, II pars, causa xxv, quæst. i, cap. xi, says :

“Generali decreto constituimus ut execrandum anathema sit et veluti prævaricator catholicæ fidei semper apud Deum reus existat, quicunque regum seu episcoporum vel potentum deinceps Romanorum pontificum decretorum censuram in quocunque crediderit vel permiserit violandam.”

Next we must note that the Bull *In Cæna Domini* expressly reserves the absolution from heresy and its censures to the Holy See :

“A quibus quidem sententiis, nullus per alium quam per Romanum Pontificem, nisi in mortis articulo constitutus, absolvi possit. . . . Illos autem qui, contra tenorem præsentium talibus vel eorum alicui seu aliquibus absolutionis beneficium impendere de facto præsumpserint, excommunicationis et anathematis sententia innodamus. . . . Et quicquid egerint absolvendi vel alias nullius sint roboris vel momenti.”<sup>2</sup>

<sup>1</sup> *Bullarium*, I, 718.

<sup>2</sup> *Bullarium*, I, 720.

Similarly, the *Extravagantes Communes* :

“Ordinamus . . . nullus confessorum . . . quempiam, cujusvis status, gradus, ordinis vel conditionis existat, et quacumque ecclesiastica etiam episcopali . . . dignitate præfulgeat, qui offensæ ecclesiasticæ libertatis, violationis interdicti, ab eadem Sede (Romana) impositi, seu hæresis, postquam fuerint de ea sententia-liter condemnati . . . seu cujusvis offensæ, inobedientiæ, aut rebellionis ejusdem pontificis vel dictæ Sedis . . . criminum quomodolibet reus foret et generaliter in casibus contentis in litteris quæ consueverunt in die cœnæ Domini publicari . . . absolvere . . . non in articulo mortis constitutum . . . præsumant. Et si aliqui confessorum prædictorum contra præsentem constitutionem quemquam absolvere . . . attentaverint, absolutio nullius fit roboris vel momenti. Et contra facientes eo ipso excommunicationis sententiam incurrant, a qua nisi in mortis articulo constituti, ab alio quam a Romano Pontifice absolvi non possint.”<sup>1</sup>

Similar declarations on the effects of heresy are to be found in Lyndwood's *Provinciale*.<sup>2</sup> Thus, in lib. V, tit. iv, *De Magistris*, he sums up a Decree of Archbishop Arundel in the Council of Oxford in this way : “Nemo propositiones heresim sapientes . . . proponat aut asserat, sub excommunicationis pœna nisi revocet.”<sup>3</sup> The Constitution itself contains the following :

“Si quis autem post publicationem præsentium, hujusmodi conclusiones aut propositiones convictus fuerit scienter proposuisse seu asseruisse, nisi monitus se correxerit infra mensem, auctoritate præsentis Constitutionis, majoris excommunicationis sententiam incurrat ipso facto, et pro excommunicato publice nunciatur.”<sup>4</sup>

Also, in a note to another Constitution of the same Archbishop, Lyndwood writes :

“Sciendum quod aliquis censetur hereticus multis modis. Is namque qui male sentit vel docet de Fide, de Corpore Christi, de Baptismate, peccatorum Confessione, Matrimonio, vel aliis sacramentis ecclesiæ, et generaliter qui de aliquo prædictorum vel de articulis fidei aliter prædicat, docet vel sentit quam doceat sancta mater Ecclesia, dicitur hereticus. . . . Nam omnino censetur hereticus qui non tenet id quod docet et sequitur Sancta Romana Ecclesia . . . Censetur etiam hereticus omnis ille qui falsam opinionem de Fide Catholica gignit vel sequitur. . . . Dicitur etiam hereticus qui ex contemptu Romanæ Ecclesiæ contemnit servare ea quæ Romana Ecclesia statuit, et etiam qui despicit et negligit servare Decretales . . . Hereticus etiam est omnis qui pervertit Ecclesiæ sacramenta. . . . Dicitur etiam hæreticus omnis qui quomodocumque ab unitate Catholicæ Fidei et Communionem

<sup>1</sup> Lib. V, tit. IX, cap. 5.

<sup>2</sup> The quotations from Lyndwood are taken from the edition published at Oxford in 1679.

<sup>3</sup> Page 286.

<sup>4</sup> *Op. cit.*, pp. 287-8.

fidelium divisus est. . . . Is quoque qui dubitat de Fide Catholica potest dici hereticus. . . . Hereticus etiam appellatur qui Romanæ Ecclesiæ privilegium ab ipso summo Ecclesiarum Capite conatur eripere. . . . Et insuper scias quod hereticus est qui male sentit in novis et falsis opinionibus contra doctrinam ecclesiæ, licet non sint contra Articulos Fidei<sup>1</sup> . . .”

This particular Constitution of Archbishop Arundel says that heretics “hereseos et schismatis pœnas in jure expressas incurrant ipso facto.” Lyndwood comments as follows :

“In jure reperiuntur multæ pœnæ quæ hereticis ipso jure infliguntur. Sunt enim heretici ipso jure excommunicati. . . . Et hoc sive sint manifesti sive occulti. . . . Heretici sunt infames. . . . Omnes actus legitimi eis interdiciuntur a jure, nec possunt aliquod beneficium ecclesiasticum obtinere.”<sup>2</sup>

Heretics, then, have incurred the penalty of excommunication. And it is to be noted that not only are those called heretics who differ from the Roman Church on the sacraments, but also those who question or deny the Roman Supremacy. Further, clerics who adhere to heresies are to be deprived of their positions and benefices.

4. The above general legislation was intended to be supplemented by the Bull of Pope Paul III, *Ejus qui immobilis*, in 1538. This Bull recited the offences committed by King Henry VIII, including his marriage with Anne Boleyn, the execution of the Cardinal Bishop of Rochester, and the publication of heretical and schismatic articles of belief, including the repudiation of the authority of the Roman Pontiff. The Pope then proceeded to pronounce the greater excommunication against King Henry, and his “fautores, adhærentes, consultores et sequaces . . . tam laicos quam clericos, etiam regulares, cujuscumque dignitatis, status, gradus, ordinis, conditionis, præeminentiæ, et excellentiæ existant.” From this excommunication, “latæ sententiæ,” no one could absolve save the Roman Pontiff, except at the moment of death. In addition, the Pope pronounced an interdict against the whole country, forbidding the public celebration of Mass or other divine offices. The children of Henry and Anne, and those of his “complicum, fautorum, adhærentium, consultorum, sequacium,” were pronounced to be deprived of their honours and dignities, and those who were ecclesiastics or religious were deprived of their “ecclesiis etiam

<sup>1</sup> Lib. V, tit. V gloss on “declarentur,” p. 292.

<sup>2</sup> *Op. cit.*, gloss on “pœnas in jure expressas,” p. 293.

cathedralibus et metropolitanis . . . canonicatibus et præbendis, aliisque beneficiis ecclesiasticis," and were "inhabiles ad illa ac alia in posterum obtinenda." These sentences were to be published in all churches, etc., under pain of excommunication and deprivation.<sup>1</sup>

5. There are other points in Canon Law concerning the position of clerics which call for special attention. In the first place, heretics become "irregular," i.e. incapable of lawfully exercising orders held, or of receiving further orders. As Lyndwood puts it, "irregularitas impedit ne ordinatus remaneat in ordinibus susceptis, quoad executionem, nec promoveatur ad majores, etiam post peractam poenitentiam, absque dispensatione papæ vel inferiorum prelatorum."<sup>2</sup> The Constitution of Simon Langham which is here referred to, says expressly that irregularity is incurred by those who "scienter ordines susceperunt ab hereticis, schismaticis, et nominatim excommunicatis."<sup>3</sup> Next it adds that irregularity is incurred by "bigamy," and Lyndwood explains that this applies both to "true" and to "interpretative" bigamy. "True" bigamy is that of a person really married twice; "interpretative" bigamy would be that of a man who had married a widow, or again that of a man in holy orders who attempted marriage, or again a man who had contracted two marriages, one of which was really invalid.<sup>4</sup> Married priests are therefore irregular, and this will be of great importance in Queen Mary's reign.

Lyndwood notes: "Licet bigamus ordinatus ipso jure sit suspensus ab executione ordinum, ut dictum est, etiam prohibetur ordinari, potest tamen Papa cum tali dispensare ut promoveatur saltem ad minores ordines"; "in sacris vero ordinibus prius per bigamum receptis, quoad executionem etiam Papa dispensat." He adds: "Papa tamen de potestate sua recte regulata non potest dispensare ut bigamus promoveatur ad diaconatum et presbyteratum." Also, "Episcopus super sacris ordinibus cum bigamo nullo modo dispensare potest."<sup>5</sup>

Irregular clerics are, as the same Constitution says, "suspensos, donec cum eis super hoc legitime fuerit dispensatum." And

<sup>1</sup> The text of the Bull is given in Pocock's edition of Burnet, *History of the Reformation*, Vol. IV, pp. 318-334.

<sup>2</sup> Lib. I, tit. iv. De temporibus ordinandorum, p. 28 gloss on "irregularitatem."

<sup>3</sup> Lib. I, tit. iv.

<sup>4</sup> See the references to the *Corpus Juris Canonici*, in the article on *Bigamy* in the *Catholic Encyclopædia*, Vol. II, p. 562.

<sup>5</sup> Lib. I, tit. iv, p. 31, gloss on "bigamos."

this means that such clerics are "deprived of the exercise of every function and of every ecclesiastical right."<sup>1</sup>

6. There is another point which is dealt with in the *Corpus Juris Canonici*, under the heading "De Schismaticis, et ordinatis ab eis."<sup>2</sup> This states that ordinations by schismatic Bishops are unlawful, adding "qui dignitates ecclesiasticas seu beneficia per dictos schismaticos acceperint. careant impetratis" (cap. i). And, lastly, the same chapter says: "Illos vero, qui sponte juramentum de tenendo schismate præstiterint, a sacris ordinibus et dignitatibus decernimus manere suspensos."

Now, all English ecclesiastics had taken the Oath of Royal Supremacy, which was equivalent to an oath to maintain the Anglican Schism against the Papacy. Hence, by virtue of the above canon, all English ecclesiastics had incurred the penalty of suspension, and that by the Common Law of the Church.

Further, by reason of their heresy, they had incurred excommunication. An interesting illustration of this is provided by the fact that Bishop Gardiner, when visiting Louvain about 1541, was regarded as "an excommunicate person, and a schismatic," and that when he attempted to say Mass in St. Peter's Church in that town, "they did deny unto him, as to an excommunicate person, the ornaments and vestments meet for the same."<sup>3</sup>

Bishop Gardiner was regarded as a heretic, and as such excommunicated, because he had denied the Papal Supremacy in his book, *De Vera Obedientia*.<sup>4</sup>

The effects of suspension would presumably include the loss of ecclesiastical jurisdiction. Hence, acts requiring jurisdiction would be invalid. But acts of order not requiring jurisdiction would be valid, though illicit. Thus, Masses celebrated according to a valid rite by a suspended priest or bishop would be valid, but illicit. Ordinations according to a recognised rite by a properly consecrated, though suspended bishop, would also be valid, though illicit. Absolution from sins in the Sacrament of Penance, however, would be invalid—unless we could say that it was valid because of some "common error," or again, because such absolution was given at the moment of death, when every validly ordained priest is given jurisdiction.

<sup>1</sup> *Catholic Encyclopedia*, Vol. XIV, s.v. *Suspension*.

<sup>2</sup> Decret. Greg. IX, Lib. V, tit. viii, cap. 1.

<sup>3</sup> Letter from Dryander to Crispin, Sept. 22nd, 1541, in Foxe, VI, p. 139.

<sup>4</sup> Foxe, *op. cit.*

The Decretals of Gregory IX say that :

"Suspensus celebrans, et monitus non desistens, excommunicatur."<sup>1</sup>

Also :

"Clerici autem, si qui a suis, aut etiam de mandato Romani Pontificis ab alienis episcopis interdicti vel excommunicati, ante absolutionem divina officia celebraverint, nisi moniti sine dilatione redierint, perpetuæ depositionis sententiam pro ausu tantæ temeritatis incurrant."<sup>2</sup>

Cap. iv says that if there are a great number of excommunicated clergy who have celebrated while in that state, the leaders are to be condemned to perpetual deposition, but the others may be suspended only for a time.

7. We must now discuss the canonical rules governing the acquisition of ecclesiastical benefices, and the effect of marriage, or of the non-reception of (valid) holy orders, upon such possession.

In the first place, Canon Law stated that no benefice of any kind could be possessed by a mere layman. To possess a benefice, one had to be admitted into the clerical state, i.e. one had to receive the tonsure. No special age was laid down for this, and it was evidently given to comparatively young boys. Church Law said that a benefice could not be held before the age of seven.<sup>3</sup> The widespread possession of benefices by tonsured boys was a great abuse during the Middle Ages. In addition, it seems that, in practice, benefices were held by mere laymen.<sup>4</sup>

It is interesting to note that Henry VIII, the Anglican Pope, gave a dispensation to a certain layman to hold a benefice at Salisbury.<sup>5</sup>

Another abuse was the holding of several benefices at the same time. It was indeed agreed that a person could not without dispensation hold two or more benefices to which the cure of souls was attached, as these would be "incompatible." But ecclesiastics were allowed to hold more than one "simple" benefice, i.e. to which the cure of souls was not attached.

Canon Law also stipulated that no benefice, of whatever kind, should be held by a married person. Hence, according to Church Law, a "cleric," i.e. tonsured person, who married,

<sup>1</sup> Lib. V, tit. xxvii, cap. 2.

<sup>2</sup> *Op. cit.*, cap. 3.

<sup>3</sup> *Catholic Encyclopedia*, Vol. II, s.v. *Benefice*.

<sup>4</sup> See Frere, *Marian Reaction*, p. 58, and p. 135 note.

<sup>5</sup> "Etiam si clericali ordine minime insignitus, sed forsan uxoratus fuit."—Frere, *Marian Reaction*, p. 58.

had to give up his benefice or benefices. Note that the question of his possession of higher, i.e. sacred orders, did not enter into the question ; if he was tonsured, and subsequently married, he could not retain his benefice.

As to clerics in major orders, it had for centuries been an accepted rule in the West that ecclesiastics above the rank of subdeacon were incapable of contracting a valid marriage. Those attempting such a marriage involved themselves in the sentence of excommunication *ipso facto*, and if they continued to exercise their official functions, they became irregular ; and by reason of the excommunication and of the irregularity, the guilty ecclesiastic forfeited his benefice. If a case of this kind arose, an enquiry would be held, and if the facts were established, the ecclesiastic would be called upon to separate from his " wife," and to perform a long penance. Meanwhile, he would be deprived of his benefice, but if he performed his penance satisfactorily, and undertook to live in chastity for the future, he could be relieved of his censures, and be given another benefice elsewhere.

Here are some extracts from Canon Law bearing on this subject :

(a) Decretals of Gregory IX, Lib. III, tit. iii, *De Clericis Conjugatis*, cap. i :

" Si qui clericorum infra subdiaconatum acceperint uxores, ipsos ad relinquenda beneficia ecclesiastica et retinendas uxores . . . compellatis. Sed si in subdiaconatu et aliis superioribus ordinibus uxores accepisse noscuntur, eos uxores dimittere et pœnitentiam agere de commisso, per suspensionis et excommunicationis sententiam compellere procuretis."

This gives very clearly the different rules which are to be observed in the case of a married " cleric," and a " married " person in major orders. The former is to keep to his wife, but to give up his benefice ; the latter must give up his " wife," as well as his benefice. Cap. iv says that bishops may restore married priests who are penitent :

" Sacerdotes illi qui nuptias contrahunt, quæ non nuptiæ sed contubernia sunt potius nuncupanda, post longam pœnitentiam et vitam laudabilem continentes, officio suo restitui poterunt, et ex indulgentia sui episcopi, ejus exsequutionem habere."

Here is a quotation, to the same effect, from Archbishop Richard, given in Lyndwood's *Provinciale*<sup>1</sup> :

<sup>1</sup> Lib. III, tit. iii, *De clericis conjugatis*, p. 128.



"Si qui clerici infra subdiaconatum constituti matrimonium contraxerint, ab uxoribus suis (nisi de communi consensu ad Religionem transire voluerint, et ibi in Dei servitio permanere) nullatenus separentur: sed cum uxoribus viventes, ecclesiastica beneficia nullo modo percipiant. Qui autem in subdiaconatu vel supra ad matrimonium convolaverint, mulieres renitentes et invitas relinquant."

Again, Lyndwood quotes Archbishop Chicheley:

"Nullus clericus conjugatus bigamus, sive laicus, quovis exquisito colore . . . jurisdictionem spirituales exerceat qualemcunque. . . . Iidemque clerici conjugati, bigami, sive laici præmissis, vel eorum alicui contra præsentis prohibitionem Concilii se ingerentes, sententiam majoris excommunicationis incurrant ipso facto."<sup>1</sup>

And lastly, according to the Legatine Constitutions of Otto:

"Quicumque . . . matrimonium contraxerunt, ab ecclesia et ecclesiastico beneficio sunt omnino removendi."<sup>2</sup>

"Clerici, præcipue in sacris ordinibus constituti, sicubi concubinas publice detinent, eas intra mensem a se removeant penitus . . . aut ab officio et beneficio usque ad satisfactionem condignam suspendantur."<sup>3</sup>

It is of the greatest importance to distinguish carefully between these two cases of married clerics. A "clericus conjugatus" would generally be a tonsured person, or one in minor orders, who had married, and had thereby rendered himself incapable of holding a benefice. But there would be no question as to the validity of his marriage: this could not be dissolved, and he could not be forced to separate from his wife.<sup>4</sup> But he could and would be called upon to vacate his benefice. A "married" priest, on the other hand, would not only be turned out of his benefice, as a "presbyter conjugatus," but in addition his attempted "marriage" would be declared null.

All this is important, for, as we shall see, Dr. Frere argues that because some married clergy ordained by the Edwardine rite were deprived of their benefices under Mary as "clerici conjugati," their Anglican priesthood was therefore recognised as valid! We should rather feel inclined to urge that the use of the word "clericus" in such cases, in preference to the word "presbyter," was itself significant. In any case, a definite answer could be given if we were acquainted with the details of the process adopted in each case. A "clericus conjugatus" would be simply extruded from the benefice. But a "presbyter

<sup>1</sup> *Op. cit.*, pp. 129-130.

<sup>2</sup> *Op. cit.*, p. 41.

<sup>3</sup> *Const. Legat. Othonis*; appended to Lyndwood, p. 38.

<sup>4</sup> But she could enter the religious state. See above.

conjugatus" would be the subject of a formal enquiry, in which he would be asked when he was ordained, when he "married," whether he had exercised his orders since his "marriage," and so on. If guilty, he would be deprived of his benefice, and "divorced" from his "wife," but later on, if contrite, he might be appointed to another benefice. Now it is a striking fact that, in all the records so far known, there is not a single instance of this latter process being used in the deprivation of a married clergyman ordained by the Edwardine rite. On the other hand, there are many examples of its application to priests ordained by the Pontifical rite who had married. Edwardine clerics are merely deprived as "*clerici conjugati*." (They were doubtless entitled to the title "*clerici*" because of the previous reception of the tonsure, or the minor orders.)

8. We now come to the question of the necessity of orders as a condition for holding a benefice. Any "cleric" could hold a "simple" benefice, such as a canonry. But for a benefice involving the cure of souls, such as a parish church, the priesthood would have to be received within one year of appointment.

Thus, the Decretals of Gregory IX say<sup>1</sup> :

"Licet ad regimen parochialis ecclesiæ non debeat aliquis nisi subdiaconus sit adminus admitti, dispensative tamen in minoribus ordinibus constituti consueverunt assumi, dum tamen tales sint quod infra breve tempus possint in presbyteros ordinari."

And Lyndwood :

"Nullus . . . quinquam ad Vicariam admittat nisi velit in ecclesia in qua ei Vicaria conceditur personaliter ministrare, ac talis existat qui infra breve tempus in presbyterum ordinari valeat. Quod si admissus fuerit aliquis et noluerit in presbyterum ordinari, vicarii beneficio spoliatur."<sup>2</sup>

Also the Constitutions of Otto :

"Vicariam nullus suscipiat, nisi sit presbyter aut diaconus proximis quatuor temporibus rite in presbyterum ordinandus. . . . Si quis autem non sacerdos jam institutus est, suscipiat sacerdotium intra annum, aut si per eum steterit quominus susceperit, privetur vicaria."<sup>3</sup>

Note that English ecclesiastical law tolerated non-resident "Rectores" who had vicars to do their work :

"Rectores non residentes nec vicarios habentes, per œconomos suos parochianis suis subveniant."<sup>4</sup>

<sup>1</sup> Lib. I, tit. xiv, cap. v.

<sup>2</sup> Lib. I, tit. xii, *De officio vicarii*, p. 64.

<sup>3</sup> *De institutione vicarii*, p. 24.

<sup>4</sup> Constitution of Archbishop Peckham, in Lyndwood, Lib. III, tit. iv, *De clericis non residentibus*, p. 132.

Applying these principles, we need not be surprised to find a "clericus" retaining a benefice such as a canonry under Queen Mary, provided he had not married. The fact that he had received Edwardine orders would not affect the situation, and he could continue to hold his benefice without any reordination, provided it was a "simple" benefice. He would, of course, have to be absolved from heresy and schism, etc. But in the case of a benefice with cure of souls, such as a parish church, the vicar could indeed be appointed before the reception of major orders (Otto's rule that the diaconate must be received beforehand fell into desuetude), but he would have to receive the priesthood within one year. Thus, if an Edwardine "priest" were appointed to a benefice, with cure of souls, and was allowed to hold it for one whole year without any reordination to the priesthood, or allowed to continue to hold an existing cure for a year without reordination, we should have a *prima facie* case that his priesthood was recognised as valid. But no such case is forthcoming!

So far we have had simple priests mainly in view, but similar principles obtained in the case of bishops. A person appointed to a see had to be in subdeacon's orders for six months beforehand.<sup>1</sup> But he was bound to obtain episcopal consecration within three months of his appointment, "*nisi forte inexcusabilis necessitas coegerit tempus ordinationis amplius protelari.*"<sup>2</sup> As to marriage, it follows from what has been said above that if the candidate, being a subdeacon, had "married," he could not validly receive a bishopric, unless he first separated from his "wife" and did penance. Again, if, being a subdeacon, and being appointed to a bishopric, otherwise lawfully, he married after his promotion, he would forfeit his see, and all his other ecclesiastical offices. But if he did penance, he might be given a benefice of some kind elsewhere. Again, if, being appointed to a see, he failed to receive true episcopal consecration within three months, he forfeited his see.

## B. ROME'S KNOWLEDGE OF THE ENGLISH SITUATION.

1. The previous section has enabled us to understand the position of England at the beginning of the reign of Queen Mary, from the standpoint of Canon Law. In the next chapter we shall show how, by the Legatine faculties granted to Cardinal Pole,

<sup>1</sup> *Decretals of Gregory IX*, Lib. I, tit. xiv, cap. ix.

<sup>2</sup> *Decretum Gratiani*, pars. 1, dist. 75, c. ii.

the Pope endeavoured to put matters right. We shall see that these faculties show that the Holy See had a very intimate knowledge of the circumstances and needs of England. There is nothing surprising in this. Rome knew, of course, what had taken place in the reign of Henry. As to the events in the reign of Edward VI, we know that Cardinal Pole was in communication with various people in England, and in particular, that Somerset had sent him a copy of the First Prayer Book of Edward VI in June, 1549.<sup>1</sup> Pole was not at that time in Rome, but we have evidence that he was in constant communication with the Roman authorities about affairs in England.<sup>2</sup> Accordingly, there can be no doubt that Pole duly acquainted the Roman authorities with the nature and contents of this First Prayer Book.

Further, it must be borne in mind that all through the reign of Edward VI there were here in England ambassadors of foreign Catholic powers, who evidently kept their own countries well informed as to the religious changes taking place here. In particular, there is in existence a long report upon English affairs, drawn up by Barbaro, and sent to the Republic of Venice in 1551.<sup>3</sup> There is every reason to think that the information thus obtained would, in turn, be made available for the Holy See.

In this way we can account for the fairly intimate knowledge of the situation in England manifested in Pole's faculties, and in particular, of the existence in this country of new ways of saying Mass and performing other sacred rites.<sup>4</sup>

2. It is, however, of particular interest to us to know whether at the commencement of the reign of Mary, Rome was aware of the existence and nature of the Edwardine ordination rite. Father Sydney Smith, S.J., writing in the *Dictionnaire Apologétique*<sup>5</sup> says, indeed, that Rome already possessed a copy of the Ordinal in June, 1549. But it is of course quite impossible that Rome should possess in June 1549, a copy of the Ordinal which was not published till 1550! What Rome possessed in 1549 was, not the Ordinal, but the First Prayer Book.

<sup>1</sup> See Vol. I, p. 420.

<sup>2</sup> See *Venetian Calendar*, V, p. 405, no. 782.

<sup>3</sup> See extract in Gasquet and Bishop, *Edward VI and B.C.P.*, p. 271, *et seq.*; full text in *Venetian Calendar*, V, pp. 338-362.

<sup>4</sup> "Missas et alia divina officia . . . contra ritus et ceremonias hactenus probatos et usitatos." Pole's *August Faculties*. See p. 28.

<sup>5</sup> Vol. III, col. 1197.

The Report of Barbaro to Venice in 1551 contained a brief and somewhat inaccurate description of the Edwardine Ordinal, for it said that the new orders "do not differ from those of the Roman Catholic religion save that in England they take an oath to renounce the doctrine and authority of the Pope."

Rome was, of course, very well acquainted by now with the character and progress of the Protestant Reformation on the Continent, and she knew quite well that the Reformers had drawn up new ordination rites, and were adopting them in practice. Again, Rome must have known, through her own Legates in other countries, of the relations existing between Continental Reformers and their English colleagues, and in particular, of the migration of so many Protestant Reformers, and of Bucer in particular, to England during the reign of Edward VI. Hence Rome had every reason to presume that new ordination rites of a Protestant character would have been introduced into England, especially in view of the fact that the other rites of the Church had already been drastically modified.

This presumptive evidence of Rome's knowledge of the Anglican Ordinal at the commencement of Mary's reign is confirmed by a remarkable document in the Vatican Archives,<sup>1</sup> containing extracts from the Second Ordinal of 1552. It is of such interest and importance that we must quote it :

"*Forma et ratio faciendi et consecrandi Episcopos, Presbyteros, et Diaconos, quæ cum prius alio in libro edita foret, nunc alicubi est reformata : cujus substantia hic solum ponitur, et omittuntur preces, psalmi, interrogationes, personarum probationes, et alia quæ conveniunt.*

"*Jusjurandum in Regis Primatum quod ordinem accepturi coram Prælato sedenti in Cathedra jurare debent antequam legatur Evangelium :*

"*Ego, N. . . . ita me Deus adjuvet per Jesum Christum.*

"*Episcopus Diaconorum capitibus manum imponens singulis dicet :*

"*Accipe auctoritatem exequendi officium Diaconi in ecclesia Dei tibi commissam, in nomine Patris et Filii et Spiritus Sancti, etc.*

"*Postea dans unicuique illorum Novum Testamentum, dicet :*

"*Accipe auctoritatem legendi Evangelium in Ecclesia Dei, et illud prædicandi, cum ad id rite missus fueris, etc.*

"*Episcopus cum Presbyteris præsentibus imponet manus capitibus singulorum, qui genuflexi dignitatem Presbyteri accipient, episcopo dicente :*

<sup>1</sup> This document was known in the eighteenth century and rediscovered by Gasquet in 1895. See pp. 495, 525.

"Accipe Spiritum Sanctum ; quorum peccata remittis, remissa sunt ; quorum peccata retines, retenta sunt : et sis fidelis dispensator verbi Dei, et suorum sanctorum sacramentorum. In nomine Patris et Filii et Spiritus Sancti, etc.

"Deinde Episcopus singulis tradens Bibliam dicet :

"Accipe auctoritatem prædicandi verbum Dei, et ministrandi sacra sacramenta in congregatione, ad quam eris vocatus.

"Archiepiscopus petet Regis mandatum ad episcopum inaugurandum, et iusjurandum pro Regis primatu exigitur ut a Diacono et Presbytero ; sed Episcopus insuper jurabit obedientiam Archiepiscopo his verbis . . .

"Archiepiscopi sedentis verba :

"Frater, quoniam Sancta Scriptura, et veteres Canones jubent, ne cui cito manus imponamus aut admittamus ad gubernandam congregationem Christi, qui eam sibi redemit non minori pretio quam effusionis sanguinis sui, antequam te admittam ad hanc administrationem ad quam vocaris, ex te quæram plerosque articulos, ut præsens congregatio habeat experimentum, et ferat testimonium, quo animo sis præditus, ut te geras in Ecclesia Dei.

"Sequuntur in libro interrogata, quæ omittimus.

"Archiepiscopus episcopique præsentem manus imponunt capiti electi episcopi, Archiepiscopo dicente :

"Accipe Spiritum Sanctum, et memineris ut excites gratiam Dei, quæ est in te per manuum impositionem, non enim dedit nobis Deus spiritum timiditatis, sed potentiæ, dilectionis, et sobrietatis.

"Tunc Archiepiscopus dabit illi Bibliam, dicens :

"Attende lectioni, exhortationi, doctrinæ, ac meditare quæ in hoc libro scripta sunt, ut tuus profectus, qui inde erit, manifestus sit omnibus hominibus. Attende tibi ipsi et doctrinæ : persiste in his, nam si id feceris te ipsum servabis, et eos qui te audierint. Sis gregis Christi pastor, non lupo ; pasce illum, ne devores : sustine infirmos, sana ægros, colliga confractos, reduc ejectos, quære perditos. Ita sis misericors, ut ne sis nimis ; sic disciplinam exigas, ut non obliviscaris misericordiam ; ut cum summus Pastor venerit, accipias incorruptibilem coronam gloriæ, per Jesum Christum Dominum nostrum, Amen.<sup>1</sup>

We note that this interesting document, omitting non-essentials, gives in the case of each order the "form" which accompanies the laying-on of hands and the giving of the Scriptures. The object obviously was to set forth the "matter" and "form" of the new rite. The anti-papal Oath of Supremacy is doubtless included because of its canonical effects mentioned above, p. 12.

<sup>1</sup> Text in Lacey, *Roman Diary*, pp. 181-184.

We must now discuss the date of this interesting document. Canon Lacey thus describes it, in his *Roman Diary* :

"There are two copies, written in different hands, both Italian, on fine Italian paper. . . . Neither paper . . . shows any signs of having been sent as a despatch. The second copy . . . deserves close attention. . . . On the *verso* . . . begins . . . an Italian version of the Proclamation put out in the name of Jane Grey. . . . The next paper in the volume is another copy of this same Italian translation of the proclamation."<sup>1</sup>

Lacey also says :

"It seems to me that the despatch described above (Lady Jane Grey's Proclamation, and the parts of the Ordinal) must have reached Rome during the first weeks of Mary's reign. . . . This indicates that the Ordinal was under the notice of the Pope and Cardinals from the early autumn of 1553."<sup>2</sup>

Gasquet, on the other hand,<sup>3</sup> thinks that the extracts from the Ordinal were taken out by Bishop Thirlby in February, 1555, i.e. after the Reconciliation of England with the Holy See. But this would fail to explain the translation of Lady Jane Grey's *Proclamation*, which would certainly have no interest for Rome in 1555. Canon Lacey is therefore nearer the truth in suggesting that the document belongs to the period shortly after that Proclamation. Now, in point of fact, Rome had, as we shall see, very early news of the "disputed succession" in England, for the Pope mentions it in a letter to Cardinal Pole on August 2nd, 1553.<sup>4</sup>

On August 5th, the Pope heard through France of the accession of Mary. Pole was thereupon appointed as Legate, and Faculties were drawn up for his mission. From this it is evident that Rome was acquainted with the *Proclamation* of Lady Jane Grey before August 2nd,<sup>5</sup> and presumably the extracts from the Ordinal were in Rome's possession about the same time, i.e. before Pole's Faculties were being drawn up on August 5th.

There is, however, good reason to think that the extracts from the Ordinal had been sent to Rome earlier still. For the document would seem to have been drawn up at a time when the Second Prayer Book had just come into force : "Forma et

<sup>1</sup> *Roman Diary*, p. 178.

<sup>2</sup> *Op. cit.*, p. 179, footnote.

<sup>3</sup> *Question of Anglican Ordinations, in England under the Old Religion*, p. 150.

<sup>4</sup> See p. 24.

<sup>5</sup> Edward VI died on July 6th ; Rome knew this by the 29th. Lady Jane Grey was proclaimed on July 10th ; Rome knew this by August 2nd. Mary was proclaimed Queen on July 19th, and Rome knew this by August 5th.

ratio faciendi . . . episcopos, etc. . . . quæ cum prius alio in libro edito foret, NUNC alicubi est reformata." That would take us back to the latter part of 1552, or the early part of 1553. In any case there is every reason to think that Rome knew all about the Ordinal when Pole's Faculties were drawn up.



## CHAPTER II

### THE APPOINTMENT OF POLE AS LEGATE, AND HIS FIRST FACULTIES

1. The Reconciliation with Rome under Mary was, as is well known, a slow process. Difficulties of all kinds arose in the way of the execution of Pole's mission—religious difficulties, due to the vexed question of Church property and the opposition of the extreme Protestants, and political difficulties, due to the anxiety of the Emperor to marry his son Philip to Queen Mary, and to keep Pole, a possible rival for Mary's hand,<sup>1</sup> out of England until the marriage should be an accomplished fact. Thus, though Pole was appointed Legate in August, 1553, it was not till November 24th, 1554, that he actually arrived in London, and the official reconciliation of England with the Holy See did not take place until November 30th, 1554. Much, however, was done in the intervening period, in the way of purging the Church from its heretical and married clergy, and of reordaining Edwardine clerics. But Anglican writers have stressed the absence of Cardinal Pole from England at this time, and have argued that whatever changes were then made in the Church were the result of steps taken by the local bishops, and that neither Pole nor the Pope had anything to do with them. Further, they claim that the "Reformation" of the Church was carried out largely by Queen Mary, as Head of the Church, and that thus she really claimed, or at any rate exercised, the very office which Catholic writers so fiercely denounce.<sup>2</sup>

There is a modicum of truth in all this, but also a good deal of falsehood by suggestion, and it will therefore be advisable to give a careful account of the actual course of events. We shall find that Cardinal Pole was throughout in constant correspondence with persons in this country, and above all with

<sup>1</sup> See Gairdner, *Lollardy and the Reformation*, Vol. IV, p. 65.

<sup>2</sup> Thus the Anglican Archbishops, in their reply to Leo XIII, say: "It can be proved on our side, that the work of that reconciliation under Queen Mary (6th July, 1553, to 17th November, 1558) was in very great measure finished, under royal and episcopal authority, before the arrival of Pole." (Church Historical Society's reprint, 1932, p. 27. All our references are to this edition.)

Queen Mary, to whom he sent several letters, and also messengers with advice and instructions as to how she should proceed. In some cases, indeed, the Queen found it impossible, or inadvisable, to carry out his instructions to the letter, but in others it is quite clear that she acted with his knowledge and approval. In particular, we shall find that there are very good reasons for thinking that the steps taken in England to deal with the Edwardine clergy had the approval of the Cardinal Legate.

2. Immediately the news of the death of Edward VI reached Rome, a Consistory was held, on July 29th, 1553, "in which the affairs of England were discussed, and the sending of a Legate and Nuncio thither, in order to see if on this occasion it would be possible to gain over the island, and cause it to return to the obedience of the Holy See and the ancient religion."<sup>1</sup> But it was decided to ask Cardinal Pole, then at Maguzzano, for his advice as to the steps to be taken. Accordingly a Brief was drawn up, to be sent to Pole, under date August 2nd. In this the Pope says: "hearing of the disputed succession, we think the time good for the recovery of a noble province to piety and religious discipline," and he asks Pole to advise accordingly.<sup>2</sup>

But, in the meantime, a courier from France brought news of Mary's proclamation as Queen. The Pope wept with joy at the good news, and summoned another Consistory on August 5th. He announced to the Cardinals that he had decided to appoint Pole as Legate to England. A letter to this effect was sent to Pole on August 6th, stating that

"the proposal of His Holiness was approved and received by all with applause and infinite consolation. We are waiting for the issue of the Bulls of Faculties, which will be as ample as we here know how to make them, and they will be able to be increased according as Your Lordship shall wish. . . . Do not wait for advice and counsel from us, because you will know better than anyone else what it will be best to do, and the whole matter is committed to your prudence, learning, and charity, and your zeal for the restoration and increase of religion."<sup>3</sup>

The Faculties in question were drawn up and sent to Pole, together with a Bull constituting him Legate. The complete text of this Bull is given in Tierney-Dodd, Vol. II, pp. cviii-cx.

<sup>1</sup> *Calendar of State Papers, Foreign*, 1553, p. 3.

<sup>2</sup> Raynaldus, *Annales*, anno 1553, section 4.

<sup>3</sup> Original text in Tierney's edition of Dodd's *Church History of England*, Vol. II, p. xciii.

The following extracts from the Bull of Appointment will show how well-informed Rome was as to the situation in England :

" If it was ever allowable to say that the right hand of the Lord hath done wonders, it is certainly allowable to say this at the present time . . . For what else can we say, other than that the right hand of the Lord hath made this so unexpected change in things, in that the most flourishing kingdom of England, led astray into separation from the Catholic Church by Henry VIII, and afterwards, through the succession of his son Edward, confirmed and strengthened in the inheritance of error, has now suddenly come into a condition in which it seems that it can very easily be recalled to the sacred fold and enclosure of the Catholic Church. . . . For when the aforesaid Edward departed this life, and an attempt was made to convey the kingdom to one of the Protestant sect, to the exclusion of the lawful heir, our most dear daughter in Christ, Mary the Queen of England, an attempt which was supported by those sectaries who had obtained possession and control of the forts, the army, and the fleet, behold the Lord, the Terrible Ruler, who takes away the spirit of princes, broke up all the plans of the wicked, and, by the sudden inclination of the minds of all the kingdom, the royal power was taken away from the one they had constituted Queen, and Mary was saluted by the voice of all. Thanks be to our Lord God who has deigned to look upon this no small part of his flock, which had strayed from the right path, and had been dispersed in the desert. We do not doubt that, the same Divine favour continuing, this kingdom will be easily converted back to the Catholic Faith, now that it has a Catholic prince, and will be restored to the communion of the Church. . . . When, therefore, we were carefully turning over in our mind how this matter should be treated, and how, with the divine help, it should be carried out, and especially to whom this work should be entrusted, our thoughts turned not only firstly but always to you, as the one to whom before all others this work should be entrusted. Accordingly, having maturely deliberated on these things with our venerable brethren, the Cardinals of the Holy Roman Church, and with their unanimous counsel and consent, we delegate You as the Legate of Ourselves and of the Apostolic See to the same Queen Mary, and to the whole Kingdom of England . . . "

3. We will now turn to the Faculties drawn up for Cardinal Pole. They were, as we have seen, made " as full as possible." But it must be understood that they were precisely what they claimed to be—Faculties giving the necessary powers to absolve from sins and from censures. They are not and were not intended to be instructions as to how Pole should deal with particular questions that might arise. These matters were left largely to his discretion. Thus, some writers have expressed surprise that the Faculties contain no express declaration of the invalidity

of Edwardine Orders. But such a declaration would be entirely out of place in a grant of Faculties. Pole was given power to deal with all such cases as might arise. Naturally, in deciding whether or not a given ordination or form of ordination was valid, he, and the bishops to whom he subsequently delegated his Faculties, would proceed according to the accepted theological teaching of the Schools. And we have already pointed out that it was an accepted thesis in theology that if the form of conferring orders was altered with heretical intent, in such a way that the *sense* of the form was no longer the same, the orders were not validly conferred.<sup>1</sup> Now it would be perfectly clear to any Catholic ecclesiastic that the new English form of conferring Orders, with its deliberate omission of the power to offer sacrifice, especially when taken in conjunction with the new Communion service, with its plain exclusion of Transubstantiation and the Sacrifice of the Mass, presented precisely a case in which the old traditional form had been altered with heretical intent, and with a change of *sense*, and this form would therefore naturally be treated as invalid. No express declaration from Rome would be necessary for this purpose, and as we shall see, no express declaration from Rome was sought, even by Cardinal Pole, but only an approbation of what he had done, and this was duly given.

Pole was given two sets of Faculties. One set is contained in the *Bulla Facultatum Communium*, and the other in the *Bulla Facultatum Extraordinarium*. Both were dated the 5th August, 1553.

The *Bulla Facultatum Communium* contains nothing of special interest for us. A portion of it is printed in Tierney-Dodd, Vol. II, pp. cxv-cxvi.

The "Bull of Extraordinary Faculties"<sup>2</sup> begins with a brief reference to the new situation in England :

"After the news was brought to us of the death of Edward . . . when we began to wonder whether God was going to take pity on the calamities of that country, for so many years by the cruel tyranny of kings separated from the unity of the Catholic Church, and would deign to bring about its salvation in the near future, behold, our most dear daughter in Christ, Mary, now Queen of England . . . who had shown herself ever firm and constant in the right faith and religion, in spite of domestic injuries, was proclaimed Queen by the voice of all. Hence, taking hope from the

<sup>1</sup> See Vol. I, p. 79, and also pp. 685-9 in this second volume.

<sup>2</sup> Original text in Tierney-Dodd, Vol. II, pp. cx-cxv.

mercy of God, and from the piety and wisdom of the same Queen Mary, that that country can be brought back to the fold of the Lord's flock, and to the unity of the same Catholic Church, we rejoiced with exceeding great joy, at this evident manifestation of the divine benignity already approaching."

The Bull goes on to say that Pole has been appointed Legate, "first indeed, that those, who, when others failed, remained constant in faith and obedience to the Church, may be congratulated by you for their constancy."

Then,

"that you may study how to console the rest, who have fallen into error, and how to recall them to the grace of God, and to the communion of his Holy Catholic Church."

For this purpose, comprehensive faculties are granted :

"We have decided to provide you with the faculties which follow, so that you may the more easily bring this about, in accordance with our ardent desires, and that they may easily recognise that so far as we, who have full powers (*nulla in re restrictos*), are concerned, we shall not show ourselves difficult to forgive.

"Accordingly, with the counsel and assent of the Cardinals, and in the plenitude of Apostolic power, we give to your circumspection the following full and free Apostolic authority, faculty and power."

This Apostolic power is then specified as follows :

(1) Power to absolve and free, in either forum, and to reunite to the society of the faithful :

(a) All and single persons, of either sex, whether laymen or ecclesiastics, secular or regular belonging to any religious order, and in whatever order, even in holy orders, and of whatsoever state, grade, condition or quality, and of whatever dignity, ecclesiastical, even episcopal, archiepiscopal, or patriarchal, or civil, noble, ducal, or royal.

(b) Also chapters, colleges, universities and communities.

The above may be absolved, although they have been followers of any heresy whatsoever or new sect, or have rendered themselves culpable or suspect, or were believers, receivers or favourers of them, and even though they have relapsed, provided they confess their error, and, being contrite, humbly ask to be restored to the Orthodox Faith, and provided their repentance is true and not feigned. They may be absolved :

(a) from all sins and offences connected with heresy or apostasy,

or blasphemy, or other error of whatsoever kind, committed by them.<sup>1</sup>

(b) and from the censures and penalties of excommunication, suspension, interdict, and other ecclesiastical or temporal pains attached to them by reason of the foregoing sins by law or by a judicial decision.<sup>2</sup>

(2) Next, Pole is given power to absolve and remove the censure of *irregularity*. We have seen<sup>3</sup> that this is a censure affecting the exercise of orders, or the reception of them. Hence this section refers to ecclesiastics, actual or potential :

“And also of dispensing them from the irregularity incurred by them by reason of the foregoing, including that incurred because, being so bound by excommunication, etc., they have celebrated or otherwise taken part in Masses and other divine offices, even against the rites and ceremonies hitherto approved and used.”<sup>4</sup>

This shows that Rome was aware of the use of unapproved rites and ceremonies, and especially of the use of the new Anglican Communion Service.

Next, Faculties are given for dealing with those who had incurred irregularity by bigamy, whether “real” or “interpretative” :

“Also for dispensing concerning bigamy by the same clerics, whether it be true or fictive bigamy, and even arising from the fact that the same clerics, being in sacred orders, have contracted matrimony *de facto* with widows or other corrupt persons . . . provided they first put away and expel the wives to whom they have been *de facto* joined in this way.”

Next, the Bull goes on to say that, when dispensed from their irregularity, etc. these ecclesiastics may be allowed to exercise their orders (provided these have been rightly received), and retain their benefices, while those not so far promoted to orders can be promoted to any or all orders, and be given benefices, or retain those already possessed :

“Quodque bigamia, et irregularitate, ac aliis præmissis non obstantibus, in eorum ordinibus, dummodo, ante eorum lapsum in

<sup>1</sup> “Ab omnibus et singulis per eos perpetratis, hæreses et ab eadem fide apostasias et blasphemias et alios quoscunque errores etiam sub generali sermone non venientes sapientibus, peccatis, criminibus, excessibus et delictis.”

<sup>2</sup> “Necnon excommunicationis, suspensionis, interdictorum, et aliis ecclesiasticis et temporalibus, etiam corporis afflictivis, et capitalibus sententiis, censuris, et pœnis in eos, præmissorum occasione, a jure vel ab homine latis vel promulgatis.”

<sup>3</sup> See p. 11.

<sup>4</sup> “Necnon cum eis super irregularitate, per eos, præmissorum occasione, etiam quia, sic ligati, missas et alia divina officia, etiam contra ritus et ceremonias hactenus probatos et usitatos, celebraverint aut illis alias se immiscuerint, contracta.”

hæresim hujusmodi, rite et legitime promoti, vel ordinati fuerint, etiam in altaris ministerio ministrare ac quæcunque et qualiæcunque, etiam curata, beneficia, secularia vel regularia, ut prius (dummodo super eis alterijus quæsitum non existat), retinere; et non promoti, ad omnes, etiam sacros, et presbyteratus ordines ab eorum ordinariis, si digni et idonei reperti fuerint, promoveri; ac beneficia ecclesiastica si eis alias canonice conferantur, recipere et retinere valeant.”

We must now consider the implication of this very important section of Pole's Faculties. Catholic writers maintain, and Leo XIII definitely states, that the “non promoti” here mentioned, who may be given orders, are *clergy ordained by the Edwardine rite* :

“It is clearly and definitely noted, as indeed was the case, that there were two classes of men : the first, those who had really received Sacred Orders, either before the secession of Henry VIII, or, if after it and by ministers infected by error and schism, still according to the accustomed Catholic rite ; the second, those who were initiated according to the Edwardine Ordinal, who on that account could be promoted, since they had received an ordination which was null. . . . The mind of the Pope was this and nothing else.”<sup>1</sup>

On the other hand, Anglican writers maintain that the “non promoti” referred to are merely lay persons who had been intruded into benefices without any semblance of ordination. Thus, the Anglican Archbishops say, in their reply to Pope Leo :

“This distinction made in the letters . . . between men ‘promoted’ and ‘not promoted,’ to which the Pope refers, does not seem to touch the position of the Edwardine clergy, but the case of those who held benefices without any pretence of ordination, as was then often done.”<sup>2</sup>

It might be urged, in favour of the latter view, that after all, irregularity is a censure which impedes the *reception* of orders, as well as the exercise of orders already received. And it is quite true that a layman in possession of a benefice, who wished to regularise his position and receive orders, would have first to be dispensed from his irregularity, and then be given tonsure or orders.

It would seem that the phrase in the Faculties is so worded as to cover such cases, if they existed. But on the other hand, it is equally clear that it must also apply to those ordained according to the Edwardine rite. This follows from a careful

<sup>1</sup> Leo XIII, *Apostolicæ Curæ*, Church Historical Society's reprint, p. 4. All our references are to this edition.

<sup>2</sup> Page 27.

study of the phraseology of the whole section. The Faculty to allow those ordained to continue in their orders and benefices is expressly limited to those who "ante eorum lapsum in hæresim hujusmodi, rite et legitime promoti vel ordinati fuerint." At the very least, this confines the orders which may be recognised, to those conferred before the outbreak of the Protestant heresy in England. But attention must be drawn to the important word "hujusmodi." It is not *any* kind of heresy which is here referred to but a heresy "of this kind," i.e. a heresy concerning holy orders. Those who were "rite et legitime" ordained before this heresy concerning orders, may be allowed to exercise their orders. The phraseology seems, by its deliberately restrictive clause, to imply quite definitely the existence of some who, after the outbreak of heresy "of this kind," i.e. affecting holy orders, were ordained in a way which was not "rite et legitime."

The explanation of the reference to "heresy of this kind" is to be found in the accepted teaching of theologians, that if the form of holy order be altered for a heretical reason, in such a way that its sense is changed, i.e. because of a heresy relating to holy orders, it is invalid.

Here is a later document, in which we find a similar precaution taken. On August 9th, 1735, a *Dubium* was submitted to the Holy Office as follows :

"An Archiepiscopi Episcopi Sirizæ Palestinæ et Ægypti, qui, demptis Maronitis, sunt notorie schismatici et hæretici, sunt vere Episcopi, ita ut alios Episcopos et sacerdotes canonice ordinare valeant ?"

The reply was as follows :

"Sanctissimus, auditis votis, decrevit considerandum an Hierarchia Ecclesiastica fuerit in illis partibus interrupta ; *an habeant aliquam hæresim circa sacramentum Ordinis* ; qua forma utantur in illius collatione . . ."

We argue, then, that the limitation in the Faculties concerning those who may be allowed to exercise their orders, implies the existence of some who, after the outbreak of a heresy concerning Holy Orders, had been ordained otherwise than "rite et legitime." Now either there is no provision at all for these in the Bull, or else they must be included among the "non promoti," who may be ordained to all orders in the future. But it is unthinkable that Faculties which were deliberately made "as

<sup>1</sup> Brandi, *Delle Ordinazioni Anglicane*, 3rd edn., p. 80. Italics ours.



full as possible" should omit this whole class, while at the same time implying its existence.

If this is taken in conjunction with the evidence we have already put forward, as to the existence in Rome of extracts from the Ordinal, at the very time when Pole's Faculties were being drawn up, the conclusion is irresistible, that Edwardine clerics are included among the "non promoti," who may be ordained.

The remaining part of the Legatine Faculties deals with the power to remove the stain of "infamy" and to restore the penitent to the enjoyment of favours possessed by other Catholics ; power to modify or abolish the duty of public penance imposed by law upon certain offences ; power to cancel unlawful pacts or agreements made by communities, universities or individuals, and to relax the oaths attached to these ; power to absolve religious who had left their monasteries and fallen into heresy, from the guilt of apostasy and the censures of excommunication, etc., and to authorise them to serve secular benefices and remain outside their monasteries ; power to dispense from the Lenten abstinence, etc.

After these, Pole is given an unusual power. Secular clerics in major orders who have contracted *de facto* marriages, and who now give up all exercise of their orders, can be allowed to marry their spouses legitimately, if the latter would otherwise have no chance of marrying, and the children of such marriages are to be regarded as legitimate.

Pole is also given power to unite or divide benefices, or to apply their fruits to hospitals or schools already erected or to be erected.

Lastly, he is given authority to pacify the possessors of ecclesiastical goods as to the fruits they have enjoyed, or "movable goods consumed," provided these persons first restore, if it seems expedient to Pole, the immovable goods wrongly retained by them. He may apply the proceeds of such transactions either to the Church, or to universities, schools, or other pious uses.

He may subdelegate all these faculties to ordinaries, save those concerning the absolving and dispensing of clerics who had contracted marriage, the union of benefices, and the agreements with possessors of ecclesiastical benefices.

Such were the comprehensive Faculties drawn up on August 6th, 1553, and sent to Pole, to enable him to deal with the religious situation in England.

## CHAPTER III

### THE MISSIONS OF COMMENDONE AND PENNING

1. Cardinal Pole had received news of Mary's accession before he received the Pope's Brief appointing him Legate, and he wrote to his Holiness on August 7th saying that a great opportunity had now presented itself for the restoration of England to Catholic Unity, and enclosing a written memorandum advising as to the steps which might be taken for this end.<sup>1</sup> The Pope's Brief and the Legatine Faculties reached Pole on August 13th, and on the same day the Cardinal wrote acknowledging their receipt, and promising to carry out his high office to the best of his power.<sup>2</sup> On the same day he wrote a long letter to Queen Mary, congratulating her on her accession, and announcing his own appointment as Legate. He said that it would be advisable to consult with the Queen as to the time and manner in which he could best discharge his office.<sup>3</sup> Pole sent this letter to Mary by an English priest, Henry Penning. Penning was to call on Cardinal Dandino, Legate at Brussels, en route, and Pole accordingly wrote to his Eminence asking him to give his messenger any useful information.<sup>4</sup> On August 20th, Pole wrote to the Emperor himself, notifying his appointment, and asking for facilities.<sup>5</sup> He also sent a note to the Secretary, Fiordibello, giving him information for the Emperor, pointing out that delay would injure the cause, and that it was customary in England that matters relating to the redress of wrongs should be discussed in the first Parliament and Convocation to be held.<sup>6</sup>

On August 22nd, Pole wrote to Granvelle, the Bishop of Arras, asking him to intercede with the Emperor on his behalf.<sup>7</sup> He evidently feared that the Emperor would counsel delay.

His anticipation was only too correct.

On August 27th, Pole wrote again to Queen Mary.<sup>8</sup> He says that no one was more glad to receive the news of her accession

<sup>1</sup> *Venetian Calendar*, V, p. 383.

<sup>2</sup> Tierney-Dodd, II, pp. xciv-xcvi.

<sup>3</sup> *Venetian Calendar*, V, p. 391.

<sup>4</sup> *Venetian Calendar*, V, p. 394.

<sup>5</sup> *Venetian Calendar*, V, p. 387.

<sup>6</sup> *Venetian Calendar*, V, p. 388.

<sup>7</sup> *Venetian Calendar*, *ibid.*

<sup>8</sup> *Venetian Calendar*, V, pp. 395-399.

than himself. People were anxiously waiting to see the manner and order in which she would provide for what was requisite for the honour and service of God, and to see how ready she would be to give back the title of the primacy over the Church on earth to the one to whom it had been given by the Supreme Head both in Heaven and Earth, and thus restore to him the obedience which was his due. This was of great importance. The goodness of God had restored to the Queen her due title, in order that she might restore the title of Supreme Head of the Church to its rightful owner. Pole adds that he hopes to discuss personally with the Queen the ways and means, or to be told where and how the matter could be treated. He urges that the establishment of the true obedience would be a greater support to her own right than any confederacy or the goodwill of the people, both of which are essentially unstable.

Pole sent this letter by another messenger, probably Throckmorton. On August 28th, Pole wrote to Gardiner, Bishop of Winchester, saying how glad he was to hear of his release from prison.<sup>1</sup>

"By your release you ought to be a great and powerful instrument for helping to release the kingdom both from the schism and from all heresy. . . . This hope . . . moves me to . . . exhort you that . . . you will so use all your energies, that . . . there be first of all removed that error which . . . gave admission to all the other abuses and disorders which subsequently followed. This, Your Lordship knows, was the withdrawal of obedience from the Roman Church and its Head."<sup>2</sup>

2. We can now turn to England. The Queen was naturally anxious to bring about the reconciliation of England with Rome in the most suitable way. But from the first, the Ambassadors of the Emperor counselled prudence, and delay. Thus, Charles instructed his Ambassadors on July 22nd to advise the Queen to have Mass said privately in her own room, and to do nothing more till Parliament should meet.<sup>3</sup>

Mary entered London on August 3rd, and her first act was to release the "Anglo-Catholic" bishops who had been imprisoned in the previous reign. Gardiner, Heath and Day were released from the Tower, Tunstall from the King's Bench prison, and Bonner from the Marshalsea.

<sup>1</sup> Gardiner had been released on August 3rd.

<sup>2</sup> *Venetian Calendar*, V, pp. 399-402. For Gardiner's reply, see p. 78.

<sup>3</sup> *Papiers d'état de Granvelle*, IV, 55.

The next event was the funeral of the late King. Mary wanted to give him Catholic burial, but the Emperor's ambassadors rightly pointed out that, as he had lived and died outside the Catholic Church, he ought not to be buried as a Catholic. Mary gave way to the extent of allowing Cranmer to give Edward Protestant burial, but at the same time had a Requiem Mass said for him in the Tower, at which she herself was present.

We read in the Council Book, under date August 12th, 1553 :

"Albeit Her Grace's conscience is stayed in matters of religion, yet she meaneth graciously not to compel or constrain other men's consciences otherwise than God shall put in their hearts a persuasion of the truth that she is in, through the opening of his Word unto them by godly, virtuous and learned preachers."<sup>1</sup>

3. When the news of Mary's accession had reached Cardinal Dandino, Legate to the Emperor, he secretly dispatched a Papal Chamberlain, Mgr. Commendone, to London, to find out the state of affairs. The Monsignore obtained a secret audience with the Queen. She told him that she did not consider that she had incurred any ecclesiastical censures, for she had never consented to the acts against the Catholic Religion. But, to put her mind entirely at ease, she desired from the Pope an absolution from censures, for herself and her kingdom, at least for herself, so that she might be crowned, for Gardiner so that he could crown her, and for others who were well disposed.<sup>2</sup> Mgr. Commendone seems to have promised that all this should be obtained from the Pope. (Mary as yet had not learnt of Pole's appointment as Legate.)

The Papal Chamberlain soon had experience of the difficulties in Mary's path. On August 13th he was present at Paul's Cross, when Prebendary Bourne preached, and mentioned the unjust imprisonment of Bishop Bonner. Thereupon a dagger was thrown at the preacher. The next day, August 14th, Mary issued a Proclamation prohibiting preaching save with her special consent. She said she was not minded to compel any of her subjects to adopt her religion until further order should be taken by common consent, and in the meantime she commanded them to live in peace and charity, and to abstain from using epithets such as "heretic" and "papist."

In due course, Mgr. Commendone returned to Cardinal Dan-

<sup>1</sup> *Acts of the Privy Council*, 1552-4, p. 317.

<sup>2</sup> Soranzo's report, *Venetian Calendar*, V, p. 557, compared with references in Penning's report to the Pope, *ibid.*, p. 430.

dino, who sent him on to the Pope, telling him to see Cardinal Pole on the way, and acquaint him with the situation in England. Commendone accordingly discussed the situation in England with Pole at Maguzzano early in September. On September 7th, Pole wrote to Pope Julius, saying that he was sending on Commendone with his report, and adding that in his own view it would not be at all fitting that the union of England with Rome should be passed over in silence at the first meeting of Parliament. Evidently the Queen was doubtful whether it would be wise to raise the question of Papal authority at this first Parliament. Other indications<sup>1</sup> lead us to suspect that the great difficulty was already realised to be the question of Church property, which had been the subject of wholesale spoliation in the two preceding reigns. It was well known that such spoliation was not recognised by Canon Law, which would now presumably be restored in England. The matter was complicated by the fact that a great deal of this property was no longer in the hands of the original robbers or receivers, and, as Soranzo, the Venetian Ambassador, remarks, it had been given, sold and exchanged already for so long that it could scarcely be thought that the present possessors would be willing to restore the property, and indeed this would be almost impossible because of the endless lawsuits which would ensue. There was a very definite feeling among prominent peers and commoners, otherwise well disposed, that there should be no restoration of Papal Supremacy until the alienation of this Church property should be recognised by the Holy See. Anxiety on this head was increased when it became known that Pole's Faculties contemplated the return of "immobile goods" to the Church, unless this should be thought inexpedient. But there is no evidence that Pole wrote at once urging the restitution of Church lands, as is stated by Miss J. M. Stone.<sup>2</sup> Pole does not refer directly to the subject in his early letters.

Mgr. Commendone also informed Cardinal Pole of the Queen's request for an immediate and general release of the English nation from censures. Pole did not think this at all desirable, and wrote to the Master of the Sacred Palace on September 8th for advice. He points out that the chief question was the method to be used in bringing back England to the obedience of the Apostolic See. Apparently the Queen was unable to do as she would wish, owing to the violent opposition of

<sup>1</sup> e.g., Soranzo's Report, *Venetian Calendar*, V, p. 557.    <sup>2</sup> *Mary the First*, p. 253.

those who, having derived great profit from the disobedience to the Holy See, and continuing to do so, could not, for their own interest, consent to the proposal to restore the Pope's supremacy in the first Parliament. Yet their consent would be necessary. Pole himself considered that this should nevertheless be done in the first Parliament. Mgr. Commendone recommended prudence, and said that the Queen had commissioned him to ask the Pope to exempt England from all interdicts and censures, so that the Sacraments might be celebrated and administered without any scruple of conscience, even though, in public, those who received them should consent to the schism for the time being. Pole considers that before this concession be made, the point should be well pondered, lest under this apparently pious demand there should be something evil concealed. He had told Commendone that the best way would be to refer the matter to the Legate, i.e. himself, the Pope giving him Faculties to absolve internally after some external demonstration of renunciation of the schism, but not before. In the meantime, he asks the Master of the Sacred Palace to consult the Pope on the matter, and then to send instructions.<sup>1</sup>

4. When Mgr. Commendone arrived in Rome, two Consistories were held to consider his report, and the situation in England. As a result, Pole was told to proceed on his mission. The Pope sent a letter to Pole on September 20th, saying that the Cardinals had agreed that it was not only expedient but necessary that Pole's journey should not be postponed. But he should act prudently, enquire first the Queen's will, and await her answer, this because of the boldness of the heretics, and also in order that the Queen should not receive any harm from too hasty action, and also, again, in view of the fact that she had received the Crown through the good offices of those who, besides being interested parties in the matter of Church property, hate the Holy See with a deadly hatred. If Pole should consider the Queen's course of action not a good one, he could exhort her accordingly. The rest would be left to Pole's piety, prudence, learning and experience. As to the absolution and remission of the interdicts and censures on the kingdom, the Pope would use some expedient (if it should please God) so that the Queen would be consoled, and yet nothing illicit would be done. If

<sup>1</sup> *Venetian Calendar*, V, pp. 406-409.

the request were made to Pole as Legate, he could act and use his powers.<sup>1</sup>

This made it plain that Pole could dispense those who asked for dispensations, including the Queen. Upon receipt of this letter, i.e. on September 29th, Pole left Maguzzano, and arrived at Trent. We can leave him there for a moment, and see what had happened to his own messenger to the Queen, Henry Penning.

5. Penning arrived in London on September 18th. He wrote to Pole on the 19th saying that the Queen was overjoyed to get his letter, and that her Majesty repeated her request for a dispensation in connection with her Coronation, i.e. a dispensation for herself to be crowned, and for Gardiner to crown her. This was urgent, as she had to be crowned before the meeting of Parliament.<sup>2</sup>

"As to the oath which it is customary to make on the day of the coronation, she said: 'I will take that same oath which my father took, which I am sure was very good at that time.' . . . And as to that other title ('Head of the Church'), she said, 'I do not wish it, even though by it I could gain three other kingdoms.' . . . Her Majesty said she was determined in this next Parliament to suspend altogether the bad laws and statutes at present in force confirming the primacy over the Church in the Crown, and also those affecting the Queen, her mother. . . . She urgently begs your most reverend Lordship to dispense her for this her coronation, and commanded me to send to you with all diligence for the said dispensation, so that she may be able to rest quiet in her conscience and know that she is really absolved before the time of her coronation. I have promised her Highness that it shall be as she wishes. In case your most reverend Lordship is not able in virtue of your Faculties to dispense her Highness in this way, would you deign to ask his Holiness for such a dispensation. . . . Her Highness told me that Mgr. Commendone had been with her, and that he had promised to obtain for her Majesty this dispensation."<sup>3</sup>

Upon receipt of this letter from Penning, Pole wrote to the Pope, enclosing a copy of it, and commenting on the excellent dispositions of the Queen, shown by her request. The Cardinal added that he would reply to the Queen that she could be quite

<sup>1</sup> Tierney-Dodd, Vol. II, pp. xcvi-xcix.

<sup>2</sup> See Penning's Report to the Pope in *Venetian Calendar*, V, p. 430.

<sup>3</sup> Estcourt, *Question of Anglican Ordinations*, App. xi.

secure in her conscience, and that he would obtain the absolution in writing with all possible secrecy, retaining it in his own possession, but writing to tell the Queen of its existence.<sup>1</sup>

From what followed, it was evidently taken for granted that the dispensation could be presumed, provided the request reached Pole before the day of the Coronation. It is to be noted that the dispensation must have applied not only to the Queen herself, but also to Bishop Gardiner, who was to crown her. Hence, from this moment onwards, Gardiner may be regarded as reconciled to the Holy See.

On October 2nd, Pole wrote to the Queen, saying that he had already informed her that the Pope had appointed him Legate, and had given him all such Faculties for dispensation as would enable him in the present case to comfort her Majesty's pious and religious mind. This evidently refers to the matter of the Coronation. He went on to say that, though the Emperor had urged delay in the restoration of the true religion, the cause of the supremacy of the Roman Church could not be treated with arguments based merely on human prudence. Amongst other things, Mary ought to reflect how, by the iniquity of the rulers, religion had been so persecuted in England that it fell from schism to manifest heresy, the sacraments, especially the "sacramentum sacramentorum," to which the others are all directed (*indirizati*), being abolished. (This clear statement of the effect of the Eucharistic heresy should be noted.) Pole reminded Mary that she herself had remained faithful to the old religion under Edward, in spite of all difficulties. How could it be right to dissemble now? The Queen should reassure the Emperor. If any one of the three estates of Parliament was likely to make difficulties, it would be that which had derived profit from the suppression of the obedience of the Church. The other two sections could be expected to favour reunion, as both ecclesiastics and lay people had suffered great detriment from the schism.<sup>2</sup>

But in point of fact, as Mary well realised, the situation was far too complicated to admit of this simple and easy solution.

<sup>1</sup> Italian Text in Estcourt, *op. cit.*, Appendix xii; *Venetian Calendar*, V, pp. 413-414, English résumé.

<sup>2</sup> *Venetian Calendar*, V, pp. 418-423.



## CHAPTER IV

### THE EPISCOPATE, AND THE FIRST PARLIAMENT

1. One of the most important matters with which the Queen had to deal at the commencement of her reign was the composition of the episcopate of her country. We have already said that one of her first acts was to release the "Anglo-Catholic" bishops from prison. These had been deprived of their sees in the reign of Edward, and heretical bishops had been intruded into their places. Nevertheless, these heretical bishops were at the time the lawful occupants of the sees, from the standpoint of civil law. But a simple way was found out of the difficulty. The "Anglo-Catholic" bishops in question had been deprived by the Crown, and accordingly the Crown could quash the previous sentence, and restore them to their sees. Commissioners were appointed on August 29th, 1553, to examine the deprivations which had taken place under Edward, and the titles of the Protestant bishops who had been intruded into the sees.<sup>1</sup> The Edwardine sentence of deprivation passed upon Bishop Bonner was annulled on September 5th and he was restored to his see of London. Similarly Tunstall was restored to Durham, Voysey to Exeter,<sup>2</sup> Heath to Worcester,<sup>3</sup> Gardiner to Winchester, and Day to Chichester.<sup>4</sup>

Steps were also taken against some of the Protestant bishops. Coverdale of Exeter, Hooper of Gloucester, and Latimer were called before the Council to answer for various misdemeanours.<sup>5</sup>

Ridley of London had already been sent to the Tower on July 25th. Hooper and Coverdale were sent to prison, nominally for debts to the Crown. Barlow, of Bath and Wells, was imprisoned for debt about this same time, i.e. September, 1553.

<sup>1</sup> Gairdner, *Lollardy*, Vol. IV, p. 27.

<sup>2</sup> Frere, *Marian Reaction*, p. 18; Dixon, *History of the Church of England*, IV, p. 47.

<sup>3</sup> Dixon, *op. cit.*, p. 47.

<sup>4</sup> Day was already functioning once again as Bishop of Chichester in November, 1553. See Day's Register, f. 89 (94). Frere wrongly says that Day was not restored till February 26th, 1554. (*Marian Reaction*, p. 20.)

<sup>5</sup> Acts of the Privy Council, Vol. IV, pp. 328, 335-7, 340.

On Sunday, August 27th, Cranmer and Dr. May, Dean of St. Paul's, were cited to appear before the Queen's Commissioners in the Bishop's Consistory at St. Paul's. On September 7th, however, Cranmer issued a Declaration against the Mass, was summoned before the Council, accused of treason, and sent to the Tower on the 14th. He was tried by special commission on November 13th, and sentenced to death. His attainder was duly confirmed by Parliament. The See of Canterbury thereby became vacant, and the jurisdiction passed to the Dean and Chapter.<sup>1</sup>

But the episcopal bench was still in an unsatisfactory state. There were other heretical and married bishops, who could not be relied upon. The Emperor's Ambassadors reported on September 19th that the Queen wanted more bishops, especially for the coming Parliament. They informed her that she could appoint some new ones, on the plea of necessity, and that the Pope could be persuaded secretly to confirm her nominations. She could even get a Papal dispensation to make such nominations until such time as the schism could be brought to an end. Or she could make a protestation before her own Lord Chancellor that she made such provisions of bishops from sheer necessity. But in the end Mary decided to take no steps in the matter for the time being.<sup>2</sup>

2. Sure in her own mind that the desired dispensation had been granted, Mary proceeded to her Coronation on October 1st. Ten mitred bishops walked before the Queen, who was conducted to the throne by Tunstall of Durham. Gardiner took the place of the absent Archbishop, and the sermon was preached by Day of Chichester. The Queen took an oath to preserve the rights and liberties of the realm, and also to maintain the See of Rome.<sup>3</sup>

3. Parliament was opened on October 5th, 1553, with a Mass of the Holy Ghost. From this Bishops Taylor, of Lincoln, and Harley, of Hereford, absented themselves, "rather than give countenance to such a rite."<sup>4</sup> Bishop Gardiner, Lord

<sup>1</sup> Gairdner, *Lollardy and the Reformation*, Vol. IV, pp. 26-29, 158, 332.

<sup>2</sup> Gairdner, *Lollardy*, IV, 26.

<sup>3</sup> According to Cranmer (see Foxe, Vol. VIII, p. 64). Penning, in his report to the Pope, drawn up about Oct. 20th (*Venetian Calendar*, V, p. 431), says that Mary "added a few words" to the customary oath, "having for object to maintain her integrity and good will." A copy of this oath was sent on to the Pope (*ibid.*).

<sup>4</sup> Dixon, *op. cit.*, p. 56.

Chancellor, delivered an eloquent oration, which was thus described by Penning, who was still in England, in a report which he subsequently took out to Pole, and which the latter sent on to the Pope :

“ The Bishop of Winchester made a very fine speech, in which he treated amply of the union of religion, and that it should be resumed, without which nothing good could be done, demonstrating how many disadvantages had befallen the realm owing to its separation. He accused himself and all the bystanders as guilty of it, telling them that Parliament was assembled by her Majesty and Council to repeal many iniquitous laws against the said union, and to enact others in favour of it.”<sup>1</sup>

In pursuance of the policy outlined in this speech, the House of Lords seems to have passed a resolution to the effect that it would be right to annul all Acts passed in derogation of the authority of the Holy See from a year before the divorce of Henry VIII and Katherine of Aragon. The Queen also naturally desired a declaration by Parliament recognising the validity of Henry's marriage to Katherine. But the Emperor's ambassador warned her that the time was not yet ripe for the explicit acceptance of Papal authority, and that it would suffice for the present to repeal the statutes approving of the divorce of Henry and Katherine. Mary also feared herself that Parliament might wish her to retain the title of Supreme Head, and the Emperor's ambassador promised to give her eight reasons in writing by which she could politely decline this title. The situation was indeed delicate at that moment. On Sunday, October 15th, two priests had been assaulted in London churches.<sup>2</sup>

It would seem that, in spite of the difficulties, an attempt was made to get the Pope's authority recognised, and that this was a feature in a Bill repealing various statutes. But it became evident that the Commons opposed the recognition of the Pope's authority at this time, and eventually that part of the Bill was struck out. On Thursday, October 26th, another Bill was introduced into the Commons declaring Henry's marriage with Katherine lawful, and this was duly passed. The former Bill, repealing anti-Catholic statutes, was modified, in view of the opposition raised, and was reduced to one repealing the Edwardine religious laws and restoring religion to the state in which it was at the end of the reign of Henry VIII. This was passed by the Commons on November 8th, 80 out

<sup>1</sup> *Venetian Calendar*, V, p. 431.

<sup>2</sup> Gairdner, *Lollardy*, IV, pp. 88-90.

of 350 members voting against it. It swept away the nine following Acts : The Act of Edward on the Sacrament, which had authorised Communion under both kinds ; the Act on the Election of Bishops, by which bishops had been appointed by letters patent instead of by the election by chapters ; the Act of Uniformity, authorising the First Prayer Book ; the Act authorising priests' marriages ; the Act against Catholic service books and images ; the Act authorising the new English Ordinal ; the second Act of Uniformity, authorising the Second Prayer Book ; and two others. Services in Church were to be as in the last year of Henry's reign, from December 20th, 1553, after which date the English service would be illegal.

This Act of Repeal says that the new services introduced in Edward's reign had "partly altered, and in some part taken the Sacraments of the Church from the English people."

Another Act was passed, a "Bill for such as disturb divine service or preachers," to come into operation also on December 20th. It forbade anyone to molest a licensed preacher, or to disturb a priest saying Mass, or to attempt to treat the Blessed Sacrament with irreverence, or to pull down altars, etc. There is evidence to show that these insults and injuries were all too frequent.

In accordance with the Act abolishing the Protestant religion, a Royal Proclamation was issued on December 15th, forbidding the English service after December 20th, and restoring the Mass. Every parish was to erect an altar in its church for the purpose. Opportunity was taken to inhibit married priests from saying Mass.<sup>1</sup>

4. Henry Penning, Pole's messenger, remained in England till the middle of October, i.e. for some weeks. During that time he was able to give the Queen "much good advice for the establishment of her kingdom."<sup>2</sup> In October, Mary sent Penning back to Pole, who was then at Dillingen. Penning took with him a full report of the situation, a copy of Mary's coronation oath, and a letter from the Queen. In this Mary says :

"As for my obedience and due observance towards the spouse of Christ, our holy mother the Catholic and Apostolic Church, the bearer of this letter will be able to inform you suitably. He will be

<sup>1</sup> Machyn's *Diary*, p. 50.

<sup>2</sup> Ambassadors to Emperor, 19th and 23rd September ; in Gairdner, *Lollardy* IV, p. 38.

able to explain how disturbed I am in mind because I am not able altogether to make plain my ideas in this matter, but as soon as I shall have an opportunity of explaining the sincerity of my soul in respect of divine worship, I will let you know what I think can be done."

She adds :

" I hope that Parliament will in the future abrogate all the statutes from which the seeds of all the calamities of this kingdom have sprung."<sup>1</sup>

On October 28th, the Queen wrote another letter to Pole, explaining the opposition she had encountered in the matter of the Pope's Supremacy. We summarise it as follows :

His own legation, she said, was widely known and suspected, so that he had better postpone his coming to England. In Parliament, more difficulties had been made about the authority of the Apostolic See than about the cult of the true religion, for the minds of her subjects had been alienated from the Supreme Pontiff by false suggestions. The House of Lords had recommended that all laws passed by Parliament since the time of Henry's Divorce should be annulled. But when the Commons heard of this, they immediately suspected that this had been proposed for the sake of the Sovereign Pontiff, and that the title of Supreme Head of the Church, annexed to the royal crown, would be abandoned, the power of the Pontiff restored, and a way opened for the execution of Pole's legation. Otherwise they would make no difficulty about the annulling of statutes. " We fear that they may insist, and urge that we should continue to assume the title of Supreme Head of the Church, in which case I know how to reply and excuse myself, for I shall say that I have always professed the old religion, and was educated and brought up in it, and that I wish to persevere in it till my last breath ; and also that we cannot consent to anything against conscience ; again, that that title does not suit a king ; the powers, dignities and duties are distinct ; the king receives (the kingdom ?) from the priest ; the body politic has nothing in common with the ecclesiastical ; our sex is to be taken into consideration, for nothing is less suitable than such a title or the use of such a title ; and lastly if nothing else can be obtained, we shall request that the assumption of this title, which would be against our conscience, shall be suspended for a time, until some more suitable remedy shall be found. But if this very just request should be refused, I do not know what to do, and so I seek from you more prudent advice, so that I may know how to keep my conscience free from all injury and scruple, and also know what I am to do in this stormy time."<sup>2</sup>

Mary wrote again to Pole on November 15th, saying that it would be dangerous for him to come to England just then. She announced to him the repeal of the Edwardine legislation, and

<sup>1</sup> Tierney-Dodd, II, App. xix.

<sup>2</sup> Tierney-Dodd, App xx.

said that the restoration of the authority of the Holy See would have to be postponed till another Parliament, in about three months' time.<sup>1</sup>

On December 1st, Pole wrote to Mary, urging her that, just as shipwrecked men must make use of a plank, so also England, which has suffered shipwreck of the faith, must accept, not indeed a plank, but the ship of Peter which has been sent to the rescue.<sup>2</sup>

Pole apparently sent over this letter by Thomas Goldwell, a priest who afterwards became Bishop of St. Asaph. He took with him instructions for Mary, to the effect that she ought to go personally to Parliament and introduce the matter of the Pope's Supremacy herself. She must refuse the title "Supreme Head," even if it cost her both kingdom and life. Also, she should insist that Pole should be received, in order to execute his legatine commission. If necessary, she could ask two of her Counsellors, one spiritual and the other lay, to accompany her to Parliament, and these could point out that "if the name of obedience to the Pope should seem to bring as it were a yoke to the realm, or any other kind of servitude beside that which should be profitable to the realm, both afore God and man, Her Grace that bringeth it in again will never suffer it, nor the Pope himself requireth no such thing. And here in also, that they say that my person, being the mean to bring it in, would never agree to be an instrument thereof, if I thought any thralldom should come thereby." He was afraid that if nothing was done, the Pope might withdraw his legation. What had been done in Parliament was good, but not satisfactory, as the Acts passed made no reference to Papal authority. Also, they allowed the use of the sacraments: "I find this great defect, that never being approbate by the Church that those persons which remain in schism should have the right use of the sacraments, but rather to such is interdicted the use of them: this Act maketh the gate open to them that be not yet entered into the unity of the Church, to the use of the sacraments, declaring itself how they should be ministered."<sup>3</sup>

<sup>1</sup> Tierney-Dodd, App. xx, p. ciii.

<sup>2</sup> *Venetian Calendar*, V, pp. 446-448.

<sup>3</sup> Strype's *Cranmer*, pp. 921-935, 1115-1118. All our references to Strype are to the Clarendon Press edn., 1822.

## CHAPTER V

### THE FIRST REORDINATIONS

1. Pole's protest, recorded at the end of the last chapter, was, of course, technically correct. It was against all principles of Canon Law that the Catholic Sacraments should be freely administered to those who were still outside the unity of the Catholic Church. But it is difficult to see what else Mary could have done. The Lords had favoured the abolition of the anti-Papal laws, but the Commons had opposed this. In face of their opposition, Mary could hardly carry her point. Was, then, the Protestant religion and liturgy to continue in force? Or was it not better to proceed gradually, and start with the abolition of the Edwardine legislation? Mary and her advisers rightly concluded that this was the best plan. In all probability, Pole would realise the wisdom of this later on, and would at least not openly condemn a course of action which he could not formally approve.

2. The "Anglo-Catholic" bishops were presumably in agreement with Gardiner, and in favour of immediate union with the Holy See. But they could not bring this about, in the face of the opposition of the Commons. And so they evidently decided to adopt Mary's plan, and to prepare for the Union which was bound to come in due course, by purging the Church of its Protestant elements. Indeed, the "Anglo-Catholic" bishops and clergy would seem to have adopted this policy from the first. The English services were not absolutely forbidden till December 20th. But long before that date the Catholic services were restored in many places. Another feature in the policy of the bishops is of particular interest to us, and that is their action in providing new priests for the many churches which lacked a properly ordained clergy. One of the most remarkable features of this early part of Mary's reign is the number of ordinations which took place. There were ordinations in London in September, 1553 (all orders, tonsure to priesthood),

October (tonsure and minor orders), December (all orders, tonsure to priesthood), February, 1554 (two ordinations), March, 1554 (two ordinations), April (tonsure to diaconate), May (tonsure to priesthood), June and September, 1554. In addition, there were ordinations during this period at Oxford and Exeter. Most of the London Ordinations were performed by Thomas Cheetham, Bishop of Sidon, who had been appointed as a Suffragan of Canterbury in the reign of Henry VIII, but was now evidently acting as a Suffragan to Bishop Bonner in London, and of course ordained by commission from Bonner.<sup>1</sup>

Now it is of the utmost interest and importance to note that at these early ordinations in the first months of Mary's reign, we already find the names of Edwardine clerics, who were being reordained according to the Catholic rite. *Of the sixteen Edwardines of whose reordination we have records, no less than nine were reordained in these early months.* Thus :

(1) ROBERT KYNSEYE had been ordained Edwardine deacon on August 24th, 1552, by Bishop Ridley, at Cambridge, and Edwardine priest by the same bishop at London on December 21st, 1552.<sup>2</sup>

Now the self-same Robert Kynseye, Vicar of Ware, Herts, was ordained to the four minor orders, subdiaconate, diaconate and priesthood, according to the Catholic rite, at London, on December 20th and 21st, 1553, by Cheetham, Bishop of Sidon, acting by commission of Bishop Bonner. Here we have the clearest possible proof that ordination by the Edwardine rite, whether to the diaconate or to the priesthood, was regarded by the "Anglo-Catholic" bishops as absolutely null and void, and accordingly, as a "non promotus," Kynseye was simply given the necessary orders which he had not previously received.<sup>3</sup>

<sup>1</sup> *London Ordination Register*, MS.

<sup>2</sup> He had been instituted Vicar of Ware, Herts, on August 5th, 1552, i.e. before his ordination to the Edwardine diaconate. Canon Law, as we have said, required that a person appointed to a benefice should be a *clericus*, i.e. tonsured, and if the benefice was one with the cure of souls—as in this case—he had to be ordained priest within one year of appointment. The Register of Institutions describes Kynseye on August 5th as "magister artium." Presumably he had at some previous ordination received the tonsure.

<sup>3</sup> Kynseye's ordination is interesting for the following reason. There are two Ordination lists in the London registers, one in the Ordination Book, and the other in Bonner's Register. In the latter, there is a note on p. cccix, giving the facts about Kynseye's ordination as Edwardine deacon at Cambridge by Ridley. Then on p. cccxi *verso* there is the record of his ordination to the Edwardine priesthood at London by the same Ridley. On this page, after his name, we have the words : "ut supra, in actu subdiaconatus sui." This is an obvious error on the part of the registrar, for the reference is to the entry on the previous page describing his reception of the diaconate, which gives the personal details about Kynseye. In the other book, there is a similar list of Ridley's ordinations, and against the record of Kynseye's ordination to the Edwardine priesthood, there is a marginal note as follows : "Vidi litteras subdiaconatus sub sigillo ppo [= proprio?] Rdi Patris." This, again, is a manifest error. Before Kynseye could be ordained to the Edwardine priesthood in London, he would



(2) NICHOLAS ARSCOTT. He had been ordained Edwardine deacon and priest by Bishop King at Oxford, on March 22nd, 1550, and April 6th, 1550, respectively. The same Nicholas Arscott was ordained Catholic deacon on March 9th, 1554, and priest on March 24th, 1554, by Bishop Thomas of Shrewsbury, Suffragan Bishop to Oxford, acting by commission from Bishop King. Here is another clear case of the absolute rejection of Edwardine orders, and it is of particular interest because it shows the *disbelief in Edwardine orders on the part of the very Bishop who had conferred them!*

(3) ROBERT TAYNTER. He was ordained Edwardine priest by Bishop Thomas, of Shrewsbury, at Thame, on Oct. 12th, 1550. Presumably he had received the diaconate also according to the Edwardine rite on some previous date. The same Robert Taynter was ordained from ostiarius to the subdiaconate inclusive in London on December 22nd, and raised to the diaconate and priesthood on December 23rd, 1553.

(4) RICHARD BENET was ordained Edwardine deacon by Bishop Thomas of Shrewsbury at Thame, on November 23rd, 1550. The same Richard Benet was ordained subdeacon *by the same Bishop Thomas of Shrewsbury*, on February 18th, 1554, deacon on March 9th, and priest on March 24th, 1554.

(5) JOHN ADDYSON was ordained Edwardine deacon by Bishop Thomas of Shrewsbury at Thame, on November 23rd, 1550. The same John Addyson was ordained subdeacon on February 17th, 1554, raised to the diaconate on March 9th, 1554, and to the priesthood on March 24th, 1554—*by the same Bishop Thomas who had given him Edwardine orders!*

(6) WILLIAM BRYDGES was ordained Edwardine deacon by Bishop Coverdale at Exeter on July 3rd, 1552. The same William Brydges was ordained subdeacon at Exeter on February 11th, 1554, deacon on March 10th, 1554, and priest on March 24th, 1554, Bishop Voysey having been restored to the see of Exeter.

(7) ANTHONY ASKHAM was ordained Edwardine deacon at Lithe, Yorkshire, by Bishop Pursglove, of Hull, on August 7th, 1552. The same Anthony Askham was ordained to all orders, beginning with the tonsure and ending with the priesthood, at London, on December 20th and 21st, 1553.

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have to produce his "litteræ" testifying that he had been ordained deacon (at Cambridge). This document was evidently produced, and the Registrar began to write: "Vidi litteras sub . . ." intending to add "sigillo." But when he had written "sub" he realised that he had not specified the "litteræ," and so wrote "diaconatus," but forgot to cross out the first "sub." He then continued, "sub sigillo proprio Reverendissimi Patris." He cannot have intended to say that he had seen letters about Kynseye's subdiaconate, for no one would want to know about this at an ordination to an Edwardine priesthood, but on the other hand, information about the diaconate would be required. It must be remembered that the subdiaconate was abolished in the Edwardine rite. Dr. Frere mentions Kynseye in his *Marian Reaction*, p. 208, note, and asks: "Why was the subdiaconate repeated" in his case. Similarly, Canon Wilfred Knox remarks, in his *Friend, I do thee no wrong*, 1919, p. 7: "One (cleric) seems to have been ordained subdeacon before Edward's time, but none the less to have been reordained to the subdiaconate under Mary." Both these writers infer that, as the Catholic authorities thus repeated orders previously received validly, no argument can be based upon the reordinations of Edwardine clerics in Mary's reign. But the only foundation for this inference is the obvious mistake in the entry about Kynseye!

(8) THOMAS THOMSON was ordained Edwardine deacon by Bishop Pursglove of Hull, at York Minster, on July 2nd, 1553. "Thomas Thomson" was ordained subdeacon in London, on February 16th, and deacon and priest on February 17th, 1554. There is no reason to doubt that this is the same person, for the Thomas Thomson thus ordained according to the Catholic rite is specified as belonging to York.

(9) LEONARD COWLL was ordained deacon, according to the Edwardine rite, at York Minster, by Bishop Pursglove of Hull, on July 2nd, 1553. The same Leonard Cowll was ordained to all orders in London on February 16th and 17th, 1554.<sup>1</sup>

Thus, we have no less than nine cases of reordination during these first months of Mary's reign. It is important to note that they occur all over the country—London, Oxford, Exeter, and York. If it be remembered that there are records only of one hundred and twelve<sup>2</sup> persons in all receiving Edwardine orders, and that of these many had married and were therefore ineligible for Catholic orders, that others were Protestants by conviction and would not be suitable candidates, and some had fled the country, it is really remarkable that so many should in fact have been found fit for ordination by the Catholic rite. Others were reordained subsequently, as we shall see, and we have records altogether of sixteen cases.

We must also call attention to the fact that these reordinations did not consist merely in the adding of minor orders omitted in the Edwardine rite,<sup>3</sup> but, as is clear from the records, a definite repetition of the supposed major orders conferred by that rite. Again, it is obvious that this reordination cannot have consisted merely in an anointing of hands,<sup>4</sup> or in a tradition of instruments

<sup>1</sup> The above details are based on Bp. Frere's *Marian Reaction* (S.P.C.K., 1896).

<sup>2</sup> This estimate includes Jewel and Harding, who received Edwardine Orders, though their names do not occur in the Registers.

<sup>3</sup> Some Anglicans have even suggested that it was the previous omission of minor orders and the subdiaconate which rendered necessary the reordination of Edwardine clerics to the diaconate and priesthood! But the *Decretum Gratiani* (I. dist. lii, *De eo qui, subdiaconatus ordine postposita, diaconus et presbyter est ordinatus*), distinctly states that such persons are to have only the missing orders supplied, and may then minister in the diaconate or priesthood previously received: "Mandamus ut ab officio sacerdotali eum prohibeas, donec proximo quatuor temporum jejuni subdiaconatus ministerium sibi rite imponas, et sic deinceps ad majora officia eum redire concedas."

<sup>4</sup> This suggestion, that only the hands of Edwardine priests were anointed, has been made by several Anglican writers. Thus, the Anglican Archbishops, in their reply to Pope Leo, say categorically: "Some were voluntarily reordained. Some received anointing as a supplement to their previous reordination" (p. 27). The Archbishops quote, in a footnote, Bishop Pilkington of Durham, who wrote in the reign of Elizabeth: "In the late days of Popery, our holy Bishops called before them all such as were made ministers without such greasing, and blessed them with the Pope's blessing, anointed them, and then all was perfect: they might sacrifice for quick and dead, but not marry in no case . . ." (*Works*, P.S., p. 163.) But it ought to have been clear that this was merely Pilkington's ludicrous and con-

only, as has been suggested by so many Anglican writers, but it was on the contrary a complete performance of the whole Catholic ordination rite. Nor is there the slightest ground for supposing that the ordination was merely a conditional one, for in this case we should expect to find some notification of this fact in the episcopal registers.

Lastly, that a complete reordination took place is evident from the enquiry made by Parkhurst, the Anglican Bishop of Norwich, in the Visitation of his diocese in 1561: "Whether any that took orders in King Edward's days, not contented with that, were ordered again in Queen Mary's days."<sup>1</sup>

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temptuous description of the Catholic ordination rite as a whole, for the commission to "sacrifice for quick and dead" is given, not at the anointing of hands, but at the tradition of the instruments. Bishop Frere also suggests that in some cases the anointing only was supplied. (*Marian Reaction*, p. 132.) But there is no evidence whatever for this, other than the statement of Pilkington. The latest writers to make this same statement are the Revv. A. H. Baverstock and D. Hole, who, in their *Truth about the Prayer Book*, published in 1935, actually say: "There had been no reordination, under Mary, of the priests ordained with the Edwardine Ordinal, although many of them had their hands anointed at their own desire" (p. 51). It is sad to read such complete travesties of the truth.

<sup>1</sup> Quoted in Estcourt, *Anglican Ordinations*, p. 50.

## CHAPTER VI

### FURTHER REORDINATIONS, AND THE DEPRIVATIONS OF MARRIED PRIESTS

1. On January 23rd, 1554, Mary wrote to Pole a letter which is thus summarised in the *Venetian Calendar*<sup>1</sup> :

“Owing to the change of religion, many persons who seem to be heretics, as also married priests<sup>2</sup> have been found in the enjoyment of the principal ecclesiastical benefices of the realm, amongst whom are certain prelates, including Archbishops and Bishops,<sup>3</sup> who have been dismissed their sees by the decree of the last Parliament.<sup>4</sup> The Queen therefore, pondering within herself how necessary it is to provide their churches with other pastors, and not choosing in any way to attempt anything whatever against the authority of the Pope and the Apostolic See, nor against the privileges and ancient customs enjoyed and observed by the Kings of England her predecessors, before this evil modern religion was introduced into the realm,<sup>5</sup> she has thought it well to give Pole notice of this, that she may be better acquainted with his opinion, and also learn by what way, without scruple of conscience, she could provide for the said churches, until the obedience of the Catholic and Apostolic Church be again established in England ; she therefore with all earnestness requests him to inform her if, in virtue of his faculties, he has authority to confirm the collation of these benefices, or whether the Pope has reserved the disposal of them to himself. She also wishes to know whether Pole can confirm in the benefices already vacant the persons appointed to them, on account of their worthy qualities, and not without the advice of the most Catholic and lettered men of the kingdom. In case recourse to the Pope be requisite, the Queen requests Pole to inform her how she is to proceed in this matter.”

Pole did not reply immediately to this letter, but sent over Goldwell, who arrived in England between February 20th and

<sup>1</sup> Vol. V, p. 453.

<sup>2</sup> “Havendo per la mutatione della religione in questo regno trovati molti come loro dimostrano heretici, et preti conjugati.” Note the distinction between “heretics” and “married priests.” The former are not called priests.

<sup>3</sup> Nel numero de' quali trovandosi alcuni prelati, si arcivescovi come vescovi.

<sup>4</sup> Sono stati per l'ultimo decreto del Parlamento depositi et soluti delli loro beneficii.—In October, 1553, Parliament had rescinded the Edwardine law allowing clerical marriage.

<sup>5</sup> Note Mary's opinion of the “new religion.”

24th, with instructions for the Queen. The written instructions which are extant are concerned with the filling of the vacant sees, but there can be no doubt that Goldwell was also in a position to advise on the steps to be taken to purge the ranks of the clergy of "heretics" and "married priests," and also to approve of what had already been done in this direction.

2. Doubtless as a result of his advice, on March 4th, 1554, the Queen issued certain "Injunctions" to the Bishops, which we may summarise as follows :

The first article enjoined the bishops to put into execution all canons and ecclesiastical laws used in the time of Henry VIII which were not directly and expressly contrary to the laws and statutes of the realm.

The second ordered that no bishop should use in any process or sentence the phrase "*regia auctoritate fulcitus*."

The third ordered that no bishop should exact an oath of the royal supremacy in admitting any person to any ecclesiastical promotion, order, or office.

The fourth enacted that no one who was a "Sacramentarian" or defamed with any notable kind of heresy or other great crime, should be admitted or received to any ecclesiastical function, benefice, or office.

The fifth ordered bishops to repress heresies.

The sixth enacted that bishops should repress corrupt opinions, unlawful books, etc.

The seventh was as follows : "Every bishop and all the other persons aforesaid, proceeding summarily and with all celerity and speed, may and shall deprive, or declare deprived, and amove, according to their learning and discretion, of all such persons from their benefices and ecclesiastical promotions who, contrary to the state of their order and the laudable custom of the Church, have married, and used women as their wives, or otherwise notably and slanderously disordered or abused themselves; sequestering also during the said process, the fruits and profits of the said benefices and ecclesiastical promotions."

The eighth added : "The said bishop . . . do use more lenity and clemency with such as have married, whose wives be dead, than with other whose women do yet remain in life. And likewise such priests, as with the consents of their wives or women, openly in presence of the bishop, do profess to abstain, to be used the more favourably; in which case, after penance effectually done, the bishop, according to his discretion and wisdom, may, upon just consideration, receive and admit them again to their former administration, so it be not in the same place, appointing them such a portion to live upon, to be paid out of their benefice, whereof they be deprived, by discretion of the said bishop, or his officer, shall think may be spared of the said benefice."

The ninth enacted that religious, having solemnly professed

chastity, should not be allowed to continue with their women or wives, but after deprivation of their benefice or ecclesiastical promotion, should be divorced from their said women, and due punishment inflicted.

The tenth made arrangements for vacant parishes.

The eleventh restored processions.

The twelfth restored holydays and fast days.

The thirteenth restored ceremonies.

The fourteenth dealt with baptism and confirmation.

The fifteenth particularly concerns us. It was as follows :

"Touching such persons as were heretofore promoted to any orders, after the new sort and fashion of order, considering they were not ordered in very deed, the bishop of the diocese finding otherwise sufficiency and ability in those men, may supply that thing which wanted in them before, and then, according to his discretion, admit them to minister."

The sixteenth ordered bishops to set forth a uniform doctrine, by homilies or otherwise.

The seventeenth ordered an examination of schoolmasters.

The eighteenth generally exhorted bishops to do their duty.<sup>1</sup>

We must now consider the implications of the fifteenth injunction, concerning the reordination of Edwardine clerics. Two points are to be noted : The Edwardines had not been "ordered in very deed." Therefore the bishop "may supply that thing which wanted in them before." Ignoring the first statement, and concentrating on the second, Anglican writers have argued that Mary is simply ordering the performance of ceremonies omitted in the Edwardine ordination rite, such as the tradition of instruments. And reference is made to the Decretal of Gregory IX which we have explained in an earlier chapter.<sup>2</sup> We have pointed out that there the canonical injunction to "supply what is wanting" is simply intended to ensure the performance of something omitted. The phrase is a general one, and its meaning in any particular instance is governed by the context in which it is used. In Mary's Injunction it is obviously governed by the previous categorical statement that Edwardine clerics had *not been ordained in very deed*, i.e. not really ordained at all. And the bishop is to supply that which wanted in them before, i.e. the possession of true orders. This he will do by the performance of the usual Catholic ordination rite. And we have seen that even before the issue of these Royal injunctions, that is precisely what the Catholic bishops had been doing up and down the country. This practice

<sup>1</sup> These Injunctions are printed in full in Pocock-Burnet, V, pp. 382-5.

<sup>2</sup> See Vol. I, p. 88.

now receives the official approval of the Queen. And as this approval followed immediately upon the visit of Pole's messenger, Goldwell, we can safely say that the practice receives the approval of Pole himself. To quote Denny and Lacey :

"In litteris ad episcopos . . . regina, *non certe inscio Legato*, Articulos quosdam ad instruendum edidit."<sup>1</sup>

3. In September, 1554, Bishop Bonner began a general Visitation of his diocese, basing his questions<sup>2</sup> on the Queen's Injunctions. Various Articles were framed to ensure that married clergy were being dealt with, and also to ensure that only properly ordained priests were ministering in the churches of the diocese. Thus, the Second Article enquired whether the priest had been married and, if so, whether he had separated from his "concubine, or woman taken for wife." Article 8 enquired whether the priest was of suspect doctrine, erroneous opinion, etc. Article 11 enquired whether there were dwelling within the parish "any priest, foreigner, stranger or other, who, not presented to the bishop of this diocese, or his officers, examined and admitted by some one of them, doth take upon him to serve any cure, or to minister any sacraments." Article 12 asked whether there was "any priest, or other naming himself minister," absenting himself from church. Article 13 asked whether there were "any married priests, or naming themselves ministers, that do keep any assemblies or conventicles, with such-like as they are, in office or sect, to set forth any doctrine or usage not allowed by the laws." Article 17 asked whether the clergy, "or any of them, have of their own authority, admitted and licensed any to preach in their cure, not being authorised and admitted thereunto." Article 18 asked "whether they, or any of them, since the Queen's Majesty's proclamation hath, or doth use to say or sing, divine service, minister the sacraments or sacramentals, or other things, in English, contrary to the order of this realm?"

Now we come to some Articles aimed more especially at the Edwardine clergy. Thus, Article 25 asks "whether there be any person that doth serve any cure, or minister any sacraments, not being priest ; or if any do take upon them to use the room and office of the parson or vicar or curate of any benefice or spiritual promotion, receiving the fruits thereof, not being admitted thereunto by the Ordinary."

<sup>1</sup> *De Hierarchia Anglicana*, p. 148.

<sup>2</sup> These questions are printed in full in Pocock-Burnet, V, pp. 393-401.

In Article 29, Bishop Bonner enquires :

"Whether any such as were ordered schismatical, and contrary to the old order and custom of the Catholic Church, or being unlawfully and schismatically married, after the late innovation and manner, being not yet reconciled nor admitted by the Ordinary, have celebrated or said either Mass or other divine service, within any cure or place of this city or diocese ?"<sup>1</sup>

The significance of these Articles is well shown by the comments on them written by the famous John Bale, first Anglican Bishop of Ossory. Thus, on the eleventh article, forbidding unauthorised strangers to minister sacraments, he writes<sup>2</sup> :

They (i.e. the "foreigners" in London) "for the most part, as much regard the Pope's priesthood as the devil doth holy water."<sup>3</sup>

He thus comments on Article 25 :

"A dangerous matter now followeth . . . whether he that served any cure or that ministereth any sacraments be a priest after the Pope's order or nay ; that is, both oiled on the thumbs and shaven on the crown. For he which hath not those manifest marks of the Beast may neither buy nor yet sell in the market of Antichrist. . . . Master Bonner is much offended with that godly order which was observed in King Edward's time, for it was not according to the Pope's old rules."<sup>4</sup>

Thus, Bale had no doubts as to the meaning of Article 25, and its rejection of Edwardine Orders ! On Article 29 he comments thus :

"He calleth the good ordinations, yea, rather most godly reformations of the Church in those times, schismatical, and also contrary to the old order and custom of the Catholic Church. . . . Let me . . . answer . . . this schismatical Papist and sorcerous Sodomite. . . . Why should such a traitorous priest call these worthy acts schismatical ? . . . They were set forth according to the scriptures of God, and are agreeable to the order of the primitive Church."

Bishop Bale is not quite at his best in the above quotation. Here is a better example of his style, from his commentary on the same Article 29 :

"This filthy swineherd abasheth not opprobriously to revile

<sup>1</sup> *Op. cit.* Bishop Frere remarks on this Article : "The Edwardine ordinal is treated as schismatical because of its innovations." (*Visitation Articles and Injunctions of the Period of the Reformation*, Alcuin Club, 1910, Vol. 11, p. 337, note.)

<sup>2</sup> *A Declaration of Edmonde Bonner's Articles concerning the Cleargye of London Diocese, whereby that execrable Antichriste is, in his righte colours, revealed*, London 1554. I modernise the spelling.

<sup>3</sup> f. 35.

<sup>4</sup> f. 94.



his natural king, to invert his most godly acts at his pleasure, and also most arrogantly to boast of it. And what is thy idolatrous Mass and lowsy Latin service, thou sosbelly swillbowl, but the very draf of Antichrist and dregs of the devil? ”<sup>1</sup>

Elsewhere, this Protestant bishop calls Bishop Bonner a “ beastly belly god and damnable dung hill,”<sup>2</sup> “ brockish bore of Babylon ” and “ bawdy Bonner,”<sup>3</sup> “ bloody bitesheep ” (Preface), etc. We abstain from quoting further from his controversial courtesies. At least his comments, if taken in conjunction with the reordinations of Edwardine clerics which were taking place in the London diocese in this same year 1554, leave no room for doubt as to the meaning of Bonner’s Articles.

4. Throughout the year the reordaining of Edwardine clerics continued and the deprivation of married priests was carried out in a systematic manner all over the country. We have already mentioned nine cases of reordination which had taken place previous to the issue of the Royal Injunctions in March, 1554. Here are five cases of reordination subsequent to their issue :

(1) JOHN HAWES, ordained Edwardine deacon by Ridley at London, October 4th, 1551. The same John Hawes was ordained subdeacon, deacon and priest by the Bishop of Sidon, by commission from Bishop Bonner, at London, on May 9th, 1554.

(2) GEORGE HARRYSON, ordained Edwardine deacon by Ridley at London, on May 15th, 1552. He was ordained from the minor orders up to the priesthood inclusive, at London on May 9th, 1554.

(3) JOHN GROSE, ordained Edwardine deacon and priest, at Exeter, by Coverdale, on January 1st, 1552. He was given the minor orders, according to the Catholic rite, on May 16th, 1554, the subdiaconate at Exeter, on May 19th, and ordained deacon and priest at London, on June 3rd, 1554.

(4) CHRISTOPHER RAWLINS, ordained subdeacon by the ancient rite on April 6th, 1549. There is no record of his ordination as an Edwardine deacon, but he was ordained Edwardine priest by Bishop Thomas, of Shrewsbury, at Oxford, on May 18th, 1550. The same Christopher Rawlins was ordained Catholic deacon, at Oxford, on May 19th, and priest on December 22nd, 1554, also at Oxford.

(5) THOMAS HARDING, Professor of Hebrew at Oxford, Prebendary of Winchester, and Treasurer of Salisbury, tells us that he received the diaconate according to the Edwardine rite.<sup>4</sup> But we have no record of the date of this ordination. The same Thomas Harding was ordained acolyte and subdeacon at Oxford, on May 19th, 1554, and priest, in London, on June 3rd, 1554. So far<sup>5</sup> no record

<sup>1</sup> f. 113B.

<sup>2</sup> f. 55B.

<sup>3</sup> f. 12.

<sup>4</sup> See passage from his *Detection of Errors*, quoted on p. 365.

<sup>5</sup> When all the Episcopal Registers of this period are printed, or otherwise made available for students, this particular matter may be cleared up. At present we have to rely upon the examination of the Registers made by Dr. Frere in 1895-6.

has been found of his ordination to the Catholic diaconate, but it seems clear that this must have taken place, for the diaconate had already been repeated in other cases, both at Oxford and London, and it is hardly conceivable that an exception could have been made in his case. Moreover, he himself says that he took himself not for "a lawful deacon in all respects, by those orders which were taken in King Edward's days," and adds, that they were ministered "not according to the rite and manner of the Catholic Church."<sup>1</sup>

5. The deprivations of married clergy also continued in earnest. The Queen's instructions were couched in such a way as to apply to married laymen who held benefices, married clerics, and married priests. All "persons who have married" or "used women as their wives" are to be deprived. In virtue of the first article of the Injunctions, these deprivations would be carried out in accordance with the canons and ecclesiastical laws in force under Henry VIII. That meant, in the present instance, the ordinary canon law of the Church.

In practice, attention seems to have been concentrated mainly on those in major orders who had married. Thus, Bonner's Commission to the Archdeacon of Colchester, dated March 10th, 1554, orders the canonical deprivation of those

"in sacris ordinibus constituti, qui contra canones et laudabilem ecclesie catholice inveteratam consuetudinem, cum de facto tum de jure non debent, quasdam mulieres . . . in uxores, seu saltem sub velamine nuptiarum, concubinas ac meretrices sibi assumpserunt, et cum eisdem in nephariis incestuosis et illegitimis amplexibus . . . diu cohabitarunt."<sup>2</sup>

Similarly, the Dean and Chapter of Canterbury issued instructions concerning married priests in the diocese of Bath and Wells, *sede vacante* :

"Contra omnes et singulas personas sacram functionem sacerdotalem obtinentes infra dioc. B. et W. beneficiatos, aut sacerdotia quecumque curam animarum in habitu vel in actu habentia obtinentes, qui se pretextu federis matrimonialis cum feminis contra sacrorum canonum dispositiones post sacras susceptas ordines de facto conjuxerint ac cum eisdem uxorario falso colore cohabitarunt."<sup>3</sup>

Other commissions were issued by the Dean and Chapter of Canterbury for the diocese of Bristol<sup>4</sup> and Exeter. For the

<sup>1</sup> See passage quoted on p. 365

<sup>2</sup> *Apud Frere, Marian Reaction*, pp. 166-169.

<sup>3</sup> *Frere, Marian Reaction*, pp. 173-5.

<sup>4</sup> *Frere, op. cit.*, p. 175.

diocese of Canterbury itself, the Dean and Chapter set forth certain "articuli ministrati presbiteris conjugatis." The third of these is :

"in quo et quibus sacris, et an ministravit in altaris ministerio, et quot annis ?"

The tenth is :

"an officio sacerdotis post et citra assertum matrimonium hujusmodi contractum, in altaris ministerio se immiscuit, ac sacramentis et sacramentalibus ministrandis se ingessit ?"<sup>1</sup>

The significance of these questions as to how long the person had been ordained, and whether he had officiated as a priest after contracting marriage, is not at first sight obvious, but will be plainer if we compare them with the Articles drawn up by Richard Sampson, Bishop of Coventry and Lichfield, for his diocese, about the same time.<sup>2</sup>

These are comprehensive articles, containing the various questions which are to be put to the clergy examined. Thus, we have an article enquiring the date of ordination to sacred orders or to the priesthood :

"Vobis et cuilibet vestrum objicimus et articulamus, quod vos fuistis et estis sacerdotes, sive presbyteri, atque in sacris ordinibus, et ipso etiam presbyteratus ordine constituti, eosdemque sacros et presbyteratus ordines, ad triginta, viginti, decem vel octo annos elapsos suscepistis ; atque pro presbyteris et in sacris ordinibus constituti fuistis et estis . . ."

Now it is carefully to be noted that this question is intended to discover the fact whether the person in question had been raised to sacred orders and the priesthood during a period ending eight years previously, i.e. prior to 1546, i.e. under Henry VIII. No account at all is to be taken under this head of any one raised to the "priesthood" under the reign of Edward VI !

Another article runs :

"Vos scitis, creditis, aut dici audivistis, quod ex sacris ecclesiasticis constitutionibus, quilibet . . . suscipiens sacrum ordinem aut sacros ordines . . . obligatur ad perpetuam continentiam ; nec eidem licere ad seculum retrocedere, et uxorem ducere, sive concubinam retinere."

This, of course, makes it obvious that the ordination to the priesthood referred to was ordination to the Catholic priest-

<sup>1</sup> Frere, *op cit.*, p. 172-3.

<sup>2</sup> They are given in Strype, *Eccles. Mem.*, Vol. VI (Vol. III, Pt. II), pp. 209-212, Clarendon Press edn., 1822.

hood by the Pontifical rite, for ordination according to the Edwardine rite imposed no kind of celibacy.

Next comes a question as to the exercise of the priesthood :

“Vos in hujusmodi sacris, et presbyteratus ordinibus constituti, missas et alia divina officia tam privatim quam publice dixistis, et celebrastis, atque sacramenta et sacramentalia aliis Christi fidelibus ministratis.”

Next comes the question as to marriage :

“Tu, Magister Hugo, etc., præmissorum omnium et singulorum satis sciolus, ipsis quoque non obstantibus, sed præter et contra ea, atque post ipsos sacros et presbyteratus ordines per te susceptos, in magnum opprobrium et grave dedecus ac scandalum ordinis clericalis et propriæ animæ tuæ salutis manifestum detrimentum, de facto, cum de jure non potuisti neque debuisti, quandam N. in uxorem, imo verius concubinam, mensibus Martii Aprilis . . . Januarii, et Februarii, annis domini, 1546, 1547, 1548, 1549, 1550, 1551, 1552, et 1553, eorundemve mensium et annorum quolibet uno sive aliquo, temere et damnabiliter duxisti et accepisti ; atque cum eadem publice cohabitasti, et cohabitas in præsentî. . . .”

Next comes an article as to the penalty :

“Vos, præmissorum prætextu et occasione fuistis et estis, dictorum sacrorum canonum, constitutionum et ordinationum atque consuetudinem transgressores manifesti . . . ; eaque ratione et pretextu ipso facto vestris officiis et dictis respective beneficiis vestris de jure privati, et ab eisdem, eorumque possessione et occupatione, auctoritate ordinaria amovendi et destituendi.”

The above articles make it perfectly plain that the married priests who are to be deprived of their benefices are priests ordained prior to 1546, i.e. ordained according to the Pontifical. There is no reference whatever to any Edwardine “priests” who may have married. But obviously, if these were looked upon as priests equally with those ordained by the Pontifical, they would have been subjected to the same process. The inference is plain : *Edwardine clergy were not regarded as priests.*<sup>1</sup>

Frere, who refers to this document, but does not quote it,<sup>2</sup> says that “on the subsequent proceedings, these Lichfield documents are silent.” But so far from being silent, the same Harleian MS. 421, from which these Articles are taken, contains forty-three cases of individual deprivation, after due investigation according to the above articles.<sup>3</sup> In every case, care was taken to enquire

<sup>1</sup> We discuss below the grounds on which some Edwardine married clergy were, in fact, deprived of their benefices. (See pp. 129-131.)

<sup>2</sup> *Op cit.*, p. 70.

<sup>3</sup> The names and other particulars of these will be found in Strype, *Eccles. Mem.*, Vol. III, Pt. I, pp. 168-169.

whether the person in question had been ordained at least eight years.

All this gives us the clue to the significance of the questions summarised in the instruction of the Dean and Chapter of Canterbury, and, in particular, to the question as to how long the person in question had been ordained. We may rightly infer that the Dean and Chapter of Canterbury similarly disregarded Edwardine orders so far as the process against married priests was concerned.

The Queen's Instructions concerning married and Edwardine clergy were evidently enforced also in the diocese of Norwich, for we gather from the Registers there that George Aynesworthe was deprived of Stanstead in that diocese, in May, 1554, as being married.<sup>1</sup> Evidently he wished to make his peace with the Church later on, for in October, 1556, he gave an explanation of his previous conduct to John Hopton, Thirlby's successor in the see. His declaration is contained in Harleian MS. 421, f. 171, and is quoted by Frere, *op. cit.*, pp. 219-220. We quote the relevant parts :

"George Aynesworthe examined the day aforesaid hath take his othe that he toke upon him ministration most compelled constrayned and forced thereunto, being a servying man . . . was sente for to London . . . and there unwarely contrary to his mynd was brought into bonds . . . so that he must eyther take upon him ministration or els goo to pryson, so that the violence and compulsion done unto him, in that he was drawen unto hit contrary to his mynd, hath soo wrought in him that he cold never be his owne man syns, his conscience always gryffying him that he nether was at that time nor yet is no mynyster but a mere laye man, and where as he sought meanes alwas to have gyven over the benefice he was so bonde that he cold not untill such time as he was removed by reason of marriage, desiryng that he may lyve as a laye man like as his conscience doth bere him witnes that he is, and as he hath taken his othe that he may thus do under obedience and submission under all good order and laws of the realme . . ."

The reference to "bonds" is apparently an agreement that Aynesworth should pay part of the income of the benefice when received to the patron.<sup>2</sup>

Now Dr. Frere argues that "when the inquiry as to marriage revealed the fact that the claimant of the benefice had no valid orders, the authorities were not satisfied with getting rid of the man on the ground of marriage, but went on to deal with the

<sup>1</sup> Frere, *op. cit.*, p. 135.

<sup>2</sup> Estcourt, *op. cit.*, p. 48.

Orders question.”<sup>1</sup> Estcourt argues that Aynsworth was in Edwardine orders,<sup>2</sup> while Dr. Frere argues that he must have been an ordinary layman, with no orders of any kind. But surely, a man who had received no orders of *any kind* would hardly ask that he should be allowed to live as a layman “as his conscience bears him witness he is”? It seems obvious that he had received Edwardine orders, but no others, and that, being in such orders, he was “compelled to take upon himself ministration” at Stanstead, in order to be able to carry out the bond he had entered into. Again, it is surely unlikely that Bishop Thirlby, who then occupied the see, would or could have instituted a mere layman to a benefice in his diocese? On the other hand, if Aynsworth had received Edwardine orders, Thirlby could not very well refuse to institute him, as the law then stood in Edward’s reign. It therefore seems much more likely that we have here a case of a person in Edwardine orders, who realised later that such orders were not real orders, and, therefore, when making his peace with the Church in Mary’s reign, asked to be allowed to live as a layman, “as his conscience bears him witness he is.”

6. In addition to the deprivations of married priests and clerics, there were some cases in which, in accordance with the Queen’s instructions, and the provisions of Canon Law (and, we may add, Pole’s legatine faculties), some priests who did penance and separated from their wives, were restored to their functions. Thus, Bonner’s Register contains the restoration of Alexander Bull, “in sacro ordine presbyteratus constitutum,” who, “contra sacros canones . . . de facto in uxorem duxit Agnetem Turner,” had been deprived accordingly, but now had shown himself penitent, and is therefore absolved from the sentence of suspension, “et ad eorundem officiorum sacramentorum et sacramentalium celebrationem in integrum plenarie restituimus.”<sup>3</sup> This declaration is dated March, 1554. Another, in June of the same year, restores Edmund Alstone, who had been curate of the parish church of St. Mary at the Mount. He may now minister “in quibuscunque ecclesiis et sacris locis preterquam in ecclesia parochiali beate Marie ad montem.”<sup>4</sup>

<sup>1</sup> *Marian Reaction*, pp. 134-135.

<sup>2</sup> *Op. cit.*, p. 48.

<sup>3</sup> Bonner’s Register, f. 348; Frere, *op cit.*, pp. 178-9.

<sup>4</sup> Bonner’s Register, f. 347; Frere, *op cit.*, pp. 177-8.

But *there is no single instance, either at this period or later, of the restoration of an Edwardine "priest" who had separated from his wife.*

7. There is one further point which must be borne in mind. We remarked in Vol. I<sup>1</sup> that roughly one-sixth of the clergy took to themselves wives in the reign of Edward. The deprivations which took place under Mary for marriage must therefore have been very numerous, and many parochial churches and other benefices must in consequence have been without occupants for some time. Steps were, of course, taken to replenish the diminished ranks by ordaining fresh candidates, but this process must have taken time, and some benefices must have remained vacant for many months, if not years. Even after the reconciliation with Rome, there were still many vacant benefices up and down the country. This is important, as it shows that when we read in an episcopal register that at a particular date, someone was instituted to a certain benefice, vacant through the deprivation or resignation of the previous incumbent, we must not infer that the latter had held the benefice up to the time of the appointment of the new incumbent. There may have been a considerable interval of time between the two.

8. We must now consider certain cases in which Edwardine clergy were deprived of benefices on account of marriage. There were a few such cases up and down the country,<sup>2</sup> and it has been urged by Dr. Frere and others<sup>3</sup> that, in their case at least, Edwardine orders were recognised. Thus, Frere writes on p. 109 of his book, *The Marian Reaction* :

"It was necessary to establish the question as to Orders before the question of marriage could come up ; naturally, therefore, the articles ministered to clergy always begin by eliciting the facts about their ordination, then they went on to inquire as to marriage. It would clearly have been simpler and more expeditious to deprive Edwardine clergy on the first ground had it been regarded as a valid ground for deprivation ; there is no evidence of any such thing being done, and the conclusion is obvious, that Edwardine orders were not considered a valid ground for deprivation."

And again,

"The very fact that an Edwardine priest was deprived for marriage shows that so far his Orders were recognised, otherwise he would have been deprived as a layman, and there is no instance

<sup>1</sup> Page 348.

<sup>2</sup> About half a dozen in all.

<sup>3</sup> e.g. by Canon Wilfred Knox, in *Friend, I do thee no Wrong*, p. 7.

of any Edwardine clergy being so described at their deprivation ; they are classed with the rest of the married clergy."<sup>1</sup>

But Dr. Frere has overlooked the fact that according to Canon Law, any *cleric* could hold a benefice, and that one entered the clerical state *by receiving the tonsure*. Subsequent marriage involved the forfeiture of the benefice, even apart from the question of the reception of major orders. Now there is every reason to think that some at least of those who were ordained by the Edwardine Ordinal had previously received at least the tonsure by the Pontifical, and were accordingly able to receive a benefice. If they married, they could be deprived of the benefice, and they would be deprived precisely as "*clerici conjugati*," not as "*presbyteri conjugati*."<sup>2</sup> They would be allowed, and expected, to continue to live with their wives. In the case of married *priests*, on the other hand, there would be a "divorce," as well as a deprivation. In the registers, the deprivation might be referred to as that of a "*clericus conjugatus*" (for after all every priest is a *clericus*, although not every *clericus* is a priest), or else as that of a "*presbyter conjugatus*." Thus, while it is possible that a priest might be entered as a "*clericus*," it would certainly be impossible that a person not a priest would be described as a "*presbyter*." Hence, in discussing the deprivation of Edwardine married clerics, we must point out that the only proof that their priesthood was recognised would be the entry "*presbyter conjugatus*," as the description "*clericus conjugatus*" would be perfectly allowable even if the person in question had never received any priest's orders at all, whether by the Pontifical or by the Edwardine rite. Now it is surely significant that *there is not a single case in which an Edwardine priest or deacon is described as "presbyter" or "diaconus."* *They are usually called "clerici," but in some cases even this title is not given to them.*

Before we leave this subject we must remark that it is not true that the absence of a real priesthood would provide a simpler means of turning an Edwardine cleric out of his benefice. As a cleric, he could hold a simple benefice. He could even receive a benefice with cure of souls without the actual possession of the priesthood. True, he was bound to receive the priesthood within one year. But an Edwardine "priest" in such a case might well have pleaded that "*ad impossibilia nemo tenetur*,"

<sup>1</sup> Page 110.

<sup>2</sup> These Edwardines are, in fact, described in the Registers for the most part as "*clerici*," deprived "*propter conjugium*."



and have pointed out that in the period in question there were no ordinations according to the Pontifical by which he could have received the Catholic priesthood, and therefore he could not rightly be deprived for failing to take such orders. On the other hand, if he was a tonsured person, and had married, or even if he was not tonsured, but was a married layman, he could be deprived "*propter conjugium*," because by *the very fact of his being married* he was incapable of holding a benefice. And *this is precisely what took place in the case of Edwardine married clerics holding benefices.*<sup>1</sup>

<sup>1</sup> There were, indeed, two cases in 1555 in which Edwardine deacons were deprived of cures because they had not received the *sacerdotium*. Presumably they had not married, and hence this other reason had to be invoked. See p. 130.

## CHAPTER VII

### THE DEPRIVATIONS OF MARRIED BISHOPS

1. Having thus dealt with the lower clergy, Mary turned her attention to the episcopate, and took steps against the heretical and married bishops still in possession of their sees, and in doing so she doubtless acted in accordance with the advice of Pole, sent through Goldwell. She issued two commissions. One was directed to Tunstall, Bishop of Durham ; Bonner, Bishop of London ; Wharton of St. Asaph ; Day of Chichester ; and Kitchin of Llandaff, giving them power to deal with Holgate, Archbishop of York ; Ferrar of St. David's ; Bird of Chester ; and Bush of Bristol, bishops of the said sees, "*aut certe pro talibus se gerentes*," and who, amongst other crimes, "*post expressam professionem castitatis, expresse rite et legitime emissam, cum quibusdam mulieribus nuptias de facto, cum de jure non deberent . . . contraxisse, et cum illis tanquam cum uxoribus cohabitasse.*" The Commissioners, or any three of them, were to call the said bishops before them and, if the facts were proved, to deprive them of their dignities—"eosdem a dignitatibus suis prædictis, cum suis juribus pertinentibus universis, omnino amoveatis, deprivetis et perpetuo excludetis," imposing a salutary penance.<sup>1</sup>

This Commission was dated March 13th, 1554. Two days later another Commission was issued, addressed to Gardiner, Bishop of Winchester and Lord Chancellor ; Tunstall of Durham ; Bonner of London ; Wharton of St. Asaph ; Day of Chichester ; and Kitchin of Llandaff, in the following terms :

"Whereas John Taylor, doctor of divinity, naming himself Bishop of Lincoln ;

John Hoper, naming himself Bishop of Worcester and Gloucester ;

John Harley, Bishop of Hereford,

having their said several pretended bishoprics given to them by the letters patents of our late deceased brother, King Edward the Sixth, to have and to hold the same during their good behaviours, with the

<sup>1</sup> Pocock-Burnet, V, pp. 386-7.

express clause 'quamdiu se bene gesserint,' have sithence, as hath been credibly brought to our knowledge, both by preaching, teaching, and setting forth of erroneous doctrine, and also by inordinate life and conversation, contrary both to the laws of Almighty God and use of the universal Christian Church, declared themselves very unworthy of that vocation and dignity in the Church. We . . . have . . . appointed you four, three or two of you, to be our Commissioners in this behalf, giving unto you . . . full power and authority to call before you, if you shall think so good, the said John Taylor, John Hooper, John Harley . . . and thereupon, either by order of the ecclesiastical laws, or of the laws of our realm, or of both, proceed to the declaring of the said bishoprics to be void, as they be already indeed void, to the intent some such other meet personages may be elected thereunto."<sup>1</sup>

The terms of these two documents clearly differ, and precisely because of the difference between the two sets of bishops. Those mentioned in the first Commission are to be deprived because, after having taken a vow of chastity, they have married. Of the three bishops mentioned in the second Commission, we only know for certain of the marriage of Hooper. But these bishops could only claim to hold their sees subject to their good behaviour.<sup>2</sup> Their behaviour was notoriously bad, and accordingly the Commissioners were instructed to turn them out of their sees.

Of the seven bishops affected, the four mentioned in the first Commission, namely, Holgate, Bird, Bush and Ferrar, had been consecrated by the Pontifical rite (with some modifications in Ferrar's case).<sup>3</sup> The three bishops of the second Commission, i.e. Taylor, Hooper and Harley, had been consecrated by the Edwardine rite. It is significant that separate Commissions were appointed to deal with these two kinds of bishops!

We have no detailed account of the processes adopted by the Commissions. But Foxe gives an account of the examination of Hooper.<sup>4</sup> From this we gather that Hooper admitted that he was married, whereupon Tunstall said that that was "matter enough to deprive him." Then Hooper was questioned on the Real Objective Presence, which doctrine he denied. "Whereupon they bade the notaries write that he was married, and said that he would not go from his wife, and that he believed not the

<sup>1</sup> Pocock-Burnet, V, 388.

<sup>2</sup> The letters patent appointing Hooper and subsequent bishops under Edward contained the clause, "si tamdiu bene se gesserit in eodem." (Rymer, *Foedera*, XV, 299.) There had been no such clause in the appointment of the bishops of the first group.

<sup>3</sup> See Vol. I, p. 452.

<sup>4</sup> *Acts and Monuments*, 1870 edn., Vol. VI, pp. 646-7. All our references are to this edition.

Corporal Presence in the Sacrament, wherefore he was worthy to be deprived of his bishopric." In other words, he was to be deprived of his position because he was married, and further, because he was a heretic—both sufficient canonical reasons for deprivation of the see, quite apart from any question of the validity of his episcopal consecration, which does not seem to have been raised on this occasion. But when he was subsequently sentenced to death, he was degraded from the priesthood only, his Edwardine episcopal orders being ignored.<sup>1</sup>

Some further information on the deposition of these bishops is given in the Register of the Dean and Chapter of Canterbury, which records the vacancies in the sees as follows :

"Lincoln. episcopatus devenit vacuus . . . per destitutionem Johannis Tailor nuper Episcopi nullitatem consecrationis et defectum tituli sui quam habuit a rege Edwardo Sexto per litteras patentes cum hac clausula dum se bene gesserit. . . . Amovebatur etiam quod male sentiret de Sacramento Eucharistie."<sup>2</sup>

This shows that Taylor was deprived of his bishopric of Lincoln for three reasons : (1) "nullitatem consecrationis," (2) "vicious title," he having been given his see "dum se bene gesserit," (3) heresy. There is no suggestion that he had married, and so he was not turned out of his bishopric for that reason. Other grounds were sought, and *inter alia*, he was deprived "propter nullitatem consecrationis." This can only mean that his Edwardine episcopal consecration was regarded as absolutely null and void. We may dismiss the ludicrous suggestion of Denny and Lacey that the phrase merely means "nullitatem quoad exercitium," for this would not be a canonical ground for deprivation. Equally ludicrous is the explanation given by Dixon<sup>3</sup> that "the nullity of consecration here alleged was not meant to deny that they were bishops, but that any of them was the bishop of the see to which he was consecrated." These are mere evasions. The statement can only mean the absence of a valid and canonical consecration to the episcopate, which the candidate was required by Canon Law to receive within three months of his appointment to a see. A bishop-elect had to be already in possession of the subdiaconate, but as Taylor was already in priest's orders according to the Catholic rite, he could not be proceeded against on this ground. Nor could it be urged that, though consecrated according to the

<sup>1</sup> See pp. 154-5.

<sup>2</sup> *History of the C. of E.*, IV, p. 138.

<sup>3</sup> See text in Frere, *Marian Reaction*, p. 163.

Anglican rite, his consecration had not taken place within three months of his appointment to the see, for, as a matter of fact, he was appointed to Lincoln on June 21st, 1552, and consecrated according to the Edwardine rite five days later, on June 26th. Nor could it be suggested that Taylor's consecration was null on account of a defect in his consecrators, for he was consecrated by Cranmer, Ridley, and Scory.<sup>1</sup> Cranmer and Ridley were both "Pontifical" bishops. Scory, the other assistant, was an Edwardine bishop. But if Scory's Edwardine episcopal orders could affect the validity of Taylor's consecration, this could only be because the invalidity of the Edwardine ordination rite made Scory no true bishop. And thus we are forced to conclude that Taylor's episcopal consecration was declared to be null for this same reason, *the invalidity of the Edwardine rite employed*.

The Canterbury Register next tells us that Hooper was deprived of Worcester, "per restitutionem Nicholai Heth"; and that he was also extruded "a sede Glocestren. propter conjugium et alia male merita et titulum vitiosum ut supra." Thus, he was deprived (a) because he had married, (b) because of "alia male merita," which might well include heresy, and (c) because he held his see only "dum se bene gesserit." The question of his episcopal orders was not discussed.<sup>2</sup>

The same Canterbury Register continues the account of vacant sees as follows :

3. Harlow<sup>3</sup> of Hereford is said to have been deprived "ut supra ex conjugio et heresi."

4. Ferrar of Menevia was "deprivatus ex causis supradictis," i.e. presumably for marriage and heresy.

5. Bath and Wells was vacant "per resignationem Willelmi

<sup>1</sup> Stubbs, *Registrum*, p. 104.

<sup>2</sup> It has been incorrectly stated by many Catholic writers, including Brandi (*Delle Ordinazioni Anglicane*, 4th edn., p. 42), and the writer of the *Vindication of the Pope's Bull* issued by Cardinal Vaughan and the English Catholic Bishops (p. 18), that Hooper and Harley, as well as Taylor, were declared to be deprived "propter nullitatem consecrationis." The mistake was duly pointed out in the Church Historical Society's tract, *Priesthood in the English Church*. But it originated from Anglican sources, for it was first made by Henry Wharton, and repeated by Pocock in his edition of Burnet. But in any case, the fact that one of the three, Taylor, was deprived "propter nullitatem consecrationis" is in itself sufficient proof that Edwardine episcopal orders were regarded as null and void by the Commissioners. The others were deprived for other reasons, such as marriage, because in point of fact marriage rendered them incapable of holding any see, whereas episcopal orders had to be received only within three months after appointment, and even then excusing causes might be urged for their non-reception. Hence marriage was a much safer and surer cause to invoke. Taylor had not married, and so recourse was had to the lack of true episcopal consecration.

<sup>3</sup> i.e. Harley.

Barlowe conjugati." His resignation had evidently been demanded on the ground of his marriage.

6. Rochester "diu vacavit, viz. per annos tres, per translationem Johannis Scory ad Sedem Cicester.".

7. Chester "vacavit per deprivationem Johannis Birde senis<sup>1</sup> conjugati." Bird was a valid bishop, but had married.

8. Canterbury is said to be vacant because of Cranmer: "de alta prodicione ex sua confessione judicatus, lese majestatis reus habitus est."

9. Holgate of York, "conjugii causa, archiepiscopatu caruit."

10. Scory of Chichester, "reddito Georgio Dey olim Cicester., ex conjugio etiam episcopatu nudatur."

11. "Idem accidit Miloni Coverdale, Exonien. restituto in pristinum Johanne Vayse."<sup>2</sup>

12. "Cuthbertus Dunelm. ab Edwardo Rege destitutus ex sententia deprivatoria, redditur in integrum."

13. Ridley of London, "a sede remoto, et in carcerem (quod male concionatus sit et heretice pravitatis labe notatur) coniecto, Edmundus Bonerus . . . restituitur."

14. "Johannes Ponet, Winton. Episcopus, reddito Stephano Gardiner . . . ex conjugio Episcopatu nudatur."<sup>3</sup>

There is no reference at this point of the Canterbury Register to Bush, Bishop of Bristol. The Commissioners had been ordered to deprive him, for having married. But in point of fact he was in a somewhat different position to the other bishops, for his wife had died, opportunely, on October 8th, 1553, and he might therefore plead that he was now unmarried, and living in chastity, as the canons required. It would seem that the difficulty was overcome by his spontaneous and free resignation of the see in June, 1554, and the Dean and Chapter of Canterbury took charge upon June 21st.

## 2. The cases of Bird and Scory.

The case of Bird, the deprived Bishop of Chester, is of interest. He was duly deprived by the Commission on March 16th, 1554, presided over by Bonner. But in October he was appointed by the Bishop of London to the Vicarage of Dunmow in Essex. Moreover, he resided for a time with Bonner at Fulham Palace<sup>4</sup> and, in addition, carried out an ordination for Bonner in December, 1554, upon which occasion he is described in the London Ordination Register as "Johannes, nuper episcopus Cestrensis . . . suffraganeus." Before he could thus be instituted to a living in the London diocese, and carry out an ordination, he would require to be rehabilitated. Now there is in Bonner's

<sup>1</sup> The reference to Bird's old age is difficult to explain.

<sup>2</sup> i.e. Voysey.

<sup>3</sup> Frere, *op. cit.*, pp. 164-6.

<sup>4</sup> Strype, *Cranmer*, Vol. I, p. 88.

Register an interesting certificate, described in the margin as "Testimoniale super restitutionem episcopi uxorati," which has always been supposed to refer to a different person, John Scory, Bishop of Chichester, but which, for reasons we shall explain, must refer really to John Bird, late Bishop of Chester. The document is as follows :

Edmundus, permissione Divina Londonensis Episcopus, universis et singulis Christifidelibus ad quos præsentes litteræ nostræ testimoniales pervenerint ; ac eis præsertim quos infra scripta tangunt, seu tangere poterint quomodolibet in futurum, salutem in Auctore salutis et fidem indubiam præsens adhibere. Quia boni Pastoris officium tunc nos rite exsequi arbitramur, cum ad exemplar Christi, errantes oves ad caulam Dominici Gregis reducimus, et Ecclesiæ Christi, quæ redeunti gremium non claudit, restituimus ; et quia dilectus Confrater noster Joannes nuper Cicestrensis Episcopus in diocese et jurisdictione nostris Londonensibus ad præsens residentiam et moram faciens ; qui olim laxatis pudicitia et castitatis habenis, contra Sacros Canones et Sanctorum Patrum decreta ad illicitas et prohibitas convolvit nuptias, se ea ratione non solum Ecclesiasticorum Sacramentorum pertractandorum omnino indignum, verum etiam a publica officii sui pastoralis functione privatum et suspensum reddens ; transactæ licentiosæ vitæ valde poenitentem et deplorantem plurimis argumentis se declaravit, ac pro commissis poenitentiam alias per nos sibi injunctam salutarem aliquo temporis tractu in cordis sui amaritudine et animi dolore peregit, vitam hactenus degens laudabilem spemque faciens id se in posterum facturum, atque ob id ad Ecclesiasticæ ac Pastoralis functionis statum, saltem cum quodam temperamento, justitia exigente, reponendus ; hinc est quod nos præmissa ac humilem dicti Confratris nostri petitionem pro reconciliatione sua habenda et obtinenda considerantes, ejus precibus favorabiliter inclinati, eundem Confratrem nostrum ad publicam Ecclesiastici Ministerii et Officii sui Pastoralis functionem et executionem infra diocesim nostram Londonensem exercendam, quatenus de jure possumus et absque cujusque præjudicio, restituimus, rehabilitavimus et redintegravimus, prout tenore præsentium sic restituimus, rehabilitamus et redintegramus, Sacrosanctæ Ecclesiæ clementia et Christiana charitate id exigentibus. Vobis igitur universis et singulis supradictis præfatum Confratrem nostrum sic ut præmittitur restitutum, rehabilitatum et redintegratum fuisse et esse ad omnes effectus supradictos significamus et notificamus per præsentes sigillo nostro sigillatas. Dat. in manerio nostro de Fulham die mensis Julii anno dom. 1554 et nostræ Transl. anno 15.<sup>1</sup>

This document was first published from Bonner's Register by Burnet towards the end of the seventeenth century, in his *History of the Reformation*.<sup>2</sup> He noticed that it was made out in the name

<sup>1</sup> I follow the text as printed by Denny and Lacey in *De Hierarchia Anglicana*, p. 149, save for the date.

<sup>2</sup> Pocock-Burnet, V, p. 389.

of "Joannes, nuper Cicestrensis episcopus," and therefore concluded at once that it referred to John Scory, Bishop of Chichester, who had been turned out of his see by Queen Mary, and had been replaced by Bishop Day, the former occupant of the see. The day of the month is not inserted in the document, as it appears in Bonner's Register. But for reasons best known to himself, Burnet, in the chapter of his work dealing with the matter<sup>1</sup> says that it was issued on July 14th.<sup>2</sup> And upon this document Burnet constructed a story to the effect that Scory, Bishop of Chichester, had been deprived of his see, for being married, but had separated from his "wife" and had done penance, and was by this document restored to the exercise of his sacerdotal and episcopal functions by Bonner, Bishop of London. Burnet, however, was aware that later on in this same year, 1554, Scory was superintendent of the English Protestant Church at Emden, and accordingly he added "he soon after fled out of England," i.e. soon after receiving his rehabilitation at the hands of Bishop Bonner.

Now the significance of this supposed rehabilitation of Bishop Scory by Bishop Bonner lies in the fact that Scory, though ordained priest according to the Pontifical, had been consecrated a bishop by the Edwardine rite.

Hence, this document has been appealed to by many Anglican writers subsequent to Burnet, as a conclusive proof that Bonner, at any rate, recognised Edwardine episcopal orders. It was triumphantly quoted by Courayer, and it has been used by modern Anglican writers such as Denny and Lacey, Bishop Frere, the Rev. Morton Howard, and others.<sup>3</sup> Some Catholic writers have endeavoured to evade its force by arguing that the document was spurious.<sup>4</sup> Others have urged that it was merely a permission to say Mass within the London diocese.<sup>5</sup> But in this case it was necessary to explain why Scory should be styled "late Bishop of Chichester" by Bishop Bonner. Hutton suggested that the term "bishop" was used by Bonner "in good-humoured banter."<sup>6</sup> He also remarked that Scory had

<sup>1</sup> Pocock-Burnet, II, p. 442.

<sup>2</sup> Denny and Lacey wrongly insert this date in their text. I omit it.

<sup>3</sup> See quotations from some of these authors in article on the subject in the *Dublin Review* for January, 1936, by the present writer, reprinted in *Bishop Bonner and Anglican Orders* (Catholic Truth Society).

<sup>4</sup> Le Quien, Hardouin, Estcourt, see *Dublin Review*, art. cit.

<sup>5</sup> Estcourt, Hutton, etc. This was also maintained by Pocock, the modern editor of Burnet. See his review of Denny and Lacey in *English Historical Review*, April, 1895.

<sup>6</sup> *Anglican Ministry*, note to p. 104.



been legally styled "Bishop of Chichester." Estcourt similarly said that "Scory had been by law in possession of the see of Chichester, as fully as Bonner had been in possession of that of London, and Bonner may therefore have given him the honorary title,"<sup>1</sup> As a final *échappatoire*, it was urged that Bonner had no jurisdiction over any other bishop, and was therefore acting *ultra vires* in attempting to rehabilitate Scory, and that further, Bonner had not himself been reconciled when he issued this rehabilitation, which therefore did not involve Pole or the Holy See, and was devoid of any value.<sup>2</sup> But none of these arguments will bear examination. In the first place, there can be no doubt as to the genuineness of the document: it is contained in Bonner's own manuscript register.

Secondly, it obviously rehabilitates a bishop to his pastoral as well as his sacerdotal functions, and twice distinguishes between these. Moreover, the document is described in the register as "*testimoniale super restitutionem episcopi uxorati*," and further, calls the recipient "*Confrater*," a term which, when used by a Bishop, signifies a fellow Bishop.

On the other hand, there is abundant evidence to prove that the document cannot possibly refer to Bishop Scory.<sup>3</sup>

To begin with *a priori* reasons, we shall quote in a later chapter from a work issued this same year by Bishop Bonner, in which he clearly states that the Edwardine rite for the priesthood was invalid.<sup>4</sup> Again, Bonner had deposed Taylor of Lincoln, an Edwardine bishop, precisely because of "*nullitatem consecrationis*."<sup>5</sup> Is it possible that Bonner should regard the Edwardine rite for the episcopate as invalid, in March, 1554, and as valid, in July of the same year?

Coming now to direct reasons, Scory had been deprived of the see of Chichester before November 20th, 1553, for Day was then functioning once more as Bishop of Chichester.<sup>6</sup> By February, 1554, a Church for English Protestant refugees had been founded at Emden. Of this Church Scory became "superintendent." We do not know exactly when he went there, but his presence and position there were known to other English refugees at Strassburg very early in August. This proves that Scory must have been at Emden at any rate in July—the very month in which he is supposed to have been rehabilitated

<sup>1</sup> *Questions of Anglican Ordinations*, p. 39.

<sup>2</sup> See authors quoted in article in *Dublin Review*.

<sup>3</sup> We here reproduce the evidence first published in the *Dublin Review* for January, 1936.

<sup>4</sup> See p. 108.

<sup>5</sup> See p. 66.

<sup>6</sup> See note page 39.

as a Bishop by Bonner ! This makes it quite clear that this rehabilitation does not apply to Scory.

Further, it seems clear that it must refer to "Joannes, nuper Cestrensis episcopus," i.e. to John *Bird*, lately Bishop of Chester. He was deprived of the see of Chester by Bonner in March, 1554, and given a "salutarem et congruam pœnitentiam."<sup>1</sup> The recipient of this rehabilitation in July, 1554, had performed the penance imposed by Bonner : "pœnitentiam per nos sibi injunctam salutarem peregit."

Bird was allowed to execute priestly functions in the London diocese, for he was appointed Vicar of Dunmow in October, 1554. Further, he was allowed to exercise episcopal functions in the same diocese, for in December he officiated at a London ordination. Before thus acting, either as priest or bishop, he would require to be rehabilitated. There is no document of rehabilitation of a married bishop in Bonner's Register other than this one.

As to the term "Cicestrensis" instead of "Cestrensis," we have to remember that the document in Bonner's register is not the original, but a copy—for the original was, of course, given to the recipient. It was in all probability written down from dictation, and it would be an easy thing to put "Cicestrensis" instead of "Cestrensis." It would not be the first time a mistake of the kind had occurred, and there is sufficient evidence in the present instance to prove that it *was* a mistake. It is indeed regrettable that such a mistake should have been made, regrettable also that Burnet should have constructed his romance upon its basis, and still more regrettable that all authors, Catholic and Protestant, should have accepted the story as true.<sup>2</sup> But at any rate it is now clear that there is no foundation whatever for the oft-repeated Anglican statement that Bishop Bonner recognised the orders of an Edwardine bishop !

3. A word may now be said about the various "suffragan" or "assistant" bishops. There were a number of these in England. Previous to 1534 there were several "assistant bishops," with the titles of sees in *partibus infidelium*. These were appointed as assistants to the various sees, by the Pope.<sup>3</sup>

<sup>1</sup> Commission to Bonner and others, see p. 64.

<sup>2</sup> It appears even in such standard works of reference as the *Dictionary of National Biography*, Cooper's *Athenæ Cantabrigienses*, etc.

<sup>3</sup> For a full list of these see Mortimer and Barber, *English Bishops and the Reformation*, pp. 90, 96, 100. One of these genuine auxiliary bishops, Thomas Cheetham, Bishop of Sidon, continued to function in the reign of Queen Mary, acted as "suffragan" to Bonner at London, and carried out many ordinations for him.

With the abolition of Papal Supremacy, this source of auxiliary bishops came to an end, and Henry VIII took it upon himself to appoint twelve new "suffragan" bishops in 1534, with the titles of English towns. They were, of course, consecrated according to the Pontifical rite. We have already had occasion to mention three of these : Pursglove, Bishop of Hull ; Thomas, Bishop of Shrewsbury ; and Salisbury, Bishop of Thetford. There were two others whose names occur in this reign : Hodgkin, Bishop of Bedford, and Thornden, Bishop of Dover.

It is important to note that the Act of Parliament by virtue of which these "suffragan" bishops existed, was still in force in the first years of Mary's reign, but it was repealed by Parliament on January 4th, 1555, and from that time onwards these bishops ceased to exist as such in the eyes of English law. They had never had any *canonical* right to existence, as they were merely "Royal Supremacy" bishops. But they continued to exist as such, in the eyes of the *civil* law, until January 4th, 1555.

At least one of these suffragan bishops had married, namely, Hodgkin, Bishop of Bedford, a suffragan to the Bishop of London. He held a prebend in St. Paul's Cathedral, and was also Vicar of Laindon. Being "married," he was deprived of his preferments by Bishop Bonner. He seems to have remained in this suspended condition until March 25th, 1555, when, having separated from his "wife" and done penance, he was absolved and restored by Cardinal Pole, and on April 2nd, 1555, appointed by Bonner to St. Peter's, Cornhill. It is to be noted, however, that Pole in his dispensation expressly suspended Hodgkin from the exercise of any pontifical functions, and of course he ceased to be "Bishop of Bedford."<sup>1</sup> Nevertheless, in the next reign he exercised his episcopal functions by taking part in the consecration of Archbishop Parker !<sup>2</sup>

4. As a result of the purgation of the episcopate which we have described in this chapter, there were no less than eleven sees vacant in England :

Canterbury, vacant through the condemnation of Cranmer (Pontifical bishop, married).

Rochester, vacant since May, 1552.

Bath and Wells, vacant by the resignation of Barlow (Pontifical bishop, married).

<sup>1</sup> See the dispensation in Estcourt, pp. li-lij.

<sup>2</sup> See p. 235.

Bristol, vacant by the resignation of Bush (Pontifical bishop, married).

Gloucester, vacant by the deprivation of Hooper (Edwardine bishop).

Hereford, vacant by the deprivation of Harley (Edwardine bishop).

Lincoln, vacant by the deprivation of Taylor (Edwardine bishop).

St. David's, vacant by the deprivation of Ferrar (Pontifical bishop, married).

Bangor, vacant since March, 1553.

York, vacant by the deprivation of Holgate (Pontifical bishop, married).

Chester, vacant by the deprivation of Bird (Pontifical bishop, married).

In addition, one other Pontifical bishop who favoured Protestantism had been removed, namely, Ridley. Also, the following Edwardine bishops had been turned out: Scory, Ponet, Coverdale.

Thus, all the Protestant and married bishops had disappeared, with the exception of Goodrich of Ely. Some action may have been contemplated against him, but in any case he died in May, 1554.<sup>1</sup>

<sup>1</sup> Goodrich was a Pontifical bishop, consecrated in 1534, i.e. he was a valid bishop. Further, he had not married. Hence he could be turned out only on some such ground as heresy.

## CHAPTER VIII

### THE APPOINTMENT OF NEW BISHOPS

1. The steps taken by Mary to remove undesirable Bishops, which we have detailed in the last chapter, were doubtless taken with the concurrence of Pole and his messenger, Goldwell. The deprivations of the bishops began, as we have seen, in March, 1554. Goldwell's visit was in February. Mary had written to Pole in January, requesting Pole's advice as to the replacement of these undesirable bishops, and had also asked Pole if he could in virtue of his faculties, confirm her nominations of new bishops to replace the ones she was about to deprive, or whether the Pope's intervention was necessary, and if so, what steps were to be taken. When Goldwell came to England in February, in response to the Queen's letter, he brought with him written instructions from Pole, as follows :

"Your Commission shall be to expound to her Highness my whole mind and sentence touching the demand it pleased her Grace to make in her gracious letters dated the 28th of January concerning those persons whom, for the good opinion her Grace had of their virtue, learning and Catholic good mind, she intended to make bishops, how that they may be provided for without derogation to the authority of the See Apostolic, her Grace not intending further to extend the power of the Crown Regal than it was customable in use before the schism entered. In this point, wherein her Grace demandeth mine answer, you shall make the same conformable to that which, by long and often conference with me, ye know to be mine utter sentence. Where in ye need not to have any further explication in writing."<sup>1</sup>

The nature of Goldwell's instructions to Mary is evident from the sequel. On February 24th, the Queen sent to Pole a list of twelve suitable candidates for the episcopate. The list is, unfortunately, not extant, but the accompanying letter to Pole is thus summarised in the *Venetian Calendar*<sup>2</sup>:

"The Queen has made choice, according to the tenour of her privileges and the custom of her predecessors, of twelve bishops,

<sup>1</sup> Strype's *Cranmer*, Vol. II, p. 931.

<sup>2</sup> V., p. 471.

as by the enclosed list, who, from the knowledge and information obtained about them, are amongst the most Catholic and well-affected to the Apostolic See, and on every other account the most suited to this burden of any she has been able to find in England for presentation to the Pope, that they may be confirmed and inducted in these churches according to the mode employed before the introduction of the schism. . . . She has also determined to present these prelates to Pole, as the representative of his Holiness and the Apostolic See, requesting him to admit this presentation (always with reservation of the Pope's approval), and send it in her name as speedily as possible to his Holiness, so that, in conformity with these and other letters written on the subject, she may have the presentation of these bishops, praying the Pope to be pleased to confirm and institute the persons presented by her to the sees, Pole in the meanwhile giving them license to take possession, should the confirmation and institution not arrive in time, so that they may sit in Parliament. . . . Pole is to direct the business in the way that shall seem best to him, as she refers herself entirely to his judgment, and by this letter she appoints him her proctor, to make this presentation, with faculty to substitute others in his stead at Rome for the same purpose."

On March 2nd, Pole wrote to the Pope, enclosing a translation of the Queen's letter, and adding that he had sent a messenger to England the day after its receipt with a reply. He had deemed it not expedient to interpose any difficulty or delay in gratifying Her Majesty's pious wish.<sup>1</sup>

Here again, the nature of Pole's letter to Mary is made clear by the sequel. Pole and his messenger must have told the Queen that the persons nominated for the episcopate would have first to obtain from him a formal absolution from the censures by which they were still bound. Accordingly, a number of them sent Penning back to Pole, with a formal request for absolution, and on March 15th Pole granted an absolution from censures to seven of them.

This Dispensation begins by saying that :

" licet vos aliquo metu potiusquam alia causa inducti in schisma et forsitan alios errores contra unitatem et obedientiam sancte Rom. Ecclesie quibus regnum Anglie jam tanto tempore fuit infectum, incidissetis, et excommunicationis sententias aliasque censuras et poenas contra tales a jure vel ab homine latas, et in illis sic ligati missas et alia divina officia celebrantes, irregularitatem incurrissetis . . . "

Here we have the application of the principles of Church Law explained in Chapter I. The document then goes on to say that,

<sup>1</sup> *Venetian Calendar*, V, p. 473.

in view of their sorrow for their faults, and their request to be "absolvi, et ad unitatem et obedientiam Ecclesiæ recipi," and in view of the fact that they had, through their representative, "schismate et omni alio errore prefatis damnatis, illisque penitus renuntiatis, ac facta nobis promissione etiam corporali juramento firmata, quod ad schisma et alios prefatos errores nunquam revertemini, sed Sanctissimo Domino nostro Julio Papæ Tertio et successoribus suis, sanctæque Romanæ et Catholicæ Ecclesiæ eritis obedientes, omnemque eam obedientiam semper præstabitis quæ ante schisma in prefato regno introductum, a Christi-fidelibus ejusdem regni præstabatur et merito præstari debet, nec ab unitate Ecclesiæ Catholicæ et communione Romani Pontificis ullo tempore recedetis, sed in ipsis perpetuo permanebitis," Pole now releases them :

"a quibuscumque excommunicationum, suspensionum, interdictorum et aliis ecclesiasticis et temporalibus sententiis, censuris et pœnis in vos præmissorum occasione, a jure vel ab homine latis et promulgatis,"

and also :

"super irregularitate per vos præmissorum occasione, etiam quia sic ligati missas et alia divina officia celebravistis et illis alias vos immiscuistis contracta, ita ut, ea et aliis præmissis non obstantibus, in vestris ordinibus—dummodo si ante lapsum in schisma prædictum ordinati fuistis alias rite et legitime promoti fueritis—etiam in altaris ministerio ministrare . . . dispensamus."<sup>1</sup>

Here we have a concrete example of the way in which Pole used his faculties, and also of the way in which he carefully included the reservation as to the recognition of Orders previously received.

On the next day, March 16th, 1554, Pole confirmed these same ecclesiastics to the bishoprics to which they had been nominated by the Queen, as follows :

Bishop Wharton, late of St. Asaph, confirmed to the See of Hereford.

Dr. White, confirmed to the See of Lincoln.

Dr. Bourne, to Bath and Wells.

Dr. Brooks, to Gloucester.

Dr. Cootes, to Chester, and

Dr. Griffiths, to Rochester.

Note that this took place on March 16th, 1554. The Royal Commission to turn out Holgate from York, Ferrar from St.

<sup>1</sup> The Dispensation is given in full in Estcourt, *op. cit.*, pp. xxxvi-xxxvii.

David's, Bird from Chester (to which Cootes was now appointed), and Bush from Bristol, was dated March 13th, and the second Commission, to turn out Taylor from Lincoln (to which White was now appointed), Hooper from Worcester and Gloucester (Brooks was now appointed to Gloucester), and Harley from Hereford, was dated March 15th. This shows that Mary and Pole must have come to an understanding as to the way in which these former occupants of the sees in question were to be turned out. Mary evidently knew that Pole would confirm her nominations, and so on March 19th she issued *congés d'élire* to the chapters of these seven dioceses, for the election of the new bishops, and a few days later the "Significavit" was issued in each case.

## 2. The next step was their episcopal consecration.

This took place on April 1st, 1554, the ceremony being performed by Bonner, assisted by Gardiner and Tunstall. But were these three officiating bishops all free from censures? We have seen that there is every reason to think that Gardiner had been absolved, long before this, in connection with the Queen's Coronation.<sup>1</sup>

The case is not so clear about Bonner and Tunstall. Their formal absolution from censures did not come till some months later. But, on the other hand, it is quite likely that they had been privately absolved before April 1st, 1554. Thirlby, Bishop of Norwich, was not formally dispensed till August, 1554. But, on the other hand, he had been sent to Brussels by Queen Mary, on a mission to Cardinal Pole, in January, 1554, and most probably made his peace with the Church on that occasion. Bonner and Tunstall may have been absolved by one of Pole's agents sent over to this country. It is worthy of note that

<sup>1</sup> See p. 38. One of Pole's first acts as Papal Legate was to write to Gardiner. (See p. 33.) That was on August 28th, 1553. Gardiner's reply does not seem to be extant, but Pole wrote again on March 22nd, 1554, saying he had received Gardiner's letter expressing his repentance for his separation from the Church, and adding that God had preserved Gardiner from falling into heresy, as well as into schism. (*Letters of Stephen Gardiner*, p. 496). Gardiner wrote again to Pole on April 5th, 1554. He thanked Pole for his letter, "in which you rejoice with me that I have returned to that state and condition which I have for a long time desired to recover and to achieve, in the hope of seeing, with the help of God, the rest of the realm restored to the same unity." He advised Pole to "write to the Parliament now in session a letter which should treat in general only the question of the unity of religion, with such moderation that the right of the Pope would be rather suggested than expressed in clear words. . . . Such a letter would be a good preparation." (*Letters*, pp. 464-7.) At any rate all this makes it clear that Gardiner had made his peace with the Church before April 1st, 1554, the date of the consecration of these new bishops.



writing on May 25th, 1554, Pole speaks of Queen Mary as "having brought back the bishops without delay from schism to the unity and obedience of the Church," and says this is the most praiseworthy act she had performed.<sup>1</sup> This language seems to imply that the existing bishops had by then been reconciled.

On April 7th, 1554, the Queen wrote direct to the Pope, asking His Holiness to approve of the appointment of the seven new bishops, and in the Consistory on July 6th, 1554, the Pope preconised these, and wrote to Mary on the 10th congratulating her on her choice of candidates.<sup>2</sup>

3. We may take it for granted that the new bishops, who were thus consecrated on April 1st, 1554, at once set to work to purge their dioceses of married and Edwardine clergy, as ordered in the Queen's Injunctions of March. Indeed, we possess definite evidence of the steps taken in this direction by at least one of the new bishops, namely, Dr. Bourne, the Bishop of Bath and Wells. We have seen in a previous chapter<sup>3</sup> that during the vacancy of the see, i.e. only a month or two previously,<sup>4</sup> the Dean and Chapter of Canterbury had commissioned Cotterell, the Vicar General of Bath and Wells, to proceed against married clergy. On April 8th, 1554, i.e. a week after his consecration, Bishop Bourne himself wrote to Cotterell, and, in virtue of his own authority as ordinary, instructed him to deprive not only married clerics, but also "married laics, who in pretence and under colour of priestly orders, had rashly and unlawfully mingled themselves in ecclesiastical rights, and had obtained de facto parochial churches with cure of souls and ecclesiastical dignities." These were to be deprived. The document is very important, and therefore we quote the relevant portions of it in the original Latin. The Vicar General is to proceed against married clerics :

"Insuper clericos et presbyteros tam regulares et religiosos quam seculares, quos ubicunque infra sacros ordines constituit. ac mulieres pretextu ficti et pretensi matrimonii in adulterinis amplexibus tenentes . . . ac matrimonium sive verius effigiem de facto cum mulieribus contraxerunt."

Also against 'pretended priests who are married :

"necnon laicos conjugatos, qui pretextu et sub velamine presbyteratus ordinis, sese in juribus ecclesiasticis temere et illicite

<sup>1</sup> *Venetian Calendar*, V, p. 497.

<sup>2</sup> Raynaldus, *Annales*, Tom. XIV, pp. 527-8.

<sup>3</sup> See p. 56.

<sup>4</sup> Probably in February or March, 1554 (*Frere, op. cit.*, p. 69).

immiscuerunt, ac ecclesias parochiales in cura animarum et dignitates ecclesiasticas contra sacror. canonum sanctiones et jura ecclesiastica de facto assecuti fuerunt."<sup>1</sup>

Now, Dr. Frere, who mentions this document, says that these "married laics, who in pretence and under colour of priestly orders" had obtained benefices, were "men who had received no orders of any sort," and *not* persons who had received Edwardine orders.<sup>2</sup>

But, surely, this is a very improbable interpretation. There is a parallel between those who "*pretextu matrimonii*" have taken to themselves women, and those who "*pretextu presbyteratus ordinis*" have taken to themselves benefices. The first category had gone through a ceremony of marriage, or an "*effigiem matrimonii*," and contracted marriage *de facto*. The second class had evidently similarly gone through a form of ordination, or rather an "*effigiem*," by virtue of which they had assumed the rights and privileges of the priesthood. The reference can only be to those who had received Edwardine orders.<sup>3</sup>

We must surely interpret this document in the light of the Queen's injunctions, which stated that Edwardine clerics "had not been ordained in very deed." It is not possible to say whether any particular individuals in the diocese of Bath and Wells were deprived for their want of true orders. Dr. Frere says there were seventy-nine vacancies "*per deprivationem*" in 1554, besides eighteen for which no reason is given. Dr. Frere suggests that the cause may, in many cases, have been marriage. But he also allows<sup>4</sup> that some may have been deprived for want of orders. Possibly there may have been some who had not been ordained even by the Edwardine rite, but that is not likely, for even in Edward's reign, the law required the reception

<sup>1</sup> Text *apud* Denny and Lacey, *De Hierarchia Anglicana*, p. 159 note.

<sup>2</sup> *Op. cit.*, p. 135 note.

<sup>3</sup> Denny and Lacey (*De Hierarchia Anglicana*, p. 159 note) allow that "*laicos conjugatos*" in the above document means married persons who have taken Edwardine orders. But they wrongly argue that the persons in question had married before taking orders. That does not follow at all. Denny and Lacey apply to the same "*laicos conjugatos*" a clause at the end which orders "*ipsos sic convictos a feminis sive uxoris suis quin potius concubinis suis separand. et divortiant. penitentiasque salutas et condignas tam eisdem clericis quam feminis propter delicta sua luxuriamque insumend.*" But the word "*clericis*" shows that the reference here is, not to the "married laics," but to the "*clericos et presbyteros tam regulares et religiosos quam seculares*" referred to in the earlier part of the document. A married *laic* would not be divorced from his wife, but would be allowed to continue in the married state. A priest, on the other hand, could not really marry. Denny and Lacey's interpretation makes nonsense of the whole document.

<sup>4</sup> Page 135, note.

of orders by persons obtaining benefices with the cure of souls. It is at least possible that some of the persons deprived were Edwardine clerics, who were deprived because they had no true orders, although they *pretended* to the possession of the priesthood, i.e. had been ordained by the Edwardine rite.

4. The seven bishops thus appointed by Pole to English sees were, of course, in possession of all ordinary episcopal faculties. This must have made it all the more desirable for other bishops to be reconciled so that they could regularise their position, and receive faculties accordingly. From a letter from Goldwell to Thornden, Suffragan Bishop of Dover, dated June 16th, 1554, we gather that at some time before this date, not only had he himself received various faculties, but also the Archdeacon of Canterbury, and some other bishops.<sup>1</sup>

Further episcopal appointments were made by Pole during this same year, 1554. John Hopton was freed from his censures in August, and confirmed as Bishop of Norwich in September. Dr. Bayne was similarly absolved and appointed to Coventry and Lichfield in November, and also John Holyman to the see of Bristol. Thirlby was dispensed in August, 1554, and translated to Ely, also by Pole's authority.

The dispensations for all these persons are to be found in Pole's *Registrum Expeditionum*.<sup>2</sup> These dispensations vary in phraseology, and evidently a definite attempt was made to adapt each absolution to the particular circumstances and needs of the recipient. Thus, Tunstall had been appointed to the see of Durham by Papal authority, before the Schism, and had been consecrated Bishop in 1522 by Archbishop Warham. There was no question as to the validity of his orders. Accordingly, his Dispensation runs :

"Omnibus et singulis etiam sacris et presbyteratus per te, alias rite susceptis, ordinibus uti, ac munere consecrationis, alias tibi rite impenso, uti."<sup>3</sup>

Other bishops, such as Thirlby, were consecrated during the Schism, and moreover had taken the anti-Papal oath. His Dispensation is specially worded in consequence :

"Te . . . quibusvis excommunicationis, suspensionis et inter-

<sup>1</sup> Estcourt, *op. cit.*, p. xxxix. As the faculties in question are partly legatine in character we are inclined to think the "Archdeacon" means the Dean of Canterbury, who held the spiritualities of the see, in conjunction with the Chapter, *sede vacante*.

<sup>2</sup> At present in the Municipal Library at Douay.

<sup>3</sup> Estcourt, *op. cit.*, p. xli.

dicti, aliisque ecclesiasticis sententiis, censuris et poenis . . . etiam ratione indebitæ detentionis Ecclesiæ Norwicen . . . et ab Episcopis hereticis seu schismaticis ac alias minus rite quorumcumque ordinum et muneris consecrationis susceptionis, et contra Papatum Romanum juramenti præstiti, et quavis alia occasione vel causa quomodolibet incursis . . . absolvimus.”<sup>1</sup>

It was taken for granted that his ordination and consecration, though schismatical, were otherwise in order. In other cases, a saving clause as to Orders is introduced. Thus the Dispensation for Bishop Day of Chichester has :

“ratione indebitæ detentionis Ecclesiæ Cicestrensis . . . et ab episcopis hereticis et schismaticis ac alias minus rite quorumcumque ordinum et muneris consecrationis susceptorum . . . quia censuris ligatus missas et alia divina officia etiam forsan contra ritus et ceremonias ab Ecclesia Catholica hactenus probatas et per eam usitatas celebraveris, aut illis alias te immiscueris . . . etiam sacris et presbyteratus ordinibus etiam ut præfertur ab hereticis et schismaticis etiam minus rite susceptis—*dummodo in eorum collatione sit servata intentio et forma Ecclesiæ*—uti.”<sup>2</sup>

A similar form is used in many other cases.<sup>3</sup> Pole was, then, very careful not to recognise the validity of any orders which had been conferred in such a way that the “form and intention” of the Catholic Church had not been retained. The significance of this reservation is sufficiently clear, and confirms our interpretation as to the meaning of Pole’s own faculties.

<sup>1</sup> *Op. cit.*, p. xl.

<sup>2</sup> *Estcourt, op. cit.*, pp. xli-xlii. Italics ours.

<sup>3</sup> See *Estcourt, loc. cit.*

## CHAPTER IX

### FURTHER FACULTIES GIVEN TO POLE

1. We have seen how, in the course of the year 1554, Queen Mary and Cardinal Pole jointly reorganised the English episcopate. The unsatisfactory bishops were turned out, and fresh ecclesiastics put into their places. In addition, some of the existing bishops were either confirmed in their sees, or translated to others. Pole's policy was to absolve individually in each case before appointment. The candidate had to sue for absolution from censures, and then Pole issued the necessary dispensation. That this was Pole's settled policy at this time we learn from a letter which he wrote to his agent in England on May 25th, 1554.<sup>1</sup>

But the special authority to deal with bishoprics in this manner had not been *explicitly* contained in Pole's original legate faculties. Hence, when he received Mary's request that he should confirm Mary's nominations to sees, he wrote to Rome so that the matter could be cleared up. The Pope evidently decided that it was desirable to give Pole full, explicit and plenary powers in this matter, and this was done in a Brief dated March 8th, 1554.

This Brief repeats the faculties of the previous August,<sup>2</sup> which as we have seen, gave Pole powers to absolve ecclesiastics and lay persons from censures, and to authorise ecclesiastics thus absolved to minister in the orders they had received, provided these had been received "rite et legitime, ante eorum lapsum in hæresim hujusmodi," and also to raise "non promoti," to all orders, including the priesthood.

The March Brief now adds faculties to deal with bishops :

"Plenam et liberam apostolicam auctoritatem per præsentem concedimus facultatem et potestatem ut dispensare etiam libere et licite possis . . .

<sup>1</sup> *Venetian Calendar*, V, pp. 495-7.

<sup>2</sup> With a few minor verbal differences, such as "excommunicationum" in place of "excommunicationis." Canon Wilfred Knox seems to be ignorant of the existence of the earlier Faculties, for he calls the March Faculties the "first" Faculties Pole received! (*Friend, I do thee no wrong*, p. 5.)

"Necnon de personis quoruncunque episcoporum vel archiepiscoporum, qui metropolitanam aut alias cathedrales ecclesias de manu laicorum, etiam schismaticorum, et præsertim qui de Henrici regis et Edwardi ejus nati receperunt, et eorum regimini et administrationi se ingesserunt . . . etiamsi in hæresin, ut præfertur, inciderint, seu antea hæretici fuerint, postquam per te unitati Sanctæ Matris Ecclesiæ restituti extiterint, tuque eos rehabilitandos esse censueris, si tibi alias digni et idonei videbuntur, eisdem metropolitanis et aliis cathedralibus ecclesiis denuo,

"necnon quibusvis aliis cathedralibus etiam metropolitanis ecclesiis per obitum vel privationem illarum præsulum, seu alias quovismodo pro tempore vacantibus, de personis idoneis, pro quibus ipsa Maria regina juxta consuetudines ipsius regni tibi supplicaverit, "auctoritate nostra providere, ipsasque personas eisdem ecclesiis in episcopos aut archiepiscopos præficere,

"ac cum eis qui ecclesias cathedrales et metropolitanas de manu laicorum etiam schismaticorum ut præfertur, receperunt, quod eisdem seu aliis, ad quas eas alias rite transferri contigerit, cathedralibus etiam metropolitanis ecclesiis, in episcopos vel archiepiscopos præesse, ipsasque ecclesias in spiritualibus et temporalibus regere et gubernare,

"ac munere consecrationis eis hactenus impenso uti, vel si illud eis nondum impensum extiterit, ab episcopis vel archiepiscopis catholicis per te nominandis suscipere libere et licite possint,

"necnon cum quibusvis per te, ut præmittitur, pro tempore absolutis et rehabilitatis, ut, eorum erroribus et excessibus præteritis non obstantibus, quibusvis cathedralibus, etiam metropolitanis ecclesiis, in episcopos et archiepiscopos præfici et præesse, illasque in eisdem spiritualibus et temporalibus regere et gubernare, ac ad quoscunque etiam sacros et presbyteratus ordines promoveri, et in illis, aut per eos jam licet minus rite susceptis ordinibus, etiam in altaris ministerio ministrare, necnon munus consecrationis suscipere, et illo uti, libere et licite valeant."<sup>1</sup>

These new faculties enable Pole

- (1) To confirm those appointed to episcopal sees after the outbreak of the schism, by Henry and Edward.
- (2) To provide fit persons for any vacant sees, as the Queen shall request.
- (3) The former class can be authorised to use their "gift of consecration," or, if this has not yet been received, may obtain this from Catholic bishops.
- (4) The latter class can be promoted to all orders, including the priesthood, and may minister in them; or, if already received, though "minus rite," may minister in them; in addition, they may be given the "gift of consecration." Thus, the "munus consecrationis"

<sup>1</sup> Complete text in Pocock-Burnet, VI, pp. 322-327; Denny and Lacey, *De Hierarchia*, pp. 250-4.

referred to in this document is evidently episcopal consecration.

In the rest of this March Brief, the Pope explains that the past faculties, and these new ones, may be used while Pole is still in Flanders :

“A nonnullis nimium forsan scrupulosis, hæsitetur an tu in partibus [Flandriæ] subsistens, prædictis ac aliis tibi concessis facultatibus uti, ac in eodem regno locorum ordinarios, aut alios personas qualificatas, quæ facultatibus per te juxta dictarum literarum continentiam pro tempore concessis utantur, alias juxta earundem literarum tenorem substituere et delegare possis.”

The Pope settles the doubt thus :

“Quamdiu in eisdem partibus de licentia nostra moram traxeris, legatione tua prædicta durante, etiam extra ipsum regnum existens, omnibus et singulis prædictis et quibusvis aliis tibi concessis, et quæ per præsentés tibi conceduntur, facultatibus . . . uti possis . . . per te ipsum vel alios ad id a te pro tempore deputatos.”

Then the Pope says that these faculties may be used

“etiam erga quoscunque archiepiscopos, episcopos, ac abbates, . . . prælatos . . . inferiores clericos, necnon erga alias personas . . . ad te pro tempore recurrentes vel mittentes.”

Next comes the reason why these ecclesiastics are sending over to Pole :

“etiam circa ordines quos nunquam aut male susceperunt,  
“et munus consecrationis, quod eis ab aliis episcopis vel archiepiscopis etiam hæreticis et schismaticis aut alias minus rite et non servata forma ecclesiæ consueta, impensum fuit,  
“etiãsi ordines et munus hujusmodi etiam circa altaris ministerium temere executi sint.”

This means that Pole may exercise his August faculties on behalf of those who send to him “circa ordines quos nunquam aut male susceperunt,” and these new March faculties as well for those who send to him concerning the “munus consecrationis” received either from heretical or schismatical bishops, or in some other faulty manner, and “non servata forma ecclesiæ consueta.”

Now, Pole's August faculties gave him power to absolve from irregularity, etc., so that those promoted to orders “rite et legitime, ante eorum lapsum in hæresim hujusmodi,” might exercise those orders, and the “non promoti” might receive all orders, including the priesthood. These March faculties add nothing in this respect, but merely specify that the August faculties may be used on behalf of the persons sending to Pole

concerning orders not received at all, or "badly" received. Orders "male receptæ" would mean, in ordinary canonical terminology, orders received in schism, or at times other than those allowed by Church law, or when too young, etc.

But who are those who send to Pole "circa ordines quos nunquam susceperunt"? These might be :

(1) Persons in possession of benefices, but without orders of any sort, i.e. laymen.

(2) They might be persons ordained, but according to an invalid rite. As we shall see, the existence of such persons in the case of the episcopate is expressly implied. If such invalidly ordained clerics exist, then Pole is to use on their behalf his August faculties, by freeing them from their censures, so that, as "non promoti," they may be given all necessary orders.

(3) The phrase would also apply to persons ordained "per saltum," i.e. who had received higher orders without first receiving the lower ones. In these cases, Pole would free from censures incurred, thereby enabling the persons to receive the missing orders, after which the existing orders could be exercised.

The first two cases are obviously similar, and there might be no means of distinguishing between them, so far as the terms of the dispensations are concerned. Both cases would be dispensed from censures, and then be authorised to receive orders. In the third case, that of ordination "per saltum," the terms of the dispensation would make the circumstances clear.

2. There are in existence some dispensations which serve as examples of the above classes. Thus, in Pole's *Registrum Expeditionum*, now at Douay, there is a dispensation for Thomas Barlow, "clericus," who had obtained a canonry and prebend in the diocese of St. David's while still a layman.<sup>1</sup> He is dispensed from censures incurred, and authorised, notwithstanding these, to be promoted to all orders, including the priesthood, and to receive and retain benefices. This is done by Pole, "auctoritate apostolica nobis hac in nostra legatione concessa."<sup>2</sup> It is not possible to say whether or not Thomas Barlow had received Edwardine orders. Even if he had, he would still be a *laicus*, owing to the absence of any Catholic orders.

It has not so far been possible to find in Pole's Register a dispensation of the second class, i.e. for one who had definitely

<sup>1</sup> "Sine ulla clericalis characteris susceptione."

<sup>2</sup> This dispensation is printed in extenso in Estcourt, *op. cit.*, pp. lv-lvii.



received Edwardine Orders, but there is a dispensation in the Register of the Dean and Chapter of Canterbury, acting as guardian of the spiritualities of the see, to Anthony Askham, Rector of the parish church of Methleigh, in Yorkshire, on December 15th, 1553. Askham had been ordained Edwardine deacon on August 7th, 1552. The dispensation of the Dean and Chapter of Canterbury authorises him to receive the subdiaconate, diaconate and priesthood, from some Catholic bishop.<sup>1</sup> No mention is made in the dispensation of his reception of the Edwardine diaconate on a previous occasion, but we know of this from other sources.

As to the third category, ordination *per saltum*, Pole's Register contains a dispensation for Robert Copley, of the Winchester diocese, who had been ordained subdeacon, deacon and priest, "alias tamen rite," but without receiving the tonsure or the four minor orders. He is dispensed from the irregularity incurred, and authorised, after receiving the missing orders, to exercise the orders previously received, and to retain his benefices.<sup>2</sup>

These examples provide the best possible illustration of the meaning of the phrase in Pole's faculties, "ordines quos nunquam susceperunt."

3. Now we come to the new faculties concerning Bishops. These can be used in the case of those who send to Pole "circa munus consecrationis, ab aliis episcopis vel archiepiscopis, etiam haereticis et schismaticis, aut alias minus rite et non servata forma ecclesiae consueta, impensum."

This is a comprehensive statement. It includes those who have been consecrated by schismatical or heretical bishops, those consecrated "alias minus rite," and those consecrated "non servata forma ecclesiae consueta." Now, as we have seen, the faculties which may be applied to these people are as follows :

(1) Those appointed to episcopal sees by Henry and Edward may be authorised to exercise their orders, "licet minus rite susceptis," and to use their gift of consecration, or if this has not yet been received, to obtain it from Catholic bishops.

(2) Laymen or clerics appointed to vacant sees by Mary, may be promoted to all orders, and be given the gift of consecration.

<sup>1</sup> See the dispensation in Frere, *Marian Reaction*, pp. 236.

<sup>2</sup> April, 1555. Cf. Estcourt, pp. lvii-lviii.

Thus, those duly consecrated by schismatical or heretical bishops are to be allowed to use their gift of consecration.

As to those "alias minus rite consecrati," it is to be presumed that this means "consecrated in such a manner that the laws of the Church were not wholly observed." These bishops also may use their gift of consecration, provided their consecration was otherwise valid.

What is meant by those consecrated "non servata forma ecclesiæ consueta"? It seems obvious that this means those who had been consecrated by the Edwardine rite, for there was no other form besides that and the Pontifical rite in use in England. What is to be done with these bishops? Are they to be allowed to use their "gift of consecration" or are they to receive this again?<sup>1</sup> The Brief does not settle this point, but it was unnecessary to do so, for it would be taken for granted that Pole would proceed in this matter according to the ordinary teaching of the theological schools. We have seen that any heretical modification of the form of a sacrament which changed its sense was held by theologians to render the sacrament invalid.<sup>2</sup> This is not, indeed, laid down in the Brief, but the latter was not intended to be a treatise in theology, but a grant of faculties. It was not necessary to explain how these faculties should be used. That was left to Pole's own discretion and theological knowledge. And as Pope Leo XIII remarks in his Bull, *Apostolica Cura*,

"It would have been altogether irrelevant thus to instruct the Legate—one whose learning had been conspicuous in the Council of Trent—as to the conditions necessary for the bestowal of the Sacrament of Orders."<sup>3</sup>

Pole knew very well that those who had been ordained or consecrated, not in the "forma Ecclesiæ consueta," but by a new rite, in which the Catholic form had been modified in a heretical sense, would have to be ordained or consecrated anew.

The interpretation we have given of the meaning of these faculties concerning bishops is confirmed by the fact that Pole reconciled, without any reconsecration, bishops who had been consecrated by the Pontifical. No Edwardine bishop was reconciled, with or without consecration, either by Pole or his delegates. But indirect evidence of Pole's disregard of Edwardine episcopal orders will be forthcoming in the fact that the Edwardine

<sup>1</sup> Pole may allow "munere consecrationis hactenus impensum uti," or "si illud eis nondum impensum extiterit suscipere."

<sup>2</sup> See Vol. I, p. 79, and Vol. II, pp. 685-9.

<sup>3</sup> Page 4.

bishops who were burnt after his arrival in England were degraded from the priesthood which they had received according to the Catholic rite, but not from their Edwardine episcopal orders, which were evidently regarded as null.<sup>1</sup>

4. Pole received this Brief on April 4th, 1554, and wrote to Cardinal del Monte and Cardinal Morone acknowledging its receipt.<sup>2</sup> Also, on April 8th, he sent to the Pope a full account of all that had transpired to date in the negotiations with England.<sup>3</sup> This shows how well informed the Pope was throughout of the course of events, and of Pole's actions.

In actual fact, as we have seen, Pole had already made use of these new faculties concerning the appointment of bishops, before they reached him from Rome. But Pole's August faculties were already very comprehensive, and as all things had been left to his discretion, he had every reason to believe that he would be anticipating the Pope's wishes in extending his faculties in the way in question. The Pope's grant of explicit powers to deal with bishoprics removed any possible ground for doubt on this head, and amounted to a ratification of Pole's own actions.

<sup>1</sup> See pp. 154-5.

<sup>2</sup> *Venetian Calendar*, V, pp. 477-482.

<sup>3</sup> *Venetian Calendar*, V, p. 483.

## CHAPTER X

### THE CONDEMNATION OF PROTESTANT DOCTRINES IN 1554

1. Concurrently with the steps taken during 1553-4 to purge the personnel of the Church's ministry from the undesirable occupants of benefices and episcopal sees, other steps were taken, of a doctrinal character, in order to purify the Church from the Protestant doctrines which had been introduced in the previous reign.

The first steps in this direction were taken in the Convocation of October, 1553. The writ to summon this was addressed by the Queen to Cranmer on August 4th. In view of the then state of the law concerning Church matters, Convocation had to be summoned in accordance with the legal precedents of the previous reign, and this doubtless explains why, in the writ for this particular Convocation, Mary is described as "Supreme Head of the Church of England." There is no reason to suppose that Mary approved of this—indeed, as we have seen, she made it perfectly clear on several occasions that she repudiated the title—and its inclusion on this occasion has no significance so far as her own attitude is concerned.<sup>1</sup>

This first Convocation of Mary's reign opened on October 7th, 1553, after the Queen's Coronation. By this time Cranmer was in prison, and in his absence, it was presided over by Bonner. The proceedings began with an oration by Dr. Weston, who had been appointed Dean of Westminster, in place of Dr. Cox, deprived. In this oration Dr. Weston condemned in no measured terms the Catechism and Book of Common Prayer produced in Edward's reign, and protested that the latter had never received the sanction of Convocation :

<sup>1</sup> It is important to note that the title "Supreme Head" was expressly omitted from the writ summoning the Second Convocation for April, 1554. See Foxe, VI, p. 433. Anglican writers usually stress the inclusion of the title in the case of the First Convocation, of October, 1553, but omit to mention its exclusion a few months later !

"Quid quod libro blasphemii conspersissimo, erroribus refertissimo, qui nomine religionis religionem tollit, sacramenta diminuens universum orbem condemnat, quem precatorium nuncuparunt, universis obtrudendo, nunquam accesserit noster calculus."<sup>1</sup>

On the same occasion, a sermon was preached by Bishop Bonner's chaplain, John Harpsfield. Its contents are thus described by Strype :

"He fell very foul upon the late times of King Edward, and the preachers then. He called them wolves that entered into the flock, and that most cruelly. Good God ! how savagely did they butcher the Lord's flock ! What numberless souls did they plunge into hell ! How many pernicious doctrines did they bring into the kingdom ! A thing, said he, before our age, none ever had dared to do. How did they give a terrible shock to all ecclesiastical doctrines at once ! This, as he went on, we have lived to see in these times. Neither had ceremonies their use, nor faith its soundness and integrity, nor manners their purity. They framed new sacraments, new rites, a new faith, new manners. . . . In fine, they had, in effect, ruined Christ's religion, and had filled the nation with innumerable errors."<sup>2</sup>

This, at any rate, is a very clear indication of the opinion of the "Anglo-Catholic" party on the character of the Edwardine religious "reforms" !

Dr. Weston, in his oration, had described Poynt's *Catechism*, issued in 1552, as "very pestiferous, and full of heresies." This led to a debate on Transubstantiation, and the Real Objective Presence. On Friday, October 20th, two bills were exhibited to the House, one affirming the Corporal Presence of Christ in the Sacrament, and the other repudiating the Catechism of Poynt. These bills were signed by all in the lower house save the six following : Walter Phillips, Dean of Rochester ; James Haddon, Dean of Exeter (sometime tutor to Lady Jane Grey) ; John Philpot, Archdeacon of Winchester ; Richard Cheyney, Archdeacon of Hereford (subsequently made by Elizabeth Anglican Bishop of Gloucester) ; John Elmer, Archdeacon of Stow and also later on an Elizabethan Bishop ; and apparently also Thomas Young, afterwards Elizabethan Archbishop of York.

There can be little doubt that these were all by conviction Protestants. As Dixon says, they were "bold men who held to the Reformation, and now stood forth to defend it."<sup>3</sup> In particular, Philpot argued that as the body of Christ was a human body, it could not be on earth and in heaven at the same time.<sup>4</sup>

<sup>1</sup> Strype, *Eccles. Mem.*, Vol. III, Pt. II, p. 189.

<sup>2</sup> Strype, *Eccles. Mem.*, Vol. III, Pt. I, p. 62.

<sup>3</sup> *History of the C. of E.*, IV, p. 75.

<sup>4</sup> Gairdner, *Lollardy*, IV, p. 138.

Gairdner remarks that "his language about the Sacrament recorded by himself, was naturally revolting to men of the old belief, and seemed to pass the bounds of legitimate discussion."<sup>1</sup>

As to the views of Cheyney, he claimed to believe in a "Real Presence," but not in Transubstantiation. But even so, it is not certain that his "Real Presence" was an objective one, under the forms of bread and wine as held by Catholics. He set forth his "sententia" as follows: "In sacramento altaris, virtute verbi divini a sacerdote prolati, præsens est realiter Corpus Christi conceptum de Virgine Maria." This might seem orthodox, but it is to be noted that it does *not* say Christ is present "sub speciebus panis et vini." Also when, in the course of the debate, Dr. Watson said that Cheyney had subscribed to the Real Presence, Cheyney answered "that he had subscribed to the Real Presence in a sense far other than they supposed"<sup>2</sup> It is not impossible that he favoured a Virtualist view of the Presence, or at most some form of Consubstantiation.<sup>3</sup>

Meanwhile, in the Upper House of Convocation, the Bishops framed and passed four dogmatic articles as follows:

"1. *De Sacramento Altaris.*

"In sacramento altaris rite administrato docemur ex verbis Christi post consecrationem, sub speciebus panis et vini aqua mixti, veram et realem corporis et sanguinis Domini substantiam præsentem esse, et contineri. Et quoniam jam Christus dividi non potest, aut sanguis ejus a carne separari, quia amplius non moritur; ideo, credimus sub alterutra specie Christum integrum Deum et hominem contineri, et sub una specie tantum a fidelibus, quantum sub utraque sumi. Et ideo, laudabilem consuetudinem communicandi laicos et clericos non conficientes sub una specie ab Ecclesia magnis rationibus introductam, et hactenus diutissime observatam, in ecclesiis nostris retinendam, nec sine autoritate Ecclesiæ Catholicæ immutandam esse censemus."

"2. *De Transubstantiatione.*

"Cum Christus illud unum sacrificium et singulare mysterium, quod instituit in ultima cœna, et a fidelibus sumi mandavit, corpus suum esse quod pro nobis traderetur, definivit, nos illud non solum panem esse, nec corpus Christi cum pane, aut in pane, esse credimus, nisi velimus panem vitæ appellare, qui de cœlo descendit. Et cum modus illic existendi sit per transubstantiationem et transitionem substantiæ panis et vini in substantiam Dominici corporis et sanguinis, remanentibus interim ob nostram infirmitatem et mysterii significationem panis et vini accidentibus; Ecclesiæ pastores in Laterano [concilio] legitime congregati antiquam fidei

<sup>1</sup> *Op. cit.*, IV, p. 139.

<sup>2</sup> Dixon, *op. cit.*, p. 87.

<sup>3</sup> Later on, i.e. in Elizabeth's reign, he certainly held the Lutheran doctrine. See p. 285.

Catholicæ veritatem novo transubstantiationis vocabulo apte expresserunt ; quemadmodum patres Niceni Filium ejusdem cum Patre substantiæ esse novo consubstantialis vocabulo declararunt."

" 3. *De adoratione Eucharistiæ et reservatione.*

" Quoniam in Eucharistia verum Christi corpus et verum sanguinem, totumque adeo Christum esse confitemur, quomodo eum non adorabimus, qui neutiquam apud Christianos, nec sine adoratione fuit, nec esse debuit? Et cum semel consecratum hoc sacramentum in usum infirmorum, ne sine communione discedant (quod ex vetustissimis authoribus et conciliis constat antiquitus fieri consuevisse), manet tamen, quamdiu incorrupte supersunt species, sacramentum et corpus et sanguis Domini donec sumatur."

" 4. *De substantia sacrificii Ecclesiæ, et ejus institutione, et a quibus, et pro quibus, et cui offerendum.*

" Sanctam et vivificatricem et incruentam oblationem in ecclesiis celebramus, non unius, nos hominisque communis corpus quod offertur esse credentes, sed proprium factum omnia vivificantis Verbi, simul medicamentum ad sanandas infirmitates, et holocaustum ad purgandas iniquitates existens ; considerantes situm esse in mensa sancta Agnum Dei, qui tollit peccatum mundi, qui a sacerdotibus sacrificatur sine cruoris effusione. Quam Novi Testamenti novam oblationem a Christo institutam et doctam, Ecclesia, ab Apostolis accipiens, in universo mundo offert, non angelis aut martyribus, aut cuique sanctæ animæ (ita enim, quum obligatio sacrificii ad latriæ cultum pertineat, idololatria esset), sed soli Deo Patri Filio et Spiritui Sancto, quamvis apud memorias martyrum et in eorum memoria, ut ipsi orent pro nobis, sacrificet, non pro his qui non sunt Christo incorporati, sed pro eis qui membra Christi sunt, pro tota Ecclesia, pro regibus, pro sacerdotibus, pro absentibus et præsentibus, pro defunctorum in Christo spiritibus, ut eorum peccatis propitius fiat Deus, pro plenitudine, pro ubertate, pro universi orbis fructibus, pro pace, et felici rerum statu, pro populi peccatis et ignorantibus, pro salute sua, et quotidiana fragilitatis suæ reparatione ; sciens quod tali hostia delectatur Dominus, et peccata dimittit ingentia."<sup>1</sup>

We note that the Bishops do not appeal to the recent definitions of the Council of Trent on the subject.<sup>2</sup>

But they may well have thought it preferable to give an independent formulation of the doctrine, based upon the Council of the Lateran, for this Council's decrees were of course binding in England, whereas the Council of Trent's Decrees

<sup>1</sup> Strype, *Ecclesiastical Memorials*, Vol. III, Pt. I, p. 73, *et seq.* The text of the fourth Article seems imperfect, but the sense is clear. It is based upon St. Cyril of Alexandria, who says : " Sanctum ac vivificum incruentumque in ecclesiis sacrificium peragimus ; corpus quod proponitur, similiter et pretiosum sanguinem, non communis, nobiscum similis hominis cujuspiam esse credentes, etc." (Migne, *P.G.*, Vol. 76, col. 311).

<sup>2</sup> Trent had defined the Real Presence and Transubstantiation at the Thirteenth Session held in 1551. See Vol. I, pp. 208-210.

had not as yet received Papal confirmation, nor had they been "promulgated" in this country. But there is no real difference between the doctrine contained in the Tridentine decrees and this statement of doctrine by the English Bishops. It provided the basis for three doctrinal theses, which, as we shall see in a moment, were defended at the Universities of Oxford and Cambridge, against the Protestant Bishops, Cranmer, Ridley and Latimer.

This first Convocation was dissolved by the Queen on December 13th, 1553.

2. Early in 1554, Convocation ordered the following propositions to be defended by the Universities of Oxford and Cambridge, against Cranmer, Ridley and Latimer :

1. In sacramento altaris, virtute verbi divini a sacerdote prolati, præsens est, sub speciebus panis et vini, realiter, verum et naturale corpus Christi, quod ex virgine natum est, item et naturalis ejus sanguis.

2. Post consecrationem non remanet substantia panis, neque ulla alia substantia præter substantiam Christi, Dei et hominis.

3. In missa est vivificum Ecclesiæ sacrificium pro peccatis, tam mortuorum quam vivorum propitiabile.<sup>1</sup>

These propositions were sent by Convocation to Cambridge, with a request that they should be examined, and if correct, approved. The Senate, after deliberation, decided that they were "agreeable in all things to the Catholic Church, and the Scripture, and the ancient doctrine taught by the Fathers, and so did confirm and ratify them."<sup>2</sup>

The University of Cambridge accordingly sent seven of their learned doctors to Oxford, to take part in the discussion there, "not so much to dispute points so professedly orthodox . . . as to defend those truths in their names."<sup>3</sup>

The disputation at Oxford was a noteworthy one. Convocation sent down nine divines, and to these were joined by commission the Chancellor and Vice-Chancellor of the University, and other professors and doctors. These all met at St. Mary's, and the Letters of Commission were read, signed by the Bishops of London, Winchester, Durham, Worcester, Chichester, Lincoln, Bath, Rochester,<sup>4</sup> Hereford, St. David's, Gloucester and Oxford.

<sup>1</sup> This is the text given in Strype, *Eccles. Mem.*, Vol. III, Pt. I, p. 75. A slightly different text is given in Strype's *Cranmer*, Vol. I, p. 479.

<sup>2</sup> Strype, *Memorials of Cranmer*, I, p. 479.

<sup>3</sup> Strype, *op. cit.*, p. 480.

<sup>4</sup> Strype (*Cranmer*, Vol. I, p. 481) wrongly puts "Ross." The new Bishop of Rochester had just been appointed by Mary and Pole.



3. The first three articles were duly read to Cranmer, and his opinion on them asked. He said that "in the form of words in which they were conceived, they were all false, and against God's word," but promised a more definite answer later. Bishop Ridley was then called. He in turn said that the articles were "not true," promising a written answer later.

Lastly, Latimer was brought in. He "confessed that in the sacrament of the altar there was a certain Presence, but not such an one as they would have," and also promised a written answer.

This was on the Saturday. On Monday, Cranmer handed in a written statement on the theses. From this statement we extract the following, which will show that Cranmer had not in the least changed his mind, but still repudiated and denied the Catholic doctrine on the subject :

"1. Dominus noster . . . ne mortis suæ ingrati unquam oblivisceremur, perpetuam illius memoriam apud Christianos in pane et vino celebrandam, pridie passionis in sacratissima sua instituebat cœna. . . . Hanc passionis suæ, id est, cæsi corporis et fusi sanguinis, in pane et vino memoriam sive sacramentum, omnes Christianos jussit sumere. . . . Quicumque igitur propter traditionem humanam, laicis sanguinis poculum denegant, palam Christo repugnant. . . . Panis ille sacramentalis seu mysticus, fractus et distributus juxta Christi institutionem, et vinum mysticum eodem modo haustum et acceptum, non tantum sacramenta sunt vulneratæ pro nobis carnis Christi et fusi cruoris, sed certissima sunt nobis sacramenta, et quasi signacula divinarum promissionum ac donorum ; ut, communionis nostræ cum Christo ac omnibus membris ejus ; cœlestis nutritionis . . . ineffabilis lætitiæ. . . . *Manent igitur in eucharistia, donec a fidelibus consumantur, verus panis verumque vinum* : ut quasi signacula divinis promissionibus affixa divinorum donorum nos efficiant certiores. Manet et Christus in illis et illi in Christo qui illius carnem edunt et sanguinem bibunt. . . . Manet denique et Christus in illis qui digne externum sacramentum suscipiunt, et non discedit statim consumpto sacramento, sed continuo manet. . . . Nullum agnosco corpus Christi naturale, quod solum spirituale sit, intellectuale et insensibile, quod nullis membris aut partibus sit distinctum ; sed illud tantum corpus agnosco ac veneror, quod ex virgine natum est, quod pro nobis passum est, quod visibile, palpabile, ac omnibus humani ac organici corporis formis in partibus absolutum est.

"2. Christus . . . de substantia certa panis, quem et manibus tenebat, et discipulorum oculis demonstrabat, dixit 'Comedite, hoc est corpus meum.' . . . Nimirum de pane, qui est creatura hujus conditionis quæ est secundum nos . . . qui ab hominibus fit . . . de tali, inquam, pane . . . aiunt veteres Christum dixisse, 'Comedite, hoc est corpus meum.' . . . Adeoque Christi locu-

tionem vocant veteres figuratam, tropicam, anagogicam, allegoricam; quod ita interpretati sunt, ut quamvis panis vinique substantia maneat, et a fidelibus sumatur, Christus tamen ideo appellationem mutavit, et *panem quidem carnis, vinum vero sanguinis nomine appellavit, non rei veritate, sed significante mysterio, ut non quid sint, sed quæ ostendant, consideremus, non carnaliter, sed spiritualiter sacramenta intelligeremus . . . sed exaltatis mentibus, Christi corpus et sanguinem aspiceremus fide . . . ut aquilæ in hac vita facti, ad ipsum cælum sursum cordibus evolemus, ubi ad dexteram Patris residet Agnus ille. . . .*

"3. Christi unica oblatio, qua seipsum Deo Patri obtulit in mortem semel in ara crucis pro nostra redemptione, tantæ fuit efficaciz, ut nullo alio sacrificio opus sit pro totius mundi redemptione. . . . Quisquis igitur salutis suæ spem in ullo alio constituerit sacrificio, is a Christi excidit gratia, et contumeliosus est in sanctum Christi sanguinem. . . . Quisquis aliud quæsierit pro peccatis sacrificium propitiis, invalidum et inefficax efficit Christi sacrificium. Si enim hoc ad remittenda peccata sufficiens est, alio non est opus; alterius enim necessitas hujus arguit infirmitatem ac insufficientiam. Faxit Deus Omnipotens ut uni Christi sacrificio vere innitamur, ac illi rursus rependamus sacrificia nostra, *gratiarum actiones, laudis, confessionis nominis sui. . . .*"<sup>1</sup>

The above statement is clear enough. Cranmer allows only a figurative presence: we receive the bread and wine, and lift up our minds to Heaven, where alone Christ is. There is no sacrifice in the Mass, other than the sacrifice of praise and thanksgiving, etc.

In other words, Cranmer was a complete heretic on these points.

With the subsequent discussion of Cranmer's views in this Disputation we need not deal: a very full account is given in Foxe, Vol. VI, pp. 449-468.

4. On the next day, April 17th, 1554, Bishop Ridley set forth his considered opinion on the three points in question.

As to the first proposition, that "In the sacrament of the altar, by the virtue of God's word spoken of the priest, the natural body of Christ, born of the Virgin Mary, and his natural blood, are really present under the forms of bread and wine," Ridley said that it was "very obscure and dark, by means of sundry words of doubtful signification. And being taken in the sense which the schoolmen teach, and at this time the Church of Rome doth defend, it is false and erroneous . . ."<sup>2</sup> He went on to explain that if "really" means "any manner of thing which belongeth to Christ's Body by any means," in that sense he would

<sup>1</sup> Cranmer, *Works*, Parker Society, Vol I, pp. 396-7 (italics ours).

<sup>2</sup> Foxe, VI, p. 471.

allow that Christ's Body is "really" in the sacrament. But if "really" means "the very same thing," inasmuch as the Body of Christ is really in heaven, "it may not be said to be here in the earth."<sup>1</sup> In the course of the debate, he says that the first proposition "maintaineth a real, corporal, and carnal presence of Christ's flesh, assumed and taken of the Word, to be in the sacrament of the Lord's Supper, and that not by virtue and grace only, but also by the whole essence and substance of the body and flesh of Christ."<sup>2</sup> This he denies, and instead asserts a presence "by virtue and grace" only.<sup>3</sup>

As to the second proposition, that "after the consecration there remaineth no substance of bread and wine, nor any other substance than the substance of God and man," Ridley said that it "is manifestly false, directly against the word of God, the nature of the sacrament, and the most evident testimonies of the godly fathers; and it is the rotten foundation of the other two conclusions propounded by you."<sup>4</sup> In the course of the discussion, he maintained that "A figurative sense and meaning is specially to be received in these words, 'This is my body' "<sup>5</sup> and that "The sayings of the fathers declare it to be a figurative speech."<sup>6</sup>

As to the third proposition, that "In the Mass is the lively sacrifice of the church, propitiable and available for the sins as well of quick as of the dead," he answered as he did to the first, "taken in such sense as the words seem to import, it is not only erroneous, but withal so much to the derogation and defacing of the death and passion of Christ, that I judge it may and ought most worthily to be counted wicked and blasphemous against the most precious blood of our Saviour Christ."

In the course of his explanation, he remarked that if "the lively sacrifice of the church" is to be understood "figuratively and sacramentally, for the *sacrament* of the lively sacrifice," he would not deny this to be in the Lord's Supper. But "properly, and without any figure," there is no such sacrifice in the Mass. He also explained that the Catholic doctrine of the sacrifice of the Mass is linked up with Transubstantiation. "The schoolmen and the Romish church . . . leaning to the foundation of their fond transubstantiation, would make the quick and lively Body of Christ's flesh (united and knit to the Divinity)

<sup>1</sup> Foxe, Vol. VI, p. 472.

<sup>2</sup> *Ibid.*, p. 475.

<sup>3</sup> *Ibid.*, p. 477.

<sup>4</sup> *Op. cit.*, p. 473.

<sup>5</sup> *Ibid.*, p. 476.

<sup>6</sup> *Ibid.*, pp. 474-5.

<sup>7</sup> *Ibid.*, p. 477.

to lie hid under the accidents . . . and that the same Body is offered unto God by the priest in his daily massings, to put away the sins of the quick and the dead."<sup>1</sup>

He says he is aware that Catholics make a distinction between the bloody and unbloody sacrifice, but maintains that "our unbloody sacrifice of the church" is merely a "sacrifice of praise and thanksgiving, a commemoration, a showing-forth, and a sacramental representation of that one only bloody sacrifice offered up once for all."<sup>2</sup>

He was pressed with a quotation from St. John Chrysostom, and dealt with it as follows :

"Whereas you allege out of Chrysostom, that Christ is offered in many places at once . . . I grant it to be true, that is, that Christ is offered in many places at once, in a mystery, and sacramentally, and that He is full Christ in all those places, but not after the corporal substance of our flesh which He took, but after the benediction which giveth life."<sup>3</sup>

It ought to be obvious that Ridley is simply explaining away the language of Chrysostom, and does not really believe in the sacrifice of the Mass. He gives a "figurative" sense to Chrysostom and other writers. Yet the above answer has actually been quoted by Anglican writers in proof that Ridley really believed and taught the sacrifice of the Mass after all ! Thus Symonds, in his *Council of Trent and Anglican Formularies*, says "Ridley agreed at his examination at Oxford that the priest offers 'an unbloody sacrifice' as a 'representation of that bloody sacrifice.'"<sup>4</sup>

Later on in the debate, Master Pie asked Ridley :

"What say you to that council where it is said that the priest doth offer an unbloody sacrifice of the body of Christ ?"

Ridley answered : "I say, it is well said, if it be rightly understood."

Pie continued : "But he offereth an unbloody sacrifice."

Ridley answered : "It is called unbloody, and is offered after a certain manner and in a mystery, and as a representation of that bloody sacrifice, and he doth not lie who saith Christ to be offered."<sup>5</sup>

This also is quoted by Symonds.<sup>6</sup> But it is surely plain that Ridley's meaning is simply that of his statement in 1548, also

<sup>1</sup> *Op. cit.*, p. 478.

<sup>2</sup> *Ibid.*, p. 479.

<sup>3</sup> *Ibid.*, p. 482.

<sup>4</sup> Page 113. Similarly, Canon Wilfred Knox says Ridley's answer is "vague, but yet not incompatible with the orthodox view." (*Friend, I do thee no wrong*, p. 33.) Why then was he condemned for heresy?

<sup>5</sup> Foxe, pp. 499-500.

<sup>6</sup> *Op. cit.*, p. 117.

quoted by Symonds : " The representation and commemoration of Christ's death and passion, said and done in the Mass, is called the sacrifice, oblation, or immolation of Christ : *non rei veritate* (as learned men do write), *sed significandi mysterio*."<sup>1</sup> It is not *really* a sacrifice or an oblation, but a " representation and commemoration " of a sacrifice. This is merely the ordinary Protestant doctrine.

Similarly, Ridley, when pressed, allowed that *in a certain sense* Christ is present, and also that *in a certain sense* He is to be worshipped in the Sacrament :

" I also worship Christ in the sacrament."<sup>2</sup> But he immediately adds, " not because He is included in the sacrament ; like as I worship Christ also in the Scriptures, not because He is really included in them." And yet, on the strength of such statements, Ridley is included by Symonds among the Anglican divines who " accept Eucharistic adoration."<sup>3</sup>

Ridley in the same discussion gave seven arguments against the Real Presence as taught by the Church of Rome. He was quite willing to admit a " true presence," by which, as he explained, he meant a " presence by grace." This was evidently the same as Cranmer's presence " by faith," as distinct from Zwinglian symbolism. This view Ridley read into the ancient Fathers, by fastening on isolated expressions thus :

" I say and believe that there is not only a signification of Christ's Body set forth by the Sacrament, but also that therewith is given to the godly and faithful the grace of Christ's body, that is, the food of life and immortality. . . . I say also with St. Augustine, that we eat life and drink life ; with Emissene, that we feel the Lord to be present in grace ; with Athanasius, that we receive celestial food which cometh from above ; the property of natural communion, with Hilary ; the nature of flesh and benediction which giveth life in bread and wine, with Cyril ; and with the same Cyril, the virtue of the very flesh of Christ, life and grace of his Body, the property of the only Begotten, that is to say, life ; as He Himself in plain words expounded it. I confess also with Basil, that we receive the mystical advent and coming of Christ, grace and virtue of his very nature ; the sacrament of his very flesh, with Ambrose ; the body by grace, with Epiphanius ; spiritual flesh, but not that which was crucified, with Jerome ; grace flowing into a sacrifice, and the grace of the Spirit, with Chrysostom ; grace and invisible verity, grace and society of the members of Christ's body, with Augustine.

<sup>1</sup> *Works*, Parker Society, p. 317.

<sup>2</sup> *Foxe*, p. 492.

<sup>3</sup> *Op. cit.*, p. 53. Symonds allows, indeed, that " it is doubtful how far Ridley believed in more than a virtual Presence " (*op. cit.*, p. 54).

"Finally, with Bertram . . . I confess that Christ's Body is in the Sacrament in this respect, namely, as he writeth, because there is in it the Spirit of Christ, that is, the power of the Word of God, which not only feedeth the soul, but also cleanseth it.

"Out of these, I suppose, it may clearly appear unto all men how far we are from this opinion, whereof some go about falsely to slander us. to the world, saying, we teach that the godly and faithful should receive nothing else at the Lord's table but a figure of the Body of Christ."<sup>1</sup>

Here Ridley makes it quite clear that he did not teach that in the Eucharist we receive a *mere* figure of Christ's body. We receive more than a figure inasmuch as we receive, *not* Christ's Body itself, but grace, and by grace there is a certain "true presence" of Christ, but this is *not* in the bread and wine, but in the sacrament as received by faithful and godly believers.

In view of the fact that Ridley's Eucharistic doctrine is, in language, at any rate, the highest set forth by the Anglican Reformers, we will give another exposition of his views, taken this time from a treatise entitled *A Brief Declaration of the Lord's Supper*, written this same year, 1554. It is noteworthy that he rejects not only Transubstantiation, but also what he calls "the carnal or corporal presence of Christ's substance" :

"Let us see wherein the dissension doth stand (between Papists and Anglican Protestants). . . . In the matter of this sacrament there be divers points, wherein men counted to be learned cannot agree : as,

Whether there be any transubstantiation of the bread, or no ?

Any corporal and carnal presence of Christ's substance, or no ?

Whether adoration, only due unto God, is to be done unto the sacrament, or no ?

And whether Christ's body be there offered in deed unto the heavenly Father by the priest, or no ?

Or whether the evil man receiveth the natural Body of Christ, or no ?

. . . Yet all five aforesaid points do chiefly hang upon this one question, which is :

What is the matter of the sacrament, whether it is the natural substance of bread, or the natural substance of Christ's own Body ? . . .

"If it be Christ's own natural Body, born of the Virgin, then assuredly . . . they must needs grant transubstantiation, that is, a change of the substance of bread into the substance of Christ's body ; then also must they grant the carnal and corporal presence

<sup>1</sup> *Works*, Parker Society, p. 202.

of Christ's Body ; then must the sacrament be adored with the honour due unto Christ Himself . . . then, if the priest do offer the sacrament, he doth offer indeed Christ Himself, and finally, the murderer, the adulterer, or wicked man, receiving the sacrament, must needs then receive also the natural substance of Christ's own blessed Body, both flesh and blood.

"Now, on the other side, if . . . it be found that the substance of bread is the material substance of the sacrament ; although, for the change of the use, office, and dignity of the bread, the bread indeed sacramentally is changed into the Body of Christ, as the water in baptism is sacramentally changed into the fountain of generation, and yet the material substance thereof remaineth all one, as was before . . . then must it follow . . . that there is but one material substance in the sacrament of the Body . . . that there is no such thing indeed and in truth as they call transubstantiation, for the substance of bread remaineth still in the sacrament of the Body. Then also the natural substance of Christ's human nature . . . is in heaven, where it reigneth now in glory, and not here inclosed under the form of bread. Then that godly honour, which is only due unto God the Creator, *may* not be done unto the creature without idolatry and sacrilege, *is* not to be done unto the holy sacrament. Then also the wicked . . . do not receive the natural substance of the blessed Body and Blood of Christ. Finally, then doth it follow that Christ's blessed Body and Blood, which was once only offered and shed upon the cross, being available for the sins of all the whole world, is offered up no more in the natural substance thereof, neither by the priest, nor any other thing."<sup>1</sup>

The rest of the work consists of an attempt to prove this latter view. But even so, Ridley here once more insists that he believes in *some* kind of presence, though it is not the *Real Presence* as understood by Catholics, but a "*presence by grace*" :

"What kind of presence do they [i.e. the school to which he himself belongs] grant, and what do they deny ?

"Briefly they deny the presence of Christ's Body in the natural substance in his human and assumed nature, and grant the presence of the same by grace ; that is, they affirm and say that the substance of the natural Body and Blood of Christ is only remaining in Heaven, and so shall be unto the latter day when He shall come again in glory . . . to judge both the quick and the dead. And the same natural substance of the very Body and Blood of Christ, because it is united to the divine nature in Christ, the Second Person of the Trinity, therefore it hath not only life in itself, but is also able to give, and doth give life unto so many as be, or shall be, partakers thereof. That is, that to all that do believe on his name, which are not born of blood, as St. John saith, or of the will of the flesh, or of the will of man, but are born of God—though the selfsame substance abide still in Heaven, and they for the time of the pilgrimage dwell here upon earth, by grace, I say, that is by the gift of this life

<sup>1</sup> *Works*, pp. 11-12.

(mentioned in John) and the properties of the same meet for our pilgrimage here upon earth, the same Body of Christ is here present with us. Even as, for example, we say the same sun, which in substance never removeth his place out of the heavens, is yet present here by his beams, light, and natural influence. . . . For God's word and his Sacraments be, as it were, the beams of Christ, which is Sol Justitiæ, the Sun of Righteousness."<sup>1</sup>

We may fairly sum up Ridley's belief by saying :

- (1) He denied the Mass to be a Propitiatory Sacrifice.
- (2) He denied the sacrificial character of the priesthood.
- (3) He believed the natural substance of Christ's Body to be only in Heaven.
- (4) He believed Christ to be present in the Sacrament by grace, in the sense in which the sun is present to us by its light and warmth. Ridley's "true presence" is therefore not the Presence of Christ, but the presence of the grace of Christ.

The difference between Ridley's doctrine and that of the Catholic Church will be seen by the following statement in one of his farewell letters :

"In the stead of the Lord's holy Table, they give the people, with much solemn disguising, a thing which they call their Mass, but . . . I may call it a crafty juggling, whereby these false thieves and jugglers have bewitched the minds of the simple people, that they have brought from the worship of God unto pernicious idolatry, and made them believe that to be Christ our Lord and Saviour which indeed is neither God nor man, nor hath any life in itself, but in substance is the creature of bread and wine, and in use of the Lord's Table is the Sacrament of Christ's Body and Blood."<sup>2</sup>

And in the same letter he thus addresses his late see of London :

"O thou now wicked and bloody see, why dost thou set up again many altars of idolatry which by the word of God were justly taken away? Oh, why hast thou overthrown the Lord's Table? Why dost thou daily delude the people, masking in thy Masses in the stead of the Lord's Holy Supper?"<sup>3</sup>

##### 5. Lastly, we come to the disputation with Bishop Latimer.

On the first proposition, he said :

"To the right celebration of the Lord's Supper there is no other presence of Christ required than a spiritual presence, and this presence is sufficient for a Christian man, as a presence by which we abide in Christ, and Christ abideth in us, to the obtaining of eternal life, if we persevere. And this same presence may be called most fitly a real presence, that is, a presence not feigned. . . . As for

<sup>1</sup> *Op. cit.*, p. 13.

<sup>2</sup> *Ibid.*, p. 401.

<sup>3</sup> *Ibid.*, p. 409.



that which is feigned of many, concerning their corporal presence, I for my part take it but for a papistical invention."

As to the second conclusion, Transubstantiation

"hath no stay or ground in God's word, but is a thing invented and found out by man; and therefore to be taken as fond and false."

The third conclusion, on the Sacrifice of the Mass,

"seemeth subtilly to sow sedition against the offering which Christ Himself offered for us in his own proper person. . . The sacrificing priesthood is changed by God's ordinance into a preaching priesthood; and the sacrificing priesthood should cease utterly, saving inasmuch as all Christian men are sacrificing priests."<sup>1</sup>

Latimer thus was undoubtedly a heretic.

On Friday, April 20th, the three Protestant Bishops were formally condemned as heretics, and pronounced to be "no members of the Church."<sup>2</sup>

6. In conclusion, it will be interesting to note the opinion on the Eucharistic doctrine of these three Reformers, expressed by Dr. Darwell Stone, in his *History of the Doctrine of the Eucharist*.

He says of Cranmer :

"His statement at Oxford in 1554 is not the outcome of any different belief than the form of receptionism or virtualism expressed in his treatises of 1550 and 1551."<sup>3</sup>

Of Ridley, he says :

"A comparison of his statements about the Eucharist with one another, and an examination of his teaching as a whole, lead to the conclusion that the doctrine which he rejected was not simply some carnal notion which the divines at Trent would have themselves repudiated, but the belief that the consecrated Sacrament is by the power of God made to be the risen and ascended and glorified Body and Blood of the Lord; and that the doctrine which he held was not in principle different from the later teaching of Cranmer, that the presence of the Body of Christ in the Eucharist is a presence of power and of grace proceeding from the Body, not the presence of the Body itself. From this position would naturally follow, as he himself says, the rejection of Transubstantiation, of Eucharistic adoration, of belief in the reception of the Body of Christ by those who receive the Sacrament unworthily, of the sacrificial character of the Eucharist as the oblation of the body and Blood of Christ."<sup>4</sup>

And of Latimer :

"When all his language is weighed, and when it is considered

<sup>1</sup> Foxe, *op. cit.*, Vol. VI, pp. 501-2.

<sup>2</sup> *Op. cit.*, II, p. 182.

<sup>3</sup> *Ibid.*, p. 534.

<sup>4</sup> *Ibid.*, p. 195.

in relation to the circumstances in which it was uttered, the probability appears to be that he, like Ridley, had reached the acceptance of the same doctrinal position as that of Cranmer in his later years."<sup>1</sup>

To this we may add that this definite rejection of the Catholic doctrine on the Presence and on the Sacrifice, and adoption of the "Virtualist" view, was necessarily accompanied by a rejection of the Catholic doctrine of the Sacrificial Priesthood or Sacerdotium by these three Protestant Bishops.

<sup>1</sup> *Op. cit.*, p. 198.

## CHAPTER XI

### THE EXPOSITION AND DEFENCE OF CATHOLIC DOCTRINES

1. This will be a convenient place to consider some works which were put forward by the Catholic side in defence of the disputed Catholic doctrines, during Mary's reign.

Three of these are worthy of special mention.

Tunstall, Bishop of Durham, had written a treatise *Concerning the Reality of the Body and Blood of our Lord Jesus Christ in the Eucharist*, in 1551, but either was unable to publish it in Edward's reign, or else preferred not to do so. It was, however, published at Paris in this year, 1554. According to Dr. Darwell Stone, "in this treatise, very definite and explicit teaching that the consecrated bread and wine are the Body and Blood of Christ is united with some deprecating of too curious enquiries in the exact manner of the presence."<sup>1</sup> The suggestion here is that Tunstall was none too orthodox on the subject of Transubstantiation. Similarly, Dixon<sup>2</sup> says that Tunstall thought it "impossible . . . to make Transubstantiation a test of heresy."

We have seen in Volume I that Tunstall was apt, on occasion, to "water down" the traditional doctrine on points such as the Sacrifice of the Mass.<sup>3</sup> But when he did so, the exact nature of the Sacrifice had not been officially defined. But it was otherwise with Transubstantiation, for this, as we have seen, was defined at the Council of the Lateran in 1215.<sup>4</sup> Accordingly, it is desirable to quote Tunstall's exact treatment of the subject. Most of the following quotation is given by Dixon,<sup>5</sup> but he omits to quote the concluding portion, which we print in italics.

"Ab exordio autem nascentis Ecclesiæ nusquam quisquam Catholicus ad baptismum admissus dubitavit de præsentia Christi in

<sup>1</sup> *History of the Doctrine of the Eucharist*, ii, p. 169.

<sup>2</sup> *History of the C. of E.*, V, p. 187, note.

<sup>3</sup> See letter to German envoys, Vol. I, pp. 268-9.

<sup>4</sup> See Vol. I, p. 99.

<sup>5</sup> *Loc. cit.*

Eucharistiæ Sacramento ; sed omnes antiquam ad lavacri fontem admittebantur ita edocti, se id credere profitebantur, uti Justinus Martyr in sua Apologia II contra Gentes testatur. Cæterum, quomodo panis, qui ante consecrationem erat communis, ineffabili Spiritus sanctificatione transiret in Corpus ejus, veterum doctissimi quique inscrutabile existimaverunt, ne, cum Capernaitis non credentes verbis Christi sed quomodo id fieret quærentes, tentarent supra sobrietatem sapere plus quam oportet. Illis vero satis superque visum est omnipotentiae ac verbis Christi firmiter credere. . . . Porro, ante Innocentium III . . . qui in Lateranensi Concilio præsedit, tribus modis id posse fieri curiosius scrutantibus visum est ; aliis existimantibus una cum pane, vel in pane, Christi corpus adesse, velut ignem in ferri massa, quem modum Lutherus secutus videtur ; aliis substantiam panis transmutari in substantiam Corporis Christi, quem modum secutus Innocentius reliquos modos in eo Concilio rejectit, quamvis miracula non pauciora, immo vero plura quam in reliquis rejectis ab eo modis oriri, curiosius investigantibus videantur. Sed Dei omnipotentiae, cui nihil est impossibile, miracula cuncta cedere, his qui cum Innocentio in eo Concilio interfuerunt visum est, quod is modus maxime cum verbis hisce Christi, 'Hoc est corpus meum, Hic est sanguis meus,' congruere visus est. Nam J. Scotus, Sent. lib. iv, dist. 11, q. 3, recitando Innocentium ait tres fuisse opiniones : una quod panis manet et tamen cum ipso vere est corpus Christi : alia quod panis non manet, et tamen non convertitur sed desinit esse, vel per annihilationem, vel per corruptionem in aliud : tertio quod panis transubstantiatur in Corpus, et vinum in Sanguinem.

"Qualibet autem istarum voluit istud commune salvare, quod ibi vere est corpus Christi, quia istud negare est plane contra Fidem. Expresse enim a principio institutionis Eucharistiæ fuit de veritate fidei quod ibi et realiter Corpus Christi continetur. Hactenus J. Scotus. . . .

"An satius autem fuisset curiosis omnibus imposuisse silentium, ne scrutarentur modum quo id fieret, cum viæ Domini sint investigabiles, sicut fecerunt prisci illi qui inscrutabilia quærere non putabant . . . an vero potius de modo quo id fieret curiosum quemque suæ relinquere conjecturæ, sicut liberum fuit ante illud Concilium, modo veritatem Corporis et Sanguinis Domini in Eucharistia esse fateretur . . . an fortasse melius de tribus illis modis supra memoratis, illam unam eligere quæ cum verbis Christi maxime quadraret, et cæteros modos abjicere, ne alioque inter nimis curiosos illius ætatis homines, finis contentionum non fuisset, quando contentiose illo seculo linguis curiosis silentium imponi alio modo non potuit : justum existimo ut de ejusmodi, quia Ecclesia columna est veritatis, firmitas ejus omnino observetur judicium."<sup>1</sup>

Tunstall here remarks that Christians always believed in the (objective) Real Presence, and that the bread and wine "pass into" ("transiret") the Body and Blood of Christ. But, he says, in the early Church they did not inquire as to "how" this

change takes place, though believing absolutely in the change. Later on, people began to discuss the "how" of the change, and decided that it might take place in three ways: by "Impanation," "Annihilation," or by "Transubstantiation" of the bread and wine. The Church might simply have imposed silence upon all parties, merely insisting that all should continue to confess, as in the past, that the Body and Blood of Christ are really and truly present objectively, under the forms of bread and wine. The other course of action, prompted by the fact that this would not really have put an end to the contention, was to say which of the three modes was most in harmony with the words of Christ. This the Church decided to do, and she decreed that Transubstantiation is true. Tunstall suggests that it may be a matter of opinion whether this definition was really necessary, or whether the former course of action would not have sufficed. But in any case, as the Church has decided the matter, her decision is absolutely to be adhered to. But surely this is no denial either of Transubstantiation, or of its force as a "test of heresy," since the Church's decision at the Council of the Lateran. Tunstall merely implies that, whereas the doctrine of the Real Objective Presence was always *de fide*, Transubstantiation was not formally *de fide* before the Council, and this is undoubtedly true. If it be remembered that this statement of Tunstall's, though published in 1554, was written in 1551, i.e. before the decrees of the Council of Trent on the subject, we may safely say that it is not unorthodox. It is, indeed, from some points of view, regrettable, inasmuch as by seeming to question the necessity of a definition, he seems to suggest that the undefined doctrine was preferable. But we do not think that Tunstall really meant that, for it would obviously be a very dangerous principle, which would bring discredit on the Nicene definitions as well.

2. The second work, *A Profitable and Necessary Doctrine*, is a series of homilies, to be read in Church. It was doubtless drawn up in response to the Queen's Injunctions of March, 1554.<sup>1</sup> It may have been written by the Bishop's chaplain, Harpsfield, but in any case it was put forth in the Bishop's name, and with his authority.

Bonner's work is of especial value to us because of its treatment of the Sacrament of Holy Order, in the course of which we

<sup>1</sup> See p. 52, especially Art. 16.

find a definite and categorical declaration of the invalidity of the Edwardine priesthood. He writes as follows :

" This is to be noted, that though sometimes in Scripture in some respecte all Christian men and women are called priests, for that they ought and must continually offer to Almighty God the spiritual sacrifices of faith, prayer, and other godly virtues . . . yet is there beside that general priesthood, a certain special and singular vocation or function of priesthood and ministration appointed by our Saviour Christ, to be executed only of such as, being baptised, have, by the imposition of the bishop's hands, received a certain grace and power to be public ministers in the Catholic Church. . . .

" The giving of this special authority of ministration and priesthood by the bishop, unto such persons as by due examination shall be thought meet for that vocation, is called here the Sacrament of Orders. . . .

[After a reference to the texts in *Timothy* :]

" By which words of St. Paul in both these places farther ye may note how this sacrament of Orders hath that perfection to make it a sacrament which in the definition of a sacrament before given, was required, it is to wit a visible sign (which is the imposition of the hands) and therewith effectually a concurrent and annexed grace.

" And for the better understanding of this grace ye shall mark that the same doth consist in three general points. The one to pray in the name of the whole Church and for the whole Church. Another to preach and teach the word of God to all people. The third to minister the Sacraments, where ye may note that the priests being amongst other things called to the ministration of the Sacraments, and the chiefest and most precious of all Sacraments being the Sacrament of the Altar, in ministration whereof (as before in the exposition of the same sacrament is sufficiently proved) the priest ought both to consecrate and to offer. Therefore the late made ministers in the time of the schism, in their new devised ordination, having no authority at all given them to offer in the Mass the Body and Blood of our Saviour Christ, but both they so ordered (or rather disordered), and their schismatical orderers also, utterly despising and impugning not only the oblation or sacrifice of the Mass, but also the Real Presence of the Body and Blood of our Saviour Christ in the Sacrament of the Altar, therefore I say that all such both damnably and presumptuously did offend against Almighty God, and also most pitifully beguiled the people of this realm, who by this means were defrauded of the most blessed Body and Blood of our Saviour Christ, and the most comfortable fruit thereof, and also of the Sacrifice of the Mass, and of the inestimable fruit which cometh thereby. Of which things the truth at large and sufficiently in the exposition of the Sacrament of the Altar is already taught and proved. And seeing that every man (be he never so simple) may sufficiently hereby perceive how these late counterfeited ministers have in so weighty a matter deceived the people concerning eternal salvation, and greatly abused them

and brought them into a most lamentable state, you may thereby consider what thanks you owe to almighty God, who hath restored unto you the right use of the Sacraments again, and also how much you ought to esteem the right priesthood, now brought home again, by which, as an ordinary means, God worketh His graces amongst you."<sup>1</sup>

It is to be noted that in this passage Bonner says that the grace of Order consists "in three general points," "to pray," "to preach and teach" and "to minister the Sacraments." He was, of course, aware that the Edwardine form for the priesthood gave a commission "to preach the word of God and to minister the holy Sacraments." But nevertheless he categorically condemns the Edwardine rite as invalid, for the precise reason that it does not give authority "to offer in the Mass the Body and Blood of Christ." The explanation is perfectly simple. The commission "to preach the Word and minister the Sacraments" is in itself ambiguous. It may mean "preach the doctrine of the Catholic Church," and "administer the Sacraments, as taught by the Catholic Church," one of these being the Eucharist, which is likewise the Sacrifice of Christ's Body and Blood. On the other hand, the commission may mean "preach the word of God, as understood by Protestants, and administer the Sacraments, as understood by Protestants." Bonner evidently considered it perfectly plain that, as used in the Edwardine Ordinal, the phrase is to be understood in this latter sense, and not in the former. The reason is that, as he says, the Protestant Reformers utterly despised not only the Sacrifice, but also the Real (Objective) Presence.

We show in a later chapter, that this striking denunciation of Edwardine Orders was, by Bonner's own orders, read and explained from the pulpit of every church throughout the London diocese, and probably in at least one other diocese as well.<sup>2</sup>

3. It will be fitting to join to our treatment of Tunstall and Bonner a short account of a work, written indeed a few years later, by Thomas Watson, Bishop of Lincoln. It is entitled *Wholesome and Catholic Doctrine concerning the Seven Sacraments of Christ's Church*, and was published in 1558. It consists of a series of thirty sermons. The Bishop gives a careful explanation of the Catholic Doctrine of Transubstantiation, and the work also contains an excellent presentation of the relation between the Sacrifice of the Cross and that of the Mass :

<sup>1</sup> There is no pagination in this work.

<sup>2</sup> See pp. 126-7.

"We believe to be saved only by the merits of our Saviour Christ, and that He, bearing our sins in his Body upon the Cross, and being the innocent Lamb of God without all sin Himself, shed his most innocent Blood for us sinners, and by the voluntary sacrifice of his own Body and Blood, made satisfaction for all the sins of the whole world, and reconciled the wicked world to the favour of God again. This bloody sacrifice made Christ our Saviour upon the altar of his Cross but once, and it is the propitiatory sacrifice and a sufficient price and ransom for the sins of all people from the beginning of the world to the last end. . . . Christ our Saviour willeth that the sacrifice of this redemption should never cease, but be always to all men present in grace, and always be kept in perpetual memory. For which cause He hath given and committed unto his Church the most clean and pure sacrifice of his Body and Blood under the forms of bread and wine, and hath commanded it to be offered to God, and received of us in the remembrance of his Passion till his last coming. . . . The host or the thing that is offered, both in the sacrifice of Christ upon the Cross and in the sacrifice of the Church upon the Altar is all one in substance, being the natural Body of Christ our High Priest, and the price or ransom of our redemption ; but the manner and the effects of these two offerings be diverse ; the one is by shedding of Christ's Blood extending to the death of Christ, the Offerer, for the redemption of all mankind ; the other is without shedding of his Blood, only representing his death, whereby the faithful and devout people are made partakers of the merits of Christ's Passion and divinity. . . ."<sup>1</sup>

The Bishop also gives a careful explanation of the Sacrament of Order :

"What is so excellent as to consecrate the Sacraments of God ? And what is so pernicious as if he consecrate them that hath received no degree of priesthood ? As appeareth by such plagues as lighted upon Dathan and Chore, and also upon King Ozias, for usurping the office of the priests, by their own authority, uncalled of God thereto. For only their ministration doth God assist, as He hath promised, to whom He hath given power to minister the visible Sacraments.

"Wherefore as the Sacraments be necessary to man's salvation, so it is necessary for certain men to be ordained, and authorised by God, to minister the same Sacraments faithfully and effectually to man's salvation.

"Likewise, when Christ's Church, by the ministration of his holy word and Sacraments, is gathered and collected out of all the profane people of the world into one body . . . therefore hath our Saviour Christ ordained in his Church certain men to be rulers and judges in all causes which pertain to the salvation of man's soul. . . .

"By this little that I have now said, ye may learn, good people, that the public ministration of the Gospel of Christ standeth in

<sup>1</sup> 1876 edn., pp. 125-8.



three points : in the preaching of God's word, in the ministration of His Holy Sacraments, and in exercising of discipline and jurisdiction. . . .

" And also ye may learn that where no man may usurp and take upon him, of his own authority, to intermeddle or to minister that which pertaineth to Christ, without sufficient commission from Him, therefore hath Christ ordained this Sacrament of Order, wherein grace or spiritual power is given to certain Christian men, by the outward sign of imposition of the bishop's hands upon them, to exercise effectually the public ministration of the Church, whereby whatsoever they do in the Church according to the institution of Christ and the Church, is ratified, accepted, and allowed of Almighty God. . . .

' " Therefore this Sacrament, whereby such degrees of power and authority be given to men, is called Order, which order of ministers maketh the Church to be builded as a city without confusion . . . and is the very knot of the known Catholic Church, containing both good and evil in it, whereby it is preserved without schism, so long as that Order is kept without breach which was instituted by Christ, used by his Apostles, and from them brought to us by continual succession. . . .

" Paul and Barnabas, being invisibly sent of the Holy Ghost, yet it was the will and pleasure of the same Holy Ghost that they should, by a visible Sacrament of imposition of hands, be visibly sent in the authority of Apostles to the ministration of the Church, and such as now say themselves they be sent invisibly of God ought not to be believed or received except they be, as St. Paul and Barnabas were, visibly ordered and anointed in the Church by Catholic Bishops, such as have their succession from the Apostles.

" Furthermore, in this Sacrament of Order is given to them that be lawfully ordered, the ecclesiastical power of the Church, which is a power given, not by the laws of men or of nature, but only by Christ above nature, and after a special sort to his Apostles and disciples and their lawful successors to the world's end. . . . It containeth . . . to bind and loose, to remit and retain sin, and all other things that be requisite to the preservation of Christ's Church in unity of faith and charity. . . .

" And whereas the Blessed Sacrament of the Altar is the highest and greatest sacrament of all other, because whole Christ, both God and man, is contained in it, therefore is priesthood the highest order, wherein is given grace and power over Christ's natural Body and Blood, to consecrate it by the virtue of God assisting his word, and to make it present in the Blessed Sacrament of the Altar by the change of the substances of bread and wine, and also to offer it, being the very sacrifice of the New Testament, to God the Father for the sins and ignorances of his people, and to deliver and minister it to such as by their faith and cleanness of life be worthy to receive it. So this power over Christ's natural Body, Our Saviour Himself gave to his disciples in his Last Supper, where, after He had consecrated, offered, and delivered his own Body to his disciples, He said to them, ' Do this in remembrance of me,' by

which words He made them priests, and gave them authority and commandment to do as He did then, not once but continually, till his latter coming. . . .

"A priest also hath power given unto him by the Sacrament of Order, over Christ's mystical Body the Church, for the instruction, the purgation, and the perfection of the same Church, and every member thereof. . . .

"And bishops also, who in the order of priesthood, as the successors of the Apostles, have higher dignity and distinct offices, and authority above other inferior priests, for the perfection of the people in Christ's religion, have power to give the Holy Ghost for confirmation . . . and by imposition of their hands to ordain priests and other ministers of God's holy Word and Sacraments."<sup>1</sup>

Such is the doctrine set forth by the Catholics, but rejected by the Protestants, in the reign of Queen Mary.

<sup>1</sup> *Op. cit.*, pp. 287-294.

## CHAPTER XII

### THE RECONCILIATION WITH ROME

Queen Mary married King Philip on July 25th, 1554. The ceremony was performed in Winchester Cathedral by Bishop Gardiner—an additional indication that this prelate must have been by now freed from his censures.<sup>1</sup>

1. The fourth Parliament of this reign, the first of Philip and Mary, was opened in November, 1554. The political difficulties in the way of Cardinal Pole's coming to this country had at last been overcome. The Queen was now safely married to King Philip, and so the Emperor, having no further reason to regard Pole as a possible rival for her hand, could not very well delay the Legate's journey longer. Moreover, the vexed question of church property, which had aroused misgivings in the minds of so many people in this country, who were otherwise willing and anxious for reunion with the Holy See, had now been practically settled, for on June 28th Pope Julius had given Pole power to treat and agree with the possessors of such property so that they might retain it without scruple.<sup>2</sup> These extensive powers had been given to Pole in consequence of representations made, not only by the Emperor, but also by Philip and Mary.<sup>3</sup>

Pole had indeed seemed to dislike the idea of this wholesale alienation of Church property, and so Cardinal Morone wrote to him urging him not to hesitate to make use of the full powers given him in this respect.<sup>4</sup>

Preparations were now made for Pole's coming, and for the general absolution of the Kingdom.

On Sunday, November 11th, 1554, Sir E. Hastings and Lord Paget arrived in Brussels in order to escort Pole to England. The Cardinal Legate left Brussels on November 13th, and after

<sup>1</sup> In point of fact, as we have seen, there is good reason to think that he had been absolved in order to crown Queen Mary in the previous year. See pp. 38, 78.

<sup>2</sup> See the document, in Pocock-Burnet, VI, pp. 332-334.

<sup>3</sup> See letter from Cardinal Morone to Pole, November 7th, 1554. Tierney-Dodd, II, p. cxxii.

<sup>4</sup> *Op. cit.*

an eventful journey, made his solemn entry into London on November 24th.

Four days after his arrival, the Lords and Commons assembled together, summoned by a royal message. Cardinal Pole was present, and was welcomed by the Bishop of Winchester.<sup>1</sup> The Cardinal made an oration, saying that he had full powers from the Pope to reconcile the country, but that he could not exercise these until the anti-Papal laws had been repealed.

The next day, November 29th, 1554, the three estates of the realm once more assembled, and presented a Supplication to the King and Queen, for submission to the Cardinal Legate in which they declared themselves very penitent for the schism and disobedience committed in the realm against the Apostolic See, promised to abrogate the same in Parliament, and asked their Majesties to make humble suit so that they might obtain from the See Apostolic, by the said Most Reverend Father, as well particularly as universally, absolution from all such censures and sentences as by the laws of the Church they had fallen into, and that they might, as children repentant, be received into the bosom and unity of Christ's Church.<sup>2</sup>

This Supplication was read and delivered by the King and Queen to the Cardinal, who thereupon pronounced a General Absolution :

"Dominus noster Jesus Christus, qui nos suo pretioso sanguine redemit. . . Ipse per suam misericordiam vos absolvat. Et nos, auctoritate apostolica per Sanctissimum Dominum nostrum Julium papam III, ejus vices in terris gerentem, nobis concessa, vos et unumquemque vestrum, et regnum universum et ejus dominia, ab omni hæresi et schismate et quibusvis sententiis, censuris et pœnis propterea incursis, absolvimus et liberamus, et unitati Sanctæ Matris Ecclesiæ restituimus, prout in literis nostris plenius continebitur. In nomine Patris et Filii et Spiritus Sancti."<sup>3</sup>

This Absolution was followed by a joyful *Te Deum*. On December 6th, Convocation was similarly absolved by Pole.<sup>4</sup>

2. On the First Sunday in Advent, a day or so after the public reconciliation of the kingdom, Gardiner, Bishop of Winchester and Lord Chancellor, preached in St. Paul's Cathedral, in the presence of King Philip and Cardinal Pole. Speaking of the late King Edward as "Head of the Church," he said :

<sup>1</sup> Foxe, VI, p. 568.

<sup>2</sup> Foxe, VI, pp. 571-2.

<sup>3</sup> Wilkins, *Concilia*, IV, p. 111.

<sup>4</sup> Dixon, *op. cit.*, IV, p. 293 ; Foxe, *op. cit.*, VI, p. 579.

"Quale vero illud tandem caput erat Ecclesiæ, cui statim dimidiatus clerus ablatus est, et sacerdotio sublato, ministri homines laici et prophani et conjugati constituti, et cui post paucos annos ex dimidiato nullus omnino clerus futurus esset."<sup>1</sup>

This statement that under Edward the priesthood was taken away and lay ministers put in its place, so that if he had lived there would have been no clergy in England at all, is a clear indication of Gardiner's opinion of the Edwardine Ordinal.

3. At the Convocation which assembled about the same time a petition from the lower House of Clergy was presented to the upper House of Bishops, containing twenty-seven articles for the purification of the church from the effects of heresy. The second is as follows :

"That the pestilent book of Thomas Cranmer, late Archbishop of Canterbury, made against the most blessed Sacrament of the Altar, and the schismatical book, called the Communion Book, and the Book of Ordering Ecclesiastical Ministers, all suspect translations of the Old and New Testament . . . and all other books, as well in Latin as in English, concerning any heretical, erroneous or slanderous doctrine, may be destroyed and burnt throughout this realm."<sup>2</sup>

It may not be quite clear as to which is the work called *The Communion Book*. But at any rate there can be no doubt as to the meaning of *The Book of Ordering Ecclesiastical Ministers* ; nor can there be any doubt as to the opinion of Convocation, implied in the request that it should be burnt, together with other heretical books.

4. The next step was for Parliament to fulfil the promise made, and to abrogate the laws against Papal Supremacy. But, as a preliminary, it was decided to present two petitions to their Majesties, for transmission to the Papal Legate. The first was from the Bishops and Clergy of the Province of Canterbury. This is given in Strype's *Eccles. Mem.*, Vol. III, Pt. II, No. xxi. It recognises the impossibility of obtaining the return of Church lands which had been taken away, and asks their Majesties to persuade Pole to consent to their alienation if necessary, promising to consent to what the Legate should decide, and also prays for the abrogation of all the laws which affected the liberty of the Church and her jurisdiction.

<sup>1</sup> *Concio R. D. Stephani Ep. Vinton.*, Rome, 1555, *apud* Estcourt, p. 58, xliii-iv.

<sup>2</sup> Wilkins, *Concilia*, Vol. IV, p. 96.

The second petition, from the Lords and Commons, is of great importance, and we must carefully study its terms.

"We, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, representing the whole body of this realm . . . received into the unity of Christ's Church and the obedience of the See Apostolic of Rome and the Pope's Holiness governing the same, make most humble suit unto your Majesties, to be . . . intercessors . . . that by the most reverend Father in God the Lord Cardinal Pole . . . the articles following may be provided for and confirmed.

"First, that all bishoprics, cathedral churches, hospitals, colleges, schools, and other such foundations, now continuing, made by authority of parliament, or otherwise established, according to the order of the laws of this realm, sithence the schism, may be confirmed, and continued for ever.

"Item, That marriages made *intra gradus prohibitos consanguinitatis*, etc. . . . may be confirmed, and children born of those marriages declared legitimate. . . .

"That institutions of benefices, and other promotions ecclesiastical, and dispensations made according to the form of the act of parliament, may be likewise confirmed.

"That all judicial process, made before any ordinaries of this realm, or before any delegates upon any appeals, according to the order of the laws of the realm, may be likewise ratified and confirmed. . . ."<sup>1</sup>

This, then, is a petition that Pole will, by virtue of his legatine authority, confirm :

- (1) the bishoprics, colleges, etc., founded during the schism ;
- (2) recognise marriages performed without Papal dispensations ;
- (3) confirm "institutions of benefices, and other promotions ecclesiastical, and dispensations" which have taken place during the time of schism, according to the then civil law ;
- (4) ratify all judicial processes made by ordinaries, etc., according to the laws of the realm.

The terminology of the third request must be very carefully noted.

5. Pole duly received these petitions and, in response, on Monday, December 24th, 1554, issued from Lambeth Palace his General Dispensation, addressed to the King and Queen. This, again, must be carefully studied. It will be found that on the four points above, the dispensation corresponds to the requests.<sup>2</sup>

<sup>1</sup> 1 and 2, Philip and Mary, c 8.

<sup>2</sup> We quote only the relevant parts of this long document. The complete text will be found in Tierney-Dodd, II, cxxxiii, Strype's *Eccles. Mem.*, Vol. III, Pt. II, No. xcii, or in any book containing the Act of Parliament 1 and 2 Philip and Mary, c. 8.

"Reginaldus . . . Cardinalis Polus . . . Ad Serenissimos Philippum et Mariam Angliæ reges, fidei defensores, et universum Angliæ regnum, sanctissimi domini nostri Papæ et sedis Apostolicæ de latere legatus, eisdem serenissimis Philippo et Mariæ regibus salutem in Domino sempiternam.

"Cum supremum consilium istius regni, parliamentum nuncupatum, majestatibus vestris per suos supplices libellos exposuisset, quod perniciosissimo schismate in hoc regno alias vigente. . . .

- (1) nonnulli episcopatus divisi, et ex his aliquæ inferiores ecclesiæ in cathedrales erectæ, et scholæ, atque hospitalia fundata,
- (2) necnon *plurimæ dispensationes, et beneficiorum provisiones factæ fuerunt,*
- (3) ac multæ personæ, quibus persuasum fuerat, juris canonici dispositiones hoc in regno amplius locum non habere, inter se, in gradibus consanguinitatis vel affinitatis de jure prohibitis, et aliis impedimentis canonicis sibi obstantibus, matrimonia per verba de præsentì contraxerunt,
- (4) et multi actus judiciarii, et processus, tam in primis quam in ulterioribus instantiis, super rebus spiritualibus et ecclesiasticis, coram judicibus tam ordinariis quam delegatis, qui auctoritate laicali procedebant, habiti et servati, ac super eis etiam sententiæ latæ et promulgatæ fuerunt. . . .

"Et Majestatibus Vestris humiliter supplicaverint, ut apud nos intercedere dignentur, ut . . . de benignitate apostolica providere velimus. . . .

. . . his supplicationibus et postulatis cognitis, et mature consideratis, judicaverint ea omnia . . . per nos debere sine ulla dilatione concedi, et quemadmodum rogatæ fuerunt, apud nos intercedere dignatæ fuerint. . . .

(1) Idcirco nos . . . tenore præsentium dispensamus quod omnes et singulæ cathedralium ecclesiarum erectiones, hospitalium et scholarum fundationes, tempore præteriti schismatici, licet de facto et nulliter attentatæ, in eo statu, in quo nunc sunt, perpetuo firmæ et stabiles permaneant, illisque apostolicæ firmitatis robur adjicimus. . . .

(2) Et cum omnibus et singulis personis . . . quæ, in aliquo consanguinitatis vel affinitatis gradu, etiam multiplici . . . impedimento . . . matrimonia . . . contraxerint, ut aliquo impedimentorum præmissorum non obstante, in eorum matrimoniis, sic contractis, libere et licite remanere . . . dispensamus; prolem susceptam, suscipiendam, legitimam decernentes. . . .

(3) Ac omnes ecclesiasticas, seculares, seu quorumvis ordinum regulares personas, quæ aliquas impetrationes, dispensationes, concessionem, gratias, et indulta, tam ordines, quam beneficia ecclesiastica, seu alias spirituales materias, prætensa auctoritate suprematit ecclesiæ Anglicanæ, licet nulliter et de facto obtinuerint, et, ad cor reversæ, ecclesiæ unitati restitutæ fuerint, in suis ordinibus et beneficiis per nos ipsos, seu a nobis ad id deputatos, misericorditer

recipiemus, prout jam multæ receptæ fuerunt, secumque super his opportune in Domino dispensabimus.<sup>1</sup>

(4) Ac omnes processus in quibusvis instantiis coram quibusvis iudicibus, tam ordinariis quam delegatis, etiam laicis, super materiis spiritualibus habitos et formatos, et sententias super eis latas, licet nulliter et de facto, quoad nullitatem ex defectu jurisdictionis præfata tantum insurgentem, sanamus, illosque et illas auctoritate apostolica confirmamus. . . ."

Now the four dispensations, as we have said, correspond to the four requests, and in each case, request and dispensation help to explain each other. This should be obvious, but it has been overlooked by nearly all writers.

The third dispensation is the one which concerns us. Parliament asks Pole to recognise "institutions of benefices, *and* other promotions ecclesiastical, and dispensations" made by the Church, while under the domination of the Crown as Supreme Head. Now, the term "promotiones" was often used to signify the giving of *orders*.<sup>2</sup> Accordingly, Pole seems to have realised that this request was tantamount to asking him to "confirm" the orders conferred during the schism, as well as the collations of benefices, and the granting of dispensations. And for this purpose he is to use his Legatine Faculties. Now as we have seen, those faculties do not extend to the "recognition" of Orders in themselves, and indeed for this purpose no faculties were required. Orders which were valid would naturally be recognised; orders which were invalid would not and could not be recognised. But what Pole could do, and did, was to dispense from irregularity etc., hindering the exercise of orders already validly (though illicitly) received, or hindering the reception of orders either not yet received, or invalidly received.

Accordingly, in his Dispensation he uses somewhat careful language on this point. In his own summary of the petition of Parliament, he merely speaks of "plurimæ dispensationes, et beneficiorum provisiones factæ," and omits all reference to orders. And then, in his dispensation, he uses the future tense, and says that he will treat these ecclesiastics with mercy, and will receive them in their orders and benefices, "opportune" dispensing them "super his."

This means, of course, that Pole will make use of his legatine faculties of dispensation in their favour, as he has done already

<sup>1</sup> Dodd wrongly gives : "recipientes, dispensamus." The correct text in Gibson has "recipiemus, dispensabimus."

<sup>2</sup> It is used in that sense in Pole's own Legatine Faculties. See pp. 28, 29.



in several cases. In other words, he will use his dispensing power to free them from censures, and to regularise their position, so far as this can be regularised by dispensation. Now we have already seen how Pole interpreted his powers,<sup>1</sup> and we shall have further evidence to the same effect: he could dispense from censures those who "ante lapsum in schisma predictum," had been "rite et legitime promoti," or "male ordinati," or "minus rite," so that they could then minister in these orders. Again, he could dispense those ordained *per saltum* from their censures, so that, receiving missing orders, they could rightly exercise their present ones. And again he could dispense those with no orders at all, or with invalid orders, i.e. orders conferred "non servata forma Ecclesiæ consueta." Obviously he could not dispense these latter from the necessity of obtaining fresh orders, but he could dispense them from the irregularity, etc., which would hinder them otherwise in law from obtaining such orders and, in particular, he could enable them to proceed to the orders required by Canon Law for the reception or retention of benefices.

The dispensations, therefore, which Pole has given and will give, are *dispensations from censures*; the effect of these dispensations will be that existing valid orders may be exercised, or non-existing orders obtained. Pole is *immediately* concerned with the dispensations, but *ultimately* with the exercising or receiving of orders.

6. We are now in a position to discuss one point which featured largely in the Anglican Orders controversy in 1896. It has been urged that, as written, the dispensation by Pole makes bad Latin, and that after "spirituales materias" we must insert some such word as "concernentia," so that it will then run: "dispensationes, concessiones, gratias, et indulta, tam ordines quam beneficia ecclesiastica seu alias spirituales materias, concernentia, prætensa auctoritate suprematis ecclesiæ Anglicanæ, licet nulliter et de facto obtinuerint, etc." And Anglican writers have added that the insertion of this word makes it plain that Pole is speaking only of *dispensations* received *nulliter et de facto*, not at all of *orders* or *benefices* received *nulliter et de facto*, and that Pole actually undertakes to receive these clerics in their orders and benefices, i.e. to recognise their orders.

As to this, we remark first that the word "concernentia"

<sup>1</sup> e.g., in his dispensations of bishops in 1554. (See p. 77; also pp. 86-7.)

appears in no copy whatever of Pole's Dispensation—not even in the copy on the original Roll of the Act of Parliament in the Record Office.

Next, we agree that Pole is primarily concerned with dispensations, etc. But the petition of Parliament, and Pole's reply, make it plain that the ultimate subject-matter is that of the orders and benefices themselves.

As to the phrase "nulliter et de facto," this must certainly apply, not only to "dispensations, indults, etc.," but also to the "provisions of benefices," which had taken place in a way which was null in canon law. Pole could not possibly overlook this fact in a General Dispensation, intended to put right all existing defects.

But if the phrase "nulliter et de facto" applies to "beneficia ecclesiastica," then obviously it can apply also to "ordines." In other words, Pole contemplates the existence of ecclesiastics possessing, not only benefices, but also orders which are "null" from the standpoint of Canon Law. With these and all other ecclesiastics he will "deal mercifully," and "opportunistically dispense," which obviously means that he will, by dispensing them from irregularity, etc., enable them to obtain the orders they lack. If the orders have been received validly, then the dispensation will make the exercise of these orders lawful. It is in this sense that he says he will "receive" all these ecclesiastics "in their orders and benefices."

This interpretation will be confirmed by a study of Roman documents, in the next chapter.

7. It only remains to say that the two petitions, of Convocation and Parliament, together with Pole's General Dispensation, were all incorporated into a great Act of Parliament, I and II Philip and Mary, c. 8, which passed both houses on January 4th, 1555. This repealed all the anti-Papal laws not already repealed by the earlier Act. Amongst others, it repealed the law of Henry VIII concerning the appointing of Suffragan Bishops with English titles, and thus the Henrician Suffragans who remained were deprived of their legal titles from the standpoint of civil law. It is hardly necessary to say that they had never possessed any right to such titles according to Canon Law. From that standpoint, their episcopal orders were doubtless valid, but they were *episcopi vagi*, without any titular sees.<sup>1</sup>

<sup>1</sup> Some were, however, allowed to exercise episcopal functions. See pp. 121-2.

## CHAPTER XIII

### THE DETAILED WORK OF RECONCILIATION

1. Although the general reconciliation of England with Rome was thus brought about, there remained several important things to be done. The first was the formal absolution of those bishops who, as yet, had not been freed publicly from their censures. On Sunday, January 27th, 1555, Pole gave a formal document of absolution to Tunstall, Bishop of Durham, and on the 31st of the same month, he absolved Day of Chichester. Other bishops were absolved as follows :

Aldrich of Carlisle, 11th February, 1555 ;  
Chambers of Peterborough, January 25th, 1555 ;  
Salcot (Capon) of Sarum, January 25th, 1555 ;  
Heath of Worcester, February 10th, 1555 ;  
Kitchin of Llandaff, January 25th, 1555 ;  
King of Oxford, January 25th, 1555 ;  
Bonner of London, February 10th, 1555 ;  
Holgate of York, March 31st, 1555.

The last named was, however, commanded to abstain from all pontifical functions, and was not to be restored to his see.

Some auxiliary bishops were also reconciled, as follows :

Cheetham, Bishop of Sidon, Auxiliary to London ;  
Spark, Bishop of Berwick ;  
Shaxton, Auxiliary to Ely.

Shaxton was authorised "*cuicumque alteri Episcopo in suffraganatus officio deservire, et in ejus et quacumque alia civitate et diocesi de diocesani Episcopi consensu pontificalia officia exercere.*"

Hodgkin, Bishop of Bedford, and late Suffragan to London, was absolved, but was expressly ordered to abstain from all episcopal functions.

Other auxiliary bishops, such as Thornden of Dover, Thomas of Shrewsbury, etc. were evidently reconciled, but their dispensations have not yet been discovered, and hence it is not

possible to say whether they were all rehabilitated fully. It would seem that bishops such as Hodgkin who had married were suspended entirely from all episcopal functions, while others were authorised to act once more as suffragan bishops.<sup>1</sup>

Between January 28th and February 13th, 1555, Cardinal Pole issued formal delegations of his Legatine Faculties to the Bishops of England. These documents are important, as they afford conclusive evidence of the way in which Pole understood his own Faculties. We quote from the document issued to the Bishop of Winchester, on January 28th, the portions which specially interest us.

"Reginaldus . . . Legatus, venerabili ac nobis in Xto dilecto Stephano Episcopo Wintoniensi seu ejus in spiritualibus Vicario Generali, salutem in Domino sempiternam.

"Cum sanctissimis in Christo pater . . . dominus Julius . . . Tertius . . . nobis . . . specialiter indulserit, ut quoscumque in hæresium et schmatis errores lapsos ab eis et a quibuscumque censuris et pœnis propterea incursis absolvere, et cum eis super irregularitate præmissorum occasione contracta dispensare, et alia multa ad hæc necessaria seu quomodolibet opportuna facere, et hoc idem munus Catholicis locorum ordinariis . . . demandare possimus . . . Difficile et potius impossibile sit, ut tam numerosa multitudo per manus nostras reconcilietur, ideo vices nostras in hoc locorum ordinariis . . . delegandas duximus.

"Circumspectioni igitur vestræ . . . auctoritate apostolica . . . omnes . . . personas . . . quarumvis hæresium aut novarum sectarum professores . . . suos errores agnoscentes ac de illis dolentes . . . ab omnibus et singulis hæresium, schmatis, et ab orthodoxa fide apostasiarum et blasphemiarum et aliorum quorumcunque similium errorum . . . peccatis, criminibus, excessibus et delictis . . . et quibusvis excommunicationis, suspensionis et interdictorum et aliis ecclesiasticis et temporalibus sententiis censuris et pœnis . . . plenarie absolvendi et liberandi. Necnon cum eis super irregularitate per eos præmissorum occasione, etiam quia sic ligati missas et alia divina officia, etiam contra ritus et ceremonias hactenus probatas et usitatas celebraverint aut illis alias se immiscuerint contracta, quibuscumque irregularitate et aliis præmissis non obstantibus, in suis ordinibus, etiam ab hæreticis et schismaticis episcopis, etiam minus rite, dummodo in eorum collatione Ecclesiæ forma et intentio sit servata, per eos susceptis, et in eorum susceptione etiam si juramentum contra papatum Romanum præstiterint,<sup>2</sup>

<sup>1</sup> The ecclesiastical titles of those named from English towns (e.g. Berwick, Dover, Bedford, etc.) were, of course, not recognised. They were valid bishops, but without sees of any kind, real or titular. Even so, they could be authorised to assist diocesan bishops by commission, just as Bird, late of Chester, could. Doubtless they would eventually have been given titular sees in *partibus infidelium* by the Pope. But the advent of Elizabeth cut short the Marian Reformation of the Church.

<sup>2</sup> Note the reference to the oath against the Papacy, which involved suspension. See p. 12.

etiam in altaris ministerio ministrare, et quæcumque quotcumque et qualiacumque etiam curata invicem tamen se compatiencia beneficia secularia vel regularia . . . etiam a schismaticis episcopis seu aliis collatoribus etiam laicalis potestatis pretextu habita, auctoritate apostolica retinere, dummodo alteri jus quæsitum non sit ;

"et non promoti ad omnes etiam sacros et presbyteratus ordines a suis ordinariis, si digni et idonei reperti fuerint, rite et legitime promoveri,

"ac beneficia ecclesiastica etiam curata, si eis alias canonicè conferantur, recipere et retinere valeant, qualitate temporis ministrorum defectu et ecclesiæ necessitatibus utilitatibusque ita poscentibus,

"dispensandi et indulgendi. . . .

"Ac quoscumque qui in sacris ordinibus constituti matrimonia etiam cum viduis et corruptis mulieribus de facto contraxerint, postquam mulieres sic copulatas rejecerint, illisque abjuraverint, ab hujusmodi excessibus et excommunicationis sententia, imposita eis pro modo culpæ penitentia salutari, in forma Ecclesiæ consueta absolvendi . . . ita ut, ea non obstante, in quibusvis susceptis et suscipiendis ordinibus etiam in altaris ministerio ministrare, ac alicui beneficio ecclesiastico de illud obtinentis consensu deservire, extra tamen diocesim in qua fuerint copulati, possint et valeant, eisdem de causis dispensandi.

"Necnon parochialium ecclesiarum tuæ diocesis rectores sive curatos . . . ad quarumcumque utriusque sexus suæ parochiæ personarum laicarum tantum absolutionem et Ecclesiæ Catholicæ reconciliationem ut præfertur auctoritate apostolica faciendam. . . .

"Quos . . . in locum nostrum in præmissis absolutionibus et reconciliationibus substituimus, eisque vices nostras subdelegamus plenam et liberam . . . concedimus facultatem."

This document was issued to twenty diocesan Bishops, to the Deans and Chapters of vacant sees, and to the Chancellors of the Universities of Oxford and Cambridge.<sup>1</sup>

Here, then, we have the fulfilment of Pole's promise, that he would "mercifully receive, in their orders and benefices," those who had obtained "orders, benefices and dispensations" during the schism. Note how carefully the document is worded. The clergy may minister in their orders and benefices, "dummodo in eorum collatione Ecclesiæ forma et intentio sit servata."<sup>2</sup> The "non promoti" may be promoted "ad omnes etiam sacros et

<sup>1</sup> Estcourt, *op. cit.*, pp. xlvii-l. Denny and Lacey, *De Hierarchia*, pp. 258-60.

<sup>2</sup> Notice the stipulation that the "intention" of the Church must have been retained. This implies the existence of some ordained in such a way that the intention of the Church had not been retained, i.e. Edwardine clergy. The same defect of intention was pointed out over and over again in the course of time, e.g. in the Courayer discussion in the eighteenth century. And yet Canon Wilfred Knox, speaking of Leo XIII's rejection of Anglican Orders because of defective intention, says "it is a charge never previously made" (*Friend, I do thee no wrong*, p. 21), and, again, that it is a "quite new charge" (p. 22) !

presbyteratus ordines," in view of the character of the times, the lack of ministers, and the needs of the Church. Now it is simply unthinkable, in view of all that had preceded, and was to follow, that Pole meant to include Edwardine clergy under those in whose ordination the "form and intention of the Church" had been preserved. And certainly the bishops would not understand the phrase in this way for, as we have seen, they had already been reordaining Edwardine clerics, and continued to do so. Hence it is quite clear that Edwardine clerics were included among the "non promoti," who could be ordained to all orders. This gives us a clear indication of the way in which Pole understood and applied the distinction originally made by Pope Julius, in the August Faculties, and again in the March Faculties, between those "rite et legitime ordinati, ante eorum lapsum in hæresim hujusmodi," and the "non promoti." And as there could be no better judge of the Pope's mind than Pole himself, we are justified in inferring that the Pope's Faculties were rightly interpreted by his Cardinal Legate. But any doubt about this will be removed by the Pope's confirmation of Pole's actions, with which confirmation we shall deal in the next chapter.

2. Together with the subdelegation of Legatine Faculties, Cardinal Pole sent to the bishops certain instructions as to how they were to proceed.<sup>1</sup> Each bishop and his officials were to summon the clergy of each town, tell them of the Reconciliation, recite the Legatine Faculties, and invite them to make their peace with the Church. When this had been done, the bishops could nominate the rectors of parish churches and other suitable persons, to absolve the laity. The Faculty for priests was couched in the following terms :

"Facultas curatis et aliis ecclesiasticis personis per ipsos idoneos cognititis et nominatis.

"Ut ipsi omnes et singulas utriusque sexus laicas suæ parochiæ personas, quarumvis hæresium aut novarum sectarum professores, aut in eis culpabiles vel suspectas, ac credentes, receptatores et fautores eorum, suos errores agnoscentes et de illis dolentes et ad orthodoxam fidem recipi humiliter postulantes . . . ab omnibus et singulis hæresium, schismatis et ab orthodoxa fide apostasiarum et blasphemiarum et aliorum quorumcunque errorum . . . et quibusvis excommunicationis, suspensionis et interdictorum et aliis ecclesiasticis et temporalibus censuris, sententiis et pœnis in eos præmissorum occasione . . . latis . . . auctoritate apos-

<sup>1</sup> These are printed in Pocock-Burnet, VI, pp. 366-369.

tolica in forma ecclesiæ consueta absolvere, et illos unitati Ecclesiæ restituere . . . possint et valeant. . . ."<sup>1</sup>

The Formula of Absolution was as follows :

" Dominus noster Jesus Christus . . . ab omnibus peccatis per vos commissis misericorditer absolvat. Et ego, auctoritate apostolorum divi Petri et Pauli, ac sedis apostolicæ mihi commissa, vos et vestrum quemlibet ab omnibus peccatis . . . atque ab omni hæresi, schismate, apostasia, irregularitate et quocunque errore vestris, necnon a juramento contra Papatum Romanum per vos præstito, et a quibusvis excommunicationis, suspensionis et interdictorum et aliis sententiis, censuris et pœnis ecclesiasticis . . . latis, per vos ratione præmissorum incursis et contractis, absolvo, ac communioni fidelium et sacrosanctis Dei ecclesiæ sacramentis restituo, reduco et redintegro. In nomine Patris et Filii et Spiritus Sancti.<sup>1</sup>

In this way the whole country was released from its censures and restored to communion with the Catholic Church and Apostolic See.

It is interesting to note that in his instructions to the Bishops, Pole called special attention to the question of the validity of orders and benefices received :

" Necnon dispensationes tam super ordinibus quam super beneficiis necessarias et opportunas postulandas."<sup>2</sup>

After the individual reconciliations, the Bishops were to make a visitation of their dioceses, and deal with any who had refused to be reconciled. And here again Pole calls attention to the question of orders :

" In hac facienda visitacione, attendant diligenter quæ in hoc brevi compendio sunt notata, et maxime faciant ut omnes ecclesiasticæ personæ ostendant titulos suorum ordinum et beneficiorum, et si in eis aliquis alius defectus notetur, illis provideant, et omni studio procurent ut errores quibus dioceses eorum sint infectæ extirpentur."<sup>3</sup>

This demand that all clerics should produce their " letters of orders " is very significant, and was obviously intended to make certain that in the " collatione ordinum," the " Ecclesiæ forma et intentio " had been " servata."

We have already mentioned<sup>4</sup> that Bonner had begun a Visitation of the London diocese in September, 1554. This had evidently not concluded when the Cardinal Legate sent round his instructions to the bishops, and, accordingly, Bishop Bonner

<sup>1</sup> Wilkins, IV, p. 139.

<sup>2</sup> Pocock-Burnet, VI, p. 367.

<sup>3</sup> *Ibid.*, p. 368.

<sup>4</sup> Page 53.

issued fresh "Injunctions," supplementing his previous Visitation Articles where necessary.<sup>1</sup>

The new instructions apply to "parsons, vicars, and curates of every parish, and other priests having cure of souls, within the diocese and jurisdiction of London" (Article 1). The second Article is of great interest to us :

"They and every one of them shall read over and diligently study the book and treatise named and entitled A Profitable and Necessary Doctrine . . . lately made and set forth by the said Bishop of London, for the instruction and information of the people being of his diocese of London and of his cure and charge. And the contents of the same they shall declare upon every Sunday and holy-day, one chapter as shall seem most necessary and convenient, and as the time shall require, until the whole contents of the same book be thoroughly and orderly declared unto them. . . . And after the reading and declaring of all the said book and the Homilies, then to begin again at the beginning of the same, and so from time to time."<sup>2</sup>

This means that in all the churches in the extensive London diocese, the vigorous and definite denunciation by Bonner of Edwardine orders as absolutely invalid, already quoted on a previous page<sup>3</sup> was read and explained to the faithful at least once. In view of these steps taken to teach the people that Edwardine orders were invalid, is there any possible room for doubt as to the mind of the Marian Church ?

The fifth Article in these Injunctions is as follows :

"That no priest coming out of another diocese shall be admitted or suffered to serve any cure within the said diocese or jurisdiction of London until he do show and exhibit . . . his letters of orders."

Bishop Bonner had already taken sufficient steps to ensure that his own clergy were properly ordained. He now makes sure that the titles of priests coming from outside the diocese shall be examined, and thus carries out the instructions of the Cardinal Legate on the point. These were obviously intended to root out any of the remaining Edwardine clergy.

Cardinal Pole's own Visitation Articles for the Archdiocese of Canterbury were issued in May, 1556. These contain an article ordering priests to produce their letters of ordination :

"Exhibeant presbiteri litteras ordinum suorum."<sup>4</sup>

<sup>1</sup> These Injunctions are reproduced from the 1555 edition by Frere in his *Visitation Articles and Injunctions of the Period of the Reformation*, 1910, Vol. II, pp. 360 *et seq.* We quote from this edition.

<sup>2</sup> Frere's edition, pp. 360-1.

<sup>3</sup> See p. 108.

<sup>4</sup> Frere, *op. cit.*, II, p. 386, no. 12.



A similar Article was doubtless included in other diocesan visitations, in accordance with Pole's instructions.

It is interesting to note that in at least one other diocese, Bonner's *Profitable and Necessary Doctrine*, which contained that strong denunciation of Edwardine orders, was to be read publicly from the pulpit, for Bishop Brooks, visiting the diocese of Gloucester as deputy for Cardinal Pole in 1556, orders that :

"All parsons, vicars and curates, for the better instruction of their cures, shall read every Sunday at the sermon time when there is no sermon some portion of the book entitled A Necessary Doctrine lately set forth. . . ."<sup>1</sup>

The steps thus taken by Cardinal Pole in his delegation of his Legatine Faculties, and in his instruction to the Bishops, were calculated to make quite sure that no Edwardine clerics were left in the possession of benefices *with cure of souls*. We emphasize the qualifying clause, for we must recall the fact that there were many "simple" benefices, such as canonries, etc., for which the possession of valid sacred orders was not an absolute requirement. These could be held by anyone who was a "cleric," i.e. who had entered the clerical state by receiving the tonsure. We have already pointed out that it is quite likely that many of those who had received Edwardine orders had previously received the tonsure, or some minor orders, and were therefore rightly called "clerics." We have also seen that many of these people had married, and therefore forfeited their right to hold benefices of any kind. Hence these Edwardine clerics could be and, in fact, often were, deprived as "*clerici conjugati*." There were, however, some who had not married. These, if otherwise suitable, could be reordained, so that they could continue to hold benefices with cure of souls. Or instead, they could consent to be regarded as mere "clerics"—as they were in Canon Law—and as such hold "simple" benefices.

3. We have already mentioned many cases in which Edwardine clerics were reordained under Mary, in 1553 and 1554, i.e. prior to Pole's coming to England, and the reconciliation with Rome. If it be remembered that so far as extant records go, only some 110 persons received orders under the Edwardine

<sup>1</sup> Frere, *op. cit.*, II, p. 401, no. 2. It is almost unbelievable, but the Abbé Constant, in the *Downside Review* for October, 1936, still insists that the book to be read in the Gloucester diocese in 1555 (i.e. after the Reconciliation with Rome, and by orders of the Papal Legate), is the *King's Book* of Henry VIII, with its strong denunciation of the Papacy, and its heretical tendencies on other points! See my reply to Constant in the *Downside Review* for January, 1937.

Ordinal, and that of these, some 70 received only the diaconate, the number of those thus reordained is as high as we could expect. These, of course, had not married. We should expect that the unmarried would form a decided minority of Edwardine clerics, and therefore most of them would be ineligible for reordination because of their marriage. (Incidentally, we have pointed out that in these cases the marriage was regarded as valid, and that therefore the question of "divorce" from their wives would not and could not arise, as it would in the case of those validly ordained to sacred orders.) In any case, we should hardly expect those who had received Edwardine orders, with their Protestant flavour, to be anxious to change their religious views, return to Catholicism, and receive Catholic orders. In point of fact, we know that some Edwardine clerics fled the country, or else remained in hiding under Mary, to reappear under Elizabeth. A few, indeed, suffered the penalty of death for their religious opinions under Mary, and as we shall see, their Edwardine orders were treated as invalid.

Thus, in view of all the circumstances, and especially in view of the steps already taken by the Bishops before their reconciliation with Rome, it is not surprising that there should be very few cases of reordination after Pole's arrival. The Anglican Archbishops, indeed, say in their reply to Pope Leo that "In this period one man and perhaps a second (for more have not yet been discovered) received new orders under Pole, in the years 1554 and 1557."<sup>1</sup> But in point of fact if we include those who had already received some Catholic orders before the Reconciliation, and went on to receive further Catholic orders afterwards, we know of four cases. These are as follows :

(1) J. CLAYTON. He received the Edwardine diaconate on June 24th, 1550, and the Edwardine priesthood in May, 1551. He was given the subdiaconate by the Pontifical in London in December, 1554, i.e. after the Reconciliation, and the diaconate and priesthood in March, 1555.<sup>2</sup> Incidentally this is a clear indication that the candidate had received the tonsure and minor orders before his ordination according to the Edwardine rite, for otherwise these would have been "supplied" before he was given the subdiaconate under Mary.

(2) T. DEGGE. He received the Edwardine diaconate on May 15th, 1552, and the same T. Degge received the Catholic diaconate on March 4th, 1557. (Evidently he had received all orders to the subdiaconate previously, and probably before his Edwardine ordination.)

<sup>1</sup> C.H.S. edn., p. 28.

<sup>2</sup> Frere, *Marian Reaction*, p. 184.

(3) C. RAWLINS. Ordained subdeacon by the Pontifical in April, 1549. No record of his ordination as an Edwardine deacon, but he was ordained Edwardine priest by Bishop Thomas of Shrewsbury at Oxford on May 18th, 1550. The same Christopher Rawlins was ordained Catholic deacon on May 19th, 1554, i.e. before the Reconciliation, and priest in December, 1554, i.e. after the Reconciliation.<sup>1</sup>

(4) WILLIAM BOYES. He received the Edwardine diaconate on May 15th, 1552. A "William Boyes" was ordained acolyte at Oxford in December, 1554. (Frere questions the identification, and suggests instead that the Edwardine deacon is the same as "William Boyce," entered in the London registers as Rector of Messing, September, 1554, etc. But is it likely that the name should be spelt in this different way in the register of the same diocese? The former identification seems much more likely.)

Thus altogether we have some *fifteen* cases in which Edwardine clerics were reordained—as many as we could expect, under the circumstances. And four of these were reordained after Pole's arrival and the Reconciliation.

4. But this will be a convenient point to see what can be urged on the other side. Dr. Frere brings forward the following arguments :

(a) The deprivations of married Edwardine clergy as "clerici conjugati."

We have already pointed out that "clericus" is a term which was by Canon Law applied to any person who had received the tonsure. Therefore the use of the term "clericus" does not prove in any way that the Edwardine diaconate or priesthood of these persons was recognised. The contrary is rather the case, for, as we have seen, in the cases of those really in sacred orders, their marriage was not recognised, and they had to be "divorced." There is absolutely no single case of this process being applied to an Edwardine "cleric." However, to make the matter absolutely clear, we will here examine all the known cases in which Edwardine clerics were deprived of their benefices :

(1) RICHARD FLETCHER, ordained Edwardine deacon 24th June, 1550, and priest Nov., 1550. Appointed to Stortford, June 19th, 1551, and Ugley, Feb. 7th, 1552. In both these cases he is described in the Register as "clericus," on the date of institution. The term "clericus," as we have said, really proves nothing more than that he had entered the clerical state. Notice that according to Newcourt's *Repertorium* the register of institutions sometimes describes the person instituted to a benefice as "pr" i.e. "presbyter." Sometimes even a priest is described as "cl" i.e.

<sup>1</sup> Frere, *op. cit.*, p. 211.

"clericus." But, as we have said, the term "clericus" is ambiguous. The term "presbyter," however, is not.

Now Fletcher "resigned" his benefice of Ugley some time before April 18th, 1554, and the entry recording the institution of his successor is as follows :

"Joh. Wystowe, 18 April, 1554, per liberam resignationem R. Fletcher, clerici, ultimi vicarii." Here the term "clericus" does not prove that his priesthood was recognised.

The same Richard Fletcher was deprived of Stortford, and his successor instituted on February 23rd, 1555, i.e. after the Reconciliation. The entry is as follows :

"Stortford. Joh. Bartlett, cl., 23 Feb., 1555, per legitimam privationem et amotionem Richi Fletcher, clerici conjugati."

The term "clericus conjugatus," again, does not prove that his priesthood was recognised—rather the reverse.

(2) L. T. THEXTON, Edwardine deacon, London, June 24th, 1550. Deprived of Great Bircham, Norwich, and resigned Anmer, but no information is at hand as to his designation, or the reason for the deprivation.

(3) R. GRASON (or GRESHAM). Edwardine deacon, London, June 24th, 1550, priest September, 1550. Instituted to Chesterford, March 25th, 1550. Deprived before Dec. 12th, 1554, as "clericus conjugatus."

(4) L. NOWELL, Edwardine deacon, Nov. 9th, 1550. Rector of Harting, Sussex, 1551, but deprived in 1554.<sup>1</sup>

He was also Rector of Drayton Bassett, Staffs., 1553, but deprived "eo quod . . . a fine anni a die adeptæ possessionis dicte ecclesie parochialis, se in sacerdotium promoveri distulit et neglexit."<sup>2</sup>

(5) T. A. WOOD, Edwardine deacon, Sept. 29th, 1551. Instituted to Kennerton, April 13th, 1552, as "presbyter,"<sup>3</sup> but deprived in 1554 as "clericus conjugatus."<sup>4</sup>

No proof of a valid diaconate.

(6) W. CLERKE, Edwardine deacon, 29th Sept., 1551, priest May, 1552. Rector of Isfield, Kent, Feb., 1552. The entry in the Register of the Dean and Chapter of Canterbury recording the new institution describes Clerke's successor as "presbiter," but put no description after Clerke's own name. A somewhat significant omission !

(7) THOMAS ASHETON, Edwardine deacon, 29th Sept., 1551. Deprived of Shawbury before April 8th, 1555, "eo quod a fine anni a die adeptæ possessionis dicte ecclesie parochialis se in sacerdotium promoveri distulit et neglexit."<sup>5</sup> A good canonical reason, which says nothing as to the value of his Edwardine diaconate.

(8) WALTER TURNER, Edwardine deacon, 21st Dec., 1552. Dean of Wells, and Canon of Windsor. Married. Deprived of his canonry as a clericus : "per amotionem Willielmi Tournier, clerici, jam vacantem."<sup>6</sup> No formal record of his deprivation of

<sup>1</sup> Register of Bp. Day of Chichester.

<sup>2</sup> Frere, *op. cit.*, p. 59.

<sup>3</sup> Cranmer's Register, f. 420.

<sup>4</sup> Register of Dean and Chapter of Canterbury.

<sup>5</sup> Register of Sampson-Bayne of Lichfield, f. 20.

<sup>6</sup> Rymer, *Fœdera*, xv, 368.

Deanery of Wells, but Goodman, who had held it before him, was restored.

The term "clericus" proves nothing.

(9) J. PULLAN, Edwardine deacon Nov., 1550, priest 29th March, 1551. Deprived of St. Peter's, Cornhill, on Feb. 20th, 1553. There is another appointment to this benefice on April 2nd, 1555, "per legitimam privationem et amotionem Joanni Pullen clerici."

The term "clericus" proves nothing.

(10) W. DENMAN, Edwardine priest, Oct. 28th, 1551. Frere says he is "possibly the same as William Deman who was Rector of Ordsall, June 20th, 1550, and deprived before Jan. 16th, 1556-7."<sup>1</sup> But this is very unlikely, for his Edwardine ordination would have been sixteen months after his appointment to the benefice, which he would therefore have forfeited already!

(11) R. DRAKES, ordained deacon by Dr. Hadley, and priest by Cranmer and Ridley, 1550. Vicar of Thundersley. Deprived before June 7th, 1554, for marriage. The record of the institution of his successor, John Hollyman, in June, 1554, simply says, "per priv. Drake."

Thus in no single one of the eleven cases adduced by Frere is there any proof that Edwardine orders were recognised as valid.

(b) We now come to a second argument, which at first sight seems much more convincing. Dr. Frere maintains that "the evidence available shows us a certain number of Edwardine clergy left in possession of their benefices, but not reordained."<sup>2</sup> Other writers are equally definite. Thus the Anglican Archbishops in their reply to Pope Leo: "Some, and perhaps the majority [!] remained in their benefices without reordination, nay were promoted in some cases to new cures."<sup>3</sup>

Now to begin with, as we have already pointed out, the error underlying this supposed "proof" consists in the assumption that the date of appointment of a successor to a benefice, recorded in the diocesan registers, is also approximately the date when the benefice was voided. But there were evidently long periods in Mary's reign in which benefices were without incumbents, owing to the deprivations, and the scarcity of priests to fill the vacancies.

Secondly, this "proof" supposes that the ordination records of Queen Mary's reign are absolutely complete, so that if no particular candidate can be shown to have been reordained, he was not reordained. But while we are not disposed to argue that there have been a great number of omissions in the Registers, it seems quite likely that there may have been some. There

<sup>1</sup> *Marian Reaction*, p. 217.

<sup>2</sup> *Marian Reaction*, p. 124.

<sup>3</sup> *Page 27.*

were certainly a few omissions in the Edwardine ordination registers, as Frere himself points out.<sup>1</sup> Further, we ourselves have allowed that Barlow was in all probability consecrated Bishop in the reign of Henry VIII, though there is absolutely no record of this event. If we are justified in presuming his consecration, in the absence of evidence, why may we not also presume the ordination of any Edwardines left in possession of their benefices under Mary? Is it likely that some men would be reordained, and the others left to continue as they were?

However, let us now consider the cases brought forward by Frere in support of his contention.

(1) W. B. BUTCHER, ordained Edwardine deacon at London, 24th June, 1550. Frere says this was "perhaps the man who was Vicar of West Harptree, Somerset, in 1553, and resigned some time before Feb. 3rd, 1569. . . . This seems clearly to show he remained in possession through Mary's reign, especially as his name does not occur among the clergy whose deprivation is recorded in Bourne's register."<sup>2</sup>

The exact date of Butcher's appointment in 1553 is unknown.<sup>3</sup> But is it likely that in the diocese of Bath and Wells, which took such definite steps against Edwardine clerics,<sup>4</sup> this man would be allowed to hold his benefice throughout Mary's reign without reordination (supposing Frere's identification to be correct)? The fact merely is that so far there is no record of his reordination.<sup>5</sup>

(2) H. BEDING, ordained Edwardine priest on Dec. 20th, 1551, and instituted to Exbourne on March 19th, 1553. Frere says that he was "apparently left in possession," and "not deprived in Mary's reign."<sup>6</sup> But according to a letter in the *Tablet* for June 19th, 1897, "In a list of incumbents of Exbourne compiled by the late Dr. Oliver and now in the Library of the Devon and Exeter Institution, John Stephens was appointed on April 2nd, 1554, and removed about August, 1560."

So this case must be dismissed.

(3) G. ELLISON, ordained Edwardine deacon Sept. 6th, 1551, Vicar of Arncliffe, Oct. 19th, 1552, and Rector of Burnsall from Sept. 25th, 1551, till his death some time before June 21st, 1557. Master of University College, Oxford, 1551-7.<sup>7</sup>

But, as Frere himself says, "a pension of six marks was paid from the tithes and fruits of the Vicarage of Arncliffe to Thomas Stapper, who was ordained priest in London, March 30th, 1555. Stapper had received minor orders and subdiaconate at Oxford, Dec. 22nd, 1554, and the diaconate at Oxford on March 9th following. . . . The meaning of this arrangement is not very clear."<sup>8</sup> But at least it means that steps were taken to provide a valid priest to do the duties! Presumably a similar arrangement was made for Burnsall,

<sup>1</sup> *Marian Reaction*, p. 99.

<sup>2</sup> *Ibid.*, It may have taken place in Edward's reign.

<sup>3</sup> The record of his ordination to the Edwardine priesthood is equally missing!

<sup>4</sup> *Op. cit.*, pp. 217, 124.

<sup>5</sup> Frere, *op. cit.*, p. 217.

<sup>6</sup> Page 124.

<sup>7</sup> See pp. 79-80.

<sup>8</sup> Page 125.

as in any case Ellison could not do the duties there and act as Master of University College at the same time. It is not certain that major orders were required for this latter post. We can offer no explanation as to why Ellison was apparently allowed to hold the other livings. It is, in any case, possible that he was ordained according to the Catholic rite under Mary.

(4) M. WATSON, Edwardine deacon Jan. 24th, 1551. Vicar of Helmsley, Jan. 30th, 1551. "There is no evidence forthcoming of his deprivation or voiding the benefice during Mary's reign."<sup>1</sup>

But Dr. Frere immediately adds: "In view of the gaps and deficiencies in the York records, this is not very conclusive." Exactly.

(5) T. W. WARTER, Edwardine deacon and priest. Appointed Vicar of Rodmersham, May 19th, 1553.

But Frere says that he "probably resigned soon after."<sup>2</sup> So this case may be dismissed.

(6) E. BURNELL, Edwardine deacon 19th May, 1551. Vicar of Meopham, Oct. 2nd, 1550, "resigned before Feb. 4th, 1555-6."<sup>3</sup>

The above date is that of the institution of his successor. We do not know how long before this Burnell had resigned. He is described in the Register as "Magister Edward Burnell."<sup>4</sup>

(7) WILLIAM CLERKE, Edwardine deacon and priest, Rector of Isfield, Kent, and deprived in 1554. "More certainly instituted Vicar of Rickling, Oct. 12th, 1556, and resigned before May 13th, 1558." "William Clerke, who was instituted to Rickling on March 12th, 1556, may be the Edwardine priest."<sup>5</sup>

We have discussed his deprivation of Isfield (p. 130). If he "may have been" afterwards instituted to Rickling, it is also true that he "may have been" reordained.

(8) WILLIAM BOYES, Edwardine deacon May 15th, 1552. Frere says he is "probably the Rector of Messing, Sept. 7th, 1554-62."<sup>6</sup>

We have already discussed this case.<sup>7</sup> The "Rector of Messing" was "William Boyce." A "William Boyes" was ordained acolyte at Oxford in December, 1554.

(9) WALTER WRIGHT, Edwardine deacon, 18th May, 1550. Archdeacon of Oxford since 1542; Rector of Ducklington 1550; of St. Breoc, Cornwall, from Feb. 24th, 1552, till his resignation some time before Sept. 17th, 1557; of Silverton St. Mary, Devon, Oct. 24th, 1552; Canon of Exeter, 1554.<sup>8</sup> Frere says Dr. Wright "certainly found his Edwardine Orders no bar to preferment in Queen Mary's reign. This notorious turncoat not merely continued to hold his benefices, but was collated to a canonry of Exeter on July 31st, 1554, and was appointed by Gardiner, and subsequently by Pole, to visit the University of Oxford."<sup>9</sup>

It was not necessary to be a deacon or priest in those days in order

<sup>1</sup> Frere, *op. cit.*, p. 125.

<sup>2</sup> *Kent Records*.

<sup>3</sup> See p. 129.

<sup>4</sup> *Ibid.*, p. 187.

<sup>5</sup> Frere, *op. cit.*, p. 126.

<sup>6</sup> Frere, *op. cit.*, p. 210.

<sup>7</sup> *Ibid.*, p. 193.

<sup>8</sup> *Op. cit.*, p. 203.

<sup>9</sup> *Ibid.*, p. 127.

to hold an Archdeaconry. Also, canonries were "simple benefices," and could be held by a mere "cleric."

As to his two Rectories in the West Country, unless he received Catholic orders under Queen Mary—which is, of course, possible—he ought not to have held these. He *might* have been granted a dispensation to do so, provided he appointed priests to do the work—as he obviously must have done in any case. But it is quite possible that he did *not* continue to hold these livings. We know, not the dates he gave them up, but the dates of the appointments of his successors. The livings may have been vacant for some years.

(10) EDMUND THOMPSON, Edwardine deacon, June 24th, 1550, priest November, 1550. Frere triumphantly remarks that he was "Instituted to South Mimms in March 31st, 1559, i.e. by Bonner," before his imprisonment in the Marshalsea on May 30th, 1559.

As to this case, it is to be noted that in Bonner's Register he is appointed to South Mimms as "clericus." By canon law major orders had to be obtained within a year *after* appointment, but not necessarily before appointment. Secondly, it is possible that this man had been reordained according to the Pontifical, although there is no record of this. It is interesting to note that Frere says he resigned South Mimms in 1570, and that Sanders, writing in 1571, includes a certain "Tomson" among "presbyteri beneficiis suis exuti aut in exilio degentes ab Primatus Romani confessionem."<sup>1</sup>

We think an unprejudiced reader will admit that when thus analysed, Frere's "proofs" do not amount to very much! They are negative, and are based on the absence of evidence for reordination. But, surely, as a proof for the "recognition" of Anglican Orders, this negative evidence is valueless, when contrasted with the positive evidence afforded by the reordinations of which we have due records—and the degradations with which we shall deal later.<sup>2</sup>

<sup>1</sup> Gee, *Elizabethan Clergy*, p. 228.

<sup>2</sup> Canon Wilfred Knox, in his very inaccurate work, *Friend, I do thee no wrong*, says categorically that "Cardinal Pole permitted eight men to go on acting as in Holy Orders without reordination, and possibly a very much larger number, at the very time when it was easiest for him to deprive them if they refused reordination" (p. 8). He is referring to the cases mentioned by Frere! Not content with this wrong statement, Canon Knox adds: "All the evidence suggests that *all Edwardine priests who were content to conform but did not desire reordination, were left in peace, as being ordained validly, although minus rite, their Orders being possibly supplemented with a ceremony of tradition of instruments*" (p. 8). (Italics ours.) We abstain from comment.



## CHAPTER XIV

### THE EMBASSY TO ROME, THE BULL *PRÆCLARA* AND THE BRIEF *REGIMINI*

1. On Monday, February 18th, 1555, a distinguished Embassy left England for Rome, to pay homage to the Pope on the country's behalf, and to give His Holiness an account of the reconciliation with the Holy See. It consisted of Thirlby, Bishop of Ely, Sir Edward Carne, and Lord Montague. The Cardinal Legate took the opportunity of asking for a formal approbation of the way in which he had executed his mission and had used the faculties granted to him. For this purpose, as we shall see, he sent out to Rome all the relevant documents, and an accompanying letter.<sup>1</sup> In addition, Philip and Mary wrote a letter commissioning the three ambassadors, dated February 16th, and another letter to the Pope himself, dated February 21st.<sup>2</sup>

Some delay ensued in Rome, owing to the death of Pope Julius, and the short reign of his successor, Marcellus II, who reigned only for twenty days. But on May 23rd, Paul IV ascended the Papal chair. At the first public consistory after his Coronation, that is, on June 11th, the Ambassadors were received in solemn audience, in presence of the College of Cardinals and the ambassadors of other nations. They knelt at the feet of the Pope, who raised them up and embraced them. A description of the ceremony is given by the Pope himself in a letter to Philip and Mary, dated June 30th.<sup>3</sup> First was read the commission from Philip and Mary, thanking the Pope for the pardon given to England, expressing obedience and submission to the Holy See, and asking for "*ecclesiarum cathedralium tunc istic erectarum confirmationem.*" This was read by a Papal Secretary. Then Bishop Thirlby made a great oration, in the course of which he read "*literæ patentés,*

<sup>1</sup> Quirini, *Epistolarum Card. Poli Collectio*, Pars. V, p. 4.

<sup>2</sup> Granvelle, *Papiers d'Etat*, iv, 386.

<sup>3</sup> Raynaldus, Tom. XIV, pp. 558-9; Quirini, *Epist.*, V, 136.

quæ omnem regni istius cum Romano Pontifice et sancta Sede Apostolica reconciliationis seriem, legumque contra eum latarum abrogationem continebant." Also, the Ambassadors handed in the letters of Cardinal Pole, "quæ veniæ et absolutionis ipsius fidem faciebant." After this, the Bishop spoke again, and

"sic oravit episcopus vera eloquentia et sana præditus doctrina, adeo vestrorum præteritos errores commemoravit, eoque animi affectu pœnitentiam præsentem ante omnium, qui aderant, oculos posuit, ut præ gaudio tanti a Deo accepti beneficii, vix nonnullis sibi a lacrymis temperare potuerint."<sup>1</sup>

Lord Montague left Rome shortly afterwards, but Bishop Thirlby and Sir Edward Carne remained, and on June 21st formally presented fresh copies of the royal message, and the "patentes literæ" addressed this time to the new Pope in place of the late Pope Julius III. On the next day there was a secret Consistory, at which more prelates and learned men than usual were called together, the royal message and "literæ patentes" were formally read once more, and ordered to be placed in the Papal archives. Other special matters were discussed, for the Pope goes on to tell their Majesties that "de Cantuariensi, aliisque ecclesiis, et cæteris ejusdem generis negotiis, ipsimet oratores, idemque dilectus filius noster cardinalis Polus legatus, copiose vobiscum locuturi sunt."<sup>2</sup>

In the interval days immediately following June 11th, the documents brought by the English embassy, and the requests therein made by Pole, were carefully considered,<sup>3</sup> for on June 20th (xii Kalendas Julii) an important Bull was issued, *Præclara Charissimi*, addressed to Philip and Mary. But before we consider this Bull, we must examine certain documents in the Roman archives which were evidently used in its preparation.

2. The first of these interesting documents is headed *Della riduzione del regno d'Inghilterra, Sommario primo*.<sup>4</sup> It gives a brief account of the process of the reconciliation, and the method adopted by the Cardinal Legate. It was evidently drawn up by Pole himself, and sent out to Rome by Thirlby, together with the following documents, to which it expressly refers :

<sup>1</sup> Letter from Paul IV to Philip and Mary, Raynaldus, *loc. cit.*

<sup>2</sup> *Ibid.*

<sup>3</sup> "Premissis omnibus cum nonnullis ex eisdem fratribus Nostris ipsius Romanæ Ecclesiæ Cardinalibus propositis et diligenter discussis, habitaque desuper deliberatione matura."—Bull of Paul IV, *Præclara Charissimi*.

<sup>4</sup> Vatican Archives, *Arm.* lxiv, 28, folio 144-147.

- (1) the supplication of Parliament for absolution ;
- (2) the absolution pronounced orally by the Legate ;
- (3) the written absolution given, in the form of a General Dispensation ;
- (4) the "Book," i.e. Act "of Parliament," showing that, as promised to the Legate, the laws against the authority of the Holy See had been abrogated, and the bishops restored to their full jurisdiction.

The *Sommario* then goes on to explain the requests which had been made to the Legate, and his corresponding concessions, as follows :

"*Prima petitio.* Cathedralium eccles. divisiones et erectiones, itemque hospitalium et scholarium foundationes, perpetua firmaque maneat.

"*Concessum.* Dispensative, cum admonitione, et interim a Sua Sanctitate petantur confirmari, aut de novo erigi, cum hæc sint de majoribus causis suæ Sanctitati reservatis.

"*Secunda petitio.* Matrimonia contra jus positivum contracta dispensantur, cum legitimatione prolis.

"*Concessum . . .*

"*Tertio petitio.* Provisiones beneficiorum, et dispensationes et gratiæ et cetera hujusmodi concessionem et indulta tam ordines quam beneficia ipsa, seu alias materias spirituales concernentia, confirmantur.

"*Concessum.* Hoc facto, quod hæc personæ quæ ad cor reversæ ecclesiæ unitati restitutæ fuerint, in suis ordinibus et beneficiis per ipsum Legatum, seu ab eo deputatos recipiuntur, et cum eis dispensabitur.

"*Quarto petitio.* Processus, et sententiæ super materiis spiritualibus, coram quibusvis iudicibus habitæ, ratificentur.

"*Concessum.* Quoad nullitatem ex defectu jurisdictionis tantum."

This document is evidently a *précis*, or *aide-memoire*, presented by Pole's representative, i.e. presumably by Bishop Thirlby. It is to be noted that it is described as a "Summary," and that the significance of the phrases used in it would have to be sought from the documents accompanying it, one of which was the Act of Parliament containing both the petition of Parliament with its four points, and Pole's corresponding dispensation. And, of course, Thirlby was himself at hand to explain any point which was not clear.

We note that this *Summary* contains the word "concernentia," not, however, in the part referring to Pole's Dispensation, but in the part explaining the request of Parliament. Thus, the presence of the word in this document is no proof that it originally stood in Pole's General Dispensation. And further, its presence in the part of the document describing the petition of Parliament

shows that its significance is governed by that original petition, which, as we have seen, asked Pole to "confirm provisions of benefices, and ecclesiastical promotions."

The Roman authorities evidently looked very carefully into the whole matter, to see exactly what Pole had done. And in the course of this examination, someone in the Curia drew up another *Summarium*,<sup>1</sup> and this second document evidently formed the basis for the final discussion by the Cardinals, for it is accompanied by an "Approbation" of the concessions made by Pole. Here is this important document :

3. *Summarium eorum que confirmari petuntur a Sede Apostolica pro Anglis.*

"Quod Sanctitas vestra approbet et confirmet concessionones factas a Reverendissimo Legato . . . supplendo omnes et quoscunque juris et facti defectus et pro potiori cautela innovando etiam dictas concessionones auctoritate Apostolica.

"Concessionones autem factæ a Reverendissimo Legato auctoritate Sedis Apostolicæ et suarum facultatum.

"1. Ut erectiones novarum ecclesiarum Cathedralium et fundaciones hospitalium ac scholarum de facto factæ sub scismate, sint auctoritate Apostolica stabiles et firmæ in perpetuum.

"2. Dispensationes super matrimoniis. . . .

"3. *Dispensationes cum ecclesiasticis personis secularibus et diversorum ordinum, ut promoveantur tam in ordinibus quam beneficiis obtentis nulliter sub scismate. Obtulit Reverendissimus legatus se daturum aliis similem dispensationem.*

"4. Sanationes nullitatis processuum et sententiarum in causis ecclesiasticis coram iudicibus secularibus (quoad defectum jurisdictionis tantum).

"5. Remissiones factæ laycis de juribus bonorum ecclesiasticorum. . . .

"*Approbatio Concessionum Reverendissimi Legati in Regno Angliæ ut in literis ejus, supplendo defectus et etiam innovando.*

"1. De erectionibus Cathedralium, fundationibus hospitalium et scholarum.

"2. Dispensatio super Matrimoniis prohibitis.

"3. *Dispensatio cum ecclesiasticis personis obtinentibus ordines et beneficia nulliter.*

"4. Sanatio nullitatis processuum et sententiarum.

"5. Remissiones bonorum ecclesiasticorum."

One or two points call for remark here. In the first place, we note that the word "concernentia" is absent. But, more important still, the whole significance and real meaning of the

<sup>1</sup> Vat. Arch., Arm. lxiv, 28, fol. 199.

petition of Parliament, and Pole's Dispensation, is set forth much more clearly, doubtless in consequence of Thirlby's personal explanations. Pole is said to have dispensed with ecclesiastical persons, so that they may be *promoted* to orders and benefices obtained *nulliter* during the schism, and not merely "received" in their orders and benefices. And this time, the dispensation, as thus understood, is approved by the Pope. The implication is obvious: the Pope was aware that Pole was dealing with certain persons who had obtained orders as well as benefices "nulliter" during the schism, and had dispensed them so that they could be promoted anew to these orders. And the Pope approves of such dispensation and reordination.

The next stage was the embodiment of this Papal approval in a Bull.

4. The Bull *Præclara Charissimi* of Pope Paul IV is dated June 20th, 1555. Its object is formally to confirm and approve what Pole had done for the peace and tranquillity of England in the matter of its reconciliation with the Holy See. It sets forth the matter as follows:

"Dudum siquidem cum dilecti filii Supremum Concilium ejusdem Regni, Parliamentum nuncupatum, Philippo Regi et Mariæ Reginae prædictis, per suos supplices libellos exposuissent, quod antea perniciosissimo Schismate in eodem regno vigente, temeritate ipsorum Parliamenti,<sup>1</sup>

"(1) nonnulli episcopatus divisi et ex illis aliquæ inferiores Ecclesiæ in Cathedralis erectæ, et scholæ ac hospitalia fundata;

"(2) necnon plurimæ dispensationes et beneficiorum provisiones factæ fuerant;

"(3) ac multæ personæ . . . matrimonia . . . contraxerant;

"(4) et multi actus judicii et processus, tam in primis quam ulterioribus instantiis super rebus spiritualibus et ecclesiasticis coram iudicibus tam ordinariis quam delegatis auctoritate laicali procedentibus habiti et servati, ac super eis etiam sententiæ latæ et promulgatæ,

"(5) bonaque ecclesiastica. . . .

"Et propterea eisdem Philippo Regi et Mariæ Reginae humiliter supplicassent ut apud dilectum filium Reginaldum . . . intercedere dignarentur ut præmissarum rerum firmitati et stabilitati, ac simul ejusdem Regni quieti et tranquillitati de benignitate Apostolica providere vellet;

"Ac Venerabiles Fratres Nostri Episcopi, et dilecti filii clerus provincie Cantuariensis, totum fere corpus ecclesiasticum representantes . . . dictis Philippo et Mariæ Reginae supplicassent ut apud ipsum Reginaldum . . . intercedere vellent ut in . . . bonis

<sup>1</sup> The following sub-divisions are introduced for the sake of clarity.

ecclesiasticis possessoribus relaxandis restrictus et difficilis esse nollet.

"Ipsi autem Philippus Rex et Maria Regina . . . judicassent ea omnia . . . per ipsum Reginaldum Cardinalem et Legatum debere sine ulla dilatione concedi. . . .

"Prædictus Reginaldus . . . per suas literas dispensavit

"(1) quod omnes et singulæ Cathedralium Ecclesiarum erectiones, hospitalium et scholarum fundationes, tempore prædicti Schismatis de facto et nulliter attentatæ, in eo statu in quo tunc erant perpetuo firmæ et stabiles permanerent . . .

"(2) ac cum omnibus quæ . . . matrimonia . . . contraxis-sent . . .

"(3) ac cum compluribus ecclesiasticis sæcularibus et diversorum ordinum regularibus personis quæ diversas impetrationes, dispensationes, gratias et indulta, tam ordines quam beneficia ecclesiastica seu alias spirituales materias concernentia prætensa auctoritate suprematis ecclesiæ anglicanæ nulliter et de facto obtinuerant et ad cor reversæ ecclesiæ unitati restitutæ fuerant, ut in suis ordinibus et beneficiis remanere possent, dispensavit, et cum aliis simili morbo laborantibus se dispensaturum esse obtulit,

"(4) ac omnes processus in quibusvis instantiis coram quibus-cumque iudicibus tam ordinariis quam delegatis, etiam laicis, super materiis spiritualibus habitos et formatos, et sententias super eis latas, quoad nullitatem ex defectu jurisdictionis insurgentem tantum, sanavit . . .

"(5) ac quibusvis personis ad quorum manus bona ecclesiastica . . . devenissent . . . remisit. . . .

"Cum autem postmodum iidem Philippus Rex ac Maria Regina tres oratores suos . . . ad nos destinaverint, ac per eos Nobis in Consistorio nostro publico, coram venerabilibus fratribus nostris S. R. E. Cardinalibus, et compluribus archiepiscopis et episcopis, aliisque ecclesiarum prælatis, obedientiam præstiterint, et successive Nobis supplicari fecerint, ut singulis dispensationibus, decretis, adjectioni, sanationi, remissioni, relaxationi et voluntati Reginaldi Cardinalis et Legati, ac super illis confectis literis hujusmodi, robur Nostræ approbationis adjicere aliisque in præmissis opportune providere de benignitate Apostolica dignaremur, Nos . . . præmissis omnibus cum nonnullis ex eisdem fratribus Nostris ipsius Romanæ Ecclesiæ Cardinalibus propositis et diligenter discussis, habitaque desuper deliberatione matura, singula, dispensationes, decreta, adjectionem, sanationem, remissionem, relaxationem et voluntatem Reginaldi Cardinalis et Legati hujusmodi, ac prout illa concernunt omnia et singula per eundem Reginaldum Cardinalem et Legatum in præmissis gesta ac facta ac in eisdem literis contenta—"¹

So far the document presents no difficulty whatever. The Pope and his specially chosen Cardinals have carefully examined the requests made to Pole, and his concessions.

¹ Text in Boudinhon, *De la Validité des Ordinations Anglicanes*, pp. 78-82. The text printed in the Church Historical Society's *Treatise on the Bull*, pp. 55-59, is faulty.

Incidentally, the Bull has inserted the famous word "concernentia." But note that this passage of the Bull is not an absolutely literal quotation from Pole's dispensation, though a fairly close paraphrase of it. But as it is not a quotation, the presence of the word "concernentia" here is no proof of its presence in Pole's original dispensation. In any case, the remarks we have made as to its significance in Pole's dispensation, if it was really there, will apply here also. The *immediate* object is provided by the "dispensationes, etc.," but the *ultimate* object is to be sought in the "orders and benefices" in which the clerics in question are to be "received." The "nulliter et de facto" would apply primarily to the dispensations, but could also apply to the orders and benefices themselves.

But now, just when we expect words which will imply the Pope's approbation, after the examination of the requests made and the corresponding concessions given, there comes an unexpected clause :

"Ita tamen ut si qui ad ordines ecclesiasticos tam sacros quam non sacros ab alio quam episcopo aut archiepiscopo rite et recte ordinato promoti fuerunt, eosdem ordines ab eorum ordinariis de novo suscipere teneantur, nec interim in eisdem ordinibus ministrent."

After this, i.e. with this proviso clearly understood, the Bull approves of what Pole has done :

"Prædicta auctoritate Apostolica, ex certa scientia approbamus et confirmamus."

But for the sake of safety, the Pope, in his turn, expressly dispenses from all that Pole has dispensed—but with the same proviso :

"Ut nihilominus pro potiori cautela, cum his omnibus cum quibus idem Reginaldus Cardinalis et Legatus ut præfertur dispensavit modo et forma prædictis—ita tamen ut ad ordines prædictos ab alio quam episcopo aut archiepiscopo ut præfertur ordinato promoti, ordines ipsos ut præmittitur de novo suscipere teneantur, et interim ut præfertur non ministrent—eadem Apostolica auctoritate . . . de novo dispensamus. . . ."

This proviso makes it quite clear, to begin with, that Pole's grant, mentioned above, involved the question of *orders*, and not merely *dispensations*. Indeed, this had been made quite clear in the second summary of Pole's grants which had been discussed by the Cardinals, and to which a note of the Pope's approval had been attached.<sup>1</sup>

<sup>1</sup>See page 138.

The insertion of this important proviso, which occurs so unexpectedly in the approbation of Pole's acts, shows that there must have been a very careful examination by the Pope and Cardinals of the whole matter, including the request from Parliament, and Pole's promise to dispense and "receive" the persons in question in their orders and benefices. Two points in particular must have been examined :

(1) What exactly had Pole done, and what was he proposing to do ?

(2) On what precise faculties or powers was he relying ?

In other words, Pole's Legatine Faculties of August, 1553, and March, 1554, must have been examined, and also enquiries made as to what kind of dispensations he had in fact granted. Doubtless the English Ambassadors, or at any rate Bishop Thirlby, were furnished with copies of some of these documents. It is also extremely likely that Pole had sent out to Rome a copy of the document by which he had just subdelegated his legatine faculties to the English diocesan bishops. Thirlby had, indeed, received his own grant of legatine faculties at the end of January, just before he had set out for Rome. Now, in these faculties, the bishops were empowered to allow priests to exercise their orders, "*etiam ab hereticis et schismaticis episcopis . . . susceptis*"—"dummodo in eorum collatione Ecclesiæ forma et intentio sit servata." Similarly, the August (1553) Faculties of Cardinal Pole had authorised him to rehabilitate those "*rite et legitime promoti ante eorum lapsum in hæresin hujusmodi*," and the March (1554) faculties had added powers to deal with bishops who should consult him about their "*munus consecrationis*" conferred "*non servata forma ecclesiæ consueta*." Now, the phrase in Pole's subdelegation of his faculties envisaged only one possible cause of invalidity of orders : the non-observance of the "*forma et intentio Ecclesiæ*" in the conferring of them. No question had been raised by him as to the status of the ordaining bishop. The vigilant Cardinals in Curia evidently noticed this. Their proverbial care and caution, and incidentally their knowledge that there had been, not only Edwardine priests, but also Edwardine bishops—knowledge which they could have obtained from Thirlby then in Rome, as well as from the Edwardine forms of ordination, which as we have seen had for some years been in the possession of the Curia—prompted them to add this important proviso. Accordingly,



the Pope inserted it in the Bull, which nevertheless confirmed in all other respects everything that Pole had done. Thus, the Bull plainly does not for one moment suggest or imply that the *only* source of invalidity of Edwardine orders is their being conferred by an invalidly consecrated bishop, but it inserts this as an additional possible source of invalidity, and one of which Pole must take due account, in addition to the other possible causes of invalidity which he had duly mentioned in his sub-delegation of his Faculties to the Bishops. Once more it must be noticed that, apart from the proviso which we are discussing, the Pope formally ratifies and confirms all that Pole has done.

Accordingly, we cannot for one moment allow with Denny and Lacey<sup>1</sup> that "de clericis juxta ritum invalidum ordinatis ne suspicionem quidem habuisse (Paulum IV) apparet. . . . Si jam, ritu perspecto, nihil de personis juxta eum ordinatis providerit, ipsum ritum reprobare vix potuit, imo tacite tolerare videtur." Still less can we understand how the Church Historical Society's pamphlet can say that Paul IV's words

"if pressed, yield a decision which . . . distinctly recognises the sufficiency of the (Edwardine) rite in some cases. . . . The Edwardine Ordinal as used by a valid bishop confers valid orders."<sup>2</sup>

Other Anglicans give equally strange interpretations of the Bull. Thus Bishop Frere, in his *Marian Reaction*, says it "seems impossible" that the Pope meant to "refer to the Edwardine Ordinal," and suggests instead that the Pope intended "merely to rule out the presbyterian orders which had been trying in vain to win recognition in England"!<sup>3</sup>

The Bull *Præclara*, then, has a very definite bearing on the question of the validity of Anglican Orders, for it definitely implies that there were some bishops in England who were not real bishops, and who in consequence could not validly ordain. The Bull also implies that there were some clergy in England who had not been ordained validly, and insisted that these were to receive their orders anew. In addition, as we have seen, by approving Pole's acts, the Bull confirmed Pole's condemnation of the Edwardine form for ordaining priests and deacons.

We have already said that this has an important bearing on the meaning to be given to Pole's General Dispensation, and also shows that the word "concernentia" in the Bull's paraphrase of that Dispensation cannot be intended to be taken in a sense

<sup>1</sup> Supplement to *De Hierarchia Anglicana*, p. 8.

<sup>2</sup> *Treatise on the Bull*, p. 16.

<sup>3</sup> *Op. cit.*, p. 156.

which would exclude the orders themselves from the things which had been received "nulliter et de facto," and which Pole was putting right. Thus, so far as the application to orders is concerned, the word "concernentia" could be omitted without any radical change in the sense, as it was omitted in Pole's original Dispensation.

It is presumably for this reason that Pope Leo XIII also omitted the word when quoting from the Bull *Præclara Charissimi* :

"Neque prætermittendus est locus ex eisdem Pontificis litteris, omnino rei congruens, ubi cum aliis beneficio dispensationis egentibus numerantur qui 'tam ordines quam beneficia ecclesiastica nulliter et de facto obtinuerant.'"<sup>1</sup>

The omission of the word "concernentia" here by Pope Leo met with a great deal of unnecessary criticism from Anglican writers. The Archbishops of Canterbury and York, in their reply to the Pope, said that he "quotes and argues from an imperfect copy of the letter of Paul IV."<sup>2</sup> A writer in the *Glasgow Herald* for September 28th, 1896, even accused Pope Leo of adulterating the text of Paul IV !

Similarly, the authors of the Church Historical Society's *Treatise on the Bull* described the passage in Pope Leo's Bull as "a serious misquotation," and said that the real text "is something very different from what the present letter would make Paul IV say. . . . The passage has nothing to do with the validity of orders, but with the various dispensations in the matter of orders."<sup>3</sup> And Lacey, in his *Roman Diary*, complained that "the passage is cited by Leo XIII without that crucial word. . . . Moreover, an argument is drawn from it which depends on the inaccuracy. Paul IV did not speak of *Orders* which had been obtained *nulliter*, but of faculties and dispensations *concerning Orders*, which were regarded as null and void because obtained schismatically. There is not merely a verbal error in the citation ; the passage is used argumentatively in a sense which it cannot bear."<sup>4</sup>

But, as we have seen from the documents on which it was based, the presence or absence of the word "concernentia" is quite immaterial so far as the significance of the Bull *Præclara* is concerned, and it is quite evident *aliunde* that the invalidity of Orders was very much in the Pope's mind, as is shown by the insertion of the proviso.

<sup>1</sup> Ch. Hist. Soc. reprint, p. 7.

<sup>2</sup> Pages 12, 13.

<sup>3</sup> *Reply to Pope Leo*, C.H.S. edn., p. 26.

<sup>4</sup> *Roman Diary*, pp. 172-173, note.

5. It has been suggested by some Anglicans that perhaps this Bull of Pope Paul IV, though undoubtedly issued, was never received or promulgated in this country.<sup>1</sup> But there is very definite evidence available that it was duly received, and executed here, for Pole notes in his Register under date September 22nd, 1555, that he has scheduled the Bull, together with the petition of Philip and Mary to the Pope, to which it was the response, and has issued both as Letters Patent, under his seal and signature. The certificate of this form of publication, addressed to Philip and Mary, is entered in the *Registrum Expeditionum*, at present at Douay, Vol. IV, fol. 386, as follows :

"Reginaldus etc. Philippo Regi et Mariæ Reginae etc. Noveritis quod Litteras Sanctissimi in Christo Patris et Domini nostri, Domini Pauli, divina Providentia Papæ Quarti, ejus vera Bulla plumbea cum filiis sericis rubei croceique colorum more Romanæ Curia pendente, Bullatas sanas et integras non vitiatas non cancellatas neque in aliqua sui parte suspectas sed prorsus omni vitio et suspitione carentes nobis pro parte præfatorum Serenorum Regum in eisdem Litteris nominatorum putatas, cum ea quæ decuit reverentia recepimus, hujusmodi subscripti tenorem. . . .

"Et quia easdem Litteras Apostolicas sic ut præmittitur nobis putatas et per nos visas ac diligenter inspectas, sanas et integras ac omni prorsus vitio et suspitione carentes invenimus, idcirco eorum Ser. Regum licitis petitionibus easdem adjungentes ipsis patentibus de verbo ad verbum nil addendo mutando vel minuendo inseri fecimus. Et in testimonium visionis hujusmodi ac omnium præmissorum patentes litteras subscripsimus et per secretarium nostrum infrascriptum subscriptione Sigilloque nostro jussimus appensione communiti. Da. Grenewichi Roffen. Dioc. Anno a Nat. Domini 1555, Decimo calendas Octob."

6. It is of the greatest interest to note that in dispensations issued after the receipt of this Bull, Pole very carefully mentions the newly suggested source of possible invalidity of orders, combining it with the one he had mentioned in previous documents. An example is to be found in the dispensation granted to Wilfrid Kyssen. He was the son of a married priest, and as such was irregular, but notwithstanding this impediment, which had not at the time been dispensed by Rome—

"ad omnes etiam sacros et presbyteratus ordines, a schismatico, in forma tamen ecclesiæ consecrato episcopo, et juxta ecclesiæ formam, et alias rite et recte, suscepit : . . ."<sup>2</sup>

This dispensation was dated June 20th, 1557. With it should

<sup>1</sup> See letter from A. Dunne in *Church Times*, December 8th, 1933.

<sup>2</sup> *Apud Frere, Marian Reaction*, p. 237. The Latin text seems to be inaccurate.

be compared the dispensation of James Lodge, on January 31st, 1555, i.e. *before* the issue of the Bull *Præclara Charissimi* :

" Illa (irregularitate) et præmissis non obstantibus, omnibus et singulis, etiam sacris et presbyteratus ordinibus, etiam ab hereticis et schismaticis episcopis, etiam minus rite, dummodo in eorum collatione sit servata intentio et forma ecclesiæ, susceptis uti."<sup>1</sup>

Here there is no reference to the possibility that the ordaining bishop had not himself been rightly consecrated. But this possibility is duly noted in the document issued after the Bull *Præclara*. This confirms our interpretation of the Bull itself.

7. The issue of the Bull *Præclara Charissimi* synchronised with other Papal acts relative to England. The nomination to various bishoprics already made by Mary and Pole had been approved by the Pope, but the official "Bulls of Provision" had not been completed. The Pope had issued Bulls of Provision on May 26th for Morgan of St. David's, Griffiths of Rochester, Bourne of Bath and Wells, Stanley of Sodor and Man, Pate of Worcester, White of Lincoln, Wharton of Hereford, Holyman of Bristol, and Brooks of Gloucester. On June 21st, the day after the issue of the *Præclara Charissimi*, the Pope "provided" Bishop Thirlby to Ely, and John Hopton to Norwich. And on the next day, June 22nd, Bulls were issued for

Bishop Heath (York),

Dr. Goldwell (St. Asaph),

Dr. Bayne (Coventry and Lichfield).

On June 28th, a similar Bull of Provision was granted to George Cootes, of Chester.

On Saturday, July 6th, the erection of the sees of Gloucester and Chester, made during the schism, and accepted by Pole, were formally ratified by Bulls of Confirmation.

On Tuesday, July 23rd, Bulls of Provision were sent to

John Hopton (Norwich),

James Turberville (Exeter),

William Glynn (Bangor).

Lastly, on Friday, August 25th, a Bull granting the Pallium was sent to Heath, Archbishop of York.<sup>2</sup>

Now, a Bull of Provision will, except in the case of a translation from one see to another, contain a clause ordering the bishop-elect to receive consecration in due course from three

<sup>1</sup> *Apud Frere, op. cit.*, pp. 220-1.

<sup>2</sup> These dates are taken from an article by Mgr. Moyes, in *Tablet* for Sept. 21st, 1895.

Catholic bishops. By some oversight, this clause was contained in the Bull sent to Heath for York. The mistake was evidently pointed out, and Rome accordingly issued an explanatory Brief. This sets forth that Heath had been ordained, "schismate in regno Angliæ vigenti, ab uno seu pluribus episcopis schismaticis . . . alias tamen in forma ecclesiæ ordinatis et consecratis et propterea solum executione ordinis episcopalis carentibus . . . et ad quatuor minores ac omnes sacros et presbyteratus ordines promotus," and had then been instituted bishop *de facto*, and had received "munus consecrationis a nonnullis episcopis non minus tribus, et, ut præfertur, schismaticis . . . alias tamen secundum eandem formam ordinatis et consecratis ac propterea solum executione ordinis episcopalis carentibus, alias juxta formam prædictam." And as no mention of these facts had been made in the Bull of Provision, the Pope now says that he may use his clerical character, and the *munus consecrationis* received.<sup>1</sup>

Evidently it was thought desirable to make an explicit pronouncement that bishops consecrated during the schism by the Pontifical rite were to be regarded as true bishops. The Bull *Præclara* had spoken merely of "episcopi rite et recte ordinati," without further elucidation. Accordingly, an explanatory Brief was issued beginning *Regimini universalis*, on October 30th, i.e. the same date as the explanation to Heath.

This Brief begins by saying: "Ad ea libenter intendimus per quæ singulæ personæ ecclesiasticæ in ordinibus per eas susceptis puro corde et sana conscientia ministrare possint." Then it explains once more that Pole had dispensed those "quæ diversas impetrationes, dispensationes . . . tam ordines quam beneficia ecclesiastica, seu alias spirituales materias concernentia . . . obtinuerant"—notice once more the presence of the word "concernentia"—and repeats that the Pope had approved Pole's acts, with the important proviso, which is once more set forth at length. Then it continues:

"Cum autem sicut Nobis nuper innotuit, a pluribus hæsitetur qui episcopi et archiepiscopi schismate in ipso Regno vigente rite et recte ordinati dici possint, Nos, hæsitacionem hujusmodi tollere et serenitati conscientiæ eorum qui, schismate prædicto durante, ad ordines promoti fuerunt, mentem et intentionem quam in eisdem litteris nostris habuimus clarius exprimendo opportune consulere volentes, [declaramus] eos tantum episcopos et archiepiscopos qui non in forma ecclesiæ ordinati et consecrati fuerunt, rite

See the document, in Wilkins' *Concilia*, IV, p. 129. It is dated October 30th, 1555.

et recte ordinatos dici non posse, et propterea personas ab eis ad ordines ipsos promotas ordines non recepisce, sed eosdem ordines a suo ordinario juxta literarum nostrarum prædictarum continentiam et tenorem de novo suscipere debere et ad id teneri; alios vero quibus ordines hujusmodi collati fuerunt ab episcopis et archiepiscopis in forma ecclesiæ ordinatis et consecratis, licet ipsi episcopi et archiepiscopi schismatici fuerint, et ecclesias quibus præfuerint de manu quondam Henrici VIII et Eduardi VI prætensoium Angliæ Regum receperint, caracterem ordinum eis collatorum recepisce, et solum executione ipsorum ordinum caruisse.

Et propterea, tam nostram quam prædicti Reginaldi Cardinalis et Legati dispensationem eis concessam, eos ad executionem ordinum hujusmodi, ita ut in eis etiam absque eo quod juxta literarum nostrarum prædictarum tenorem, ordines ipsos a suo ordinario de novo suscipiant, libere ministrare possint, plene habilitasse, sicque ab omnibus censi . . . debere. . . .”<sup>1</sup>

This Brief made the position definitely clear, once and for all. Those bishops who had been consecrated according to the Pontifical rite during the schism were valid bishops; those consecrated otherwise, were not. The Brief was confined to the question of episcopal consecration, because that was the only point upon which doubt had arisen. The previous Bull had already approved of Pole’s rejection of the forms for the priesthood and diaconate in the Edwardine Ordinal, and the Brief leaves that matter exactly where it was before.

It is strange that Anglican writers fail to note the connection between the issue of the Brief and the mistake in Heath’s Bull of Provision, and proceed to give “explanations” of the Brief which correspond to their “explanations” of the Bull *Præclara*. Thus Frere says that

“The Bull (*Præclara*) caused considerable difficulty, and a further explanation was sought. It is clear from the Pope’s answer what the difficulty which was felt really was. There was no question of the Edwardine Ordinal, but the Pope’s words (in the Bull) seemed to declare null all orders conferred by bishops consecrated during the Schism. On their behalf, then, the Pope sent a supplementary Brief. . . . The explanation makes clear first and chiefly that the Pope was not referring to the bishops in question, but its further significance lies in the fact that it was a mere return to the generalities of Julius’ Brief of Faculties. This phrase was, in fact, even more general than the phrase used there. . . . The new phrase meant nothing explicit . . . and the clergy who had been ordained by bishops consecrated since the breach, whether Edwardine or otherwise, were left to go their way unmolested, or at most the former were only called upon to undergo a small

<sup>1</sup> Text in Boudinhon, *op. cit.*, pp. 82-84; Church Historical Society’s *Treatise on the Bull*, pp. 59-61.

supplemental ceremony which has left no trace of itself in the Episcopal registers.”<sup>1</sup>

So that neither Bull nor Brief condemned Anglican Orders at all !

It is strange, too, that even some Catholic writers should suggest that, in any case, the Pope only condemned the Edwardine rite for the *episcopate*. Thus Père Michel, writing in the *Dictionnaire de Théologie Catholique*, says :

“ Ni le Bref ni la Bulle ne parlent de ceux qui furent ordonnés prêtres ou diacres par un évêque *recte ordinatus* mais utilisant l’Ordinal d’Edouard VI. Leur silence laisse supposer que le sacerdoce et le diaconat ainsi conférés étaient valides. . . . Il est possible que. . . . Paul IV ait reconnu en pratique la valeur des ordres ainsi conférés. . . . Le silence du Bref et de la Bulle sur les ordres conférés suivant le nouvel Ordinal par un évêque validement consacré demeure inexplicable.”<sup>2</sup>

As we have seen, the Bull is, in reality, *not* silent on the point : in confirming all that Pole has done, the Pope confirms his rejection of the Edwardine rite for the priesthood and the diaconate.

In any case, if, as Père Michel admits, Rome condemned the Edwardine rite for the episcopate, Anglican Orders collapsed, for only a valid bishop can confer the priesthood.

<sup>1</sup> *Marian Reaction*, pp. 156-158.

<sup>2</sup> Article on *Ordinations Anglicanes*, Vol. XI, col. 1170.

## CHAPTER XV

### THE MARIAN PERSECUTION

1. In the course of the year 1555, many English Protestants were formally tried for heresy, condemned and put to death. These sad events throw some light on the question of the divergence of view concerning the Eucharist, and also on the relative value of the orders conferred according to the Pontifical and according to the Edwardine rite. Accordingly, they call for treatment here.

Several Protestant bishops were proceeded against, the first being Cranmer, late Archbishop of Canterbury, Ridley, late Bishop of London, and Latimer, sometime Bishop of Worcester. These three were already in prison, and Cranmer had been found guilty of high treason by a civil court at the beginning of Mary's reign, and also condemned for heresy by an Ecclesiastical Commission at Oxford in 1554. But this had taken place before the Reconciliation with Rome, and it was therefore thought desirable to try the case again.

Doubtless as a result of representations made to this effect, Philip and Mary petitioned the Pope that Cranmer might once more be formally tried for heresy. We have seen that the request was sent out to Rome by Thirlby, and that the Pope promised to take the desired action.<sup>1</sup> Accordingly, Cardinal de Puteo was deputed to proceed in the matter. He commissioned Bishop Brooks, of Gloucester, to hold a Court of First Instance in England, and at the same time a summons was sent to Cranmer to appear in Rome, either in person or by proxy, within eighty days. The summons was handed to Cranmer on September 7th, 1555, and two days later Brooks opened his Court in St. Mary's, Oxford. Cranmer was charged with incontinence, heresy, and other canonical crimes, but refused to acknowledge the jurisdiction of the Court. In the course of the enquiry, sixteen articles were administered to him, and his answers duly recorded.

<sup>1</sup> See p. 136.



Of these articles, the third objected that though in sacred orders, he had married. The seventh objected that he had set forth certain heresies concerning the Sacrament of the Altar, and also certain heretical articles. The twelfth objected that he was a schismatic. The fourteenth is concerned with ordinations :

"That the said Archbishop of Canterbury did not only offend in the premises, but also in taking upon him the authority of the see of Rome, in that without leave or license from the said see he consecrated bishops and priests."

In answer to this Cranmer allowed that

"he did execute such things as were wont to be referred to the Pope, at what time it was permitted to him by the public laws and determination of the realm."<sup>1</sup>

The official Latin version of the processus, sent to Rome by Bishop Brooks,<sup>2</sup> gives Cranmer's reply as follows :

"Ad xiii respondet et fatetur se recessisse (ut præfertur) ab auctoritate Romani pontificis . . . hoc tamen (ut dicit) non fecit ante legem inde factam auctoritate parlamenti Angliæ ; et etiam dicit quod post leges hujusmodi et earum auctoritate, consecravit episcopos et cetera fecit quæ ante legem hujusmodi factam ad Romanum pontificem pertinebant et quæ per ipsum Romanum pontificem antea fieri solebant : et aliter negat."

Further light on this matter was shown by the testimonies of witnesses. Thus :

Richard Croke, Doctor of Theology of Cambridge, said on the fourteenth head :

"Præfatus Cranmer pro archiepiscopo Cant. se gerens, consecravit et transtulit complures in Angliæ episcopos, viz., consecravit quendam doctorem Poynett in Winton episcopum, et quendam Coverdale in episcopum Exon. et quendam Johannem Hoper in epum Glocestr. et quod transtulit quendam doctorem Rydley a Roffen. in Londonien. episcopatum."<sup>3</sup>

Robert Ward, Reader in Philosophy at Oxford :

"dicit quod præfatus Thomas Cranmerus consecravit in episcopos Johannem Hooper in Gloucestren., Milonem Coverdale in Exonien., Hugonem Holbache et postea quendam doctorem Taylor in episcopos Lincoln., et insuper quod consecravit doctorem Rydley in Roffen. episcopum, quem postea transtulit ad episcopatum Londoniensem, et in aliis credit articulum esse verum."<sup>4</sup>

Robert Serles, Bachelor of Theology, said on the fourteenth head :

<sup>1</sup> Foxe, *Acts and Monuments*, VIII, pp. 58-9.

<sup>2</sup> Strype's *Cranmer*, Vol. II, Add. II, p. 1078.

<sup>3</sup> *Op. cit.*, p. 1081.

<sup>4</sup> *Ibid.*, p. 1082.

"Postquam in Anglia publice renunciatum est auctoritati Sedis Apostolice, maxime queque negocia ad jurisdictionem spirituales pertinentia, ut consecraciones episcoporum et similia, sub umbra et auctoritate regii nominis per ipsum Thomam Cranmerum se (ut præfertur) tum pro archiepiscopo Cant. gerentem agebantur et fiebant, et aliter nescit deponere."<sup>1</sup>

William Tresham, Professor of Theology, and Canon of Christ Church, Oxford :

"dicit contenta in eisdem articulis fuisse et esse vera, publica, et notoria."

James Curtopp, Dean of Peterborough :

"dicit et deponit contenta in eisdem articulis esse vera."<sup>2</sup>

George London, Bachelor of Theology ; Richard Smythe, Prebendary of Christ Church and Reader in Theology ; and Richard Marshall, Dean of Christ Church, all testified to the same effect.

The depositions, etc., were duly signed and sent off to Rome. A few days after the period of eighty days had elapsed, Cranmer having sent no deputy, a Consistory was held, i.e. on November 29th, at which Cardinal de Puteo reported on the English proceedings. The charges were held to be proved, but sentence was postponed. Consistory met again on December 4th, and judicial sentence was then pronounced by Pope Paul IV. In this sentence<sup>3</sup> Cranmer was declared to have erred,

"sentiendo et docendo . . . contra regulas et dogmata ecclesiastica sanctorum patrum, necnon apostolicas Romanæ Ecclesiæ et Sacrorum Conciliorum traditiones, christianæque religionis hactenus in Ecclesia consuetos ritus, præsertim de corporis et sanguinis Domini nostri, et sacri Ordinis sacramentis, aliter quam Sancta Mater Ecclesia prædicat et observat. . . ."

For his various errors and heresies, Cranmer was declared to be excommunicated, and anathematised, and deprived of his archbishopric of Canterbury, and all other ecclesiastical offices ; all his subjects were absolved from their oaths of fidelity ; and he was ordered to be degraded from his ecclesiastical position, and to be handed over to the secular power.

Now, Denny and Lacey, in their *De Hierarchia Anglicana*, say definitely that Cranmer was never accused of tampering with Holy Orders by changing the Ordination rite :

"Cranmero . . . accusatores . . . hoc crimen (opinio de sacris ordinibus erronea) objecissent, si formam et materiam ordinationum ita hæretica intentione ab eo depravatas esse putassent, ut sacrum

<sup>1</sup> *op. cit.*, p. 1084.

<sup>2</sup> *Ibid.*, p. 1087.

<sup>3</sup> Foxe, VIII, p. 70.

Ecclesiæ ministerium penitus evelleretur. Nihil autem de hac re in Articulis exhibuerunt, nec quicquam de ordinationibus detulerunt, nisi quod reus absque consensu Sedis Romanæ episcopos et presbyteros promovisset. . . . Nemo ritum hæreticum aut invalidum obicit."<sup>1</sup>

But Denny and Lacey are altogether silent about the express declaration in the Pope's sentence, that Cranmer had erred by thinking and teaching against the "accustomed rites used in the Church, especially as to the Sacrament of the Body and Blood of Christ, and as to the Sacrament of Holy Order, in a way other than Holy Mother Church teaches and observes"! This is a very plain reference to Cranmer's use of unauthorised rites for the celebration of the Eucharist and for the conferring of Orders. True, the Pope does not say that this ordination rite was invalid, but it must be remembered that the Court of Enquiry at Oxford, the Judicial Deliberation in Rome, and the final sentence, were concerned with the establishment of canonical grounds for excommunication, deprivation, etc. The use of unauthorised and heretical rites could prove the canonical offence of heresy, but the mere use of an invalid rite, apart from the heresy involved, would not have the same force. In all these matters the Church proceeds according to her Canon Law.

The next step was Cranmer's degradation. This was carried out by Commissioners appointed for the purpose: Thirlby, Bishop of Ely; and Bishop Bonner, of London. As Cranmer had been properly consecrated according to the Pontifical, he was degraded from the episcopate first, then from the priesthood, and finally from all the other orders.

With the rest of Cranmer's life, his many recantations, and his death at the stake, we are not here concerned.

2. RIDLEY and LATIMER were the next bishops to be dealt with. They were called before three bishops, White of Lincoln, Brooks of Gloucester, and Holyman of Bristol, appointed *ad hoc* by the Cardinal Legate. Ridley was accused of holding sundry erroneous opinions, and of maintaining them publicly in disputation at Oxford in 1554. The two Protestant champions denied the authority of the Legate's delegates, but were in due course found guilty of heresy, sentenced to be degraded, and handed over to the civil power. It is quite clear that both were degraded from the episcopate as well as from the priesthood. (They had, of course, been consecrated according to the Ponti-

<sup>1</sup> Pages 165-6.

fical.) The Commission from Pole to the three episcopal judges authorised them to proceed against Ridley and Latimer "as heretics, degrading them from their promotion and dignity of bishops, priests, and all other ecclesiastical orders."<sup>1</sup> And the actual sentence, according to Foxe, ordered Ridley "to be degraded from the degree of a bishop, from priesthood, and all ecclesiastical order."<sup>2</sup> Heylyn gives the sentence for Latimer and Ridley, and it involves degradation of each from the episcopate. It is therefore to be presumed that the bishops proceeded according to their Commission, that the sentence they actually pronounced was carried out, and that the two bishops were really degraded from the episcopate. We mention this because Denny and Lacey, in their *De Hierarchia Anglicana*, seek to cast doubt upon the fact so far as Ridley is concerned, on the ground that, according to an eye-witness account of the degradation given in Foxe, Bishop Brooks said: "We must proceed according to our Commission to degrading, taking from you the dignity of priesthood, for we take you for no bishop."<sup>3</sup> But that would imply that the judges were *not* proceeding according to either their Commission or their sentence, which is extremely unlikely! Anglicans are apt to bring up this case, and that of Ferrar, to be mentioned shortly, in order to suggest that, as the authorities in Mary's reign disregarded the episcopate of real Pontifical bishops, their disregard of Edwardine episcopal orders has no significance. But when analysed, the evidence for this disregard of Pontifical episcopal orders seems very slight indeed.

3. With these cases we must contrast that of HOOPER, Bishop of Gloucester, who had been ordained priest according to the Pontifical, but consecrated bishop according to the Edwardine rite. He was called before Gardiner and other bishops and commissioners, on January 22nd, 1555, and exhorted to repent of his errors. As he was obstinate, he was condemned as a heretic, ordered to be degraded, and handed over to the secular power. The degradation was carried out by Bonner. Hooper was, however, degraded only from the priesthood and lower orders, and his Edwardine episcopal order was completely ignored.<sup>4</sup> Foxe says: "Here is to be noted that they, degrading this blessed Bishop, did not proceed against him as a bishop, but

<sup>1</sup> Foxe, VII, p. 518.<sup>2</sup> *Op. cit.*, p. 540.<sup>3</sup> *Ibid.*, p. 543.<sup>4</sup> See the account of the ceremony in Foxe, VI, pp. 652 *et seq.*

only as against a priest, as they termed him, for such as he was, these Balaamites accounted for no bishop."

4. The only other bishop to suffer in this reign was FERRAR. His case is rather a peculiar one. He had been ordained priest according to the Pontifical, and consecrated bishop by Cranmer in 1548. The Pontifical rite was apparently used for the purpose, but with some modifications.<sup>1</sup> It is to be presumed that the modifications were of such a character that Dr. Morgan, Bishop of St. David's, considered himself justified in ordering his degradation only from the priesthood, etc. More than this it is impossible to say. But it is certain that

(1) there had been some modification in the rite used for Ferrar's consecration ;

(2) the Bishop of St. David's was much more acquainted with the consecration of his predecessor in the see than we are now, and accordingly

(3) it seems safe to conclude that the modifications in the ceremony must have been very serious.

5. If a similar examination be made of the proceedings against other heretical clergy in the reign of Mary, as given by Foxe, it will be found that, in all cases where we have sufficient evidence to judge, those ordained according to the Pontifical rites were degraded from their orders before being handed over to the secular power, while Edwardine orders were consistently ignored. There are two cases in which the evidence is particularly striking, namely, those of John Bradford, and George Marsh.

(a) JOHN BRADFORD was a Prebendary of St. Paul's, who had been ordained deacon according to the Edwardine rite by Ridley on August 10th, 1550. He was condemned for heresy in January, 1555, by a commission of thirteen bishops, who also condemned John Rogers, another Prebendary of St. Paul's. But John Rogers had evidently been ordained according to the Pontifical rite. The judges condemned Rogers as a *priest*, and ordered him first to be degraded from his orders. But Bradford was condemned as a *layman*, and a clause in the sentence ordering degradation was struck out in a very remarkable way.<sup>2</sup>

<sup>1</sup> See Vol. I, p. 452.

<sup>2</sup> See Harleian MS, 421, f. 46. Bishop Frere is very misleading on Bradford's case. He wrongly says that "there is evidence that Bonner degraded him," and fails to point out that the clause in the sentence ordering degradation was deliberately struck out. (*Marian Reaction*, p. 113.)

(b) The second case is that of GEORGE MARSH. He was ordained Edwardine deacon on May 15th, 1552, and priest at Lincoln at some date unknown, but also by the Edwardine rite. He was examined by the Earl of Derby and the Bishop of Chester in April, 1555, as follows :

"(The earl) asked me whether I was a priest. I said, 'No.' Then he asked me what had been my living. I answered, 'I was a minister, served a cure, and taught a school.' Then said my Lord to his council, 'This is a wonderful thing : afore he said he was no priest, and now he confeseth himself to be one.' I answered, 'By the laws now used in this realm, as far as I do know, I am none.' Then they asked me who gave me Orders, or whether I had taken any at all. I answered, 'I received Orders of the Bishops of London and Lincoln.' Then said they one to another, 'Those be of these new heretics.' . . . They asked me how long I had been curate, and whether I had ministered with a good conscience. I answered, 'I had been curate but one year, and had ministered with a good conscience, I thanked God : and if the laws of the realm would have suffered me, I would have ministered still, and if the laws at any time hereafter would suffer me to minister after that sort, I would minister again.'"<sup>1</sup>

Dr. Frere's comment on this is as follows : "Marsh evidently was convinced that it was illegal for him still to minister. He does not hint that his Orders were a disqualification, nor does this seem to occur to his judges."<sup>2</sup> But surely it is plain that both Marsh and his judges realised that "by the laws of the realm" in force in Mary's reign, he was no priest at all.

It only remains to say that there is no trace or hint of any kind that Marsh was degraded from his Edwardine priesthood.

6. These painful events of Mary's reign have been mentioned here mainly because of their bearing upon the Catholic opinion on the value of Edwardine Orders at that time. But they also serve to show that these Protestants were thoroughly heretical on the questions of the Real (Objective) Presence, the Sacrifice of the Mass, etc., and that there were in reality only two parties, the Catholic party, and the Protestant party. There was no "via media."

In defence of the conduct of the Catholic authorities in this matter, we must remember that the Protestants in question were not content silently to dissent from the Catholic teaching, now restored, but declaimed publicly against it, in speech and in writing. And their language was by no means restrained,

<sup>1</sup> Foxe, VII, p. 41.

<sup>2</sup> *Marian Reaction*, p. 116.

but often provocative and blasphemous. Again, some of these Protestants were guilty of outrageous conduct towards the Catholic religion. We will give some instances, and first we will quote some samples of the language used against the Mass by the Protestant party. Here are some extracts from *The Hurt of Hearing Mass*, by John Bradford, the Prebendary of St. Paul's Cathedral, whose case we have just discussed. This work was written by him while imprisoned in the Tower of London, i.e. between 1553 and 1555. He writes :

"The Mass being known to be the device and invention of man, I will briefly show you that it is the horriest and most detestable device that ever the devil brought out by man. First, the Mass is a most subtle and pernicious enemy against Christ, and that double, namely, against his priesthood and against his sacrifice."<sup>1</sup>

"If ever Antichrist had child or daughter, this Mass is the most pestilent and pernicious. . . . The Mass . . . cannot be dear or tolerable in any wise, but detestable and monstrous unto us all that love Christ and be Christians indeed ; and that so much more horrible, execrable monstrously and utter detestably, by how much it . . . is a most rank and cruel enemy. . . . They which are present at the Mass . . . are open and manifest idolaters, and incur the danger of idolatry, that is, God's heavy wrath and eternal damnation."<sup>2</sup>

"The Pope and his prelates say, 'If thou come not to hear Mass, but disallow it, thou shalt fry a faggot in Smithfield.' God Almighty saith, 'If thou keep thee not from the Mass, or if thou come to it and do not openly disallow it, thou shalt fry a faggot in Hell fire.'<sup>3</sup>

"To go to Mass, or to Church where Mass is . . . is a murdering of the soul, and the massmongers . . . are bawds, to bring the spouses of Christ to become Satan's whores."<sup>4</sup>

The same Prebendary John Bradford was apparently the author of a blasphemous comparison between the Mass and a harlot, decked out with finery (vestments, etc.) to lead men astray. "And lest men should think her too coy a dame, lo, sir, she offereth herself most gently to all that will come, be they never so poor, evil, stinking and foul, to have their pleasure on her. Come who will, she is 'Joan good-fellow,' and that not only to make herself common to them that will, but also to ply them plentifully with most pleasant promises falsely, and giving most licentious liberties to all her lovers. . . ."<sup>5</sup>

We pass now from writings to speech and actions :

A dagger was thrown at Dr. Bourne when preaching at Paul's

<sup>1</sup> *Works*, Parker Society, II, p. 312.

<sup>2</sup> *Ibid.*, p. 324.

<sup>3</sup> *Ibid.*, p. 326.

<sup>4</sup> *Op. cit.*, pp. 317-8.

<sup>5</sup> *Works*, P.S., II, p. 288.

Cross on August 13th, 1553.<sup>1</sup> Again, Master Laurence Sanders, preaching at All Hallows' Church in Bread Street, London, on October 15th, "declared the abomination of the Mass, with divers other matters very notably and godly."<sup>2</sup> Again, on March 25th, 1554, at the Church of St. Pancras, in Cheap, London, "the crucifix with the pyx were taken out of the sepulchre."<sup>3</sup> And on April 8th of the same year, "there was a cat hanged upon a gallows at the Cross in Cheap, apparelled like a priest ready to say Mass, with a shaven crown. Her two forefeet were tied over her head, with a round paper like a wafer-cake put between them."<sup>4</sup> Again, Dr. Taylor, Rector of Hadley, "kept in his church the godly church servicé and reformation made by King Edward, and most faithfully and earnestly preached against the popish corruptions." A priest from elsewhere came to say Mass "about the Palm Sunday," but "in the night the altar was beaten down," but built up again. Dr. Taylor entered the Church when Mass was about to begin, and addressed the priest thus: "Thou devil! who made thee so bold to enter into this church of Christ to profane and defile it with this abominable idolatry?"<sup>5</sup> Taylor was deprived of his benefice, on account of his marriage; he boasted of having nine children!

And lastly, Foxe himself relates that an apostate monk named Flower was guilty of a horrible sacrilege at St. Margaret's Church, Westminster:

"The said Flower upon Easter Day last past [1555] drew his wood knife and strake the priest upon the head, hand and arm, who being wounded therewith, and having a chalice with consecrated hosts therein in his hand, [they were] sprinkled with the said priest's blood."<sup>6</sup>

All these incidents took place *after* the Catholic religion had been officially restored in this country, and was the only legal service in the churches, which after all had been built for Catholic worship.

Lastly, there can be little doubt that some of those who suffered had been implicated in the Lady Jane Grey rising, and were thoroughly disloyal. A very significant letter was written by Whitehead and others to Calvin from Frankfort on September 20th, 1555. This complained of a pamphlet just published by Knox, which, they perceived,

<sup>1</sup> Foxe, VI, p. 392.

<sup>2</sup> Foxe, VI, p. 541.

<sup>3</sup> Foxe, VI, p. 548.

<sup>4</sup> Foxe, VI, p. 548.

<sup>5</sup> Foxe, VI, pp. 678-9.

<sup>6</sup> Foxe, VII, 75. Flower was condemned and burnt for heresy and sedition.



"would supply their enemies with just ground for overturning the whole Church. For there were interspersed in this publication atrocious and horrible calumnies against the Queen of England, whom Knox called at one time the wicked Mary, at another time a monster. And he exasperated King Philip also by language not much less violent. . . . This we can assure you, that that outrageous pamphlet of Knox's added much oil to the flame of persecution in England. For before the publication of that book not one of our brethren had suffered death, but as soon as it came forth, we doubt not but that you are well aware of the number of excellent men who have perished in the flames ; to say nothing of how many other godly men besides have been exposed to the risk of all their property, and even life itself, upon the sole ground of either having had this book in their possession, or having read it."<sup>1</sup>

During the trials themselves, every effort was made to convince the delinquents of their error, and to persuade them to return to the Catholic faith they had once professed. The case of Marsh is a good instance in point : over and over again his trial was postponed, and endeavours were made to reclaim him in the meantime. The sentence itself was interrupted more than once :

"The bishop took a writing out of his bosom, and began to read the sentence of condemnation ; but when the bishop had read almost half thereof, the chancellor called him, and said, ' Good my Lord, stay, stay ; for if we proceed any farther, it will be too late to call it again ' ; and so the bishop stayed. Then his popish priests, and many other of the ignorant people, called upon Marsh, with many earnest words, to recant. . . . They bade him kneel down and pray, and they would pray for him, and so they kneeled down. . . . The bishop then asked him again. . . . Then the bishop put his spectacles again upon his nose, and read forward his sentence about five or six lines, and there again the chancellor, with a glavering and smiling countenance, called to the bishop and said, ' Yet, good my Lord, once again, stay ; for if that word be spoken, all is past, no relenting will then serve.' And the bishop, pulling off his spectacles, said, ' I would stay, an if it would be ! ' ' How sayest thou,' quoth he, ' wilt thou recant ? ' Many of the priests and ignorant people bade him do so, and call to God for grace, and pulled him by the sleeve, and bade him recant, and save his life. . . ."<sup>2</sup>

But it was all to no purpose. Even so, on the way to execution, some pious Catholics proffered Marsh money, so that he could ask a priest to say Mass for him after his death.<sup>3</sup>

The Catholics of that time had a wholesome horror of heresy, and it was part of the accepted code that an obstinate heretic

<sup>1</sup> *Original Letters*, P.S., pp. 760-1.

<sup>2</sup> Foxe, VII, pp. 51-2.

<sup>3</sup> *Op. cit.*, pp. 52-3.

should suffer the extreme penalty. But, at any rate, there is ample evidence that the authorities did all in their power to convince these misguided individuals of their errors, and no one has any right to accuse them of a thirst for blood, or of undue cruelty.

It is interesting to note that the revival of the laws against heresy was asked for by the clergy in the Convocation of November, 1554 :

"That it may please their highness, with the assent of the Lords and Commons in this Parliament assembled, and by authority of the same; . . . That the bishops and other ordinaries may with better speed root up all pernicious doctrine and the authors thereof, we desire that the statutes . . . against heretics, Lollards, and false preachers may be by your industrious suit revived and put in force."<sup>1</sup>

Accordingly, the Acts against heresy were revived by Parliament between November, 1554, and January, 1555. On January 23rd, 1555, Pole willed the bishops, with the rest of the Convocation House, "to repair every man where his cure and charge lay, exhorting them to entreat the people and their flock with all gentleness, and to endeavour themselves to win the people rather by gentleness than by extremity and rigour."<sup>2</sup> But they had to deal with individuals who were not thus amenable to kindness.

Lastly, the words of a recent Anglican writer are worth quoting :

"It may be a comforting reflection for a Roman Catholic that at least two-thirds of the martyrs who were burnt by Queen Mary would almost undoubtedly, had Edward VI survived, have been burnt in the normal course by the Church of England. . . . There are strong grounds for Crosby's presumption that most of the victims belonged to those extreme sects of Protestantism against whom the Church of England showed the same relentless, uncompromising opposition as the Church of Rome."<sup>3</sup>

7. From the unhappy individuals who suffered for their Protestant convictions here in England, we turn to those who fled abroad. In view of the fact that many of them returned to occupy prominent positions in the Church set up by Elizabeth, it is surely interesting to note, with Dixon, that

"from the countries and cities of the German Protestants, the exiles were generally repulsed. . . . Lutherans somewhat too indiscriminately supposed the English to hold the opinions of their

<sup>1</sup> Pocock-Burnet, V, pp. 403-5.

<sup>2</sup> Smyth, *Cranmer and the Reformation*, ch. 1.

<sup>3</sup> Foxe, VI, pp. 587-8.

eternal foes, the Calvinists. . . . The great part of them passed into Switzerland. . . . At Emden, in East Friesland. . . . Bishop Scory, late of Chichester . . . took the title of superintendent. The unmeaning hatred of the episcopal title, which was the weakness of the Reformation, led the exiles everywhere to make a distinction between episcopacy and pastoral episcopacy, to choose for the latter the names of pastor, or of superintendent, and while men like Scory, who were consecrated bishops, took such titles in some places, in other places such titles were assumed by men of low degree. At Frankfort . . . the English seated their most conspicuous or contentious Church. . . . Many of the most considerable of the exiles gathered together in Strasburg. . . . At Zurich, under the patronage of the well-known Bullinger, there was no formed church or congregation, but thirteen or fourteen learned exiles . . . were lodged together. To Basel, Bale, Foxe and others. . . . Others and the Scottishman Knox were drawn to Geneva by the fascination of Calvin, but in neither place, nor whereso else the exiles found harbour, appears it that churches were formed, at least in the beginning. That they found sufficed them.”<sup>1</sup>

In other words, the Anglicans who fled from persecution in the reign of Mary, were in the main quite satisfied with the ministrations and religious services of their fellow Protestants of Switzerland. In truth there were at that time only two parties : the Catholics, recognising the supremacy of Rome and the doctrine in course of definition at Trent, and the Protestants, who rejected all these, but, at the same time, while accepting in the main the Protestant principles of doctrine and Church government, were divided on matters of detail. The “Anglo-Catholics” had simply ceased to exist. They had repented of their schism, and abandoned any heresy they had fallen into. Anglicanism was now and henceforth synonymous with pure Protestantism.

<sup>1</sup> Dixon, *op. cit.*, IV, pp. 686-8.

## CHAPTER XVI

### THE SYNOD OF LAMBETH, AND GENERAL CONCLUSION ON THE REIGN OF MARY

#### A. THE SYNOD OF LAMBETH.

1. A Convocation met on October 11th, 1555. But it was almost immediately transformed into a far more important assembly, for Cardinal Pole decided to hold a National Synod, for the complete reformation and reorganisation of the Church. Royal letters patent were issued on November 2nd, 1555, and Bishop Bonner, as Dean of the Province of Canterbury, was ordered by Pole to summon the bishops and clergy of both provinces.

According to documents quoted by Wilkins,<sup>1</sup> on December 13th 1555 the Prolocutor brought forward the *Bishops' Book* of Henry VIII for examination, and it was divided into parts and distributed to various persons. Also some of the Lower House were selected for the writing of Homilies, and the articles of the Apostles Creed were committed to some of the same House of Clergy, who were to draw up expositions thereof. In addition, a new version of Scripture was contemplated.<sup>2</sup>

It would seem from this that it was intended to take the *Bishops' Book* of Henry VIII as the basis of a new work on Christian doctrine, and this raises an interesting question. Why was the *Bishops' Book* chosen instead of the later and more orthodox *King's Book*? The only explanation we can suggest is that, as the *Bishops' Book* had been issued with the collective authority of the episcopate in 1537, it was thought fitting that it should, after proper revision and modification, be reissued by the Catholic bishops of England. The *King's Book*, on the other hand,

<sup>1</sup> *Concilia*, IV, p. 132.

<sup>2</sup> The statement that the *Bishops' Book* was employed is, according to Wilkins, taken from Bonner's Register. But the Register contains nothing on the subject. In point of fact the information seems to be derived from the *St. Paul's Paper Book* (f. 168), in the Library of the Dean and Chapter of St. Paul's Cathedral (W.D. 54). This contains a copy of notes on the history of Convocation made by Heylyn, before the records perished in the Great Fire of London in 1666.

emanated from royal, rather than from episcopal authority. In any case, we can be quite certain that if the revision of the *Bishops' Book* had been completed, there would have been many drastic alterations ! But we hear no more of this particular project. The Synod was, indeed, adjourned from time to time, and at the meeting on January 1st, 1558, plans were passed for four series of Homilies, one on the sacraments, free will, unity of the church, etc., another on the Creed, Lord's Prayer, Decalogue, and Seven Sacraments ; a third on the liturgy, and a fourth on ceremonies, and virtues and vices.<sup>1</sup>

2. But the most important work of the Synod, from our point of view, was the Constitution, drawn up by Pole, in the form of twelve decrees. This is printed by Wilkins, apparently in the form in which it was first read to the Synod.<sup>2</sup> But a revised and enlarged version was evidently made, probably as a result of discussion, and this revised version was sent to the Pope, and was subsequently printed under the title, *Reformatio Angliæ*. There are no very important differences between the two versions.

The Constitution is concerned mainly with points of discipline, but there is one important matter which we must mention. It is set forth as follows, in the version printed by Wilkins :

" Quia contra capitis ecclesiæ, et sacramentorum doctrinam, potissimum hic erratum est, placuit doctrinam de primatu Ecclesiæ Romanæ, et de septem sacramentis, quæ in concilio generali Florentiæ sub Eugenio IV explicata est, huic decreto subjicere."<sup>3</sup>

We should naturally expect this to be followed by the text of the decree of Eugenius IV. Wilkins does not give this, but extracts appear in the final version, the *Reformatio Angliæ*, and it is clear that, from the first, they were intended to be included.

The statement of doctrine on the Seven Sacraments is taken verbally from the *Instructio pro Armenis* of Eugenius IV, and includes the statement that the matter and form of orders are the tradition of instruments and the accompanying formula.

This would seem, at first sight, to indicate that if, as we have shown, Anglican Orders were condemned in the reign of Mary, they were condemned on the basis of the theory contained in the decree of Eugenius IV. But this is by no means clear or certain.

<sup>1</sup> *Synodalia*, Corpus Christi College, Cambridge.

<sup>2</sup> Wilkins, *Concilia*, IV, p. 120.

<sup>3</sup> Wilkins, IV, p. 121.

Rather, it is to be presumed that, in thus quoting the Decree *ad Armenos*, Cardinal Pole and the Synod of Lambeth did not intend to give to it a weight greater than that commonly assigned to it, at that time. Now we have already shown that theological opinion at this time was still very much divided on the question of the matter and form of Holy Order, and that this divergence of view was expressly recognised at the contemporary Council of Trent.<sup>1</sup> Accordingly, we may say with the Rev. T. A. Lacey :

"Since the Council of Trent carefully avoided thus defining the matter and form of order, it is incredible that Pole in a legateine Council should have ventured on such a definition."<sup>2</sup>

He adds :

"Pole must have cited the Decretum in the same sense in which it was originally given, and with the same force. But Eugenius, while directing the Armenians to use the Porrection of the Instruments in the future, at the same time accepted their orders conferred in the past without that ceremony. It follows that, if Pole did really promulgate the Decretum for England, he did not preclude himself from recognising orders which had previously been conferred without regard to its terms."<sup>3</sup>

Elsewhere the same Anglican writer draws attention to the fact that the dominant view held in England was not that attributed to Eugenius IV :

"Neque enim in scholis eo tempore adeo vigeat opinio de porrectionis instrumentorum necessitate, ut ordinationes hac sola causa irritæ atque invalidæ temere haberentur. Imo . . . patet in Anglia omnes episcopos ac doctores, tam veteris quam novæ disciplinæ fautores, cum de Sacris Ordinibus disputarent vel docerent, porrectionem instrumentorum alto silentio præterisse. Nil nisi manuum impositionem pro materia ponebant."<sup>4</sup>

Denny and Lacey support this by a statement contained in the *Bishops' Book* of Henry VIII,<sup>5</sup> and they point out that the document embodying this statement of doctrine was signed by representatives of the "Anglo-Catholic" party such as

<sup>1</sup> The variety of view among Catholic theologians on the matter and form of Order is witnessed to by a contemporary Protestant writer, William Tyndale, in his *Obedience of a Christian Man*, written in 1527 : "Last of all, one singular doubt they have : what maketh the priest ; the anointing, or putting on of the hands, or what other ceremony, or what words ? About which they brawl and scold, one ready to tear out another's throat. One saith this, and another that ; but they cannot agree." (*Op. cit.*, Parker Society, p. 258.) On the Council of Trent see Vol. I, pp. 217-8.

<sup>2</sup> Letter in *Tablet*, November 16th, 1895, p. 793.

<sup>3</sup> *Ibid.*

<sup>4</sup> *De Hierarchia Anglicana*, p. 176.

<sup>5</sup> See our own quotations, Vol. I, p. 258.

Archbishop Lee of York, Bishop Tunstall of Durham, and Stokesley of London. The same doctrine is set forth in the more orthodox *King's Book*.<sup>1</sup>

To these points, adduced by Denny and Lacey, we may add that the doctrinal works by Catholic bishops written in this very reign of Mary are quite silent as to the tradition of instruments being the essential matter of ordination. We refer the reader to the extracts we have already given from Bishops Bonner and Watson. Bishop Bonner says the grace and power is given "by the imposition of the bishop's hands," and again, that the "visible sign is the imposition of the hands," and Bishop Watson speaks similarly.<sup>2</sup> But at the same time Bishop Bonner is most explicit on the invalidity of ordinations by the Anglican ordinal, and gives as the reason the fact that Anglican clerics had "no authority at all given them to offer in the Mass the body and blood of our Saviour Christ . . . utterly despising and impugning not only the oblation or sacrifice of the Mass, but also the Real Presence of the Body and Blood of our Saviour Christ in the sacrament of the altar."

Again, we may point out that in all the documents, Legatine and Papal, with which we have dealt in previous chapters, the defects in ordination specified are, not defects in the *matter* of ordination, but in the *form* and *intention*, and the fact that the examination of the relevant parts of the Anglican Ordinal in Rome led to no change in this respect is surely highly significant.

We conclude, therefore, that the promulgation of the Decree of Eugenius IV in the Synod of Lambeth cannot have been intended to set forth the only orthodox opinion on the matter of Holy Orders, and further, that there is no evidence for, and a great deal of evidence against, the view that Anglican Orders were condemned because of the absence of the tradition of instruments. To this we may add that in the First Ordinal there *was* a tradition of instruments, and that if the supposed theory of Eugenius IV had really been made the criterion of validity, the authorities would have had to recognise ordinations by the First Ordinal, and to have rejected ordinations by the Second Ordinal. But in point of fact ordinations by both ordinals were equally rejected. Hence the defect must have been found elsewhere than in the matter, i.e. it must have been in the *form* or the *intention*, or in both.

<sup>1</sup> See quotations in our first volume, p. 297.

<sup>2</sup> See pp. 108, 111, 112.

Lastly, we call attention to the fact that even if Pole had really regarded the decree of Eugenius IV as a definition, and had promulgated it as such at Lambeth, this would not explain the earlier definite rejection of Anglican Orders by the episcopal authorities of this country, and the reordinations which, as we have seen, began at the very commencement of Mary's reign, and were carried out by bishops who did not accept the view attributed to Eugenius.

#### B. GENERAL CONCLUSION ON THE REIGN OF MARY.

We may now sum up briefly the features of Mary's reign from the ecclesiastical point of view.

(1) It was clearly realised by all that the complete restoration of Catholicism in this country meant submission to Rome. There were really only two alternatives, Catholicism, i.e. *Roman Catholicism* and the Council of Trent; or else some form of Protestantism. The restoration of the authority of the Holy See in this country was attended with difficulties and delays, partly owing to the strength of the opposition of the Protestant party in the nation and the Church, partly owing to political difficulties connected with the Queen's marriage, and partly again due to the economic and financial difficulties involved in the alienation of church and monastic property. If there were any "Anglo-Catholics" still in existence when the union had taken place, we can only say that they were remarkably quiescent. Practically all "Anglo-Catholics" had acknowledged their error and their schism, and had been restored to Catholic Unity, in due submission to the See of Peter. The only persons who refused to submit were the Protestants. Some of these, by retiring into obscurity, managed to survive the reign in this country, one of the most important being Matthew Parker, who was to be the first Archbishop of Canterbury in the new Elizabethan Church. Others who remained in this country, and who opposed the restoration of Catholicism, suffered the penalty of their convictions. Others, again, fled abroad, and found a congenial home in the new Protestant churches in Switzerland and elsewhere—a conclusive indication that they had regarded their own Reformed English Church simply as a sister to the Continental Protestant Churches. Many of these will return to England to help to found the new Elizabethan Church.

(2) From the doctrinal point of view it is noteworthy that the most important Protestant error seems to have been the denial



of the Catholic doctrine of the Real (Objective) Presence. It was this doctrine which the first Convocation of the realm thought it necessary to discuss, and which the Catholic apologists proceeded to explain and defend. Also, it was this doctrine which formed the central feature in the canonical trials of most of the Protestant heretics who suffered for their religion.

(3) It is also precisely the Protestant doctrine on the Eucharist, leading up to a Protestant conception of the Christian ministry, and a Protestant rite for ordination, that explains the condemnation of Anglican Orders.

(4) This condemnation was complete, universal, and authoritative. From the very beginning of the reign, long before the Queen had issued any Injunctions, or before Pole had made any representations on the subject, and many months before he landed in England, Anglican ordinations were rejected as invalid by the "Anglo-Catholic" episcopate of this country. Married Edwardine clergy were excluded from their benefices precisely as married "clerics" and their marriages were evidently recognised as valid, a proof that these individuals were not regarded as being really in priest's Orders. Those who were unmarried, and were otherwise suitable, were reordained. This reordination was complete: it was not merely the conferring of orders passed over or omitted, or the supplying of some ceremony, but complete reordination *ab initio*.

This policy of reordination was evidently in complete harmony with Pole's views, and with the Faculties given him by Pope Julius II. There is indeed every reason to think that Rome knew of the character of the Anglican Ordinal when Pole's Faculties were drawn up. In any case, Pope Paul IV expressly approved all that Pole had done, and in a Papal document himself confirmed the policy of reordaining Edwardine clerics.

As to the *reason* for this policy of reordination, we can only say that there is no proof whatever that it was based upon the absence of a tradition of instruments in the Anglican rite. There is, on the other hand, ample evidence to show that reordination was on the grounds of defective *form* and *intention*. This seems to have been taken for granted from the very first, in such a way that we can only say that it must have been notorious, and a fact accepted by all, that the new ministers ordained by the Anglican rite were not intended to be, never claimed to be, and were not in reality Catholic priests



## **PART SIX**

### **THE RE-ESTABLISHMENT OF ANGLICANISM UNDER ELIZABETH AND HER IMMEDIATE SUCCESSORS**



## CHAPTER I

### ELIZABETH'S PLANS FOR THE RE-ESTABLISHING OF PROTESTANTISM

1. Queen Mary died on November 17th, 1558, and was at once succeeded by her sister Elizabeth, the daughter of Anne Boleyn. As might be expected from her parentage, she had favoured the new religion rather than the old, though she had professed herself a sincere Catholic during the reign of Mary. For reasons that were doubtless partly political, she decided that some form of Protestantism should be the religion of the country in her own reign. Personal inclination and policy suggested that a moderate form should be selected, avoiding extremes, and allowing a certain measure of comprehensiveness. It was clear that the basis for this moderate "National Church" could be found in Lutheranism and the Augsburg Confession rather than in Calvinism or Zwinglianism. There is abundant evidence to show that Elizabeth herself had leanings towards Lutheranism. Thus, she professed to believe in a Presence, and accordingly she told Feria, the Spanish Ambassador, that "she believed that God was in the sacrament of the Eucharist, and only dissented from three or four things in the Mass."<sup>1</sup> But on the other hand it is quite clear that she did not believe in Transubstantiation, for, as we shall see, she objected even to the elevation of the host.

It is also clear that whatever ideas she herself held on the Eucharist, she was prepared to tolerate other Protestant views ; indeed, any doctrine but that of the Catholic Church. Thus, she said to Maitland :

"In the Sacrament of the Altar, some think something, some another—unusquisque in suo sensu abundet."<sup>2</sup>

In matters of ritual, the practice in her royal chapel showed that she preferred the modified ceremonies of the Lutherans to the cold and dismal service of Geneva. Doctrinally, the

<sup>1</sup> *Spanish Calendar*, Elizabeth, Vol. I, p. 62.

<sup>2</sup> Letter of Mary to Guise, *Scottish Historical Society*, Vol. XLIII, p. 39.

impression gained ground that she favoured the Confession of Augsburg. At the end of April, 1559, she told Feria that she would like the Augsburg Confession, or something like it, to be adopted.<sup>1</sup> It was doubtless this moderate outlook, coupled with the conviction that Elizabeth intended to break with the Pope, that led Christopher d'Assonville to write to Philip on November 25th, 1558, that "it is her intention to settle religion as it was eight years before the death of King Henry, when the forms of the ancient religion were followed except as regards the power of the Pope and what is connected with that."<sup>2</sup> But this Ambassador's impressions were plainly erroneous. Elizabeth did *not* intend to adopt the non-Papal "Anglo-Catholicism" of her father.

The true state of affairs was rather that set forth by some of the Reformers in their letters at this time. Thus, Jewel wrote to Peter Martyr on March 20th, 1559 :

"The Queen . . . openly favours our cause, yet is wonderfully afraid of allowing any innovations. . . . She is, however, prudently and firmly and piously following up her purpose, though somewhat more slowly than we could wish."<sup>3</sup>

Also, Richard Hilles wrote to Bullinger on February 28th, 1559 :

"There is a general expectation that all rites and ceremonies will shortly be reformed . . . either after the pattern which was lately in use in the time of King Edward VI, or which is set forth by the Protestant princes of Germany in the Confession of Augsburg."<sup>4</sup>

It was taken for granted by the Protestant Reformers abroad that Elizabeth favoured their cause as the following facts show. At the beginning of her reign, many congratulatory letters were sent her by foreign reformers. Thus, Calvin wrote, both to her and to Cecil. In one of his letters to the latter,<sup>5</sup> he remarks :

"It is well known that . . . you have diligently used that influence which you possess, in no slight degree, with your most serene Queen, to the end that the sincere worship of the Gospel and the pure and uncorrupted worship of God should again flourish by the exclusion of those Popish superstitions which for four years have prevailed throughout your country."

The Queen also received a letter from Peter Martyr, urging

<sup>1</sup> *Spanish Calendar*, Vol. I, p. 61.

<sup>2</sup> *Zürich Letters*, P.S., i, p. 10.

<sup>3</sup> January 29th, 1559, *apud* Gorham, *Gleanings of the Reformation*, p. 407.

<sup>4</sup> *Chron. Belg.*, no. ccxxxvii, i, p. 313.

<sup>5</sup> *Zürich Letters*, ii, p. 17.

her on to the work of Reformation.<sup>1</sup> Melanchthon also wrote to her, and sent his letter by the notorious Bishop Barlow, whom he commended to her Majesty as "a learned man, one who rightly worshipped God, and loved ecclesiastical unity."<sup>2</sup>

Together with this letter from Melanchthon, Barlow delivered to the Queen two others, one from Albert, Duke of Prussia, and the other by the Elector of Brandenburg, both commending Barlow as a worthy Protestant. In due course the Queen wrote to the Duke of Prussia saying that she had chosen Barlow to be Bishop of Chichester, and that she desired to promote men such as he was, of pure doctrine, blameless life, and constancy in religion to the government of churches.<sup>3</sup>

Next we may note that early in Elizabeth's reign Calvin wrote reviving the project of a Protestant General Council.<sup>4</sup> The idea was submitted to the Queen's Council, who instructed Dr. Matthew Parker to reply to the effect that they approved in general of the idea, but that in any case the new Church in England preferred the episcopal to the presbyterian policy, adding that the new episcopal church was to be regarded as succeeding to that of Joseph of Arimathea rather than to that of Augustine.<sup>5</sup> But Calvin's death put an end to this idea of a Council.

Nevertheless, all through this reign, the Reformed Church of England was on the friendliest terms with its sister Reformed Churches on the Continent. This was only natural, seeing that they had given shelter during Mary's reign to many Protestant Reformers who now flocked back to England, to become the bishops and dignitaries of Elizabeth's new Church. Indeed, as we shall see, some of these returned exiles held a very extreme and Calvinistic form of Protestantism, which Elizabeth was not altogether successful in holding in check. In fact, we may say that, in general, the Anglican Bishops and clergy of Elizabeth's reign were Calvinistic in conviction, and openly opposed the Queen's endeavours to Lutheranise the new Church. The result was, as might be expected, a body in unstable equilibrium, in which Lutheran and Calvinistic elements were more or less openly at war. The resulting compromise will be reflected both

<sup>1</sup> *Apud* Gorham, *op. cit.*, p. 383. Peter Martyr was invited to England in 1561 by the Anglican bishops, but he either could not or would not come. See Strype *Annals*, I, i, p. 381.

<sup>2</sup> *Foreign Calendar*, Elizabeth, 1558-9, p. 155.

<sup>3</sup> *Op. cit.*, p. 354.

<sup>4</sup> Strype's *Parker*, I, p. 138.

<sup>5</sup> Cf. Child, *Church and State under the Tudors*, p. 204; Strype's *Parker*, I, p. 139.

in the Church's doctrinal standard, and in her liturgy and ceremonial.

2. Elizabeth's first step was to appoint William Cecil as her principal adviser and collaborator in the establishing of the new National Church. Together, they proceeded to choose people "well affected to the Protestant religion" to form the new Council.<sup>1</sup>

In Mary's reign the Council had consisted of thirty-five persons. Cecil reduced it to eighteen. Eleven of Mary's members were retained, namely, those known not to be staunch in their Catholicism. Twenty-three Catholic members were dismissed, and eight new Protestants appointed. Accordingly, Sandys wrote to Bullinger on December 20th, 1558 :

"The Queen has changed almost all her counsellors, and has taken good Christians into her service in the room of Papists."<sup>2</sup>

The new Council was entirely dominated by Cecil, who initiated and decided all questions of policy.

3. The next step was to draw up plans for the change of religion. There are three documents in existence bearing on this matter. The first is called *Divers Points of Religion contrary to the Church of Rome*, and it was written apparently before December 5th, 1558.<sup>3</sup> Its author was Gooderick, a lawyer, who was a member of a Committee appointed "for the consideration of all things necessary for the Parliament."<sup>4</sup> He says<sup>5</sup> that a certain minimum of English service can be used legally even before Parliament repeals Mary's laws, and, in particular, the English Litany and Suffrages used in King Henry's time. "Besides, her Majesty in her closet may use the Mass without lifting up above the Host . . . and may also have at every Mass some communicants with the ministers, to be used in both kinds." He advises caution in the abolishing of the Pope's authority. "Before the Parliament, nothing against him may be attempted, but dissembled withal in the meantime." Also, "certain of the principal prelates" should be "committed to the Tower, and some other their addicted friends and late Counsellors to the Queen that dead is, and all the rest com-

<sup>1</sup> Alan Gordon Smith, *William Cecil*, p. 53.

<sup>2</sup> *Zurich Letters*, Vol. I, p. 3.

<sup>3</sup> See Gee, *Elizabethan Prayer Book*, p. 59.

<sup>4</sup> Gee, *op. cit.*, p. 21.

<sup>5</sup> The document is printed in full by Dixon, in his *History of the C. of E.*, V, p. 26, and by Gee, *op. cit.*, pp. 202-6.



manded to keep their houses, and that no person other than of the household have any access to them."

All this advice was adopted so far as possible, and the English Litany was immediately used in the Queen's Chapel.<sup>1</sup>

More important still,

"On the Sunday of Christmastide, the Queen, before going to Mass, sent for the Bishop of Carlisle (Dr. Oglethorpe) who was to officiate, and told him that he need not elevate the Host for adoration."

The Bishop courageously answered that the Queen was mistress of his body and life, but not of his conscience. But the Queen left the chapel after the Gospel, "so as not to be present at the Canon, and adoration of the Host, which the Bishop elevated as usual."<sup>2</sup>

4. About Christmas time, the second of the three documents was drawn up for Cecil. It is called *A Device for the Alteration of Religion*.<sup>3</sup> This is very important, and calls for a detailed analysis.

"I. When the alteration shall be first attempted?

"Answer: At the next Parliament, so that the dangers be foreseen, and remedies therefor provided.

"II. What dangers may ensue upon the alteration?

"Answer: (1) The Bishop of Rome, all that he may, will be incensed. He will excommunicate the Queen's Highness, interdict the realm, etc.

"(2) The French King will be encouraged more to the war, and make his people more ready to fight against us, not only as enemies, but as heretics. He will be in great hope of aid from hence of them that are discontented with this alteration. . . .

"(3) Scotland will have some causes of boldness.

"(4) Ireland also will be very difficultly stayed in their obedience, by reason of the clergy that is so addicted to Rome.

"(5) Many people of our own will be very much discontented, especially these sorts:

"(a) All such as governed in the late Queen Mary's time, and were chosen thereto . . . for being hot and earnest in the other religion. . . .

"(b) Bishops and all the clergy will see their own ruin. In confession and preaching, and all other ways they can, they will persuade the people from it. . . .

<sup>1</sup> Gee, *op. cit.*, p. 61.

<sup>2</sup> *Spanish Calendar*, Vol. I, p. 17. The *Venetian Calendar* (VII, 2) says this incident took place on Christmas Day. The feast fell on a Sunday that year.

<sup>3</sup> Printed in Gee, *Elizabethan Prayer Book*, pp. 195 *et seq.* Also in Strype, *Annals*, Vol. I, pt. ii, pp. 392-8, and in Pocock-Burnet, V, p. 497.

"(c) Men which be of the papist sect, which late were in manner all the judges of the law . . . are like to join and conspire with the bishops and clergy.

"(d) Some . . . will be like to conspire and arise if they have any head to stir them to it, or hope of gain and spoil.

"(e) Many such as would gladly have the alteration from the Church of Rome, when they shall see peradventure that some old ceremonies shall be left still, or that their doctrine, which they embrace, is not allowed and commanded only, and all other abolished and disproved, shall be discontented, and call the alteration a cloaked papistry, or a mingle-mangle.

"III. What remedy for these matters?

"First, for France, to practise a peace. . . .

"Rome is less to be doubted, from whom nothing is to be feared, but evil will, cursing, and practising.

"Scotland will follow France for peace. . . .

"Some expense of money in Ireland.

"The fifth divided into five parts.

"The first is of them which were of Queen Mary's council, elected and advanced then to authority only or chiefly for being of the Pope's religion, and earnest in the same. . . . These must be searched for by law . . . and discredited so long as they seem to repugn to the true religion. . . .

"The second of these five is the bishops and clergy, being in manner all made and chosen such as were thought the stoutest and mightiest champions of the Pope's Church. . . . These her Majesty . . . must seek, as well by Parliament as by the just laws of England, in the *premunire*, and other such penal laws, to bring again in order. And being found in default, not to pardon till they confess their fault, put themselves wholly to her Highness's mercy, abjure the Pope of Rome, and conform themselves to the new alteration. . . .

"The third is to be amended . . . by such means as Queen Mary taught. . . . No office of jurisdiction or authority to be in any discontented man's hand. . . .

"The fourth . . . by gentle and dulce handling by the commissioners. . . .

"The fifth, for the discontentation of such as could be content to have religion altered, but would have it go too far, the strait laws upon the promulgation of the book, and severe execution of the same at the first, will so repress them that it is great hope it shall touch but a few. And better it were that they did suffer than her Highness or the Commonwealth should shake or be in danger. And to this they must well take heed that draw the book. . . .

"IV. What shall be the manner of the doing of it?

"Answer: This consultation is to be referred to such learned men as be meet to show their minds herein, and to bring a plat or book hereof ready drawn to her Highness. Which being approved of her Majesty may be so put into the Parliament House, to the which for the time it is thought that these are apt men: Dr. Bill, Dr. Parker, Dr. May, Dr. Cox, Mr. Whitehead, Mr. Grindal,

Mr. Pilkington, and Sir Thomas Smith do call them together. . . . And after the consultation with these, to draw in other men of learning and gravity. . . .

"As for that is necessary to be done before, it is thought most necessary that a strait prohibition be made of all innovation until such time as the book come forth. . . .

"V. What may be done of her Majesty for her own conscience openly, before the whole alteration, or if the alteration must tarry longer, what order be fit to be in the whole realm, as an interim?

"Answer: To alter no further than her Majesty hath, except it be to receive the Communion as her Highness pleaseth on high feasts. And that where there be more chaplains at Mass, that they do always communicate in both kinds. And for her Majesty's conscience till then, if there be some other devout sort of prayers or memory said, and the seldomer Mass. . . ."

The third document was entitled *The Distresses of the Commonwealth*. It was written by Armigail Waad, probably at Cecil's request.<sup>1</sup> It counsels moderation and prudence in the change of religion, but gives no detailed suggestions. We shall find that the suggestions made in the other two documents were carried out almost to the letter. But before we pass on to the carrying out of the Plan, we draw attention to the phrase so frequently employed, "change of religion," or "alteration of religion." The founders of the new Elizabethan Church knew quite well what they were doing. They definitely intended to change the religion of this country from Catholicism to Protestantism. And, as we shall see, they succeeded in doing so.

<sup>1</sup> Gee, *op. cit.*, p. 23. Text, *ibid.*, pp. 206-215.

## CHAPTER II

### THE REVISION OF THE PRAYER BOOK

1. We have seen that the *Device for the Alteration of Religion* recommended the appointment of a Committee to draw up a new Prayer Book, and suggested seven suitable members by name : Grindal, Cox, Whitehead, Pilkington, Parker, May and Bill, together with Sir T. Smith, who was to act as Chairman. Other "men of gravity and learning" might be called in. There is every reason to think that the committee duly met, under its chairman, and that, in addition, two other persons were consulted, namely, Sandys and Guest.<sup>1</sup> All these were thorough-going Protestants, as we shall see. Grindal, Cox, Whitehead and Pilkington had been members of the English Protestant Church at Frankfort during the reign of Mary, and had taken part in the quarrels there concerning ritual. They had jointly signed a letter to Calvin saying that they had "freely relinquished all those ceremonies which were regarded by our brethren as offensive and inconvenient," such as "private baptisms, confirmation of children, saints' days, kneeling at the holy communion, the linen surplices of the ministers, crosses, and other things of the like character."<sup>2</sup> Sandys had also signed this letter. Parker, May, Bill and Guest had apparently remained in hiding here in England during Mary's reign.

Dr. Gee remarks that the majority of the seven members "were likely to be available for the work proposed, at some time in January, 1559."<sup>3</sup> He also points out that Grindal and his party from abroad were welcomed back by the Queen in the same month. Grindal said in a letter : "We were indeed urgent from the very first that a general reformation should take place."<sup>4</sup>

<sup>1</sup> Strype says that Parker was absent through illness, and that Guest was appointed to take his place, with special instructions to "compare both King Edward's books together, and from both to frame a book for the use of the Church of England, by correcting and amending, altering and adding or taking away according to his judgment . . ." (*Annals*, II, p. 82).

<sup>2</sup> *Original Letters*, P.S., p. 754.

<sup>3</sup> *Op. cit.*, p. 72.

<sup>4</sup> *Zurich Letters*, ii, 19.

Gee says that "such notices go to prove that there was a conference of some kind, in which Grindal at all events took part on his arrival."<sup>1</sup>

Again, Parker was in London in January, 1559, and probably also in February.<sup>2</sup> "Doubtless he took part in some deliberation when he was in town in January. It is, however, probable that the real discussion, the real review of the Prayer Book, was held in February."<sup>3</sup>

Cox is known to have preached at Westminster at the opening of Parliament in January, and again before the Queen on Ash Wednesday. Parker preached on February 10th, Whitehead on February 15th, and Grindal on February 23rd. Gee says: "It is difficult to avoid the conclusion that they were all in London at the time for the purpose of consultation, and were, as the *Device* says, 'to bring a plat or book hereof ready drawn to her Highness.'"<sup>4</sup>

2. We must now examine the doctrinal colour of this Commission. We begin with

(a) EDMUND GRINDAL, subsequently Bishop of London, Archbishop of York, and Archbishop of Canterbury. His Protestantism is beyond any question, for in his *Fruitful Dialogue between Custom and Verity*, he sets forth his Eucharistic doctrine as follows:

"Seeing all the old fathers do constantly agree in one that the Body of Christ is ascended into Heaven and there remaineth at the right hand of the Father, and cannot be in more than one place, I do conclude that *the Sacrament is not the Body of Christ*<sup>5</sup>; first, because it is not in heaven, neither sitteth at the Father's right hand; moreover, because it is in a hundred thousand boxes, whereas Christ's Body filleth but one place, furthermore, if the bread were turned into the Body of Christ, then would it necessarily follow that sinners and unpenitent persons receive the Body of Christ."<sup>6</sup>

He also categorically denies Eucharistic adoration, and the Sacrifice:

"Christ gave a sacrament to strengthen men's faith; the priest gives a sacrifice to redeem men's souls. Christ gave it to be eaten; the priest giveth it to be worshipped. And to conclude, Christ gave bread; the priest saith he giveth a God."<sup>7</sup>

Accordingly, he makes it quite plain in what sense Christ can be said to be "received by faith" in the Eucharist:

<sup>1</sup> *Op. cit.*, p. 75.

<sup>2</sup> *Ibid.*, p. 77.

<sup>3</sup> Parker Society's edn., p. 55.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, p. 76.

<sup>6</sup> Italics ours.

<sup>7</sup> *Ibid.*, p. 57.

"Whereas I say that Christ's Body must be received and taken with faith, I mean not that you shall pluck down Christ from heaven and put Him in your faith as in a visible place, but that you must with your faith rise and spring up to Him, and leaving this world dwell in heaven. . . . So shall you feed on the Body of Christ. . . . This is the spiritual, the very true, the *only* eating of Christ's Body."<sup>1</sup>

Thus, Dr. Darwell Stone is quite right in saying that Grindal's doctrines "much resembled those of Cranmer, though to some extent marked by the doctrine held by Bucer."<sup>2</sup>

(b) DR. COX. He was afterwards appointed by Elizabeth to the See of Ely. He had assisted in the compilation of the First Prayer Book of 1549, if not of the Second, and we have already shown that he was a thorough-going Protestant.<sup>3</sup> Further evidence will be given later. (See pp. 189, 191.)

(c) DR. WHITEHEAD. He had been chaplain to Anne Boleyn in Henry's reign. Under Mary, he was preacher to the exiles at Frankfort. At a Public Disputation in March, 1559, at Westminster, he maintained, against the Catholic Bishops, that

"The propitiatory sacrifice which the Papists pretend to be in the Mass cannot be proved by the Holy Scriptures."<sup>4</sup>

(d) DR. PILKINGTON. During Mary's reign he was a preacher at Basel. He was made Bishop of Durham by Elizabeth in 1561. In his *Confutation*, he thus points out the significance of the substitution of tables for altars :

"Wheresoever therefore the New Testament or old writers use the word 'altar,' they allude to that Sacrifice of Christ, figured by Moses, and use the word still that Moses used to signify the same sacrifice withal ; and rather it is a figurative than a proper kind of speech in such places. And because altars were ever used for sacrifices, to signify that sacrifice which was to come, seeing our Saviour Christ is come already, [and] has fulfilled and finished all sacrifices, we think it best to take away all occasions of that Popish sacrificing Mass (for maintaining whereof they have cruelly sacrificed many innocent souls) to minister on tables, according to these examples. . . .

"For their Sacrifice of the Mass, that he laments so much to be defaced, and all good consciences rejoice that God of his undeserved goodness has overthrown it, I refer all men to the fifth and last book that the blessed souls now living with God, Bishops Cranmer and Ridley, wrote of the Sacrament."<sup>5</sup>

Elsewhere we shall quote Pilkington's views on Orders, and his clear differentiation between Catholic orders and Anglican orders.

<sup>1</sup> *Op. cit.*, p. 46.

<sup>2</sup> See Vol. I, p. 376.

<sup>3</sup> *Works*, P.S., p. 547.

<sup>4</sup> *History of the Doctrine of the Eucharist*, ii, p. 231.

<sup>5</sup> Letters of Bp. Jewel, *Works*, P.S., iv, 1200.

(e) DR. PARKER. His Protestantism hardly requires any proof. We have seen that he had been a close friend of Bucer's, preached a panegyric at his death, and translated his *Constans Defensio* into English.<sup>1</sup>

As to his Eucharistic views in Elizabeth's reign, we have the conclusive evidence of Article 29 in the 1563 Articles which, as we shall see, denies that the wicked receive Christ's Body. And as to the Sacrifice of the Mass, we have the evidence of the Eleven Articles, administered by Parker and his colleagues to the clergy of England, which included the declaration that "the doctrine that maintaineth the Mass to be a propitiatory sacrifice for the quick and dead . . . is most ungodly and most injurious to the precious redemption of Our Saviour Christ."<sup>2</sup>

Against this, it has been urged by Denny and Lacey that Parker believed in some kind of Real Presence, because he translated Ælfric's Homily on the Eucharist, and secondly because he assented to the Article which states that the Body of Christ is given and taken, though "only after a heavenly and spiritual manner."

We shall show later that this phrase in the Article does not imply more than a Calvinistic view of the Virtual Presence. And as to Ælfric's Homily, Parker's purpose, as he himself confesses, was to endeavour to show that Ælfric did not teach Transubstantiation. Ælfric's strong language on the Real Presence would presumably be interpreted "spiritually" by Parker. In any case, Parker made it clear in this very work that he did not accept the Catholic doctrine on the Sacrifice of the Mass, for he warns the reader that "in this sermon (of Ælfric) some things be spoken not consonant to sound doctrine, but rather to such corruption of great ignorance and superstition as hath taken root in the Church long time . . . as where it speaketh of the Mass to be profitable to the quick and dead."

(f) DR. MAY. He was one of the committee for the First Prayer Book of Edward VI, and we have already established his Protestantism.<sup>3</sup> He was subsequently nominated Archbishop of York by Elizabeth, but died before consecration.

(g) DR. BILL. He had been chaplain to Edward VI, and as such signed the draft of the Forty-Five Articles. He became Provost of Eton, Dean of Westminster, and Almoner to Queen Elizabeth. He is described in the Harleian MS, no. 7028, fol. 139, as "a hearty favourer of the Reformation." He does not

<sup>1</sup> See Vol. I, p. 196.

<sup>2</sup> See p. 292.

<sup>3</sup> See Vol. I, p. 376.

seem to have written much himself, but he wrote a dedicatory poem to a work by Roger Hutchinson entitled *Image of God*, published in 1550, and described it as "an image painted out of God's book," and "fruitful and necessary to all Christians."<sup>1</sup> The book itself, which thus sets forth views with which Dr. Bill agreed, speaks as follows on the Eucharist :

"The Lord's Supper, which men call the Mass, is not a Sacrifice for Sin, as St. Paul plainly declareth. . . . Sin being forgiven, as the Apostle telleth, by the virtue of it (the Sacrifice of the Cross), 'there remaineth no more sacrifice for sin,' but only a commemoration or memorial. . . . Wherefore the Supper of the Lord is no Sacrifice for sin, forasmuch as it is a Sacrament.

"Mark this difference, brethren, and be no longer deceived."

Hence, there is now no real priesthood, but only a ministry of elders :

"The parable of the thieves teacheth us that Christ's coming hath disannulled all such priesthood as is called *sacerdotium*, but the *presbyterium* remaineth."<sup>2</sup>

(h) SIR THOMAS SMITH. He was a diplomat rather than a theologian. Strype, who has written his biography, emphasizes the services which he rendered to the cause of the Reformed Religion, and his Protestantism hardly admits of any doubt.

We now come to the two others who were probably associated with the revision of the Prayer Book. First we will mention

(i) DR. SANDYS. As we have said, he had fled to Frankfort in the reign of Queen Mary and, like the other returned exiles, he received high ecclesiastical promotion under Elizabeth, becoming Bishop of Worcester in 1559, Bishop of London in 1570, and Archbishop of York in 1576.

Several authorities consider that he helped with the preparation of the new Prayer Book. Strype says so,<sup>3</sup> and a letter from Sandys to Parker on April 30th, 1559, indicates that he (Sandys) was closely connected with the whole matter.<sup>4</sup> Dr. Gee remarks<sup>5</sup> that "Sandys had been in London with Grindal and others, and had perchance been in conference from time to time on the question of the Prayer Book."

Sandys was a thorough-going Protestant.

Dr. Darwell Stone says he teaches much the same doctrine as Grindal and Cranmer. Indeed, he expressly teaches the Real Absence, as the following citation will show :

<sup>1</sup> Page 10.

<sup>2</sup> Page 49.

<sup>3</sup> *Annals*, I, i, 166.

<sup>4</sup> *Parker's Correspondence*, p. 65.

<sup>5</sup> *Op. cit.*, pp. 102-3.



"We must lift up ourselves from these external and earthly signs, and like eagles, fly up and soar aloft, *there* to feed on Christ. . . . From thence and from no other altar shall He come, in his natural body, to judge both quick and dead. His natural body is local, for else it were not a natural body. *His Body is there, therefore not here*; for a natural body doth not occupy sundry places at once. Here we have a sacrament, a sign, a memorial, a commemoration, a representation, a figure effectual, of the Body and Blood of Christ."<sup>1</sup>

Dr. Darwell Stone says Sandys "leaves no room for a sacrifice in the Eucharist other than such as there may be in all good actions."<sup>2</sup> That this is so is clear from the following quotation:

"Where full remission of sin is, there needeth no further sacrifice for sin. And the Holy Ghost beareth us record that we have full remission of all our sins. . . . So that there remaineth no other sacrifice to be daily offered but the sacrifice of righteousness, which we must all offer."<sup>3</sup>

And again:

"In the Scriptures, wherein is contained all that is good and all that which God requireth or accepteth of, we find no mention either of the name or the thing of the Mass, the Pope, praying on beads, hallowing of bells, either any such like Popish trash."<sup>4</sup>

(j) Lastly we come to DR. GUEST, soon to be made Bishop of Rochester (1560) and later of Salisbury (1571). His association with the work of revision of the Prayer Book is inferred from an undated letter written by him to Cecil, in which he defends a certain projected Prayer Book which is evidently not quite the same as that ultimately authorised by Elizabeth's Parliament. At the same time, Guest gives reasons why the Committee of Revisers had not thought fit to adopt the First Prayer Book of Edward VI. Authorities generally consider that Guest's letter belongs to the revision of the Elizabethan Prayer Book in 1559. Dr. Gee, however, in his *Elizabethan Prayer Book*, has advanced the theory that it was written on the occasion of the production of the Second Book of Edward in 1552. But this theory has not met with any general acceptance,<sup>5</sup> and we do not adopt it ourselves. Our main reason is that Dr. Guest's name is never mentioned in connection with any of the liturgical reforms which took place in the reign of Edward VI. On the other hand, it is known that he took part in a debate against the Catholic

<sup>1</sup> *Sermons*, P.S., p. 88. Italics ours.

<sup>2</sup> *Op. cit.*, p. 235.

<sup>3</sup> *Sermons*, p. 412.

<sup>4</sup> *Ibid.*, p. 223.

<sup>5</sup> See the review of Gee's book in *Church Quarterly Review*, Vol. 54, pp. 339 *et seq.*, also Frere, *English Church in the Reign of Elizabeth*, p. 27; Brightman, in *Liturgy and Worship*, p. 182; Dixon, *History of the C. of E.*, V, p. 98.

Bishops at Westminster in March, 1559,<sup>1</sup> and later on helped to produce the Thirty-nine Articles.<sup>2</sup> As he was thus a prominent figure in the Elizabethan Reformation, it is only to be expected that he would be invited to take a hand in the preparation of the new Prayer Book.

This being so, it is of interest to examine his views. Eleven years previously, i.e. in 1548, he had written a *Treatise on the Privy Mass*, in which he adopted an extreme Zwinglian position on the Presence, and also denied the Sacrifice of the Mass, as the following extracts will show :

"These words, 'Take, eat,' in these words of the institution of the Lord's Supper, 'Take, eat, this is my body,' be no words of making of the Lord's Body, but of presenting and exhibiting<sup>3</sup> the same to the receivers of the right Supper of the Lord, so that it is fully open that the priest can neither consecrate Christ's Body, neither make it. Howbeit, this is always grantable. The minister both consecrateth and maketh, though not Christ's Body and Blood, yet the hallowed bread and wine, the sacraments exhibitiv<sup>4</sup> of the same."

"As Austin saith, the Lord doubted not to say 'This is my body' when He gave a sign of his Body. It meaneth not that Christ's Body is absent from his Supper, but that the consecrated bread is not the said Body or turned substantially into the same, and is but a sign of Christ's Body, notwithstanding it be named his Body."

"The consecrated bread is but a sacramental sign of Christ's Body, and not Christ's Body self, though it be termed sacramentally the said Body."

"The worship of whole Christ, both man and God, in and under the forms of bread and wine . . . is unfitting and repugnant. To worship Him in, under and before the said bread and wine is to worship the said bread and wine, as to worship God in, under or before an image is to reverence the image itself, which is altogether idolatry."

"I have argued, I suppose forcibly, that the priest's sacrifice be neither propitiatory nor available, neither godly nor approvable, but sinful and unsufferable. Therefore, I beseech ye, utterly renounce it and detest it, embracing and using in the stead thereof that of the most Holy Communion."<sup>5</sup>

And in the same work he argues at length, in the usual Protestant manner, that the Sacrifice of the Mass is injurious to that of the Cross, and is excluded by the Epistle to the Hebrews.

Such were Guest's views in 1548. What were his views in 1559, when the new Prayer Book was being prepared? It seems to us that they cannot have changed greatly from what

<sup>1</sup> See p. 227.

<sup>2</sup> Note the use of "exhibit" here.

<sup>3</sup> There is no pagination in this book.

<sup>4</sup> See p. 286.

<sup>5</sup> Again the word "exhibit" !

they had been in 1548 for, as one of the Protestant champions against the Catholic Bishops in March, 1559, he maintained that "in the Lord's Supper there is no other oblation or sacrifice than of remembrance of Christ's death and thanksgiving,<sup>1</sup> and that "the propitiatory sacrifice which the Papists pretend to be in the Mass cannot be proved by the Holy Scriptures."<sup>2</sup>

In view of these pronounced Protestant views on the Sacrifice, it seems hardly likely that at this time Guest held any very high views on the Presence, and accordingly we are not surprised to find that in the letter to Cecil, which we ascribe to this year, 1559, he sets forth a very "low" view of the Eucharist. Let us now examine the contents of this letter, in which Guest defends the new service he had proposed. He maintains that he has "neither ungodly allowed anything against the Scripture . . . neither rashly without just cause put away that which might be well suffered." He remarks that "ceremonies once taken away as evil used, should not be taken again, though they be not evil of themselves, but might be well used." Evidently someone had complained that in his proposed book, certain ceremonies allowed in previous Prayer Books were excluded. In particular, his book evidently forbade the use of the Cross, and of images. He also says that "procession is superfluous." The surplice is good enough for the Communion service,

"Because it is thought sufficient to use but a surplice in baptizing, reading, preaching and praying, therefore it is enough also for the celebrating of the Communion. For if we should use another garment herein, it should seem to teach us that higher and better things be given by it than be given by the other service, which we must not believe."

Also, in his proposed book, the Communion service was definitely divided into two parts, and the Creed was to be said only by communicants.

There was to be no praying for the dead in the Communion service :

"That praying for the dead is not now used in the Communion, because it doth seem to make for the sacrifice of the dead. . . . Thus to pray for the dead in the Communion was not used in Christ and his Apostles' time. . . ."

Also, the Consecration Prayer in the First Prayer Book had been rejected in the new rite :

<sup>1</sup> Harleian MS., 7028, fol. 139.

<sup>2</sup> Jewel, *Works*, IV, p. 1200.

"This prayer is to be disliked for two causes. The first, because it is taken to be so needful for the consecration that the consecration is not thought to be without it. Which is not true, for petition is no part of consecration. . . . Though Mark saith, 'that Christ blessed, when He took bread,' yet he meaneth by 'blessed' gave thanks. . . . Gregory writeth to the Bishop of Syracuse that the Apostles used only the Lord's Prayer at the communion, and none other, and seemeth to be displeased that it is not there still so used, but instead thereof the canon which Scholasticus made. . . . Chrysostom saith that this sacrament is made by the words of Christ once spoken. . . . Bessarion saith that the consecration stands on Christ's ordinance and his words, and not on the prayer of the priest. . . . The second cause why the foresaid prayer is refused is for that it *prays that the bread and wine may be Christ's Body and Blood; which makes for the popish transubstantiation, which is a doctrine that hath caused much idolatry, and though the Doctors so speak, yet we must speak otherwise, because we take them otherwise than they meant, or would be taken.* . . ."<sup>1</sup>

Guest also defends the practice of giving the communion into the hands of the people, and not into their mouths. Lastly, his Communion service evidently made it optional to receive standing or kneeling.

"Though this is the old use of the Church to communicate standing, yet because it is taken of some by itself to be sin to receive kneeling, whereas of itself it is lawful, it is left indifferent to every man's choice to follow the one way or the other, to teach men that it is lawful to receive either standing or kneeling."

Guest concludes :

"Thus, as I think, I have showed good cause why the service is set forth in such sort as it is. God, for his mercy in Christ, cause the Parliament with one voice to enact it, and the realm with true heart to use it."<sup>2</sup>

3. If, as we maintain, this letter belongs to the year 1559, it throws a flood of light upon the activities of the Commission for the Revision of the Prayer Book. They had been entrusted with the work by Cecil. Probably it had been suggested to them that they might take the First Prayer Book of Edward VI as a basis. This would be in complete harmony with Queen Elizabeth's attitude, and her plans for the new Church.<sup>3</sup> But, in point of fact, the Committee was composed of thorough-going Protestants, as we have seen, and, in consequence, the First Prayer Book of Edward was set aside, and in its place, a very Protestant book was drawn up—the one described in Guest's

<sup>1</sup> Italics ours.

<sup>2</sup> See p. 171.

<sup>3</sup> For complete text see Gee, *op. cit.*, pp. 215-224.

letter. Cecil evidently wrote to ask why the Committee had rejected the First Book of Edward, and also called for an explanation of certain features in the suggested book. To this letter of Cecil, the present letter of Guest is a reply.

As the book eventually authorised by Parliament was, as we shall see, neither the First Book of Edward nor the new book proposed by Guest, it is clear that, as Elizabeth could not persuade the revisers to adopt the First Book, and would not accept that drawn up by Guest and his colleagues,<sup>1</sup> a compromise was arrived at, in the form of the Second Book of Edward VI, with one or two minor modifications which may have been introduced by Elizabeth, Cecil, or other of her advisers.<sup>2</sup>

It must soon have become known that the Second Book of Edward was likely to be the book officially authorised, and accordingly there is evidence to show that it was used in some places "afore it was received or enacted by Parliament."<sup>3</sup> Also, according to the Venetian Ambassador, "Mass was sung in English according to the use of King Edward," in the Queen's Chapel on Easter Day, 1559, i.e., March 26th.<sup>4</sup>

<sup>1</sup> Procter and Frere write: "It is clear that the book, in the shape in which it left the Committee of divines, was more favourable to Puritan opinions than was agreeable to the Queen or to her Secretary." (*History of B.C.P.*, p. 55.)

<sup>2</sup> "It is most probable from the known sentiments and subsequent conduct of the Queen that these changes were ordered by herself and her Council." (Cardwell, *History of Conferences*, p. 21.)

<sup>3</sup> Pilkington's *Works*, P.S., p. 626.

<sup>4</sup> *Venetian Calendar*, Vol. VII, p. 57. It is of course possible that the First Book of Edward was used on this occasion, but we do not think it likely.

## CHAPTER III

### THE ACT OF SUPREMACY

#### A. THE STATE OF THE EPISCOPATE.

The ranks of the hierarchy were sadly depleted when Elizabeth came to the throne. Ten out of twenty-six sees were vacant through death, including the primatial see of Canterbury. Some nominations had, indeed, been already made to vacant sees. Thus, Mallet had been nominated to Salisbury by Queen Mary but, although he had already received the temporalities, he was set aside by Queen Elizabeth. Similarly, Clennock had been nominated to Bangor, Reynolds to Hereford, Wood to St. Asaph, and Goldwell to Oxford. But all these nominations were cancelled by the new Queen. Thus effectively, the hierarchy actually consisted of the following :

York : Heath.

London : Bonner.

Winchester : White.

Ely : Thirlby.

Lincoln : Watson.

Lichfield : Bayne.

Bath : Bourne.

Exeter : Turberville.

Worcester : Pate.

Peterborough : Poole.

St. David's : Morgan.

Llandaff : Kitchin.

St. Asaph : Goldwell (in process of being transferred to Oxford).

Durham : Tunstall.

Carlisle : Oglethorpe.

Chester : Scott.

The ten sees either actually vacant or treated by Elizabeth as such were :

Canterbury, Salisbury, Norwich, Hereford, Chichester,<sup>1</sup>  
Rochester, Oxford, Bristol, Gloucester, Bangor.

But though sadly depleted, we shall see that the Catholic episcopate bravely resisted the change of religion.

#### B. THE CORONATION.

Elizabeth's Coronation took place on January 15th, 1559. By this time it had become abundantly clear that she meant to reintroduce the Reformed religion in place of the Catholic Church, and for this reason Archbishop Heath and the other bishops all refused at first to crown her. Eventually Oglethorpe, Bishop of Carlisle, consented to perform the ceremony, provided the Pontifical rite were followed. According to a report drawn up by Sanders and sent to Cardinal Morone, Oglethorpe consented, "not as a favourer of heresy, but lest the Queen should be angry if no one would anoint her, and be more easily [moved] to overthrow religion."<sup>2</sup> It would seem that Elizabeth stipulated that there should be no Elevation of the Host at the Coronation Mass, that for this reason not even Oglethorpe would celebrate the Mass, and that she had to fall back upon the Dean of her Chapel for this part of the ceremony.<sup>3</sup>

#### C. THE ACT OF SUPREMACY.

1. Elizabeth's First Parliament was opened on January 25th, 1559, ten days after her Coronation. The customary Mass of the Holy Ghost, in the presence of both Houses, was omitted.<sup>4</sup> In its place, the members of Parliament were treated to a vehement Protestant tirade from the redoubtable Dr. Cox, a married priest, soon to become a bishop. In this, he exhorted the Queen "to destroy the images of the saints, monasteries, and all other appurtenances of the Catholic religion." As Frere puts it<sup>5</sup> he inveighed for an hour and a half against the monks, and demonstrated that the existing system of worship was great impiety and idolatry!

The business of Parliament began with an oration by Lord

<sup>1</sup> Christopherson, Bp. of Chichester, died on January 2nd, 1559.

<sup>2</sup> Quoted in Birt, *Elizabethan Religious Settlement*, p. 37.

<sup>3</sup> *Venetian Calendar*, Vol. VII, p. 17. Pollard, however, thinks that Oglethorpe sang the Mass and elevated the Host, and that the Queen withdrew from this part of the function. See the discussion in *English Historical Review*, Vol. 22, pp. 650-73; Vol. 23, pp. 87-91, 533-4; Vol. 24, pp. 322-3; Vol. 25, pp. 125-6.

<sup>4</sup> It had been sung at an early hour, and without the elevation of the Host. (Birt, *op. cit.*, p. 39.)

<sup>5</sup> *English Church under Elizabeth*, p. 14.

Chancellor Bacon, announcing the programme of the Government. The first item was "pro reformanda religione et tollenda idolatria."<sup>1</sup>

2. The first anti-Catholic law to be introduced was the Act of Restoration of Tenths and First Fruits. This enacted that these particular revenues, previously paid to the Pope, should be in future the property of the Crown. The Bill was read first in the Lords on January 30th, and the division was taken on February 4th. It will be of interest to see how the Catholic episcopate voted. Of the sixteen bishops still alive, nine were present. Of the seven absentees, four were represented by proxies. Thus Tunstall of Durham, then in his eighty-fourth year, appointed Archbishop Heath as his proxy. Thirlby of Ely, abroad on a mission, appointed the Archbishop of York and the Bishops of Chester and Lincoln. Bourne of Bath chose the Archbishop of York, and the Bishops of London and Peterborough. Morgan of St. David's appointed the Archbishop of York and the Bishop of Peterborough. Thus, there were only three bishops unaccounted for. These were :

Goldwell of St. Asaph. He had not been summoned to this Parliament, probably because he had been nominated to Oxford.

Poole of Peterborough was excused from attendance, at his own request, because of ill-health.

Watson of Lincoln was absent through ill-health.<sup>2</sup> Three months later, i.e. on April 1st, he was committed to the Tower.

Now, *all the bishops present voted against the Bill* :

Archbishop Heath, of York ;  
 Bishop Bonner, of London ;  
 Bishop Pate, of Worcester ;  
 Bishop White, of Winchester.  
 Bishop Kitchin, of Llandaff ;  
 Bishop Bayne, of Coventry and Lichfield ;  
 Bishop Turberville, of Exeter ;  
 Bishop Scott, of Chester.  
 Bishop Oglethorpe, of Carlisle.

Kitchin was as yet still loyal to the Catholic Church.

The Bill was next sent to the Commons, and came back to the Lords with six modifications. On March 15th, the vote was taken in the Lords on the revised Bill, and was again *rejected by all the bishops present*.

<sup>1</sup> *Venetian Calendar*, VII, p. 23.

<sup>2</sup> Birt, *op. cit.*, p. 44.



On February 8th, Ash Wednesday, Parliament adjourned to hear another sermon preached by Dr. Cox. He thus describes his own sermons, in a letter to his Continental friends :

"We are thundering forth in our pulpits, and especially before our Queen Elizabeth, that the Roman Pontiff is truly Antichrist, and that traditions are for the most part mere blasphemies."<sup>1</sup>

3. On February 9th, a Bill was introduced into the Commons "to avoid (i.e. void) the Pope's Supremacy." It met with strong opposition, and was apparently withdrawn.<sup>2</sup>

On February 15th, a "Bill for Common Prayer and Administering the Sacraments" was introduced into the Commons, and the "Book" itself, i.e. the proposed Book of Common Prayer, on February 16th. But no more is heard of this particular Bill, and Frere says "there seems to be little doubt that the Government was defeated."<sup>3</sup> As to the nature of the Prayer Book thus introduced, it is to be presumed that, as Elizabeth had been unable to persuade her Committee to adopt the First Prayer Book of Edward, it consisted of the Second Edwardine Book. The Catholic element in Parliament was evidently so strongly opposed to the reintroduction of Protestant services that the Bill was either defeated, or withdrawn for the time being.

On February 21st, however, its provisions were evidently incorporated into a new and revised Supremacy Bill, which was then introduced into the Commons. It was entitled "A Bill for Supremacy of the Churches of England and Ireland, and abolishing of the Bishop of Rome." It contained three main points :

(1) It appointed Queen Elizabeth "Supreme Head of the Church."<sup>4</sup>

(2) It "forbade the Mass to be said, or the Communion to be administered, except at the table in the manner of Edward VI ; nor were the divine offices to be performed in Church ; priests likewise being allowed to marry, and the Christian [i.e. Catholic] religion and Sacraments being absolutely abolished."<sup>5</sup>

(3) "Adding thereto many extraordinary penalties against delinquents."<sup>6</sup>

The Bill passed its third reading in the Commons with difficulty, and was then sent to the Lords on February 27th. It was

<sup>1</sup> *Zurich Letters*, I, 27.

<sup>2</sup> *History of the English Church*, p. 18.

<sup>3</sup> *Ibid.*, p. 52.

<sup>4</sup> Cf. Gee, *op. cit.*, pp. 80-1.

<sup>5</sup> *Venetian Calendar*, VII, p. 46.

<sup>6</sup> *Ibid.*

read there a first time on the 28th, but the second reading did not take place till March 13th. Then it was referred to a Committee, consisting, apparently, of an almost equal number of Catholics and Protestants. Two bishops were on this Committee. The Catholics evidently made a number of strong criticisms, and, in consequence, a series of concessions were made on March 15th. Thus, instead of definitely stating that the Queen was Supreme Head, it was proposed that she could take the title if she liked.<sup>1</sup>

But this could not be regarded as a very great concession!

The second part of the Bill, which was concerned with the change of worship, was struck out altogether. Also, the penalties were modified.<sup>2</sup> Thus, the Bill was practically reduced to a tentative offer of the Supreme Headship to the Crown, plus the definite rejection of Papal Supremacy. As thus amended, the Bill was read a second time in the Lords on March 17th, and passed its third reading on March 18th. But *all the bishops present voted against the Bill*, as did also the Abbot of Westminster.

Two very notable speeches were delivered in the Lords on this occasion, one by Archbishop Heath, and the other by Bishop Scott of Chester.<sup>3</sup> These speeches are very important, for they give us the authentic verdict on the change of religion, by the Catholic hierarchy of this land. Accordingly, we proceed to give an analysis of them.

<sup>1</sup> "As regards the Supremacy, she might take the title if she wished to, in any case rejecting the Pope's authority."—De Feria to Philip, March 19th, 1559, *Chron. Belg.*, no. cccxxii, i, p. 475.

<sup>2</sup> F. W. Maitland, in *Cambridge Modern History*, II, p. 567; Pollard, *Political History of England*, Vol. VI, p. 202.

<sup>3</sup> Four such speeches have come down to us: (1) Heath, against the Royal Supremacy. This is given in full in Strype, *Annals*, app. vi, and in a slightly abbreviated form in *The New Religion* (Catholic Truth Society). Frere, *English Church under Elizabeth*, gives a summary (p. 20), and Dixon, *History of the Church of England* (V, p. 67), gives a long quotation. Heath seems to have spoken against the Royal Supremacy on a later occasion also, when the final Bill was introduced (Frere, p. 26), and some think the above speech really belongs to this occasion. But we think it belongs to this earlier Bill. Pollard, *op. cit.*, p. 202, thinks the speech was made on March 13th. (2) Scott, against the Royal Supremacy. This is given in full in Strype, *Annals*, app. vii, and also in *The New Religion* (Catholic Truth Society). Analysed in Dixon, pp. 67-70, and mentioned in Gee, *Elizabethan Prayer Book*, p. 88, and by Frere, *op. cit.*, p. 20. (3) Feckenham, against the Prayer Book. Gee, *op. cit.*, p. 88 thinks this was delivered against the shortened Supremacy Bill, but as there is nothing in it about the Royal Supremacy, it seems better to put it later, when the final Act of Uniformity was introduced. Accordingly, we deal with it on pp. 213-5. The speech is given in full in Gee, *op. cit.*, pp. 228 *et seq.*, and in *The New Religion* (Catholic Truth Society). (4) Scott, against the Prayer Book. This is generally admitted to have been made on April 28th, against the final Act of Uniformity. Cf. Gee, *op. cit.*, p. 102. We deal with it on pp. 208-13. Gee gives it in full, pp. 236 *et seq.* Dixon, *op. cit.*, pp. 72 *et seq.* gives an analysis. Speeches were also made on the final Supremacy Bill by Heath and Thirlby, but they are now lost. Cf. p. 204.

4. Archbishop Heath says in substance that<sup>1</sup>

"two things are right needful and necessary to be considered. First, when by the virtue of this Act of Supremacy we must forsake and flee from the See of Rome, it would be considered by your Wisdoms what manner of danger and inconvenience, or else whether there be none at all. Secondly, when the intent of this Act is to give unto the Queen's Highness a Supremacy, it would be considered of your Wisdoms what this Supremacy is, and whether it do consist in spiritual government or in temporal. If in temporal, what further authority can this House give unto her Highness than she hath already by right of inheritance? . . . If you will say that this Supremacy doth consist in spiritual government, then it would be considered what this spiritual government is, and in what points it doth chiefly remain; which being first agreed upon, it would be further considered of your Wisdoms whether this House may grant them unto her Highness or not; and whether her Highness be an apt person to receive the same or not. . . .

"Now, to the first Point, wherein I promised to examine this forsaking and flying from the See of Rome, what matter either of weight, danger, or inconvenience doth consist therein? And if by this our relinquishing of the See of Rome there were none other matter therein than a withdrawing of our obedience from the Pope's person, Paul the fourth of that name, who hath declared himself to be a very austere stern Father unto us ever since his first entrance into Peter's Chair, then the cause were not of such great importance as it is in very deed; when by the relinquishing and forsaking of the See of Rome, we must forsake and fly from these four things. First, we must forsake and fly from all General Councils. Secondly, we must fly from all Canonical and Ecclesiastical Laws of the Church of Christ. Thirdly, from the judgment of all other Christian Princes. Fourthly and lastly, we must forsake and fly from the Unity of Christ's Church, and by leaping out of Peter's Ship hazard ourselves to be overwhelmed and drowned in the waters of Schism, Sects, and Divisions."

The Archbishop then proceeds to show how the authority of the Papacy is established by the history of the first four General Councils of the Church, Nicea, Constantinople, Ephesus, and Chalcedon. As to the two last,

"At the Ephesin Council, Nestorius the Heretic was condemned by Celestine, then Bishop of Rome, he being the chief Judge there. At Chalcedon, all the Bishops assembled there did write their humble submission unto Leo, then Bishop of Rome, wherein they did acknowledge him to be their chief Head. Therefore, to deny the See Apostolic were to contemn and set at nought the Judgment of these four Councils."

The Archbishop, speaking of the errors and heresies condemned at these Councils, says that

<sup>1</sup> I abbreviate these speeches slightly, and modernise the spelling.

"it is much to be lamented that we the inhabitants of this realm are much more inclined to raise up the Errors and Sects of antient and condemned Heretics than to follow the approved Doctrine of the most Catholic and Learned Fathers of Christ's Church."

The Archbishop then deals with his second point, that

"we must forsake and fly from all Canonical and Ecclesiastical Laws of Christ's Church, whereunto we have already confessed our Obedience at the Font, saying 'Credo Sanctam Ecclesiam Catholicam'; which Article containeth that we must believe not only that there is a Holy Catholic Church, but that we must receive also the Doctrine and Sacraments of the same Church, obey her Laws, and live according to the same; which Laws do depend wholly upon the Authority of the See Apostolic. And like as it was here openly confessed by the Judges of this Realm, that the Laws made and agreed upon in the Higher and Lower House of this honourable Parliament be of small or none effect, before the real Assent of the King and Prince be given thereto; semblably Ecclesiastical Laws cannot bind the Universal Church of Christ without the real Assent and Confirmation of the See Apostolic.

"Third, we must forsake and fly from the Judgment of all Christian Princes, whether they be Protestants or Catholic, when none of them do agree with these our doings, King Henry the Eighth being the very first that ever took upon him the Title of Supremacy. . . . If the title is of Right due unto the King for that he is a King, then it would follow that Herod being a King should be Supreme Head of the Church at Jerusalem, and Nero, the Emperor, Supreme Head of the Church of Christ at Rome, they both being Infidels, and thereby no members of Christ's Church. . . . The Emperor Constantinus Magnus was the first Christian Emperor, and reigned about three hundred years after the absence of Christ. . . . If Constantine was the first Chief Head and Spiritual Governor of Christ's Church throughout his Empire, then our Saviour Christ, for that whole time and space of three hundred years until the coming of this Constantine, left his Church, which He had dearly bought by the effusion of his most precious Blood, without a Head. . . .

"Fourthly and lastly. We must forsake and fly from the Unity of Christ's Church, when St. Cyprian, that holy Martyr, saith, that the Unity of the Church of Christ doth depend upon the Unity of Peter's Authority; therefore by our leaping out of Peter's Ship, we must needs be overwhelmed with the waters of Schisms, Sects, and Divisions: for the same holy Martyr, St. Cyprian, saith in his third Epistle *ad Cornelium*, that all Heretics, Sects and Schisms do spring only for that men will not be obedient unto the Head Bishop of God. . . . How true this saying of Cyprian is, it is apparent to all men that listeth to see by the example of the Germans, and by the inhabitants of this Realm. And by our forsaking and flying from the Unity of the Church of Rome, this inconveniency amongst many must consequently follow thereof, that either we must grant the Church of Rome to be the Church

of God, or else a malignant Church. If you answer, that it is of God, where Jesus Christ is truly taught, and all his Sacraments rightly ministered ; how then may we disburden ourselves of our forsaking and flying that Church, whom we do confess and acknowledge to be of God, when with that Church, which is of God, we ought to be one, and not admit any separation ? If you answer, that the Church of Rome is not of God, but a malignant Church, then it will follow that we, the inhabitants of this Realm, have not as yet received any benefit of Christ, when we have received no other Gospel, no other Doctrine, no other Faith, no other Sacraments than were sent us from the Church of Rome."

The Archbishop proceeds to elaborate this last point.

Next, we come

"to the second chief point, wherein I promised to move your Honours to consider what this Supremacy is, which we go about by virtue of this Act to give unto the Queen's Highness, and wherein it doth consist, as whether in Spiritual Government or in Temporal. If in Spiritual, like as the words of the Act do import, 'Supreme Head of the Church of England, immediate and next under God,'<sup>1</sup> then it would be considered of your wisdoms in what points this Spiritual Government doth consist. . . . As touching this matter, I have, in reading the Gospel, observed these four, amongst many ; whereof the first is to loose and bind, when Our Saviour Jesus Christ, in ordaining Peter to be the chief Governor of his Church, said unto him, 'Tibi dabo Claves Regni Cælorum, quodcumque ligaveris super terram erit ligatum in cælis, quodcumque solveris, erit solutum in cælis.' Now it would be considered of your Wisdoms whether you have sufficient authority to grant unto her Highness this first Point of Spiritual Government and to say to her, 'Tibi dabimus Claves Regni Cælorum.' . . . If you say Yea, then we require the sight of your Warrant and Commission by the Virtue of God's Word. And if you say No, then you may be well assured, and persuade yourselves, that you have no sufficient Authority to make her Highness Supreme Head of the Church in this Realm.

"The second point of spiritual Government is gathered of these Words of our Saviour Jesus Christ spoken unto Peter in the 21st chapter of St. John's Gospel, 'Pasce, pasce, pasce.' Now, whether your Honours have Authority by this High Court of Parliament to say unto our Sovereign Lady, 'Pasce, pasce, pasce,' you must show your Warrant and Commission. And further, that her Highness, being a Woman by birth and nature, is not qualified by God's Word to feed the Flock of Christ, it appeareth most plainly by St. Paul, 'Taceant mulieres in Ecclesia. . . . 'Doceri autem mulieri non permitto. . . . ' Therefore she cannot be Supreme Head of Christ's Church here in this Realm.

"The third and chief point of Spiritual Government is gathered of the words of our Saviour Jesus Christ spoken unto Peter, Luke ch. xxii, 'Ego rogavi pro te ut non deficiat Fides tua, et tu aliquando

<sup>1</sup> This quotation from the Bill shows that this speech was made on the occasion of this earlier Act of Supremacy, and not against the final Act.

conversus, confirma fratres tuos.' Whereby it appeareth that one chief Point of Spiritual Government is to confirm his Brethren, and ratify them both by wholesome Doctrine and administration of the blessed Sacraments ; but to preach or minister the Holy Sacraments a woman may not ; neither may she be Supreme Head of the Church of Christ.

"The fourth and last point of Spiritual Government which I promised to observe and note unto you, doth consist in Excommunication and Spiritual Punishment of all such as shall approve themselves not to be the obedient Children of Christ's Church. Of the which Authority our Saviour Christ speaking in St. Matthew, ch. xviii, there saying '*Dic Ecclesiæ. Si autem Ecclesiam non audierit, sit tibi tanquam ethnicus et publicanus.*' And the Apostle St. Paul did excommunicate the notorious fornicator that was amongst the Corinthians, by the Authority of his Apostleship. Unto the which Apostles, Christ, ascending into Heaven, did leave the whole Spiritual Government of his Church, as it appeareth by the plain words of Paul in his epistle to the Ephesians, ch. iv. : '*Ipse dedit Ecclesiæ suæ quosdam Apostolos, alios evangelistas, alios pastores et doctores, in opus ministerii, in ædificationem corporis Christi.*' But a Woman, in the Degrees of Christ's Church, is not called to be an Apostle, nor an Evangelist, nor to be a Shepherd, neither a Doctor, or Preacher ; therefore she cannot be Supreme Head of Christ's Militant Church, nor yet of any Part thereof.

"Thus much I have said, Right Honourable and my very good Lords, against this Act of Supremacy, for the Discharge of my Conscience, and for the Love, Dread and Fear that I chiefly owe unto God and my Sovereign Lady the Queen's Highness, and unto your Lordships all. . . ."

5. An excellent speech was also delivered against the Supremacy Bill, by Bishop Scott, of Chester, to the following effect :

"To confess the truth, there be two things that do much move me and, as it were, pull me back from speaking anything in this matter. The first is that I perceive the Queen's Highness, whom I pray God long to preserve, as it were a party therein ; unto whom I do acknowledge that I owe obedience, not only for wrath and displeasure's sake, but also for conscience sake, and that by the Scriptures of God. The second is the reverence I have to those noblemen unto whom this Bill was committed to be weighed and considered. First for that their Devotion towards Almighty God doth appear, seeing they will not suffer the service of the Church and the due administration of the Holy Sacraments thereof, to be disannulled, or already altered, but to be continued as they have been heretofore. And secondly, for that their charity and pity towards the poor clergy of this Realm doth appear in mitigating the extreme penalties mentioned in this Bill for the gainsaying of the contents of the same.

"But there be two other things of more weight, that do move me to speak in this matter what I think. The first is Almighty God, which I know doth look that, according to the profession whereunto

(although I be unworthy) I am called, I should speak my mind in such matters as this is, when they be called in question. The second is my conscience, which doth urge me to do the same.

“Wherefore, now to speak of the matter, this I say, that our Faith and Religion is maintained and continued by no one thing so much as by Unity, which Unity is continued and maintained in Christ’s Church, even as concord and good order is maintained in a Commonwealth. Wherein; as we see for civil quietness, there is appointed in every village one constable. And lest there should any variance fall amongst them, there is again in every Hundred one head constable, in whom all the other inferiors be knit as in one. And where there be in one shire divers Hundreds, to make away all controversies as might chance amongst the said head constables of these Hundreds, of that they be joined as in one. . . . Even so it is in the Church of Christ, according to the commandment of St. Paul. There is in every village at the least one priest ; in every city one bishop, in whom all the priests within the diocese be knit in one ; in every province one metropolitan, in whom, for the avoiding of controversies, all the bishops of that province be joined ; and for unity to be observed amongst the metropolitans, they be likewise joined in one High Bishop, called the Pope, whose authority being taken away, the sheep, as the Scripture saith, be scattered abroad. For avoiding thereof, our Saviour Christ, before his death, prayed that we might be all one, as his Father and He be one ; which thing cannot be, except we have all one Head. And therefore Almighty God said by the Prophet Ezechiel, ‘Suscitabo super eos Pastorem unum,’ I will stir up over them one Pastor. And our Saviour, in the Gospel, likewise saith, ‘There shall be one Pastor and one Sheep-fold.’ Which sentences, peradventure, some men will say to be applied only to our Saviour Christ, which in very deed I must needs grant to be so ; yet this I may say, these places be applied to Him only, as other like places of Scripture be ; for it is said in the Scripture that only God is immortal ; and by participation with Him all we that be true Christian men be made immortal. Only God forgiveth sin, and yet by commission from Him, priests have authority to forgive sin. He is only King, and by commission maketh kings ; and likewise he is only Priest after the order of Melchisedech, and by commission maketh priests. He of Himself, and by none other ; all the rest, by Him and not of themselves.

“So He is our only Pastor, and by commission hath made other pastors, and especially one to be Vicar General on earth, to govern and rule all his whole flock in unity and concord, and in avoiding of schisms and divisions. And likewise as He sent one Holy Ghost to rule and govern his people inwardly ; so he appointed one governor to rule and lead them outwardly.

“Which one Head Governor cannot be applied to any temporal prince ; for then either we must needs grant that the Church of Christ was not perfect, but rather a mank Body without a head by the space of three hundred years and more . . . or else Christ appointed an infidel, being no member of his Church, to be head thereof, which both be absurdities.

"Again, that Christ appointed no temporal Prince to be Head of the Church, it appeareth by that we see in divers kingdoms there be divers and sundry princes and rulers ; so that there should by that means be many heads of one Body, the which were a monstrous thing.

"Thirdly, that He appointed no temporal prince to be Head of the Church, it appeareth by the word itself spoken by our Saviour Christ, 'Pasce,' 'Feed,' which He spoke, not to Herod, Pilate, nor yet to Tiberius the Emperour, but He spoke them unto Peter, saying, 'Pasce oves meas.' . . . He gave Peter the Keys of the Kingdom of Heaven, saying 'Tibi dabo claves Regni Cœlorum.' In these Keys, and in exercising of the same, consisteth all authority ecclesiastical given by God unto any man ; unto whom He hath not by Scripture given these Keys, they have no right to it. Wherefore it followeth that no temporal prince hath any authority in or over the Church of Christ, seeing that the Keys were never given unto any of them.

"And here I know it will be objected against me, that as this place doth make against the supremacy of Princes, so doth it not make for the Primacy of St. Peter, for St. John doth witness, in the 20th chapter of his Gospel, that our Saviour Christ did give the Keys not only to Peter, but also unto all his Apostles, when He did breathe upon them, saying, 'Accipite Spiritum Sanctum,' 'Take ye the Holy Ghost, whose sins ye forgive, be forgiven to them, and whose sins ye retain are retained.'

"And divers of the antient writers do likewise say that the keys were given unto all the Apostles. But yet, in one place or other, the same authors do declare that they were given unto Peter principally, as Hilarius, where he sayeth, speaking of that matter, 'Datae sunt Claves Petro principalis, in quantum erat aliorum Capitaneus.' The keys, saith he, were given to Peter principally, in that he was Chief and Captain of the others.

"And if that any man yet will contend that this place doth give no more authority to Peter than to the rest of the Apostles, I have read another place of Scripture which doth exclude the rest of the Apostles from equality of authority with Peter in the rule and government of the Church of Christ, and that is the changing of his name. For at Peter's first meeting with our Saviour Christ, his name was Simon, as it is there mentioned in these words, 'Simon, the son of Jona, thou shalt be called Cephas, that is to say, a Stone or a Rock.' And for what consideration and end Christ gave him that name, it doth appear in the 16th of St. Matthew, in these words, 'Tu es Petrus, etc.' 'Thou art Peter, that is to say, a Stone or a Rock, and upon this Stone or Rock I will build my Church.' Here I shall desire you to note that Peter hath a promise made unto himself alone, which was made to none other of the Apostles, that is, that as he had received a new name, so he should have a new privilege or preferment, to be the foundation, ground, and stay of Christ's Church, being builded upon him ; for he was called a rock or stone for the stability and constancy that should always appear in the Church, being builded upon him, a sure foundation and immoveable. Which thing doth now appear in the succession



of Peter : For as concerning the other Apostles, in their own persons I do not doubt but during their lives natural they were as firm and stable in the Faith of Christ as Peter was ; but for their succession we have no such proof, seeing that only the succession of Peter doth continue in the Church of Christ, the like appearing in none of the other Apostles ; which is the only stay of the same in earth, and undoubtedly shall be until the world's end. This place of Scripture, in my judgment, if there were no more, is sufficient to prove that Peter and his successors be appointed of Christ to have the rule and government of his Church in earth above all others, both spiritual and temporal. And yet I do know that there may and also will objections be laid against these my sayings. For some will say that Christ Himself is the Stone whereupon his Church is builded, and some will say that the profession that Peter made of Christ when he said, ' Thou art the Son of the living God ' ; which be both true, and yet not repugnant to that which I have said before ; for all these three understandings, well pondered and considered in their divers respects, may stand together. But I do think that, if the mind and intent of our Saviour Christ when He spake these words, ' Thou art Peter, etc., ' be well weighed, the place itself doth declare that it is specially to be understood of the person of Peter and his successors ; for undoubtedly He, knowing that infidelity and heresies should so increase and abound that his Church and Faith should be in danger to be overthrown and extinguished, made promise there so to provide by Peter and his successors that it should be always known where his Faith should be had and fought for again if it were anywhere lost, unto all men that would, with humility, desire, seek after and receive the same.

" So that we now, if we should understand the place of our Saviour Christ; which is the first and true stone of this building in very deed, what certainty can we have of our Faith ? Or how shall we stay ourselves, wavering in the same in this our time ? For at this present there be abroad in Christendom thirty-four sundry sects of opinions, whereof never one agreeth with another, and all differ from the Catholic Church. And every one of these sects do say and affirm constantly, that their profession and doctrine is builded upon Christ, alleging Scripture for the same. And they all and every of them, thus challenging Christ to be their foundation by Scripture, how shall any man know to which of them he may safely give credit, and so obey and follow ?

" The like is to be said of Peter's Confession, wherein we can have no sure trial. For every one of these sects or heresies doth confess and acknowledge Christ to be the Son of the living God. So that I think I may conclude that our Saviour Christ in this place, saying that He would build his Church upon a stone, did mean by the stone, Peter and his successors, whereunto men might safely cleave and lean, as unto a sure and unmovable Rock in matters of Faith ; as we do most manifestly see it hath come to pass and continued for the space of a thousand, five hundred years and odd."

Bishop Scott then proceeds to deal with the objection based

upon the "wicked and evil lives, as it is alleged, of certain Popes of Rome," pointing out that this does not affect their position as teachers of the Faith. He also deals with certain objections from early Church history. Then he discusses the attitude of the Greek Church :

"And where I heard a question moved here of late, whether that ever the Greek Church did acknowledge the superiority of the Church of Rome or no? Of the which matter I marvel that any man doth doubt, seeing that the Greek Church did not only acknowledge, but also continued in obedience unto the said Church of Rome by the space of eight hundred years at the least. . . . And after that it did first renounce the said authority, it did return again with submission fourteen several times, as good authors write. . . . But as touching the Greek Church and the departure of the same from the Church of Rome, this we may briefly say and conclude, that after it did divide itself from the Church of Rome, it did, by little and little, fall into the most extreme miseries, captivity and bondage, in the which at this present it doth remain. And as concerning other countries that have renounced the aforesaid authority . . . this I have to say, that the miseries and calamities that Germany hath suffered since their departure from the Church of Rome may be a warning and example to all other nations to learn by and beware of the like attempt."

After replying to other difficulties, he says :

"And thus to draw unto an end, I trust your Lordships do see that, for unity and concord in Faith and Religion to be preserved and continued in the Church, our Saviour Christ, the Spouse thereof, hath appointed one head or governor, that is to wit, Peter and his successors, whose Faith he promised should never decay, as we see manifestly it hath not indeed. And for those men who write and speak against this authority, if therewith their writings and their doings be well considered, they shall appear to be such as small credit or none is to be given unto in matters of weight such as this is. . . . For as we see them vary amongst themselves, one from another, so no one of them doth agree with himself in matters of religion two years together. And as they be gone from the sure rock and stay of Christ's Church, so do they reel and waver in their doctrine, wherein no certainty nor stay can be found. . . . If a man should ask of these men in this Realm which dissent from the Catholic Church, not only in this point of the Supremacy, but also in divers of the chief mysteries of our Faith, of whom they learned this doctrine which they hold and teach, they must needs answer, that they learned it of the Germans. Then we demand of them again, Of whom the Germans did learn it? Whereunto they must answer, That they learned it from Luther. Well then, of whom did Luther learn it? Whereunto he shall answer himself, in his book that he wrote, *De missa angulari seu privata*, where he saith that such things as he teacheth against the Mass, and the Blessed Sacrament of the Altar, he learned of the Devil, at whose hands,

it is like, he did also receive the rest of his Doctrine. Then here be two points diligently to be noted ; first, that the doctrine is not fifty years old, for no man taught it before Luther. And secondarily, that Luther doth acknowledge and confess the Devil to be his schoolmaster in divers points of his doctrine. . . . But if they will ask us of whom we learned our doctrine, we answer them, That we learned it of our forefathers in the Catholic Church, which hath in it continually the Holy Spirit of God for a Ruler and Governor. And again, if they ask of whom our fathers learned this same, we say of our forefathers within the same Church. And so we manually ascend in possession of our doctrine, from age to age unto the Apostle Peter, unto whom, as St. Cyprian saith, our Saviour Christ did betake his sheep to be fed, and upon whom He founded his Church.

"So that now we may be bold to stand in our doctrine and religion against our adversaries, seeing that theirs is not yet fifty years old, and ours above fifteen hundred years old. They have, for authority and commendation of their religion, Luther, and his schoolmaster beforementioned ; we have for ours, St. Peter and his Master, Christ. So that now by the doctrine of Irenæus, every man may know where the Truth is and whom he should follow, which saith thus : To those priests which be in the Church we ought to obey, those which have their succession from the Apostles, who, with bishop-like succession, have received a sure gracious Gift, according to the good will of the Father. But for the other, which depart from the principal succession, and be gathered in whatsoever place, we ought to hold them suspected, either as heretics and of an evil opinion, or as making divisions, and proud men, and pleasing themselves. Or again, as hypocrites, doing that for advantage and vain glory, which all do fall from the Truth. And thus I make an end. . . ."

6. But in spite of the unanimous opposition of the Bishops to this Supremacy Bill, even when purged of its liturgical and disciplinary provisions, it was passed by a majority of the Lords, and, in its amended form, sent down once more to the Commons. Here it was again much discussed, and then, with another "proviso" added, returned once more to the Lords, where it was given its three readings and passed on March 22nd. But here again it is noteworthy that *all the bishops present, together with Abbot Feckenham, voted against the Bill.*

As to the nature of this new "proviso" introduced by the Commons and passed by the Lords in spite of the opposition of the Bishops, Pollard<sup>1</sup> thinks that it was intended to restore the Second Prayer Book of Edward VI. Belloc, on the other hand,<sup>2</sup> says that it would have restored the First Prayer Book of Edward. But there is no evidence for either of these assertions and, as

<sup>1</sup> *Political History of England, 1547-1603*, p. 203.

<sup>2</sup> *History of England*, iv, 292.

Mr. Gordon Smith has shown,<sup>1</sup> it is quite probable that it gave an authorisation for Communion under both kinds, for a Royal Proclamation issued on March 22nd, the very day the Act passed the Lords, authorised Communion under both kinds for Easter Sunday, four days later.<sup>2</sup>

7. Thus, the Government's plans had been hampered and modified, though not completely frustrated, by the opposition of the Catholic bishops, and all that had been secured so far was the optional offer of the title of Supreme Head to the Queen, and the authorisation of Communion under both kinds. The bishops had opposed even these concessions, and the Government realised that other measures would have to be adopted. A first step was taken in the form of an attempt to fill the vacant sees with suitable episcopal candidates who could be relied on to support the Government and the Protestant religion. Doubtless with this end in view, a Bill was introduced into the Commons on March 21st, "for the collation of Bishops by the Queen's Highness, and with what rites and ceremonies."<sup>3</sup>

We have no information as to the "rites and ceremonies" which were to be employed in the creation of the new bishops, but we can safely assume that it was to be the Edwardine Ordinal, either in its first or, more probably, in its second form. In view of the determination of the Queen and her government to abolish the hated Mass, it is inconceivable that they could have contemplated the use of the Pontifical for the purpose. Indeed, the very fact that Parliamentary authorisation was thought to be necessary for the "rites and ceremonies" proves that the rite was not that one hitherto legal, i.e. the Pontifical.

Frere says that this Bill passed both houses.<sup>4</sup> According to d'Ewes, it passed the Commons, and was read three times in the Lords "et conclusa." If it really did pass the Lords, it

<sup>1</sup> *Dublin Review*, Vol. 193, pp. 98 *et seq.* I adopt Mr. Gordon Smith's conclusions.

<sup>2</sup> The text of the Proclamation will be found in Gee, *Elizabethan Prayer Book*, pp. 255-7. Pollard (*op. cit.*, p. 203), wrongly says it revived the Act of Uniformity of 1552. It does not mention this Act at all, but it does mention the Act of Edward which authorised Communion under both kinds, as having just been passed by both Houses of Parliament. Pollard's theory is based on the fact that on March 17th to 18th, the Commons passed a Bill to the effect that "no persons shall be punished for using the religion used in King Edward's last year," i.e. the Second Prayer Book. But there is no evidence that this Bill was ever considered or passed by the Lords, and hence the Royal Proclamation, on March 22nd, could not possibly have had the Second Prayer Book in mind.

<sup>3</sup> This is misprinted by d'Ewes, *Commons Journals*, I, p. 58, as "without rites and ceremonies." The Bill was also read in the Lords on March 22nd, and is there described as "for the admitting and consecrating of Archbishops and Bishops."

<sup>4</sup> *Op. cit.*, p. 21.

never received the Royal Assent. But it seems far more likely that, as Dixon says, it failed to pass in the Lords, owing to the opposition of the Catholic bishops. Only thus can we account for Cecil's subsequent remark that the Edwardine Ordinal was "not established" in this Parliament.<sup>1</sup>

Doubtless with the same object in view, a Bill was introduced into the Commons on March 15th "to restore spiritual persons deprived by Queen Mary," i.e. presumably Edwardine bishops such as Coverdale, Scory, etc. It eventually passed the Commons, and was sent up to the Lords. There it was apparently held up, and then dropped. Similarly, a Bill introduced on March 16th "to make lawful the deprivation of bishops and spiritual persons" was abandoned. But the fact that these various Bills should have been introduced at all show the anxiety of the Government to overcome the solid resistance of the Catholic bishops by reintroducing Protestant prelates.

8. We have seen that the revised Supremacy Bill was finally passed by the Lords on March 21st, 1559, in spite of the opposition of the Bishops. But the Queen did not give her Royal Assent to it, though she acted upon it to the extent of issuing a Proclamation authorising Communion under both kinds for Easter. It would seem that, in the meantime, the Queen had become alarmed at the general opposition to the title "Supreme Head," and had decided instead to adopt that of "Supreme Governor," as one more likely to be accepted. This alternative had been mentioned as early as March 6th.<sup>2</sup> It is interesting to note that Dr. Sandys said<sup>3</sup> that the Queen had decided not to take the title of "Supreme Head" in consequence of the representations made to her by a Mr. Lever, presumably an Evangelical Protestant.<sup>4</sup>

Arrangements were now made to introduce a new Supremacy Bill, in accordance with the new plan. Profiting by past experience, the Government decided to separate the constitutional reform from the liturgical one, and thus after the Easter recess, two new Bills were introduced, one the Act of Supremacy, and the other the Act of Uniformity. The new and final Act of Supremacy, abolishing Papal jurisdiction and declaring the Queen to be the Supreme Governor of the Church, was read in the Commons on April 10th, 12th and 13th, and in the Lords

<sup>1</sup> See p. 234.

<sup>2</sup> See Gordon Smith, *art. cit.*, p. 108.

<sup>3</sup> Sandys to Parker, April 30th, 1559, in Parker's *Correspondence*, p. 66.

<sup>4</sup> Perhaps Thomas Lever, one of the "Commonwealth Men" under Edward VI.

on April 15th and 17th. Archbishop Heath spoke against it, but his speech is not extant.<sup>1</sup> On the 25th, the Lords added a "proviso." On April 26th, the Bill with its Proviso passed its third reading in the Lords. But all the bishops present, including Thirlby, now returned from abroad, and the Abbot of Westminster, voted against it. Bishop White was absent, but he had been committed to the Tower on April 14th.<sup>2</sup>

The Act is entitled: "An Act to restore to the Crown the, ancient jurisdiction over the estate ecclesiastical and spiritual, and abolishing all foreign power repugnant to the same." It begins by repealing the statute of Philip and Mary which had revived the Papal jurisdiction, by which "the subjects were eftsoons brought under an usurped foreign power and authority." All usurped and foreign jurisdiction is abolished, and to the Crown is united all jurisdiction visitatorial or corrective that had been, or might lawfully be exercised by any spiritual power or authority, and further, the Queen could exercise this power by royal commissioners, who could act as doctrinal judges, though they were directed to adjudge no matter to be heresy but upon the authority of the canonical Scriptures, of the first four general councils, or of any other general council acting on the plain words of Scripture, or such matter as should hereafter be determined to be heresy by Parliament with the assent of clergy in Convocation. The Act embodied an oath, to be taken under graduated penalties of deprivation, fine, imprisonment, and death.

All had to swear :

"That the Queen's Highness is the only Supreme Governor of this realm . . . as well in all spiritual or ecclesiastical things or causes as temporal, and that no foreign prince, person, prelate, state or potentate hath, or ought to have any jurisdiction, power, superiority, pre-eminence or authority ecclesiastical or spiritual within this realm, and therefore I do utterly renounce and forsake all foreign jurisdictions, powers, superiorities, and authorities. . . ."

This Oath was not only to be taken by all those already holding ecclesiastical office, but as we shall see, it was also introduced into the Elizabethan Ordinal, for all future candidates to orders.

The substitution of "Supreme Governor" for "Supreme Head" was really of very little significance. Parkhurst, after-

<sup>1</sup> Feria, April 18th, 1559, *Chron. Belg.*, I, p. 502. Some think the speech we have given on pp. 193-6 really belongs to this date.

<sup>2</sup> *Zurich Letters*, I, 16.

wards Bishop of Norwich, saw practically no difference at all, for he wrote thus to Bullinger, on May 21st, 1559 :

"The Queen is not willing to be called the *Head* of the Church in England, although the title has been offered her. But she willingly accepts the title of *Governor*, which amounts to the same thing."<sup>1</sup>

The Act itself, and subsequent "explanations," made it clear, indeed, that the Queen was not claiming the power of Order, but it was equally clear that she claimed the supreme power of spiritual jurisdiction, which had hitherto been vested in the Pope, as Head of the Church. And, moreover, by virtue of her Supreme Governorship, the Queen claimed not only the power to punish ecclesiastics who misbehaved themselves, but also

- (1) power to appoint all bishops ;
- (2) power to dispense with the requirements of ecclesiastical law in this matter ;
- (3) power to deprive bishops of their dioceses ;
- (4) power to supervise the drawing up of prayers, and of regulating rites and ceremonies ;
- (5) power to overrule the doctrinal decisions of the whole of her new episcopate—as will be seen in her suppression for some years of one of the Articles of Religion agreed upon by the bishops.

Moreover, it was expressly stated, even in the "explanations" of the Royal Supremacy, that Elizabeth claimed it "as used" by Henry VIII and Edward VI. This will be seen from the "Admonition" drawn up, probably by Cecil, on the occasion of the visitation of all dioceses by Royal Commissioners in 1559. This Admonition says that some of the clergy have scrupled at the form of the Oath. But "nothing was, is, or shall be meant by the same oath to have any other duty, allegiance or bond than was acknowledged to be due to . . . King Henry VIII, her Majesty's father, or King Edward VI, her Majesty's brother." Also, by the words of the said oath, it is not to be understood that the monarchs of this realm "may challenge authority and power of ministry of divine offices in the Church. . . . Her Majesty neither does nor ever will challenge any other authority than that was challenged and lately used by the said noble kings . . . that is, under God, to the sovereignty and rule over all

<sup>1</sup> *Zurich Letters*, I, p. 29.

manner of persons born within these her realms, dominions and countries, of what estate, either ecclesiastical or temporal soever they be, so as no other foreign power shall or ought to have any superiority over them."<sup>1</sup>

Thus, it was perfectly clear that by the Act and Oath the spiritual jurisdiction of the Pope was abolished, and repudiated, and that of the Queen put in its place. No Catholic could take the Oath without repudiating the authority of the Papacy, and substituting that of the Queen. The reference to the Supremacy of Henry VIII and Edward VI made the position perfectly clear, and the taking of the oath by the clergy of the Elizabethan Church severed them finally from the Catholic Church, and constituted them members of a schismatical, national, and Protestant "Church of England."

<sup>1</sup> Wilkins, *Concilia*, IV, p. 188.



## CHAPTER IV

### THE ACT OF UNIFORMITY, AND THE NEW PRAYER BOOK

#### A. THE ACT OF UNIFORMITY.

#### B. THE NEW PRAYER BOOK.

#### C. HADDON'S LATIN PRAYER BOOK.

#### A. THE ACT OF UNIFORMITY.

1. The second great Act was the Act of Uniformity, restoring the Second Prayer Book of Edward VI, and forbidding the Mass. This Bill was introduced into the Commons on April 18th, passed in three days, and sent up to the Lords. Here, as Dr. Brightman says, "it met with a stormy reception. . . . Nine bishops voted against it."<sup>1</sup> In other words, *all the bishops present opposed the Bill*. As Frere points out, "already on seven occasions they had voted *en masse* against various measures."<sup>2</sup> The nine bishops were :

Heath, of York ;  
Bonner, of London ;  
Thirlby, of Ely ;  
Pate, of Worcester ;  
Kitchin, of Llandaff ;  
Bayne, of Lichfield ;  
Turberville, of Exeter ;  
Scott, of Chester ;  
Oglethorpe, of Carlisle.

As to the smallness of their number, it must be remembered that Watson of Lincoln and White of Winchester were now in the Tower. Poole of Peterborough had been excused, but was, according to Strype, represented by proxy. Tunstall was too old to attend.

On the occasion of the second reading of the Bill in the Lords on April 27th, two memorable speeches were made, one by Bishop Scott of Chester, and the other by Abbot Feckenham.

<sup>1</sup> *Liturgy and Worship*, p. 182.

<sup>2</sup> *History of the English Church*, p. 29.

## 2. Bishop Scott spoke in substance as follows :

"The Bill that hath been here read now the third time doth appear unto me such one as that it is much to be lamented that it should be suffered either to be read, yea, or any ear to be given unto it of Christian men, or so honourable an assembly as this is : for it doth not only call in question and doubt those things which we ought to reverence without any doubt moving ; but maketh further earnest request for alteration, yea, for the clear abolishing of the same. And that this may more evidently appear, I shall desire your Lordships to consider that our religion, as it was here of late discreetly, godly, and learnedly declared, doth consist partly in inward things, as in faith, hope, and charity ; and partly in outward things, as in common prayers and the Holy Sacraments uniformly administered.

"Now, as concerning these outward things, this Bill doth clearly in very deed extinguish them, setting in their places I cannot tell what. And the inward it doth also so shake that it leaveth them very bare and feeble.

"For first, by this Bill, Christian charity is taken away, in that the unity of Christ's Church is broken ; for as it is said, '*Nunquam relinquunt unitatem, qui non prius amittunt charitatem.*' And St. Paul saith that charity is '*vinculum perfectionis,*' the bond or chain of perfection, wherewith we be knit and joined together in one. Which bond being loosed, we must needs fall one from another in divers parties and sects, as we see we do at this present. And as touching our faith, it is evident that divers of the articles and mysteries thereof be also not only called into doubt, but partly openly, and partly obscurely, and yet in very deed, as the other, flatly denied. Now these two, I mean faith and charity, being in this case, hope is either left alone, or else presumption set in her place. . . .

"Wherefore, these matters mentioned in this Bill, wherein our whole religion consisteth, we ought, I say, to reverence, and not to call into question. For as a learned man writeth, '*Quæ patefacta sunt quærere, quæ perfecta sunt retractare, et quæ definita sunt convellere, quid aliud est quin de adeptis gratiam non referre ?*' . . . Likewise saith holy Athanasius, '*It is a superfluous thing to call into judgment again matters which have been tried, decreed and manifestly declared, by so many and such bishops*' (he meaneth as were at the Council of Nice). . . . Now if that Athanasius did think that no man ought to doubt of matters determined in the Council of Nice, where there were present three hundred and eighteen bishops, how much less ought we to doubt of matters determined and practised in the Holy Catholic Church of Christ by three hundred thousand bishops, and how many more we cannot tell ?

"And as for the certainty of our faith, whereof the story of the Church doth speak, it is a thing of all other most necessary ; and if it shall hang upon an Act of Parliament, we have but a weak staff to lean unto. . . . For we see that oftentimes that which is established by Parliament one year is abrogated the next year

following, and the contrary allowed. And we see also that one king disalloweth the statutes made under the other. But our faith and religion ought to be most certain, and one in all times, and in no condition wavering. . . . And partly for that the Parliament consisteth for the most part of noblemen of this realm, and certain of the commons, being lay and temporal men, which, although they be both of good wisdom and learning, yet not so studied nor exercised in the Scriptures and the holy doctors and practices of the Church, as to be competent judges in such matters. Neither doth it appertain to their vocation. . . .

“(In this Bill) there be three things specially to be considered ; that is, the weightiness of the matter ; the darkness of the cause, and the difficulty in trying out the truth ; and thirdly, the danger and peril which doth ensue, if we do take the wrong way.

“As concerning the first, that is, the weightiness of the matter contained in this Bill. It is very great, for it is no money matter, but a matter of inheritance ; yea, a matter touching life and death ; and damnation dependeth upon it. . . . Moreover, there is another great matter here to be considered, and that is, that we do not unadvisedly condemn our forefathers and their doings, and justify ourselves and our own doings, which both the Scripture forbiddeth. This we know, that this doctrine and form of religion, which this Bill propoundeth to be abolished and taken away is that which our forefathers were born, brought up, and lived in, and have professed here in this realm without any alteration or change, by the space of nine hundred years and more, and hath also been professed and practised in the Universal Church of Christ since the Apostles’ time. And that which we go about to establish and place for it is lately brought in, allowed nowhere nor put in practice but in this realm only, and that but a small time, and against the minds of all Catholic men. Now if we do consider but the antiquity of the one, and the newness of the other, we have just occasion to have the one in estimation for the long continuance thereof, unto such time as we see evident cause why we should revoke it ; and to suspect the other as never heard of here before, unto such time as we see just cause why we should receive it, seeing our fathers never heard tell of it. . . .

“David willeth us to learn of our fathers, and not to contemn their doings. Wherefore I conclude, as concerning this part, that this Bill, containing in it matters of great weight and importance, is to be deliberated on with great diligence and circumspection, and examined, tried, and determined by men of great learning, virtue and experience.

“And as this matter is great, and therefore not to be passed over hastily, but diligently to be examined, so is it dark, and of great difficulty to be so plainly discussed as that the truth may manifestly appear. For here be, as I have said, two books of religion propounded, the one to be abolished as erroneous and wicked, and the other to be established as godly and consonant to Scripture, and they be both concerning one matter, that is, the true administration of the Sacraments according to the institution of our Saviour

Christ. In the which administration there be three things to be considered.

"The first is the institution of our Saviour Christ for the matter and substance of the Sacraments.

"The second, the ordinances of the Apostles for the form of the Sacraments.

"And the third is the additions of the holy fathers for the adorning and perfecting of the administration of the said Sacraments.

"Which three be all duly, as we see, observed, and that of necessity, in this Book of the Mass and old Service, as all men do know which understand it.

"The other book, which is so much extolled, doth *ex professo* take away two of these three things, and in very deed maketh the third a thing of nought.

"For first, as concerning the additions of the Fathers, as in the Mass, Confiteor, Misereatur, Kyrie Eleison, Sequentes preces, Sanctus, Agnus Dei, with such other things ; and also the ordinances of the Apostles, as blessings, crossings ; and in the administration of divers of the Sacraments, exsufflations, exorcisms, inunctions, praying towards the east, invocation of saints, prayer for the dead, with such other—this book taketh away, either in part or else clearly, as things not allowable. And yet the fautors thereof contend that it is most perfect according to Christ's institution and the order of the Primitive Church. But, to let the ordinances of the Apostles and the additions of the Fathers pass (which notwithstanding we ought greatly to esteem and reverence), let us come to the institution of our Saviour Christ, whereof they talk so much, and examine whether of these two books come nearest unto it. And to make things plain, we will take for example the Mass, or, as they call it, the Supper of the Lord ; wherein our Saviour Christ (as the holy fathers do gather upon the Scriptures) did institute three things which He commanded to be done in remembrance of his death and Passion unto his coming again, saying 'Hoc facite, etc.' Whereof the first is, the consecrating of the blessed Body and Blood of our Saviour Jesus Christ. The second, the offering up of the same unto God the Father. And the third, the communicating, that is, the eating and drinking of the said blessed Body and Blood, under the forms of bread and wine. And as concerning the first two, St. Chrysostom saith thus : 'I will declare unto you in very deed a marvellous thing, but marvel not at it, nor be not troubled. But what is this ? It is the holy oblation ; whether Peter or Paul or a priest of any desert do offer, it is the very same which Christ gave to his disciples, and which priests do make or consecrate at this time. . . . Why so ? Because men do not sanctify this, but Christ, which did sanctify that before. For like as the words which Christ did speak be the very same which the priests do now pronounce, so is it the very same oblation.' These be the words of St. Chrysostom, wherein he testifieth as well the oblation and sacrifice of the Body and Blood of our Saviour Christ, offered unto God the Father in the Mass, as also the consecrating of the same by the priest. Which

two be both taken away by this book, as the authors thereof do willingly acknowledge, crying out of the offering of Christ oftener than once, notwithstanding that all the holy fathers do teach it, manifestly affirming Christ to be offered daily after an unbloody manner. But if these men did understand and consider what doth ensue and follow of this their affirmation, I think they would leave their rashness and return to the truth again. For if it be true that they say, that there is no external sacrifice in the New Testament, then doth it follow that there is no priesthood under the same, whose office is, saith St. Paul, 'to offer up gifts and sacrifices for sin.' And if there be no priesthood, then is there no religion under the New Testament. And if we have no religion, then be we 'without God in this world.' For one of these doth necessarily depend and follow upon another. . . .

"Note, I beseech your Lordships, the end of these men's doctrines, that is, to set us without God. And the like opinion they hold touching the consecration ; having nothing in their mouths but the Holy Communion, which after the order of this book is holy only in words and not in deed. For the thing is not there which should make it holy—I mean the Body and Blood of Christ. As may thus appear, it may justly in very deed be called the Holy Communion if it be ministered truly and accordingly as it ought to be, for then we receive Christ's Holy Body and Blood into our bodies, and be joined in one with Him. . . . But by the order of this book, this is not done, for Christ's Body is not there in very deed to be received. For the only way whereby it is present is by consecration, which this book hath not at all, neither doth it observe the form prescribed by Christ nor follow the manner of the Church.

"The Evangelists declare that our Saviour took bread into his hands and did bless it, brake it, and gave it to his disciples, saying, 'Take and eat, this is my body which is given for you : do this in remembrance of me.' By these words, 'do this,' we be commanded to take bread into our hands, to bless it, break it, and having a respect to the bread, to pronounce the words spoken by Our Saviour, that is, 'Hoc est corpus meum.' By which words, saith St. Chrysostom, the bread is consecrated. Now, by the order of this book, neither doth the priest take the bread in his hands, bless it, nor break it, neither yet hath any regard or respect to the bread, when he rehearseth the words of Christ, but doth pass them over as they were telling a tale or rehearsing a story. Moreover, whereas by the minds of good writers there is required, yea and that of necessity, a full mind and intent to do that which Christ did, that is, to consecrate his Body and Blood with other things following ; wherefore the Church hath appointed in the Mass certain prayers to be said by the priest before the consecration, in the which these words be, 'ut nobis fiant corpus et sanguis Domini nostri Jesu Christi,' that is, the prayer to this end, that the creatures may be made unto us the Body and Blood of our Saviour Jesus Christ. Here is declared the intent, as well of the Church as also of the priest which sayeth Mass. But as for this new book, there is no such thing mentioned in it that doth either declare any such intent, either make any such

request unto God, but rather to the contrary, as doth appear by the request there made in these words, 'That we receiving these thy creatures of bread and wine, etc.,' which words declare that they intend no consecration at all. And then let them glory as much as they will in their Communion, it is to no purpose, seeing that the Body of Christ is not there, which, as I have said, is the thing that should be communicated.

"There did yesterday a nobleman in this house say that he did believe that Christ is there received in the communion set out in this book, and being asked if he did worship Him there, he said, no, nor ever would so long as he lived. Which is a strange opinion, that Christ should be anywhere and not worshipped. They say they will worship Him in heaven but not in the Sacrament, which is much like as if a man would say that when the Emperor sitteth, under his cloth of estate, princely apparelled, he is to be honoured but if he be come abroad in a frieze coat, he is not to be honoured. . . . It is one Christ in heaven in the form of man, and in the Sacrament under the forms of bread and wine. . . . As concerning this matter, if we would consider all things well, we shall see the provision of God marvellous in it. For He provideth so that the very heretics and enemies of the truth be compelled to confess the truth in this behalf. For the Lutherans writing against the Zwinglians do prove that the true natural Body of Christ is in the Sacrament. And the Zwinglians against the Lutherans do prove that then it must needs be worshipped there. And thus in their contention doth the truth burst out, whether they will or no. . . .

"Now, my Lords, consider, I beseech you, the matters here in variance ; whether your Lordships be able to discuss them according to learning, so as the truth may appear, or no ; that is, whether the Body of Christ be by this new book consecrated, offered, adored, and truly communicated or no ; and whether these things be required necessarily by the institution of our Saviour Christ, or no ; and whether book goeth nearer the truth. These matters, my Lords, be, as I have said, weighty and dark, and not easy to be discussed. And likewise, your Lordships may think of the rest of the Sacraments, which be either clearly taken away, or else mangled after the same sort by this new book.

"The third thing here to be considered is the great danger and peril that doth hang over your heads if you do take upon you to be judges in these matters and judge wrong, bringing both yourselves and others from the truth into untruth, from the highways unto bypaths. It is dangerous enough, our Lord knoweth, for a man himself to err ; but it is more dangerous not only to err himself, but also to lead other men into error. . . . Take heed, my Lords, that the like be not said by you ; if you pass this Bill, you shall not only, in my judgment, err yourselves, but ye also shall be the authors and causers that the whole realm shall err after you. For the which you shall make an account before God.

"Those that have read stories and know the discourse and order of the Church, discussing of controversies in matters of religion, can testify that they have been discussed and determined in all

times by the clergy only, and never by the temporality. . . . All Catholic princes, heretic princes, yea and infidels, have from time to time refused to take that upon them that your Lordships go about and challenge to do. . . .”

3. The second speech was delivered by Feckenham, Abbot of Westminster. Its substance is as follows :

“ Having at this present two sundry kinds of Religion here propounded and set forth before your Honours, being already in possession of the one of them, and your fathers before you, for the space of fourteen hundred years past here in this realm . . . the other religion here set in a book to be received and established by the authority of this High Court of Parliament . . . and you being, as I know right well, desirous to have some proof or sure knowledge which of both these religions is the better, and most worthy to be established here in this realm and to be preferred before the other, I will for my part, and for the discharge of my duty, first unto God, secondly unto our Sovereign Lady the Queen’s Highness, thirdly unto your Honours and to the whole Commons of this Realm, here set forth and express unto you three brief Rules and Lessons whereby your Honours shall be able to put difference betwixt the true religion of God and the counterfeit. . . .

“ The first is, That in your search and trial making, your Honours must observe which of them both hath been of most antiquity, and most observed in the Church of Christ, of all men, at all times and seasons, and in all places. The second, which of them both is of itself more steadfast and always forth one and agreeable with itself. The third and last rule to be considered of your Wisdoms is, which of these religions doth breed the more humble and obedient subjects, first unto God, and next unto our Sovereign Lady the Queen’s Highness and all superior powers.

“ Concerning the first rule and lesson, it cannot be truly affirmed or yet thought of any man that this new Religion, here now to be set forth in this Book, hath been observed in Christ’s Church of all Christian men at all times and in all places ; when the same hath been observed only here in this Realm, and that for a short time, as not much passing the space of two years, and that in King Edward the Sixth’s days, whereas the religion, and the very same manner of serving and honouring God, of the which you are at this present in possession, did begin here in this Realm fourteen hundred years past. . . .

“ Touching the second rule and lesson of trial . . . your Honours must observe which of both these is the most stayed religion, and always forth one and agreeable with itself. And that the new religion, here now to be set forth in this Book, is no stayed religion, nor always forth one, nor agreeable with itself, who seeth it not, when in the late practice thereof in King Edward the Sixth’s days, how changeable and how variable was it in and to itself? Every other year having a new Book devised thereof? and every Book being set forth, as they professed, according to the sincere Word of God, never any one of them agreeing in all points with the other.

The first Book affirming the seven Sacraments and the Real Presence of Christ's Body in the Holy Eucharist, the other denying the same. The one Book admitting the Real Presence of Christ's Body in the said Sacrament to be received in one kind with kneeling down, and great reverence done unto it, and that in unleavened Bread, and the other book would have the Communion received in both the kinds, and in loaf bread, without any reverence, but only unto the Body of Christ in Heaven.<sup>1</sup>

"But the thing most worthy to be observed of your Honours is, how that every book made a show to be set forth according to the sincere Word of God, and not one of them did agree with another. And what marvel, I pray you, when the authors and devisers of the same books could not agree amongst themselves, nor yet any one of them might be found that did long agree with himself? And for the proof thereof, I shall first begin with the German writers, the chief Schoolmasters and Instructors of our countrymen in all these novelties. . . .

"But to cease any further to speak of these German writers, I shall draw nearer home, as unto Dr. Cranmer, late Archbishop of Canterbury in this realm : how contrary was he unto himself in this matter? When in one year he did set forth a Catechism in the English tongue . . . wherein he did most constantly affirm and defend the real Presence of Christ's Body in the Holy Eucharist ; and very shortly after he did set forth another Book wherein he did most shamefully deny the same. . . . In the last book that Dr. Cranmer and his accomplices did set forth of the Communion, in King Edward's days, these plain words of Christ, 'Hoc est Corpus meum,' did so encumber them and trouble their wits, that they did leave out, in the same last book, this verb substantive *est*, and made the sense of Christ's words to be there englished, 'Take, eat this My Body,' and left out there 'this is My Body,' which thing being espied by others, and great fault found withall, they were fain to patch up this matter with a little piece of paper clapped over the foresaid words, wherein was written this verb substantive *est*. The dealing herewith being so uncertain, both of the German writers and English, and one of them so much against another, your Honours may well be assured that this Religion, which by them is set forth, can be no constant, no stayed Religion, and therefore of your Honours not to be received. . . .

"Touching the third and last rule of trial-making and putting of difference between these Religions, it is to be considered of your Honours which of them both doth breed more obedient, humble and better subjects, first and chiefly unto our Saviour and Redeemer, secondly unto our Sovereign Lady the Queen's Highness, and to all other Superiors. And for some trial and probation thereof, I shall desire your Honours to consider the sudden mutation of the subjects of this Realm, since the death of good Queen Mary, only caused in them by the Preachers of this new Religion. . . . In Queen Mary's days . . . there was no spoiling of churches,

<sup>1</sup> The Abbot's recollections of the First Prayer Book are somewhat hazy, and inaccurate. It does not teach the Seven Sacraments, it is vague about the Presence, and it admits Communion under both kinds.



pulling down of Altars, and most blasphemous treading of Sacraments under their feet, and hanging up the Knave of Clubs in the place thereof. There was no scotching nor cutting of the face and legs of the Crucifix and Image of Christ ; there was no open flesh-eating nor shambles-keeping in the Lent and days prohibited. The subjects of this Realm . . . did in Queen Mary's days know the way unto Churches and Chapels, there to begin their day's work with calling for help and grace by humble prayers and serving of God. And now, since the coming and reign of our most Sovereign and dear Lady Queen Elizabeth, by the only Preachers and Scaffold-players of this new Religion, all things are turned upside down. . . . Obedience is gone, humility and meekness clear abolished, virtuous chastity and strait living denied, as though they had never been heard of in this realm, all degrees and kinds being desirous of fleshly and carnal liberty. . . .

"And therefore, honourable and my very good Lords, of my part to minister some occasion unto your Honours to expel and put out of this Realm this new Religion, whose fruits are already so manifestly known to be as I have repeated, and to persuade your Honours to avoid it, as much as in me lieth, and to persevere and continue steadfastly in the same Religion whereof you are in possession and have already made profession of the same unto God, I shall rehearse unto your Honours four things, whereby the holy doctrine of Augustine was continued in the Catholic Church and religion of Christ, which he had received, and would by no means change nor alter from the same. The first of these was, 'Ipsa autoritas Ecclesiæ Christi, miraculis inchoata, spe nutrita, charitate aucta, vetustate firmata.' The second thing was, 'Populi Christiani consensus et unitas.' The third was 'Perpetua Sacerdotum successio in sede Petri.' The fourth and last thing was 'Ipsum Catholicæ nomen.' . . . How much ought these four points to work the like effect in your hearts ? "

4. A third speech would seem to have been delivered by Bishop Thirlby of Ely, who, according to the Spanish Ambassador, spoke "very well and very Catholicly, saying he would sooner die than consent to any change of religion."<sup>1</sup>

In spite of this unanimous episcopal opposition, however, the Bill finally passed the Lords on April 28th, 1559, by a majority of three !

But though it failed, the opposition of the bishops made the issue perfectly plain. Even Kitchin of Llandaff was so far still faithful to the Catholic cause. And the speeches which we have analysed show how clearly the Catholic bishops realised that it was a new Religion which was being set up. And that is why, to a man, they opposed both the Act of Supremacy and the Act of Uniformity, the one abolishing Papal authority and substituting that of the Crown, and the other reintroducing the

<sup>1</sup> *Spanish Calendar, Elizabeth, Vol. I, p. 64.*

Protestant Prayer Book of Edward and forbidding the Catholic Mass under heavy pains and penalties. These two Acts became law without a single episcopal vote in their favour, and were thus enacted without the consent of the Lords Spiritual. Well might Bishop Bonner urge a few years later that these Acts, never having received the assent of the Lords Spiritual, were not passed by the Queen, Lords and Commons, and therefore of doubtful legal authority.<sup>1</sup>

#### B. THE NEW PRAYER BOOK.

1. The Elizabethan Prayer Book issued in 1559, in accordance with the Act of Uniformity, consisted, as we have said, of the Second Prayer Book of Edward VI, with a few slight modifications, with which we must now deal.

The First Prayer Book of Edward had directed that the priest ministering the Holy Communion should wear "the vesture appointed for that ministration, that is to say, a white alb plain, with a vestment or cope." The Second Book, on the other hand, had ordered the clergy to wear only a surplice. Elizabeth's Act of Uniformity directs that the "ornaments of the church and ministers" should be those in use in the second year of Edward, "until other order shall be therein taken by the authority of the Queen's Majesty, with the advice of her commissions for causes ecclesiastical, or of the metropolitan of this realm." Accordingly, the Elizabethan Prayer Book replaces the rubric in the Second Book of Edward about the surplice, by a direction that "the minister . . . shall use such ornaments in the church as were in use by authority of Parliament in the second year of Edward the Sixth." This evidently implies that, though the Communion service is to be that of the Second Book, it is to be celebrated as in the First Book, in an alb, with a vestment or cope, and not in a surplice. This is undoubtedly intended to modify the extreme Zwinglian character of the book and its Communion service. But its importance must not be exaggerated. At the most it marks a tendency towards Lutheranism instead of Zwinglianism or Calvinism, for it must be remembered that the Lutheran churches had retained the use of the Mass vestments, although they had vehemently rejected the Catholic doctrines of the Sacrifice of the Mass and of Transubstantiation, while retaining a belief in some kind of Real Presence. Again, the rubric allows the celebrant to choose a

<sup>1</sup> See p. 250.

cope instead of a "vestment," and a cope is not a specifically priestly vestment at all. And the fact that the vestments thus allowed are not those of the Catholic rite as such, but those of the First Book of Edward, show that the utmost doctrinal concession contemplated is that of the doctrine of the First Book. But we have already seen that the First Book of Edward specifically rejected the Sacrifice of the Mass and Transubstantiation.<sup>1</sup> True, the First Book implied some vague kind of Presence, and the reintroduction of the vestments, taken in conjunction with other features we shall mention in due course, doubtless indicates Elizabeth's toleration of a Eucharistic doctrine higher than the Zwinglian, though clearly the Catholic doctrine is still rejected.

In any case it is important to note that, though the rubric as printed apparently intended to make the use of a vestment or cope preceptive, a letter written by Sandys, afterwards Archbishop of York, on April 30th, 1559, makes it clear that they were not to be obligatory.<sup>2</sup> In any case, in June, 1559, the Queen, who was empowered by the Act of Uniformity to take "other order" about the matter, issued injunctions which, according to Dr. Gee, "appear to contemplate the taking down of the stone altars, and the erection of a holy table," and "directed the churchwardens to prepare an inventory of church goods, vestments, copes, etc." Dr. Gee adds that "under Edward, such inventories had often preceded the alienation of church goods. Those who read this injunction might naturally assume that this new inventory portended a similar surrender."<sup>3</sup> Again, he says that these injunctions direct "the destruction of altars, and place the mention of chasubles, copes and other ornaments in such a connexion as to raise the presumption of their illegality."<sup>4</sup>

Further, a Visitation of the whole country was made by Royal Commissioners between August and October, 1559. The visitors were given the above Injunctions, and also certain Articles of Inquiry, and the result was a wholesale destruction of altars, crucifixes, vestments, etc.<sup>5</sup> All this indicates a very strong prejudice against the use of the vestments. But, on the other hand, the cope continued to be used in the Royal chapel, and "Interpretations and Further Considerations" issued, ap-

<sup>1</sup> See Vol. I, pp. 399-401.

<sup>2</sup> *Op. cit.*, p. 139.

<sup>3</sup> *Ibid.*, pp. 142 *et seq.*

<sup>4</sup> See Gee, *Elizabethan Prayer Book*, p. 106.

<sup>5</sup> *Ibid.*, p. 141.

parently, by the Bishops as an appendix to the Injunctions, prescribed the cope for the Lord's Supper, and the surplice for all other ministrations.

This confusing position led to a proposal in the Convocation of 1563 that a surplice should suffice for all occasions. This met with defeat but, as Dr. Gee says, "it is probable that no compulsion was used to enforce the wearing of copes at this time. Parker requires the surplice in his Visitation of 1563, but says nothing about the cope. It is apparently true that, for the most part, the clergy were suffered to do as they pleased."<sup>1</sup> Eventually, there took place, under the Queen's direction, a series of negotiations which resulted in the issue in 1566 of the "Advertisements" with full episcopal, though not with royal sanction. In these "it was ordained that the general vestment for all clergymen, in all ministrations in the church, should be the surplice," but that in cathedrals a cope should be worn.<sup>2</sup> The reason for this concession was that "the difficulty was to get many of the clergy to wear any distinctive vestment at all. . . . Parker would be glad enough if he could get this minimum observed. From this time forward we hear no more of the cope in parish churches, and it may be doubted whether it was much enforced in cathedral and collegiate churches."<sup>3</sup>

So much for copes. As to chasubles and albs, though given a permissive use, as an alternative, in the rubric in the Elizabethan Prayer Book, Dr. Gee remarks that "they were practically condemned from the first. . . . In Lincoln the chasuble was given to the poor, made into a covering for the pulpit, or into cushions, or players' coats, or doublets. Sometimes it was burnt or defaced. In one place it became the cover of the Communion table. In another, it was "sold to set forward soldiers on their way." The alb shared the same fate. It was made into a surplice, into a Communion table cover, into a rochet for the clerk, into "a covering for the font."<sup>4</sup> Accounts of the wholesale destruction of altars and other church furniture can be seen in Gee and Dixon. Thus, so far as the church authorities were concerned, there was to be no further use of "popish vestments," other than the surplice. The attempt on the part of the Queen and her advisers to reintroduce the permissive use of the vestments or a cope, as allowed by the First Prayer Book of Edward, failed, and all she could do was to arrange for the cope to be used in her own chapel.

<sup>1</sup> *Op. cit.*, p. 163.

<sup>2</sup> *Ibid.*, pp. 166-7.

<sup>3</sup> *Ibid.*, p. 168.

<sup>4</sup> *Ibid.*, p. 170.

We have already had occasion to mention the substitution of wooden tables for the Catholic stone altars, recently re-erected in Mary's reign. The Elizabethan Prayer Book revived the direction of the Second Prayer Book of Edward, that the Communion service was to be said at a *table*,<sup>1</sup> standing "in the body of the Church, or in the chancel," with the priest "standing at the north side."<sup>2</sup> The Injunctions, issued to the visitors of 1559, by royal authority, directed that the table should be set up where the altar had been, and remain there, except when the Communion of the Sacrament was being administered, at which times it was to be placed in the chancel.<sup>3</sup> It was not until about 1636 that, by order of Archbishop Laud, the table was to remain always altar-wise, against the east wall.<sup>4</sup>

2. In the service itself, the only notable modification was the combination of the two previous forms for the administration of the consecrated elements. The First Book of Edward had the form "The body of our Lord Jesus Christ which was given for thee, preserve thy body and soul unto everlasting life," and the "sacrament of the body" was to be placed in the mouth of the communicant. In the Second Book, the formula was changed to the decidedly Zwinglian one, "Take and eat this in remembrance that Christ died for thee, and feed on him in thy heart by faith with thanksgiving," and the "bread" was to be put in the hands of the communicant.

Elizabeth's book retains this direction about the "bread," but combines the two formulæ thus :

"The body of Our Lord Jesus Christ which was given for thee, preserve thy body and soul unto everlasting life. Take and eat this in remembrance that Christ died for thee, and feed on him in thy heart by faith with thanksgiving."

This insertion of the formula from the first book is, *pro tanto*, a modification of the extreme Zwinglianism of the Second Book. But at most it makes the formula patient of, say, a Lutheran interpretation, or some kind of Virtual Presence, which would

<sup>1</sup> The word "altar," which had been used in the First Book, was struck out of the Second, and has *never been replaced*.

<sup>2</sup> Dr. Srawley explains that "the object of this change [in the position of the table and the celebrant] was to emphasize the idea of the 'communion feast' . . . It stressed in an extreme form one aspect of the rite, to the exclusion of the other aspect, in which the priest leads the worshippers in offering the great 'sacrifice of praise and thanksgiving' to God." (*Liturgy and Worship*, p. 308.) A remarkable and significant admission!

<sup>3</sup> Gee, *op. cit.*, pp. 255-6.

<sup>4</sup> See p. 387, n. Cf. Dixon, *op. cit.*, V, p. 136, n.

justify one in talking of the "Body." The retention of the blatantly Zwinglian formula from the Second Book would seem almost to give the sense in which the first formula is to be understood.

3. Of greater significance at first sight is the omission from Elizabeth's book of the famous "Black Rubric," which had been inserted into Edward's Second Book.<sup>1</sup> This may have been dictated by a desire to avoid committing the new Church to the definitely Zwinglian denial of the Presence involved in this rubric. The fact that the Queen herself professed a belief in some kind of a Presence must be remembered in this connection. It is not at all impossible that the omission was the result of a Royal direction. Even so, it must be remembered that no one in the new Church—not even Elizabeth herself—believed in Transubstantiation. Elizabeth had, as we have seen, missed Mass on Christmas Day, rather than be present at the Elevation.<sup>2</sup> Obviously she did not regard this as a mere harmless ceremony, but she must have looked upon it as an act of adoration, based on the doctrine of Transubstantiation. The Presence she was prepared to accept must have been of a very different kind.

We shall have more to say on this subject when we deal with the 39 Articles. In the meantime we must point out that, though omitted from the Prayer Book, the Zwinglian doctrine taught in the "Black Rubric" continued to be taught publicly in the churches, for Bishops Grindal and Horne in 1567 say that it was still "most diligently declared, published, and impressed upon the people."<sup>3</sup>

Thus, the official liturgy of the Elizabethan Church is a very slightly modified form of the Zwinglian Second Prayer Book of Edward. The slight modifications are such as to make it more possible to hold a Calvinistic, or perhaps even a Lutheran view, of the Presence. But though widened to this extent, the doctrinal basis of the Elizabethan Church, as enshrined in this Prayer Book, remains definitely Protestant. The Catholic doctrine of Transubstantiation is rigorously excluded, as is also the doctrine of the Sacrifice of Christ's Body and Blood. A table is to be substituted for the altar. Some slight concession is made as to the vesture to be worn by the minister, but even this rubric is not enforced, and becomes a dead letter.

4. There were other sundry modifications in the Book. For

<sup>1</sup> See Vol. I, pp. 530-1.

<sup>2</sup> See p. 175.

<sup>3</sup> *Zurich Letters*, Vol. I, p. 180.

instance, the petition for deliverance from "the bishop of Rome, and all his detestable enormities" was omitted from the Litany.

Dom Norbert Birt thinks this omission was made "with a view to reconciling Catholics to the use of this book."<sup>1</sup> He quotes Heylyn<sup>2</sup> as saying that "great care was taken for expunging all such passages in it as might give any scandal or offence to the Popish party, or be urged by them in excuse for their not coming to church." But Birt adds that "the reformers could never make the new form of worship acceptable to Catholics. . . . It is the Mass that matters."<sup>3</sup> And it is precisely the Mass that the reformers and the new Prayer Book intended to abolish.

#### G. HADDON'S LATIN PRAYER BOOK.

1. An Act of Uniformity was passed in Ireland in January, 1560, authorising the use of the English Prayer Book. But a special clause enacted that, where English was not understood, Latin might be employed for the Church services. Again, in 1560, the English Universities asked for permission to use the Latin tongue in their chapels.

These two facts made a Latin version of the Prayer Book necessary. A very imperfect version of the First Book of Edward had been made some time previously by Aless, but no translation had been made of the Second Book. The preparation of the new Latin version of the Elizabethan Book was entrusted to Dr. Haddon. But he followed Aless's previous version of the First Book of Edward "to such an extent that his own cannot be considered a faithful rendering" of the Elizabethan Book.<sup>4</sup>

But, though not a faithful translation of the 1559 Book, Haddon's Latin version was duly published, and authorised by Royal Letters Patent for use in the Universities and collegiate schools.

2. Haddon's Latin version differs from the 1559 English Book in one important particular. The 1549 Book had allowed a sick person to be communicated, either with the sacrament consecrated in Church that day, or, alternatively, if there was no celebration in Church, there could be a private celebration in the sick man's house. Peter Martyr had objected to this authorisation of reservation, though Bucer had found no fault with it.<sup>5</sup> In any case, in the 1552 Book, the only method provided for the

<sup>1</sup> *Elizabethan Religious Settlement*, p. 18.

<sup>2</sup> *History of Reformation*, ed. 1670, p. 111.

<sup>3</sup> Procter and Frere, *History of B.C.P.*, p. 107.

<sup>4</sup> *Op. cit.*, p. 87.

<sup>5</sup> See Vol. I, p. 516.

Communion of the sick was a private celebration in the man's house. The same is true of the 1559 English Book. But Haddon's Latin version follows the provision of the 1549 Book and says that if there is a celebration in Church on the day in question, the sick man can be communicated with the sacrament consecrated at that service. It is quite probable that in his work of translation Haddon took Aless's version as his basis, and only altered it where it was manifestly not in harmony with the Books of 1552 and 1559, and that he failed to notice the disappearance of this particular rubric from the later books. Even so, it would remain true that the Latin version authorised by Letters Patent allows such Reservation. At the same time it must be borne in mind that, as Procter and Frere remark, "the discrepancy between this Latin version and the English Book of Common Prayer was felt at the time. Strype says that in 1568 'most of the colleges in Cambridge would not tolerate it, as being the Pope's dregs.'"<sup>1</sup> Procter and Frere add that "in 1571 another Latin version was published, intentionally made to exhibit a close resemblance to the English Book." Other Latin editions appeared in 1574 and 1594, all published "cum privilegio regie majestatis." The 1571 and subsequent versions contain no provision for reservation of the sacrament.

Thus, the rubric in Haddon's version constituted at most a temporary authorisation of reservation for the sick. Even Dr. Harris, in *Liturgy and Worship*, allows that "the steady growth of Puritanism during Elizabeth's reign must have caused Reservation to become rarer," and that "probably by the end of the sixteenth century it was somewhat unusual."<sup>2</sup> Bishop Collins goes further, and says: "That the practice actually died out would seem to be clear. The whole argument of some of the controversial writings of the time . . . depends upon that fact."<sup>3</sup>

In any case, the taking of the sacramental elements from the church to a sick man, as allowed in the 1549 Book and in Haddon's translation, does not necessarily imply belief in the Real Objective Presence. The fact that Bucer allowed the

<sup>1</sup> *History of B.C.P.*, p. 124.

<sup>2</sup> *Liturgy and Worship*, p. 583.

<sup>3</sup> Article, *Eucharist*, in *Encyclopædia Britannica*, 11th edn., Vol. 9, p. 876. And yet Frau Paula Schaefer can write, in her *Catholic Regeneration of the Church of England* (English translation by E. T. Scheffauer, 1935), that "Recent researches have shown that until the prohibition of 1662, the Communion was brought from the Tabernacle to the sick and dying as a matter of course!" (p. 193). Frau Schaefer's whole book constitutes a lamentable example of the way in which Anglican propaganda has deceived even Continental Protestants.



practice is conclusive proof of this. It is also significant that, when the practice was allowed in England or in Scotland, it was carefully stipulated that there should be no pomp or ceremony or special reverence observed. This would seem to indicate that the idea underlying the practice was that, just as the communicant in Church was to feed bodily upon the sacramental bread and wine, and spiritually only on Christ as present to his faith in the rite, so also the sick man was to receive the elements or symbols, in order that by faith he might feed spiritually on Christ in heaven.

In this connection there is an interesting comment by L'Estrange in his *Alliance of Divine Offices*. He remarks that the rubric in the First Book of Edward VI was in harmony with the practice of antiquity, and met with Bucer's approval. He then adds that it

"had a fair plea for its continuation, had not the Eucharist so reserved been abused by superstitious carrying it about in solemn procession, and the habitual adoration frequented in the Romish practice moved our reformers to expunge it."

As to the authorisation of the practice in Haddon's Latin book, he says :

"It is most evident the translation was made peculiarly for the service of the universities and two colleges of Winchester and Eton. . . . Now this translation being framed particularly for those learned societies, they might be the better trusted with the elements reserved, upon a rational presumption that the greater light they enjoyed, the less prone and disposed would they be to error and superstition."<sup>1</sup>

The "error and superstition" here referred to is obviously the Catholic doctrine of Transubstantiation, and the adoration of Christ as thus present in the Sacrament. Such reservation, then, as was allowed in Universities and schools, was a reservation of the "elements," and there was to be no adoration, or carrying in solemn procession, as was customary in "Romish practice" which believes the consecrated elements to be really Christ's Body and Blood.

3. One final point may be considered here. It is argued by Dr. Harris and others that, by virtue of the provision in Haddon's Latin Prayer Book, reservation for the sick has remained lawful in the Church of England. We have just seen that the authorisation was limited to certain "learned societies." But in any

<sup>1</sup> Oxford edn., 1846, pp. 451-2.

case it is to be noted that Haddon's Latin Book was issued solely by Royal Authority, and never in any way received the approval of the Episcopate, or of Convocation. (The same is indeed true of the 1559 English Book.) Hence, its provisions can be legitimately appealed to only by those who admit that the Supreme Governor of the Church has power to issue and authorise new Prayer Books for the Church, without any formal ecclesiastical approval. It is strange to find High Church Anglicans thus appealing to Royal Authority to establish the legitimacy of an ecclesiastical practice such as Reservation! We, of course, consider it beyond question that the Crown claimed and exercised this spiritual power, and that its claim was acquiesced in by the Anglican Church. But it is important to bear in mind that the same supreme authority in the Church which authorised Haddon's Latin Prayer Book also authorised the rubric in the Prayer Book of 1662 forbidding the consecrated elements to be taken out of church,<sup>1</sup> and in Elizabeth's own reign, the Thirty-nine Articles, which condemned Reservation, etc. And these received the approval, not only of the Crown, but also of Convocation. In these official documents we find a definite repudiation of the hesitating and temporary authorisation of reservation found in Haddon's Latin Prayer Book.

<sup>1</sup> See p. 411.

## CHAPTER V

### THE CONVOCATION OF 1559, AND THE DEBATE AT WESTMINSTER

While the two great Acts of Supremacy and Uniformity were being forced through Parliament, there were two other events in which the Catholic Hierarchy played a prominent part—the Convocation of 1559, and the Debate at Westminster.

1. Convocation had been opened by Bishop Bonner on January 27th, 1559. According to G. W. Child,<sup>1</sup> it was “the only Convocation during the earlier Reformation period which was evidently elected without any pressure from the Government, and was the freely-chosen representative of the clergy of England.” It will be of interest to see the attitude of this body to the change of religion.

On February 10th, Nicholas Harpsfield, Archdeacon of Canterbury and Prolocutor of the Lower House, together with other priests, requested that “measures should be taken to safeguard religion,” i.e. the Catholic religion. Two weeks later, the Archdeacon presented to the Upper House five articles, which the clergy had composed for the discharge of their consciences, and the declaration of their faith, prefixing them with a solemnly worded statement to the effect that it was notorious that many doctrines of the Christian religion, hitherto received and approved by the unanimous consent of Christian nations, and handed down from the Apostles, were being called into question, and especially the following articles :

(1) In the Sacrament of the Altar, by virtue of the words of Christ duly spoken by the priest, are really present under the species of bread and wine, the natural Body of Christ conceived of the Virgin Mary, and his natural Blood.

(2) After the consecration there does not remain the substance of bread or wine, nor any other substance save the substance of God and man.

(3) In the Mass is offered up the true Body of Christ and his true Blood, a propitiatory sacrifice for the living and the dead.

<sup>1</sup> *Church and State under the Tudors*, p. 180.

(4) To Blessed Peter and his lawful successors in the Apostolic See, as Vicars of Christ, has been given the supreme power of feeding and ruling the Church of Christ upon earth, and of confirming their brethren.

(5) The authority to discuss and decide those things which pertain to faith, the sacraments, and ecclesiastical discipline, hath hitherto belonged, and ought to belong to the pastors of the Church, whom, and not laymen, the Holy Ghost has placed in the Church for this purpose.<sup>1</sup>

Here we have a definite profession of faith made on behalf of the Catholic clergy of Southern England, in which it is stated that the Real Presence, Transubstantiation, the Propitiatory Sacrifice of the Body and Blood of Christ in the Mass, and the universal and supreme authority of the Pope, are all *de fide*, i.e. "dogmata Christianæ religionis, publico et unanimi gentium Christianarum consensu hactenus recepta et probata, ac ab Apostolis ad nos usque concorditer per manus deducta."

It is important to note that the Universities of Oxford and Cambridge signified their assent to the first four of these Articles.<sup>2</sup> They did not formally approve of the fifth, but that is not altogether surprising.

2. The next event was a disputation in Westminster Abbey, between eight or nine representatives of the Catholic Church, and a like number of the "new preachers," as Machyn calls them,<sup>3</sup> held by order of the Council, at the end of March. It was intended to lead up to the new Act of Uniformity and, accordingly, Lords and Commons were invited to be present. Three propositions were to be debated :

(1) It is against the word of God and the custom of the ancient church to use a tongue unknown to the people in common prayer and the administration of the sacraments.

<sup>1</sup> (1) Quod in sacramento altaris, virtute verbi Christi a sacerdote debite prolati existentis, præsens est realiter, sub speciebus panis et vini, naturale Corpus Christi, conceptum de Virgine Maria ; item naturalis ejus Sanguis.

(2) Quod post consecrationem, non remanet substantia panis et vini, neque ulla alia substantia nisi substantia Dei et hominis.

(3) Quod in missa offertur verum Christi Corpus et verus ejusdem Sanguis, sacrificium propitiatorium pro vivis et defunctis.

(4) Quod Petro Apostolo et ejus legitimis successoribus in sede Apostolica, tanquam Christi Vicariis, data est suprema potestas pascendi et regendi Ecclesiam Christi militantem, et fratres suos confirmandi.

(5) Quod auctoritas tractandi et definiendi de iis quæ spectant ad fidem, sacramenta et disciplinam ecclesiasticam, hactenus semper spectavit, et spectare debet tantum ad pastores Ecclesiæ, quos Spiritus Sanctus in hoc in Ecclesia Dei posuit, et non ad laicos. (Wilkins, *Concilia*, IV, 179-80.)

<sup>2</sup> Father Pollen wrongly says that the Universities "did not subscribe to the Papal Supremacy." (*Dublin Review*, 1903, Vol. 23, p. 52, note.)

<sup>3</sup> *Diary*, p. 192.

(2) Every church hath authority to appoint, take away, and change ceremonies and ecclesiastical rites, so the same be to edification.

(3) It cannot be proved by the word of God that there is in the Mass offered up a sacrifice propitiatory for the quick and the dead.

The Catholic representatives were :

White, Bishop of Winchester ;  
 Bayne, Bishop of Lichfield ;  
 Scott, Bishop of Chester ;  
 Oglethorpe, Bishop of Carlisle ;  
 Watson, Bishop of Lincoln ;  
 Dean Cole, of St. Paul's ;  
 John Harpsfield, Archdeacon of London<sup>1</sup> ;  
 Archdeacon Langdale, of Lewes ;  
 Archdeacon Chedsey, of Middlesex.

The Protestant representatives were :

Dr. Scory, Edwardine Bishop of Chichester, afterwards  
 Bishop of Hereford ;  
 Dr. Cox, afterwards Bishop of Ely ;  
 Dr. Whitehead, who is said to have been offered the Arch-  
 bishopric of Canterbury, but refused it.  
 Dr. Grindal, afterwards Bishop of London, Archbishop of  
 York, and Archbishop of Canterbury ;  
 Dr. Horne, afterwards Bishop of Winchester ;  
 Dr. Guest, afterwards Bishop of Salisbury ;  
 Dr. Aylmer, afterwards Bishop of London ;  
 Dr. Sandys, afterwards Archbishop of York ;  
 Dr. Jewel, afterwards Bishop of Salisbury.

The Catholic bishops naturally claimed that the Reformers should begin the discussion on each point and that they would then reply for, as Oglethorpe put it, " We are of the Catholic Church, and in possession of the truth : they must say what they have against us, and we must defend our cause."<sup>2</sup> But the Protestants retorted : " We are of the true Catholic Church, and maintain the verity thereof."<sup>3</sup> And similarly Horne, when

<sup>1</sup> The *Dict. of Nat. Biogr.*, Gillow's *Biographical Dictionary of English Catholics*, and Dixon, all give instead Nicholas Harpsfield, Archdeacon of Canterbury. But the Acts of the Privy Council mention John Harpsfield, and are hardly likely to be mistaken (1558-70, p. 79). Pollard (*Political History of England*, Vol. VI, p. 206) gives John Harpsfield.

<sup>2</sup> Dixon, *op. cit.*, p. 83.

<sup>3</sup> *Ibid.*, p. 84.

reading his paper on the first point, prefixed it with a solemn protestation that he and his party "stood to the doctrine of the Catholic Church, although they understood not by the Catholic Church the Romish Church."<sup>1</sup>

Eventually, Dr. Cole read a paper defending the Catholic attitude on the first point, i.e. services in Latin, and remarked that "otherwise doing, as they have said, there followeth necessarily the breach of unity of the Church . . . there followeth necessarily an horrible schism and division. In alteration of the service into our mother-tongue, we condemn the Church of God which hath been heretofore, we condemn the Church that now is present, and namely the Church of Rome." He then quotes the famous text of St. Irenæus, and again repeats that "From this Church, and consequently from the whole universal Church of Christ, we fall undoubtedly into a fearful and dangerous schism. . . . Every Christian man is bound, upon pain of damnation, by the plain words of God uttered by St. Paul, to avoid the horrible sin of schism."<sup>2</sup>

But as the Government would not assent to the Catholic claim to reply to the Protestant attacks, the Debate was suspended, and on the same evening, the Council sent the Bishops of Winchester and Lincoln to the Tower, for the contempt and disobedience they had shown to its authority, and ordered the other Catholic disputants to report themselves daily to the Council,<sup>3</sup> and not to depart from London or Westminster without licence.<sup>4</sup> Also all six were heavily fined !<sup>5</sup> Thus ended the great Debate !

<sup>1</sup> *Op. cit.*, p. 80.

<sup>2</sup> *Frere, History of the English Church*, p. 25.

<sup>3</sup> *Dixon, op. cit.*, p. 88.

<sup>4</sup> Pocock-Burnet, V, pp. 517-8.

<sup>5</sup> *Dixon, op. cit.*, p. 88.

## CHAPTER VI

### THE DEPRIVATION OF THE CATHOLIC BISHOPS, AND THE INSTITUTION OF A NEW HIERARCHY

1. On May 23rd, 1559, eighteen laymen were appointed by Letters Patent to administer the new Oath of Supremacy to all bishops and other ecclesiastical persons, and to judges and other lay officers.

The Commission sat in London, and tendered the oath first to Bishop Bonner and to Dr. Cole, the Dean of St. Paul's, on May 30th. These both refused, and were deprived. Bishop Bonner said he would prefer death to submission.<sup>1</sup>

On June 21st five more bishops were called upon to take the oath, Bayne of Coventry, Oglethorpe of Carlisle, Scott of Chester, and two others. These all refused, but a week later they were again called up, and the oath once more presented to them, and also to Bishops White and Watson, who were brought from the Tower for the purpose. All refused, and all were deprived. Bishops White and Watson were taken back to the Tower, and the others were forbidden to depart from Westminster. On July 5th, Archbishop Heath and Bishop Thirlby were deprived for refusing the oath, and later in the same month, Morgan was deprived of St. David's, and Turberville of Exeter.<sup>2</sup> Tunstall was deprived of Durham in September, Bourne of Bath and Poole of Peterborough in November.<sup>3</sup> The oath was also tendered to Kitchin, who at first refused, and was accordingly threatened with deprivation. But as in point of fact he retained his diocese, it would seem that he eventually complied. He certainly promised to "set forth in his own person, and cause all other under his jurisdiction, to accept and obey the whole course of religion now approved in the state of

<sup>1</sup> *Venetian Calendar*, Vol. VII, pp. 94, 100.

<sup>2</sup> Dixon, *op. cit.*, p. 122.

<sup>3</sup> Miss Hamilton Thompson describes this wholesale deprivation of bishops as follows: "At the opening of the new reign, fifteen bishops *vacated their sees*, owing to their refusal to take the oath of allegiance to Elizabeth." (*Consecration of Archbishop Parker*, p. 1, italics ours.)

her Grace's realm." This was on July 18th.<sup>1</sup> Possibly, in view of this undertaking, the oath itself was not insisted upon. In any case, in spite of his promise, Kitchin seems to have retired into the background, and to have taken no active part in the establishment of the new Church.

One other bishop, Stanley, of Sodor and Man, may have conformed, though this is by no means clear.<sup>2</sup> But apart from these two waverers, the Bishops all stood firm, and suffered deprivation of their sees rather than renounce their allegiance to the Holy See.

Space will not allow us to deal here with the ultimate fate of the deprived Catholic bishops. Dr. Frere does not refer to the matter in his *History of the English Church under Elizabeth*, Dixon gives a somewhat ungracious treatment in his *History*. The real facts will be found in *The True Story of the Catholic Hierarchy deposed by Queen Elizabeth*, by Fathers Bridgett and Knox (1889), in *The Extinction of the Ancient Hierarchy*, by Father Phillips (1905), and very briefly in *Twelve Catholic Bishops and the Elizabethan Government*, by the Rev. Edward Quinn (Catholic Truth Society, 1933). From the last named work we quote the following sentences: "It is now definitely proved that of the survivors of the old hierarchy, twelve died under some form of restraint, if not of actual imprisonment, two (Goldwell and Scott) escaped to the Continent and died there, one (Kitchin) submitted to Elizabeth's religious changes, while the rest died before Elizabeth succeeded in establishing her Church."<sup>3</sup>

2. The result of this wholesale deprivation of the Catholic bishops was that all the episcopal sees in the country were vacant save two, i.e. Llandaff, and Sodor and Man. The way was thus open to Elizabeth and her advisers to appoint an entirely new bench of bishops, who could be relied upon to support her in the re-establishing of the reformed religion.

The first thing to do was to appoint a new Archbishop of Canterbury to replace Pole, who had died at almost the same time as Queen Mary. Elizabeth quite early chose Matthew Parker, a married priest deprived under Mary, for this exalted post, and on June 23rd, 1559, two days after the first episcopal

<sup>1</sup> Dixon, *op. cit.*, p. 122.

<sup>2</sup> Pilkington, Bishop of Durham, writing from Lancashire to Parker in 1564, says "The Bishop of Man lies here at ease, and as merry as Pope Joan" (Parker's *Correspondence*, p. 222). From this it has been inferred that Stanley had not by then made his submission to the new Church, but the inference seems a hazardous one.

<sup>3</sup> Page 1.



deprivations, she chose Grindal for London, Scory for Hereford, Barlow for Chichester, Bill for Salisbury, and Cox for Norwich.<sup>1</sup>

At first it was proposed that Elizabeth should appoint these new bishops to their sees by Letters Patent, in accordance with the practice of Edward VI, but eventually she decided to proceed by the old method of the *congé d'élire*. Accordingly, licences to elect were sent out during June and July, 1559, to the various chapters, with the intimation that they were to elect the persons nominated by the Church's Supreme Governor. It is noteworthy that in the *congé d'élire*, Elizabeth claimed, for the first time in history, to be the *founder* of the episcopal sees.<sup>2</sup> The elections duly took place, the Catholic members of the chapters absenting themselves.<sup>3</sup> In particular, Matthew Parker was elected by the Chapter of Canterbury on August 1st.

The next step was to procure the "Confirmation" of the election, and the "Consecration." On September 9th, 1559, Letters Patent were issued, commissioning six bishops to confirm and consecrate Matthew Parker as Archbishop of Canterbury. The six were: Tunstall of Durham, Bourne of Lincoln, Poole of Peterborough, Kitchin of Llandaff, Barlow, elected by the Chapter of Chichester but not yet confirmed, and Scory, elected by Hereford but unconfirmed.

The reason for the choice of these nominees is easy to explain. Already by September 9th, when this Commission was issued, there were only four diocesan bishops in England still in possession of their sees, and these were the ones mentioned in the Commission. All the rest had already been deprived. It was evidently realised that some at least of these four would refuse to act, and accordingly two others were added to the Commission. The choice was significant: Barlow and Scory. Barlow was a notorious heretic, who had "resigned" his see of Bath and Wells at the beginning of Mary's reign, and had then fled abroad. He had been chosen by Elizabeth for the see of Chichester, and had been elected by the chapter, but the election was as yet unconfirmed. The other was Scory, equally notorious for his Protestantism. He had been turned out of Chichester, in Mary's reign, and had fled abroad, to act as Superintendent of the Church at Emden.<sup>4</sup> Elizabeth had chosen him for Hereford, and he had been elected by the chapter, but also, was as yet unconfirmed.

<sup>1</sup> Machyn's *Diary*, p. 201.

<sup>2</sup> Dixon, *op. cit.*, p. 199, note.

<sup>3</sup> Dixon, *op. cit.*, pp. 198-9.

<sup>4</sup> See pp. 71, 161.

It seems clear that the fears of Elizabeth were more than realised, and that not only some, but all the four Catholic bishops refused to act, and the Commission accordingly collapsed.<sup>1</sup>

The failure of this Commission was followed by further deprivations. Tunstall was deprived of Durham on September 28th, Bourne of Bath soon after October 18th, and Poole of Peterborough some time before November 16th. Thus, by the last mentioned date, there was only one diocesan bishop left in England—for we can neglect the Bishop of Sodor and Man—and that was Kitchin of Llandaff!

3. Thus there were now very serious obstacles in the way of the establishment of the new Hierarchy, and it is evident that it was some time before a way out of the difficulties could be found. The nature of these difficulties is revealed in a very interesting memorandum setting forth the position, and annotated both by Cecil and by Dr. Matthew Parker, the Archbishop elect.<sup>2</sup> It details the procedure which ought to be adopted in the appointment of bishops and archbishops. First,

"suit is to be made for the Queen's Letters Patent, called *Significaverunt*, to be addressed to the Archbishop of the Province, for the confirmation of the Elect, and for his Consecration."

Cecil comments in the margin :

"The copy of this would be sent hither."

The second point is :

"When the See Archiepiscopal is vacant, then after election, like Letters Patent for the confirmation of the elect are to be directed to any other Archbishop within the King's dominions. If all be vacant, to four Bishops to be appointed by the Queen's Letters Patents, declaring her Grace's assent royal, with request for his consecration and pall."

The reference to the pallium is interesting. This emblem of archiepiscopal jurisdiction had been for many centuries given to Catholic archbishops by the Pope. When Henry VIII separated from the Holy See, he intended that the custom of giving a pall to archbishops should be retained, except that in future it should come from the King and not from the Pope.

<sup>1</sup> Denny and Lacey admit that it was this refusal to act which rendered the Commission useless (*De Hierarchia Anglicana*, p. 9). Dixon thinks that the refusal of the Bishops in question to take the Oath of Supremacy was the crucial point (*History of the C. of E.*, V, p. 200). But the Oath was not tendered to these Bishops till after September 9th.

<sup>2</sup> The full text is in Estcourt, *op. cit.*, p. 86, and Barnes, *Bishop Barlow and Anglican Orders*, pp. 187-8.

Accordingly the giving of the pall is mentioned in the Act of Parliament of 1536 which regulated the appointment of bishops and archbishops in the new National Church. There are two instances in history of the presentation of this Protestant pallium to Protestant archbishops. The first was in 1536, when a pall was given to George Brown, an Augustinian, chosen by Henry VIII for the archiepiscopal see of Dublin, and consecrated bishop by Cranmer.<sup>1</sup> The second instance was on January 16th, 1545, when Cranmer gave a pall to Holgate, the newly-appointed Archbishop of York, "ad honorem Dei . . . Virginis Mariæ et totius cœlestis exercitus . . . ac Domini nostri Henrici VIII, cui soli et nulli alii obedientiam et fidelitatem debes."<sup>2</sup>

There is no comment as to the pallium in the document we are studying, either by Parker or by Cecil, but the former comments as follows on the whole section :

"The order is set out at large in 25 Henry VIII, cap. 20, so that the restitution of the temporalities takes place after the consecration."

But Cecil's note on this paragraph is particularly important :

"There is no Archbishop nor four bishops now to be had. Wherefore quærendum, etc."

The third point in the document is that

"The fealty for the temporalities of the See is to be made to her Majesty. The oath also to be given. And the ordinary fees to be paid to her Majesty's officers."

The fourth point is :

"The consecration is to be on such a Sunday as the consecrators, with the assent of the consecrand, shall accord, and in such place as shall be thought most requisite."

The fifth is :

"The order of King Edward's book is to be observed, for that there is none other special made in this last session of Parliament."

<sup>1</sup> Cranmer's *Register*, pp. 187-8.

<sup>2</sup> Cranmer's *Register*, pp. 309-310. See the account of this interesting ceremony in the *Gentlemen's Magazine* for November, 1860. It would be interesting to know where the palls used on these two occasions were obtained. Catholic palls were always made in Rome, and blessed by the Pope. Perhaps on these occasions Cranmer used his own pall, received from the Holy See. Cranmer's pall was presumably destroyed when he was degraded and burnt in 1555. His successor, Cardinal Pole, duly received a pall from the Pope. But when he died, in 1558, the pall was probably buried with him. Another pall had come to England, in 1555, when Heath was made Archbishop of York, and this would presumably be the only pall in England in 1559. But Heath would, of course, not allow his pall to be used for Matthew Parker. And as there was no pall available on this occasion, the giving of the pall was omitted in Parker's case, and it has never been resumed by the Anglican Archbishops, though the pall itself still figures in the arms of the See of Canterbury !

On this Cecil remarks :

"This book is not established by Parliament."

Thus, there were two special difficulties. One was the fact that there was no archbishop, or any four diocesan bishops, who could or would consecrate Parker. The other difficulty was that the Edwardine Ordinal had not been expressly authorised by Elizabeth's Parliament.<sup>1</sup> These points must be carefully borne in mind.

4. These difficulties were overcome in the following manner. A new and special Commission was issued on December 6th, 1559, to seven bishops of various kinds, any four of whom could act. The Consecration was to be carried out "according to the form of the statutes set forth and provided for that purpose." We have seen that the Statute governing the matter was the Statute of Henry VIII, which contemplated the use of the Pontifical. Nevertheless, the Edwardine Ordinal was used in its place, though it had not been authorised as yet by Parliament. Next comes a special clause which, as Dixon allows, is "not found in any other instrument of the sort ever issued,"<sup>2</sup> and described by Lacey as "ominous."<sup>3</sup> By this, the Queen remedies all possible defects, by her supreme authority :

"Supplentes nihilominus, suprema auctoritate nostra regia, ex mero motu ac certa scientia nostris, si quid aut in his quæ juxta Mandatum nostrum prædictum per vos fient, aut in vobis aut vestrum aliquo, conditione, statu, facultate vestris ad præmissa perficienda, desit aut deerit eorum quæ per statuta hujus regni aut per leges ecclesiasticas in hac parte requiruntur aut necessaria sunt, temporis ratione et rerum necessitate id postulante."<sup>4</sup>

When this Commission was drawn up, it was submitted to the judgment of six doctors of law, who authorised it in the following terms :

"We, whose names be hereunder subscribed, think in our judgments that by this Commission in the form penned, as well the Queen's Majesty may lawfully authorise the persons within named

<sup>1</sup> The Ordinal was printed in 1559, but apart from the Prayer Book. Indeed, it was not included in any editions of the Book of Common Prayer published in the first part of Elizabeth's reign—a fact which bears out Cecil's contention that the Ordinal had not really been authorised by Parliament when the Prayer Book itself was authorised.

<sup>2</sup> Dixon, *op. cit.*, V, p. 203.

<sup>3</sup> *Reformation and the People*, p. 72.

<sup>4</sup> The full text of the Commission is in Haddan-Bramhall, III, pp. 175-180.

to the effect specified, as the said persons may exercise the act of confirming and consecrating in the same to them committed.

William May.

Robert Weston.

Edward Leeds.

Henry Harvey.

Thomas Yale.

Nicholas Bullingham."

The Commission was now directed to the following seven Bishops :

Kitchin, Bishop of Llandaff ;

Barlow, "some time Bishop of Bath, now elect of Chichester" ;

Scory, "some time Bishop of Chichester, now elect of Hereford" ;

Coverdale, "some time Bishop of Exeter" ;

Hodgkin, suffragan Bishop of Bedford ;

Salisbury, suffragan Bishop of Thetford ;

Bale, Bishop of Ossory.

We note that there was really only one proper diocesan bishop amongst the seven, namely, Kitchin of Llandaff. Barlow's appointment to Chichester and Scory's to Hereford had not yet been confirmed. Hodgkin and Salisbury had never been more than auxiliary bishops, and had no ordinary or diocesan jurisdiction. Moreover, Hodgkin had been expressly suspended by Cardinal Pole "a pontificalibus,"<sup>1</sup> and therefore had no right to exercise his episcopal powers. Coverdale had been deprived of the see of Exeter, and was without any diocese at all. Lastly, Bale was not rightful Bishop of Ossory. In any case, the Commission said that any four of the seven might act.

Kitchin of Llandaff, the first on the list, presumably received due notice of the work the Queen wished him to perform. In the event, he took no part, either in the Confirmation, or in the Consecration of the new Archbishop of Canterbury. There is no positive evidence as to the reason for his refusal. We have already said that he retained his see of Llandaff, and promised to support the new Establishment. But he took no active part in any of the new measures and was, as we shall see, absent from the Convocation which drew up the new Articles of Religion. It would seem that he must have been equally disinclined to help to confirm and consecrate Parker according to the Protestant ordination rite. Strangely enough, contemporary Angli-

<sup>1</sup> See p. 121.

can writers suggested that he did, in fact, assist at the ceremony, and even Catholic writers at first thought that he had done so.<sup>1</sup> It is not impossible that, as related in the famous Nag's Head story, to which we shall refer in due course, Kitchin was deterred from taking part by a strong remonstrance from Bishop Bonner.<sup>2</sup>

In any case, for whatever reason, it is certain that Kitchin did not function. Presumably the next four bishops on the list were called on, namely, Barlow, Scory, Coverdale and Hodgkin, and they consented. Whether Salisbury or Bale were in fact approached does not matter, for the necessary four bishops had now been obtained, and the other two did not take part in the ceremony.

The official "Confirmation" of the election of Dr. Parker to the see of Canterbury took place in accordance with the usual custom, at Bow Church, Cheapside, on December 9th, 1559, three days after the issue of the Commission to the seven bishops. Dr. Parker was apparently not present himself, but was represented by two proxies, Drs. May and Bullingham. He was confirmed to the see by Barlow, Scory, Coverdale and Hodgkin.<sup>3</sup> The ceremony began between 8 a.m. and 9 a.m. and doubtless lasted a certain time. It was, as we shall see, followed by the customary "lunch" at the "Nag's Head," a well known hostelry in the neighbourhood. From this convivial function arose the story of the "Nag's Head Consecration."<sup>4</sup>

5. The Confirmation of Parker's election at Bow Church on December 9th was followed on Sunday, December 17th, by his episcopal consecration in the chapel of Lambeth Palace, the same four bishops officiating, i.e. Barlow, Scory, Coverdale, and Hodgkin. It took place very early in the morning—between five and six a.m.—in the presence of very few persons. As the reality of this function was subsequently called into serious question, it is important to examine the evidence for it.

(a) The chief proof is the full account of the ceremony, in the Lambeth Register. The Chief Registrar at the time was Anthony Huse, who had held the office since 1537-8.<sup>5</sup> It is quite possible that, as Canon Jenkins maintains, Huse was "responsible for the account of Parker's consecration as it

<sup>1</sup> See p. 241.

<sup>2</sup> W. A. Shaw, in the *Dictionary of National Biography* says that "owing perhaps to pressure from Bonner, Kitchin certainly did not act" (s.v., *Kitchin*).

<sup>3</sup> The documents concerning the Confirmation, etc., are printed in full in Haddan-Bramhall, III, pp. 175 *et seq.*

<sup>4</sup> See pp. 347-77.

<sup>5</sup> See Jenkins, *Bishop Barlow's Consecration*, p. 32.

actually happened.”<sup>1</sup> But that does not prove that the account in the Register was actually written by Huse.<sup>2</sup> Indeed, that would seem to be quite impossible, for though Huse died on June 1st, 1560, the same handwriting as that found in the account of Parker’s consecration is found in records subsequent to that date, down to 1562. This particular fact has been urged from time to time in proof that the account in the Register is not genuine. But in reality the “proof” does not amount to much. After all, though Huse was Principal Registrar, he was provided with assistants and scribes, and there can be little doubt that it was one of these who actually copied the documents into the Register. It is impossible to say who actually wrote them. John Incent was Assistant Registrar in 1559, and became Principal Registrar in 1560, in succession to Huse. Incent was present at Parker’s Consecration, and it might be thought that he actually wrote the record, especially as the account of the consecration of Bishop Jewel on January 21st, 1560, which is in the same handwriting, says that the latter ceremony took place “in præsentia mei Johannis Incent, notarii publici, deputati Magistri A. Husii.” But even this does not show that Incent was the actual writer, for the same handwriting occurs again in the account of the consecration of Parkhurst to Norwich on September 1st, 1560, which took place “in præsentia mei Eduardi Orwell,” deputed by John Incent. But though the actual identity of the scribe is not known, he must have been one of the officials in the office of the Registrar at the time, and it is clear that he had been employed before 1559, for his handwriting occurs in marginal notes, and elsewhere, in the Register of Cardinal Pole.

Mgr. Barnes tells us<sup>3</sup> that Cardinal Pitra, the famous Benedictine scholar, examined the Lambeth Register in 1852 and pronounced that “it had all the marks of an apocryphal document.” According to Mgr. Barnes, the Cardinal’s reasons are not now to be found. But in point of fact a set of reasons purporting to be those of Cardinal Pitra were printed in 1895 by the Abbé Boudinhon, in his *Validité des Ordinations Anglicanes*, from an Italian newspaper, *La Voce della Verità*.<sup>4</sup>

It will be of interest to examine these “reasons” for questioning the genuineness of the Register. The first is that

<sup>1</sup> *Op. cit.*, p. 33.

<sup>2</sup> As seems to be implied in Canon Jenkins’ words.

<sup>3</sup> *Bishop Barlow and Anglican Orders*, pp. 119-120.

<sup>4</sup> Boudinhon, *Validité des Ordinations Anglicanes*, pp. 13-15.

"The Register of Matthew Parker is not authentic, seeing that it was not written by the chancellor then in charge, but by another of later date."

This point we have already dealt with above.

The second reason is that

"Barlow, Bishop of Bath and Wells, was never able to produce the act of his consecration (still less the others named in the acts of Matthew Parker), not to say that no Catholic bishop would have dared to consecrate an intruder."

Barlow's case has already been discussed. There were three other bishops at Parker's consecration, and there is sufficient evidence of their consecration, either according to the Pontifical or according to the Edwardine rite.

The third reason is that

"In the register of Matthew Parker, there are sixteen documents relating to the consecration, but what is lacking is the act itself of the consecration, signed by the consecrating prelate, the assistants, and the witnesses."

But the long and detailed account of the ceremony in the Register may well take the place of the shorter and more official "act."

The fourth reason is that

"It would be erroneous to maintain the invalidity of the consecration on the ground of a change of the rite, for it is noted in the said Register that down to the 14th July, 1560, the Roman rite was employed. But at the consecration of the Bishop of Norwich (1st September, 1560) the formula is changed: '*Adhibitis ceremoniis de ritu moderno ecclesiæ anglicanæ adhibendis.*'"

As to this last point, we can only say that either Cardinal Pitra has been misrepresented, or else he was certainly misinformed. The accounts of the episcopal consecrations from Parker to Parkhurst of Norwich exclusive, contain the phrase "*ceremoniis et ritibus in Actis Consecrationis Dicti Reverendissimi Patris expressis adhibitis*," or an equivalent phrase, such as "*juxta morem et formam circa consecrationem ipsius Reverendissimi Patris usitatas*." At the consecrations on March 24th, 1559-1560, and on July 14th of the same year, the phrase is "*adhibitis ceremoniis consuetis ac præstito juramenti solito, juxta formam descriptam in Actis consecrationis ipsius Reverendissimi Patris*." All these phrases obviously refer us back to the rite used at Parker's consecration, and thus the Register does *not* give us to understand that down to 1560 the Roman rite was employed.<sup>1</sup>

<sup>1</sup> Unless it be suggested that the Register has again been "rewritten" since Pitra's visit in 1852!



(b) We turn now to the other manuscript proofs of Parker's consecration. There is at Corpus Christi College, Cambridge, a manuscript account of the ceremony. According to Haddan, this was "believed to have been given to the College by Parker himself."<sup>1</sup> But it is not maintained that it is in Parker's own handwriting. It corresponds in the main with the account in the Lambeth Register. There are also two accounts in the Record Office, one of which is evidently contemporary. According to Estcourt this is, not a copy of the Register, but a draft made first, and sent to Cecil for his approval. This is quite likely. There is yet another account, among the Foxe manuscripts, which Mgr. Barnes dates between 1562 and 1566, much to the surprise of Canon Jenkins, who would presumably favour a later date.<sup>2</sup> This document is printed in full in Estcourt.<sup>3</sup>

Next we may mention the entry in Machyn's Diary<sup>4</sup> which, however, remained unpublished till 1848.

Also, in a manuscript Diary of Archbishop Parker, in the Library of Corpus Christi College, Cambridge, we have under date December 17th, 1559 :

"Consecratus sum in Archiepiscopum Cantuar. Heu ! Heu ! Domine in quæ tempora servasti me ? . . ."<sup>5</sup>

(c) Coming now to published testimonies, we have the work *De Antiquitate Britannicæ Ecclesiæ*, first published in 1572, and which contains the lives of the Archbishops of Canterbury. It ends with an account of Parker's life down to 1572, and mentions his consecration on December 17th, 1559. But it is important to note that only fifty copies of this book were printed, and it probably only had the private circulation it was intended to have. Moreover, the Life of Parker is not found in all the copies even of this edition of 1572. Haddan says the work was "printed under the Archbishop's own superintendence, for private distribution among his friends."<sup>6</sup> This *Life* of Parker states that he was consecrated according to the reformed rite, on December 17th, 1559, by the four bishops above mentioned.

(d) Lastly, there is evidence to show that the consecration of Parker was known to certain contemporaries in England and

<sup>1</sup> Note in Bramhall, *Works*, III, p. 210.

<sup>2</sup> Barnes, *Bishop Barlow*, p. 101 ; Jenkins, *Bishop Barlow's Consecration*, p. 34. It must in any case be prior to 1587, the year of Foxe's death.

<sup>3</sup> Pages 105-7.

<sup>4</sup> Page 220.

<sup>5</sup> Denny and Lacey, *De Hierarchia*, pp. 16-17.

<sup>6</sup> Bramhall, *Works*, Oxford edn., Vol. III, p. 121, footnote.

abroad. Thus, Jewel wrote to Peter Martyr, probably in July 1559:

"Some of our friends are marked out for bishops: Parker for Canterbury. . . ."<sup>1</sup>

And on November 16th, 1559, he wrote:

"The bishops are as yet only marked out. . . ."<sup>2</sup>

But writing on December 20th, i.e. three days after the Lambeth ceremony, John Parkhurst, subsequently Bishop of Norwich, wrote to Josiah Simler concerning "Parker, the Archbishop of Canterbury," while on January 6th, 1560, Thomas Sampson told Peter Martyr that

"the consecration of some bishops has already taken place. I mention, as being known to you by name, Dr. Parker, of Canterbury, Cox of Ely, Grindal of London, Sandys of Worcester . . . Pilkington of Winchester, Bentham of Coventry, and your friend Jewel of Salisbury will follow shortly, for they are soon, as I hear, to be consecrated, as we call it."<sup>3</sup>

But all this evidence merely proves that the bare fact of Parker's consecration somewhere and somehow was known to various individuals here and abroad. The details of the ceremony, and the names of the officiating bishops, were known to very few persons indeed, and there is every reason to think that the Government and those concerned deliberately abstained from giving them publicity. There were very good reasons for their silence. The ceremony of Parker's consecration was completely irregular from the standpoint both of ecclesiastical and of civil law as it then stood. The four bishops who officiated were not "bishops of the realm" as required by the Act of Henry VIII, for not one was in actual possession of a diocese. Moreover, from the Catholic standpoint, two of the four, namely Coverdale and Scory, had been consecrated only by the Edwardine Ordinal, and therefore were, in the eyes of the Catholic Church, no bishops at all. Again, the rite employed on this occasion, the Edwardine Ordinal, had not been "established by Parliament," to use Cecil's phrase, and from the ecclesiastical standpoint it had been rejected as invalid. In order to legalise the ceremony, it had been found necessary to insert that remarkable "Supplentes" clause in the Commission, by which the Supreme Governor of the Church gave a most comprehensive dispensation for all the defects which such a ceremony obviously involved.

<sup>1</sup> *Zurich Letters*, I, p. 23.

<sup>2</sup> *Ibid.*, p. 55.

<sup>3</sup> *Ibid.*, p. 63.

It was hardly likely that this unexampled exercise of the plenary powers supposed to be present in the Royal Governor of the Church would meet with general approval, and if known it would obviously meet with severe criticism from the Catholic party. This explains the evident reluctance at first to let the real facts be known. The consequence of this deliberate silence was that Catholics doubted whether the Lambeth ceremony had really taken place, at least as recorded in the Register, and gave ready credence to the scandalous story of the Nag's Head ceremony which was set forth as an authentic account of what had really happened. Catholics could hardly be blamed in accepting this rival account, in the absence of any satisfactory evidence of the Lambeth ceremony. They may indeed be criticised for adhering to it after the Lambeth records were produced. But in the first place, the blame must be put upon the Government, civil and ecclesiastical, who kept the Lambeth ceremony so secret.

To show how little the real facts were known, we have only to mention that at first Catholics thought that Kitchin of Llandaff had officiated at the consecration of Parker and the other Anglican bishops. Thus, Dr. Sanders, in his written report on the ecclesiastical condition of England, drawn up in the year 1561, says of Kitchin :

"Mirum jam non sit si et schismati cedat, et pseudo-episcopos extra ecclesiam consecret."<sup>1</sup>

And, accordingly, a document drawn up for Cardinal Morone in the latter part of the same year says that

"by him (Kitchin of Llandaff) were consecrated all those schismatical and heretical bishops whom the Queen has made by her own authority."<sup>2</sup>

Moreover, there is evidence to show that even if this story did not in the first place originate with Anglicans, it was at least encouraged by them. For as late as 1565, a great Catholic writer, Dr. Stapleton, raised the question of Anglican episcopal consecrations, in his *Fortresse of the Faith*, as follows :

"The pretended bishops of Protestants, whereas the whole number of our learned and reverend pastors (our Lord be praised !) for confession of the truth were displaced of their rooms, none being left in the realm having authority to consecrate bishops, or to make

<sup>1</sup> Catholic Record Society, *Miscellanea*, I, p. 17.

<sup>2</sup> W. M. Brady, *Annals of the Catholic Hierarchy in England and Scotland*, p. 5 ; Bayne, *Anglo-Roman Relations* (Clarendon Press), p. 285.

priests (that being the office of only bishops), by what authority do they govern the fold of Christ's flock?"<sup>1</sup>

To this, the Anglican controversialist, Fulke, replied as follows :

"Where he saith, that when all the Popish Bishops were deposed there was none to lay hands on the bishops that should be newly consecrated, it is utterly false : for there was one of the Popish bishops that continued in his place ; there were also divers that were consecrated that were consecrated Bishops in King Edward's time."<sup>2</sup>

This at least suggests that Kitchin took part in Parker's consecration.

We shall discuss in detail in another chapter the general Catholic criticism of the new Hierarchy, but enough has been said to show that Catholic writers were in pardonable ignorance of the reality of the Lambeth consecration. The evidence which is now at our disposal was at that time entirely unknown to them.

But now, as we have seen, there is no reason to doubt that Dr. Matthew Parker was really consecrated at Lambeth Palace on Sunday, December 17th, 1559, by Barlow, Scory, Hodgkin, and Coverdale, and that the Lambeth Register and its cognate documents give a reliable account of what really happened. Accordingly, we must now see what exactly took place.

We have already noted that Cecil's instructions were that the Edwardine Ordinal was to be used, and these instructions were duly carried out. There was a certain variety, however, in the vesture of the officiating bishops. Barlow himself wore a cope, Scory, Hodgkin and Parker wore only surplices, and Coverdale appeared in a black gown, in the fashion of Geneva. The description of the ceremony says that it was carried out "according to the form of the book published by the authority of Parliament," but this obviously refers back to the Parliament of Edward VI. The Second Edwardine Ordinal was followed throughout, with the exception of one important variation. Both the Ordinals of Edward VI directed that, while all the bishops present were to lay hands on the head of the bishop elect, only the consecrating archbishop was to say the words of the form. But on this historic occasion, we are told that all four bishops said the words "Take the Holy Ghost, etc." It has been suggested by Anglicans that this was done in order to carry out the directions of the Exeter Pontifical. We can hardly imagine

<sup>1</sup> *Fortresse of the Faith*, fol. 141.

<sup>2</sup> *Fortresse Overthrown in Works*, P.S., p. 117.

that Barlow, Scory, Hodgkin and Coverdale would trouble to obey this single provision of the discarded Catholic rite, while cheerfully rejecting all the rest! It would seem far more likely that it was realised that all four consecrating bishops were really acting *ultra vires* apart from the royal "Supplentes" clause, which applied equally to them all, and that for this reason it was decided to depart, in this particular instance, from the rubrical directions of the Edwardine rite employed.

6. Three days after his own consecration, Parker confirmed the elections of two of his consecrators, namely, Barlow to Chichester, and Scory to Hereford. At the same time he confirmed four other appointments, Dr. Grindal, to be Bishop of London; Cox, to be Bishop of Ely; Meyrick, to be Bishop of Bangor; and Sandys, to be Bishop of Worcester. As these four were not yet consecrated, Parker himself consecrated them, by the Edwardine rite, on December 21st, 1559, with the assistance of Barlow, Scory and Hodgkin. Thus, including Kitchin of Llandaff, eight sees had been filled by the end of the year.

In January, 1560, there were four more appointments:

Young, to St. David's;  
Davies, to St. Asaph;  
Bullingham, to Lincoln;  
Jewel, to Salisbury.

In March of the same year three more bishops were consecrated:

Berkeley, to Bath and Wells;  
Bentham, to Coventry; and  
Guest, to Rochester.

Later in 1560 Alley was consecrated for Exeter, and Parkhurst for Norwich.

In 1561 Horne was consecrated to Winchester, and Scambler to Peterborough. The next year Cheyney was appointed to Gloucester. All these were consecrated by Parker. In addition, Archbishop Young, of York, who had been himself consecrated by Parker, consecrated Best for Carlisle, Pilkington for Durham, and Downham for Chester. Thus twenty-three of the English sees were once more filled. Two of their occupants, namely, Kitchin and Barlow, were Pontifical bishops, but all the rest were consecrated by the Edwardine Ordinal. Thus, ultimately, the validity of the episcopal orders of the Church of

England depends upon the validity of the episcopal consecration of Dr. Parker.

Now, we have already shown that the Edwardine Ordinal was regarded as invalid by the Catholic authorities in England during the reign of Queen Mary, and moreover that their judgment was solemnly confirmed by the Holy See itself, and that this judgment was based upon the defect of form and intention in the rite itself. In view of this, the question of the episcopal orders of Parker's consecrators is a very minor and unimportant one : even if they had all been true and real bishops, they could not make Parker a real bishop by means of the Edwardine rite, and that precisely because the form and intention of that rite are defective. The fact that Barlow probably possessed valid episcopal orders, and that Hodgkin certainly was a real bishop, and that all four said the words accompanying the laying on of hands, cannot make up for this essential defect in the rite itself. That rite, as we have said, had been declared invalid by the Catholic authorities here, and by the Holy See itself. And yet it was precisely this condemned rite which Elizabeth and her advisers deliberately chose for the purpose of making the bishops and clergy of the new Church. They must have been perfectly aware of the significance of their action, and that the consecration of Archbishop Parker constituted a deliberate and flagrant rejection of the verdict of Catholic Christendom on the validity of the Ordinal employed.

It is true that in this matter, the opinion of Elizabeth and her advisers, as distinct from that of the Catholic authorities and the Holy See, is shared by Anglicans to-day. Our purpose in this work is to show that the Anglican view is untenable. But apart from that, there is another aspect of the matter, which we commend to the attention of Anglicans. The consecration of Archbishop Parker was, not only invalid, but also, as we have seen, according to both ecclesiastical and civil law, illicit and irregular, seeing that it was carried out by bishops who were devoid of canonical standing and jurisdiction, and were not "bishops of the realm." Its legality can be defended only on the supposition that the Crown, as the Supreme Authority in the Church of England, can dispense from all irregularities involved, and remedy all defects, including the lack of jurisdiction, etc. Now, if this extreme Erastianism is rejected—and most High Churchmen reject it at the present time—we are bound to conclude that the consecration of Archbishop Parker

was a wholly illicit act, and thus the hierarchy which it brought into existence, and the Church governed by that hierarchy, cannot possibly claim any rightful ecclesiastical status. Thus, even if valid, the Anglican hierarchy is a spurious hierarchy, except on the principles of a thorough-going Erastianism.

In view of the importance of this aspect of the case, it will be interesting to note the candid admissions made by Canon Lacey, in his work *The Reformation and the People*, published in 1929. He remarks that "A revolution can seldom be carried through without some illegalities."<sup>1</sup> Next he says that the seven bishops to whom the commission to consecrate Parker was addressed were

"all genuine bishops, duly consecrated, four Henrician, three Edwardian, and therefore canonically competent to consecrate another bishop."<sup>2</sup>

We must observe in passing that the "three Edwardian bishops" were *not* "genuine bishops," for they had been consecrated by the new Protestant rite, which we regard as invalid. In any case, Canon Lacey continues :

"But *Kitchin was the only one actually in possession of a See, and therefore the only one legally competent to confirm Parker's election and proceed to his consecration.* The 'supplentes' clause was evidently needed. Whether it had any legal effect is another question, of which Bonner made effective use three years later."<sup>3</sup>

"It has been argued that Barlow, Scory and Coverdale had been uncanonically removed by Mary, and therefore were still in possession of their Sees. The facts are disputable in all three cases ; were they perfectly assured they could not be urged by men who had just been removing bishops in the same manner, nor would they diminish the illegality of the procedure adopted. The revolutionaries set at naught their own rules, and the Settlement was made the more precarious. *Parker was consecrated in a way neither canonical nor legal.*"<sup>4</sup>

Let us now see how Canon Lacey seeks to escape the consequences of the significant admission in his last sentence. He says :

"The legal defect was mended by an Act of Parliament in 1563 ; the canonical defect was remedied only by long and undisputed possession."<sup>5</sup>

The Act of 1565 will be discussed by us in a later chapter. Doubtless it remedied the "legal defect" in the Anglican hier-

<sup>1</sup> *Op. cit.*, p. 72.

<sup>2</sup> We deal with the Bonner episode in the next chapter.

<sup>3</sup> *Ibid.* He means the Act of 1565.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, italics ours.

archy, as Canon Lacey says. But we protest that there has never been that "undisputed possession" of which he speaks, and which he claims has remedied the canonical defect. The Catholics of England have from 1559 to our own day denied the rights of the Anglican hierarchy, and hence the "canonical defects" present in 1559 are still present to-day.

7. We must now discuss the *personnel* of the inferior clergy of the Church of England. It is impossible to give anything like an exact estimate, but it would seem safe to say that there were roughly eight thousand clergy in England at the beginning of Elizabeth's reign, and at least three-quarters, it must be confessed, accepted the religious changes, outwardly at any rate.<sup>1</sup> Sanders in 1571 gave a list of a hundred and ninety-two clergy who had been deprived or imprisoned. But he expressly confined himself to those of whom he had himself heard, and adds that without doubt, "*alii præterea valde multi hanc laudem meriti sint.*" As to simple priests, "*multo difficiliter enumerari possunt,*" but he proceeds to enumerate those of whom he knows.<sup>2</sup>

In this connection it must be remembered that Elizabeth's great object was to secure conformity, and provided this was forthcoming, the regulations about the oath of supremacy seem to have been somewhat relaxed. Gee remarks that the Commission of 1559 appointed to administer the oath "do not appear to have carried out their powers of punishment and deprivation with much rigour."<sup>3</sup> Doubtless some of the clergy were induced to take the oath in the months that followed, but "no great diligence was used to enforce subscription" in the metropolitan visitation of the south in 1560-1. In the north, the visitation of 1561 which tendered the oath "was probably only partially successful." In 1562, "many of the deprived clergy were celebrating Mass, etc., in private."<sup>4</sup> Gee also speaks of the "sullen reluctance" of the clergy in 1559.<sup>5</sup>

In any case, it would seem that the majority of the Catholic clergy conformed to the new Church, and were in this respect less faithful than the bishops. To explain this regrettable fact, we may say with Meyer that "there is much to be said for the

<sup>1</sup> See Pollen, *English Catholics in the Reign of Elizabeth*, pp. 39-40.

<sup>2</sup> The document is printed in full in Gee, *Elizabethan Clergy*, pp. 225-30.

<sup>3</sup> *Ibid.*, p. 249.

<sup>4</sup> *Ibid.*, p. 250.

<sup>5</sup> *Ibid.*, p. 42.



argument that the recent change of religion was looked upon as no more likely to be permanent than the two which had preceded it. . . . Many persons might provisionally comply with the law while waiting for a change in the immediate future.”<sup>1</sup> Meyer also mentions the fact that “Elizabeth’s supremacy was different from Henry’s.” [He means, of course, in name. In fact there was no difference, as we shall see.] “Now that the title ‘Head of the Church’ had been dropped, many persons would quiet their conscience with the assurance that the new title ‘Governor’ had no spiritual significance, but only claimed their obedience on civil grounds.”<sup>2</sup>

There is every reason to think that many of these Marian priests said Mass privately at home, and afterwards read the Protestant service in the public church. We have seen that Gee acknowledges this, and the same is also indicated by a letter from Cardinal Allen,<sup>3</sup> and in Rishton-Sanders *De Schismate Anglicano*.<sup>4</sup>

But even with this unfortunate acquiescence in the religious changes by the majority of the Marian clergy, there was a great dearth of clerics to perform the services of the new Church. Strenuous endeavours were made to supplement their ranks by ordaining new clerics, according to the Edwardine rite. Over three hundred were thus ordained during the first four months after Parker’s appointment to Canterbury. But these measures did not suffice, and recourse was had to another expedient, which we will describe in the words of Canon Dixon :

“Under the oversight of the bishop, and by his letters testimonial, laymen were to be admitted in a church, the curate being absent, to read the service for the day, under the name of readers. . . . They were not to intermeddle to minister baptism or Holy Communion or marriage, not to preach, but read a Homily, the Prayers, and the Litany. The need was great : in one diocese two-thirds of the parishes were destitute, another had but two preachers in it,<sup>5</sup> but laymen of sufficiency, willing to undertake the office, were rare . . . and it was found too frequently that the churches were served, in this capacity, by ignorant and illiterate mechanics. . . . These readers went on until the next century.”<sup>6</sup>

The Puritan Richard Baxter, born in 1615, says that in his village

“there were four readers successively in six years’ time, ignorant

<sup>1</sup> *England and the Catholic Church under Queen Elizabeth*, pp. 29-30.

<sup>2</sup> *Op. cit.*, p. 30.

<sup>3</sup> Allen to Vendeville, see F. Knox, *Letters of Cardinal Allen*, p. 56.

<sup>4</sup> Page 267.

<sup>5</sup> Note these significant admissions !

<sup>6</sup> *History of the Church of England*, V, pp. 195-7.

men, and two of them immoral in their lives. . . . Within a few miles about us were near a dozen more ministers that were near eighty years old and never preached, poor ignorant readers, and most of them of scandalous lives."<sup>1</sup>

Such was the result of the break from Rome, and the return to "Primitive Christianity" !

<sup>1</sup> Dixon, *op. cit.*, pp. 195-6, note.

## CHAPTER VII

### ATTITUDE OF CATHOLICS TO THE NEW CHURCH

#### A. BISHOP BONNER AND BISHOP HORNE.

#### B. THE COUNCIL OF TRENT AND THE ANGLICAN CHURCH.

#### A. BISHOP BONNER AND BISHOP HORNE.

In 1563, an Act was passed through Parliament which enacted that "every Archbishop and Bishop shall have power to tender the oath (of supremacy) to every or any spiritual or ecclesiastical person within their diocese." Refusal was to involve the penalties of the Statute of *Præmunire*, and if anyone, "after the space of three months after the first tender thereof," did a second time refuse to take the oath, he was to "suffer execution, as is used in cases of high treason."

This definitely put the imprisoned Catholic bishops at the mercy of their Anglican supplanters, and brought them to imminent danger of death. The Emperor made representations to Elizabeth on their behalf, and eventually Parker drew up a letter to his brother bishops saying they were not to tender the oath to anyone a second time without reference to himself. Parker, however, consented to the tendering of the oath a second time to Bishop Bonner, and this was done on April 26th, 1564, by Horne, Anglican Bishop of Winchester. The *Spanish Calendar* says that "he was very firm in his refusal to swear against his conscience, and said he would give ample good reasons why they could not press him to do so."<sup>1</sup>

Legal proceedings were in due course initiated against Bonner, because of his refusal to take the oath, but they were postponed over and over again, and were eventually dropped. Bonner drew up a remarkable defence. This is set forth in two manuscripts: the first is a draft in his own handwriting of his instructions to his counsel, and is printed by Strype.<sup>2</sup> The second is from a manuscript in the British Museum dealing with the

<sup>1</sup> *Spanish Calendar*, Elizabeth, Vol. I, p. 360.

<sup>2</sup> *Annals*, I, ii, pp. 4-8.

question of episcopal jurisdiction, written towards the end of Elizabeth's reign, and printed by Strype in his *Parker*.<sup>1</sup>

Bonner's own draft maintains "that he, the said Edmund, hath not run into any penalty comprised in any of the said two statutes." The first reason he gives is that "the same statutes ought to have had the consent of the Lords Spiritual and Temporal." This evidently refers to the fact that the two great Reformation Acts which established the Elizabethan Church had not received the consent of the Catholic Bishops in the House of Lords.<sup>2</sup>

Secondly, Bonner says he "was not convented or called herein before a lawful bishop."

In further explanation of this, he says :

"the said Mr. Robert Horne, not being lawful Bishop of Winchester, but an usurper, intruder and unlawful possessor thereof, as well for that according to the laws of the Catholic Church and the statutes and ordinances of this realm, the said Mr. Robert Horne was not elected, consecrated or provided, as also according to the canons of the Catholic Church, he, the said Mr. Robert Horne, came not to the same dignity, or was eligible to the same, but as a person infamed, unworthy, and utterly unmeet for the same, did take upon him the said office, most worthy to be repelled from the same. . . ."

After other matters, the document continues :

"Item, that Dr. Horne is no lawful Bishop, neither concerning the tendering of the said oath, nor other things foresaid, nor exercise of other ecclesiastical office, for many causes, and especially for that he, the said Dr. Horne, was not lawfully consecrated according to the laws and statutes of this realm, especially the statute of 25 Henry VIII, cap. 20, where in effect is required that he that is to be consecrated must among other things have one Archbishop and two bishops, or else four bishops at the consecration, which the said Dr. Horne had not."<sup>3</sup>

Dr. Horne, then, is said to be no bishop, and this "for many causes," and especially because he was not consecrated by an archbishop and two bishops, or else four bishops. Now in point of fact, Horne had been consecrated as Bishop of Winchester on February 16th, 1561, by Dr. Parker, and three other bishops—Young, Bishop of St. David's; Grindal, Bishop of London; and Bentham, Bishop of Coventry. That is, he had,

<sup>1</sup> Vol. I, pp. 120-1.

<sup>2</sup> The House of Lords' Journals keep "a mysterious silence" (Maitland) on the Session in which the Supremacy Bill was passed. It would seem that the Government determined that there should be no documentary proof of this point of Bonner's. See Maitland, in *Fortnightly Review*, 1899, quoted by Fr. Beck, in *Clergy Review*, July, 1935, p. 31.

<sup>3</sup> Strype, *Annals*, I, ii, pp. 4-8.

apparently, been consecrated by "an archbishop and two bishops, or by four bishops," as required by the Act of Henry VIII. It was perfectly possible to show this by an appeal to the Lambeth Register. But it is evident that Bonner's real objection went further back, and that he was, in effect, maintaining that Parker was no archbishop, and the others, who had been consecrated by him, were therefore no bishops. It may be that Bonner was at first ignorant of what had happened at Parker's consecration, but he was, in any case, quite sure that he had not been consecrated by four diocesan bishops, as required by the law, for the very good reason that four diocesan bishops were not then available.

It would seem that in the course of the proceedings, Bonner or his legal advisers came to learn the contents of the second Commission for the consecration of Parker, and thus to know the names of the bishops who had been empowered to perform the ceremony. The first of these was Kitchin, and Bonner probably ascertained that he had not taken any part in the function, even if he did not already know this.<sup>1</sup> This left Bonner with the other six bishops, and accordingly he proceeded to show that none of these six was a bishop in the eyes of the law. This important detail we learn from the manuscript on episcopal jurisdiction written towards the end of Elizabeth's reign, which incidentally mentions that Bonner pleaded as follows :

"Barlow, Scory, Coverdale, and Bale, albeit in King Edward's days they were Bishops, yet were they deprived in the time of Queen Mary, and not restored again. And the two suffragans of Bedford and Thetford also."

This comprehensive mention of all the six bishops shows that Bonner was not aware which of the six had in point of fact consecrated Parker.

The same manuscript tells us that Bonner also urged that

"He, Horne, was made bishop according to the Book of King Edward, not yet authorised in Parliament."<sup>2</sup>

To understand the significance of Bonner's plea we must bear in mind that his object was to impugn the legality of the tendering of the oath to him by Bishop Horne, as required by Act of Parliament, and accordingly he endeavoured to show that Horne was not a true bishop in the eyes of the civil law as it then existed, i.e. as laid down in the unrepealed Acts of Parliament. Bonner was not concerned directly with the theological invalidity

<sup>1</sup> See p. 236.

<sup>2</sup> Strype's *Parker*, I, pp. 120-1.

of Horne's consecration, but only with its civil illegality. This being the case, it is all the more significant that he expressly adds that Horne had not been "elected, *consecrated*, or provided, according to the laws of the Catholic Church." There was, then, some defect in Horne's episcopal consecration, also from the canonical point of view. Bonner does not further specify this defect—with which he was not then concerned—but he goes on to criticise Horne's position from the standpoint of civil law. And the second document makes it plain that eventually this took the form of an attack upon the consecration of Dr. Parker, on the ground of the legal incapacity of his consecrators, and the illegality of the rite used. In this connection it must be mentioned that the Act of Henry VIII, 25, cap. 20, which had been revived by Elizabeth's Act of Supremacy, "set forth a certain order of the manner and form how archbishops and bishops should be elected and made," and obviously intended that, in the consecration itself, the Pontifical rite should be employed. As the Edwardine Ordinal had not been expressly authorised by Elizabeth's Parliament, Bonner was justified in arguing that Parker's consecration by this Ordinal was illegal.

We have seen that Elizabeth had attempted to overcome all these obstacles by means of the famous "Supplentes" clause in the Commission for Consecration. If the contents of the Commission had become known to Bonner, he probably learned of this clause also, and was quite prepared to question the civil legality of this unprecedented exercise of the Royal power.

It is quite evident that the legal advisers of the Crown found it very difficult to rebut Bonner's pleas. The trial was constantly held up, and postponed, and in the end he was left in prison without any trial at all. Instead, a new Act of Parliament was passed, in 1565, for the purpose of legitimising the new Bishops—a sufficient indication that the Government realised the justice of Bonner's contentions.

This Act begins as follows :

"Forasmuch as divers questions . . . have lately grown up on the making and consecrating of archbishops and bishops within this realm, whether the same were, and be, duly and orderly done according to the law or not . . . therefore it is thought convenient hereby partly to touch such authorities as do allow and approve the making and consecrating of the same archbishops and bishops to be duly and orderly done according to the laws of this realm, and thereupon further to provide for the more surety thereof, as hereafter shall be expressed."

It then relates that Henry VIII had, "by authority of Parliament, among other things, set forth a certain order of the manner and form how archbishops and bishops . . . should be elected and made." Edward VI, "by authority of Parliament," caused the Book of Common Prayer to be set forth, and "also did add and put to the same book a very good and godly order of the manner and form how archbishops, bishops, priests, deacons and ministers should, from time to time, be consecrated, made and ordered." Henry's Act and Edward's Acts had indeed been repealed in the time of Queen Mary, but in the first Parliament of Elizabeth, "the said Act . . . of Henry VIII . . . is revived. . . . Also, by another Act and Statute made in the said Parliament in the first year of the reign of our said Sovereign Lady . . . the said Book of Common Prayer . . . is fully established." Elizabeth, being "most justly and lawfully invested" with the supreme power and authority "over the state ecclesiastical and temporal, as well in cases ecclesiastical and temporal within this realm . . . hath, by her supreme authority, at divers times since the beginning of her majesty's reign, caused divers and sundry grave and well-learned men to be duly elected, made and consecrated archbishops and bishops of divers archbishoprics and bishoprics within this realm . . . according to such order and form and with such ceremonies in and about their consecration as were allowed and set forth by the said Acts, statutes and orders annexed to the said Book of Common Prayer before mentioned." Further, "for the avoiding of all ambiguities and questions that might be objected against the lawful confirmations, investings and consecrations of the said archbishops and bishops, her Highness in her letters patent" had added certain words and sentences "whereby her Highness, by her supreme power and authority, hath dispensed with all causes or doubts of any imperfection or disability that can or may in any wise be objected against the same." Hence, "to all those that will well consider of the effect and true intent of the said laws and statutes and of the supreme authority of the Queen's Highness" it must be evident "that no cause of scruple, ambiguity or doubt can or may justly be objected against the said elections, confirmations or consecrations."

Accordingly, it is now enacted "by the authority of this present Parliament, that the said Act and statute made in the first year of our said Sovereign Lady the Queen's Majesty, whereby the said Book of Common Prayer . . . is authorised . . . shall stand

and remain good and perfect . . . and that such order and form for the consecrating of archbishops and bishops, and for the making of priests, deacons and ministers, as was set forth in the time of the said late King Edward VI, and added to the said Book of Common Prayer and authorised by Parliament in the fifth and sixth years of the said King, shall stand and be in full force and effect."

Further, "all acts and things heretofore had, made or done by any person or persons, in or about any consecration, confirmation or investing of any person or persons, elected to the office or dignity of any archbishop or bishop . . . since the beginning of her reign, be and shall be . . . declared . . . good and perfect . . . any matter or thing that can or may be objected to the contrary thereof in any wise notwithstanding.

"And all persons that have been or shall be made, ordered or consecrated archbishops, bishops, priests, ministers of God's holy word and sacraments, or deacons, after the form and order prescribed in the said order . . . be in very deed, and also by authority hereof, declared and enacted to be, and shall be, archbishops, bishops, priests, ministers and deacons, and rightly made, ordained and consecrated, any statute, law, canon or other thing to the contrary notwithstanding."

Thus the canonical and civic flaws in Elizabeth's new hierarchy are officially abolished by Act of Parliament, and the authority of the same Parliament declares these ecclesiastics to be true bishops, priests and deacons.

But the Act is careful to add that "no person or persons shall at any time hereafter be impeached or molested . . . by occasion or mean of any certificate by any archbishop or bishop . . . by virtue of any Act made in the first session of this present Parliament touching or concerning the refusal of the oath."

Also, "all tenders of the said oath" made previously "shall be void and of none effect or validity in the law." This was tantamount to admitting the justice of Bonner's contention that, as the law previously stood, Horne was "no lawful bishop."

The Act of Parliament of 1565, to which we have referred in this section, made public reference for the first time to the exercise of the Royal dispensing power in order to overcome certain serious defects in the consecration of the Anglican bishops up to that time, and of course, mainly in the consecration of Archbishop Parker. The defects were not further specified, but an assurance was given that they were all covered by the Royal



dispensation. And further, the Act itself declared that, on the authority of Parliament itself, the bishops thus consecrated were to be held as rightly made, ordained and consecrated, notwithstanding any law or canon to the contrary. There is every reason to suppose that the terms of this remarkable Act became known to English Catholics at home and abroad. And so far from relieving their suspicions, this Act of Parliament must rather have convinced them that there was something very wrong indeed with Dr. Parker's consecration. And the Royal dispensation, together with this subsequent Parliamentary recognition and approval, might well justify the criticisms which we find from now on in Catholic writers, that Elizabeth's bishops were made only by the Crown, or again, that they were at best "Parliamentary bishops."

## B. THE COUNCIL OF TRENT AND THE ANGLICAN CHURCH.

1. The foregoing section should make it clear that, taking Bishop Bonner as a representative Catholic Bishop, English Catholics repudiated the new episcopate which Elizabeth had set up. But against this, it is argued by Denny and Lacey<sup>1</sup> that Elizabeth really had no intention of constituting a new ministry,<sup>2</sup> and for proof of this, we are referred to the fact that, when invited to send representatives to the Council of Trent in 1561, Elizabeth insisted that her new bishops should be allowed to sit in the Council.<sup>3</sup> The same writers argued in their original work, *De Hierarchia Anglicana*, p. 169, that in 1562, an Irish Bishop O'Harte, of Achonry, made a speech in which he

"plane testatur præsules Anglicanos a tribus episcopis ita consecratos fuisse, ut non alia ratione convincerentur quam quia non essent a Romano Pontifice asciti. Nec modo illius opinionem, sed etiam patrum assensum testimonio habemus. . . . Si quid contra hujusmodi ordinationes . . . decretum esset, imo si quæ de earum valore dubia graviora exstitissent, quis credet Episcopum in Concilio Tridentino talia disputare potuisse?"<sup>4</sup>

These statements make it desirable to explain the real facts concerning Elizabeth, Anglican Bishops, and the Council of Trent.

2. When Pope Pius IV decided, in 1560, to reassemble the

<sup>1</sup> *De Hierarchia Anglicana, Supplementum*, 1896, p. 35.

<sup>2</sup> "non verba sunt hominis qui . . . novum ministerium constituere voluerit."—*op. cit.*

<sup>3</sup> "Si episcopi Anglicani, cum canonicè ordinati essent, æquo jure cum aliis episcopis in Concilio sederent."—*Ibid.*

<sup>4</sup> *De Hierarchia Anglicana*, pp. 169-170.

Council of Trent, he sent invitations to all Christendom—Russians, Copts, Armenians, as well as Lutherans—to send representatives to the Council, not, of course, with the idea that these representatives should sit and judge with the Catholic bishops, but in order that, if possible, they might be persuaded to return to Catholic faith and unity. Bayne, in his *Anglo-Roman Relations*<sup>1</sup> explains the position quite correctly :

“ The invitation of heretics and schismatics formed an essential part of his (the Pope’s) plans for the restoration of Catholic unity. His proceedings were dictated by two main considerations. In the first place, as chief pastor of the Church, he desired to give erring sheep every opportunity of returning to the fold. Although he could not admit Protestant divines to the Council as voting members, he was ready to let them state their views before it. . . . In the second place, he was not unmindful of the divine command which, as he conceived, laid upon him the sterner duty of cutting off the rotten branch and casting it into the fire. But before he undertook this duty, he desired to satisfy himself and the world that there was no alternative.”

In accordance with this plan, the Pope not only invited the Lutherans, but also sent a special mission to Elizabeth, to invite her to send *representatives* to the Council. As Bayne points out,

“ The omission of any reference to English *bishops* was significant. The briefs to Catholic powers had invited them to arrange for the attendance of their bishops. No such request was made to Elizabeth. Parker and his colleagues would obviously not be admitted to a Roman assembly, and it would have been treading on too dangerous ground to ask Elizabeth to send their Marian predecessors, whom she was keeping in prison.”<sup>2</sup>

The invitation was conveyed to Elizabeth through De Quadra, the Spanish Ambassador. Cecil told him that the Queen would be willing to send her ambassadors and theologians to the Council, even though it were convoked by the Pope, provided the place of meeting was satisfactory to the Emperor, the King of France, and herself ; also, the Pope might preside in it, provided he did so as president, but not as ruler over it. Thirdly, questions of faith would have to be determined according to Holy Scripture, the consensus of divines, and the first four Councils. Bayne comments :

“ The conditions which Cecil proposed have a superficial appearance of concession. . . . But essentially they held fast to the

<sup>1</sup> Page 71.

<sup>2</sup> Page 98. Contrast this with Canon Wilfred Knox’s statement that in 1560 the Pope was “endeavouring to negotiate for the attendance of English Bishops at the Council.” (*Friend, I do thee no wrong*, p. 45.)

Reformed position. The appeal to the Bible and early Councils was, in effect, a denial of the authority of Councils, since it left a loophole for refusing to accept any decree which, in Elizabeth's judgment, might be inconsistent with those standards."<sup>1</sup>

Elizabeth made another condition. According to De Quadra :

"He (Cecil) went on to say that, as the English bishops are canonically ordained, they must have seats in the Council amongst the others."<sup>2</sup>

This was a very bold claim to make, in view of the manifest irregularities involved in Parker's consecration, quite apart from the question of the validity of the rite employed ! De Quadra, of course, could not admit the justice of Cecil's claim that Anglican bishops should sit in the Council, but as a good diplomat, he contented himself with giving an evasive reply :

"I told him that, in regard to that, the justice of his claim could afterwards be considered."<sup>3</sup>

Bayne comments as follows :

"The third condition, that the new bishops should be admitted to the Council, was a further proof of irreconcilable differences. Elizabeth's bishops personified the change in religion which she had carried out two years earlier. From the Roman point of view, they were intruding heretics, whose proper place was, not the Council, but the stake. The demand for their admission meant that Elizabeth held fast to her religious settlement. Reconciliation with Rome, if reconciliation there was to be, must adapt itself to the new order which she had introduced."<sup>4</sup>

In the end, Elizabeth decided not to send anyone to the Council as we learn from De Quadra's despatch of May 5th, 1561 :

"She informed me that she had decided not to give her acquiescence to such a Council, nor to consent to the continuance of that which had commenced at Trent, both on account of the lack of freedom which apparently would exist, and because she had not been consulted, as she ought to have been, as to the place of meeting, and other circumstances."<sup>5</sup>

3. As to the second point, the supposed recognition of Anglican bishops in the speech of O'Harte, Bishop of Achonry, the Anglican account is taken from Raynaldus,<sup>6</sup> who is copied by

<sup>1</sup> Page 92.

<sup>2</sup> Despatch of March 25th, 1561, *Spanish Calendar*, Elizabeth, Vol. I, p. 190.

<sup>3</sup> *Spanish Calendar*, Elizabeth, I, p. 190. Canon Wilfred Knox interprets De Quadra's reply as meaning that he did not by any means regard it as out of the question that Anglican Bishops should be recognised as Catholic Bishops ! (*Friend, I do thee no wrong*, p. 45, note.)

<sup>4</sup> *Op. cit.*, pp. 89-90.

<sup>5</sup> *Spanish Calendar*, Elizabeth, Vol. I, p. 202.

<sup>6</sup> *Annales*, XV, 287.

Le Plat.<sup>1</sup> Raynaldus himself copied it verbatim from Cardinal Paleotti, who made a brief summary of O'Harte's speech. But Gasquet discovered in the Vatican Archives the full and authentic record of this speech.<sup>2</sup> The point at issue before the Council was whether episcopal jurisdiction comes directly from God, or through the Pope. O'Harte spoke as follows :

"Those who hold the opinion that Episcopal jurisdiction comes immediately from God, hold also that all jurisdiction of Bishops flows from their consecration. Then let us consider the following brief reason. If, for instance, the Queen of England were to send into my bishopric a bishop who is a heretic, but nevertheless one who has been consecrated by Catholics (episcopum hæreticum, consecratum tamen a Catholicis), and I should want to prove against him that the bishopric belonged to me by better right . . . if I should say that I was consecrated, he too would say that he was consecrated. There is not, therefore, any more plain reason by which I should be able to refute him than by alleging against him that I was made Bishop by the authority of the Roman pontiff, while he was made by the authority of the civil power. . . . The Queen of England denies that the Bishops made by the Roman Pontiff are truly bishops, and calls herself Supreme Head of the Church of England and of Ireland."<sup>3</sup>

To this we need only add that the Rev. T. A. Lacey, who had put forward the original argument in *De Hierarchia*, wrote as follows to the *Tablet*, November 16th, 1895 :

"I accept Canon Moyes' authentic copy of O'Harte's speech as annihilating the argument which has been built upon Raynaldus' report of it, and I sincerely trust that this argument will never be used again."<sup>4</sup>

4. Two other points call for consideration in connection with the Council of Trent :

- (a) the attitude of the Council towards Catholic attendance at Anglican services,
- (b) the alleged Papal offer to authorise the Book of Common Prayer.

(a) The Act of Uniformity had forbidden the saying of Mass throughout the country, "under very heavy penalties—deprivation and imprisonment for spiritual persons so offending, fines and imprisonment for others who aided or abetted them . . . spiritual censures as well as fines for those who did not attend church on Sundays and holidays."<sup>5</sup> Bayne remarks that :

<sup>1</sup> *Monumenta Conc. Trid.*, V, 578.

<sup>2</sup> Barbarini MS, *Credenzino*, xvi, fol. 270.

<sup>3</sup> Translation by Mgr. Moyes, in *Tablet*, November 9th, 1895, p. 741.

<sup>4</sup> Page 743.

<sup>5</sup> Frere, *History of English Church*, p. 28.

"To many Englishmen this law was a grievous burden. . . . These were confronted with the question whether they could without mortal sin be present at the services prescribed by the Act of Uniformity. Strict Catholics answered that they could not, because the canons forbade all participation in heretical worship. . . . But the great majority of Englishmen continued to attend their parish churches. . . . A minority, probably not large, were more scrupulous. . . . Between these two classes there was a third, which submitted to attend morning and evening prayer, but scrupled at the Communion. To the earnest Catholic, the Protestant Communion was the cup of devils, and various devices were invented for evading the hated ceremony. The most common was to contrive to be absent from home at Easter. . . . Another expedient . . . was a celebration in his private chapel, where a compliant priest ministered in the orthodox way. . . . Many of the Marian clergy . . . still contrived to minister in secret. . . . Among these priests differences of opinion existed as to the lawfulness of attendance [at Anglican services]. . . . When the opinions of local authorities were thus divided, it was natural that the Catholics should desire the ruling of a higher tribunal. The meeting of the Council of Trent afforded an opportunity. . . . Accordingly they drew up a paper stating their case. . . . The contents of the petition were briefly as follows. Many Catholics . . . in danger of being imprisoned . . . were urged by their friends to conform, at any rate so far as to attend church during the singing of psalms and the reading of the Bible in English, and while sermons were preached. . . . The Council was therefore asked to decide whether conformity to the extent stated was lawful. No allusion was made to the Communion, which was evidently regarded as outside the pale of any possible concession."<sup>1</sup>

The question was referred to a Committee of twelve theologians, including, apparently, Cardinal Hosius, Dominicus De Soto, Sanders, and others. These gave an answer in the negative in the following terms :

"Minime vobis sine magno scelere divinaque indignatione licere hujusmodi hæreticorum precibus illorumque concionibus interesse. Ac longe multumque præstare quævis vel atrocissima incommoda perpeti, quam profligatissimis, sceleratissimisque ritibus quovis signo consentire. Cum enim impia lex in animarum exitium lata et schisma confirmare, et ecclesiæ catholicæ integritatem Romanæque sedis (quæ a Christo summus ecclesiæ suæ vertex in terris est prefinita) nephario convellere et labefactare conatur, quicunque iniquæ legi paret, illam quoad ejus fieri potest, tacita consensione approbat, in eamque conspirat, atque ejusdem schismatis particeps est."<sup>2</sup>

The matter was not made the subject of a formal decree by the Council, but as Bayne says,<sup>3</sup> "If the question had come

<sup>1</sup> Bayne, *Anglo-Roman Relations*, pp. 159-64.

<sup>2</sup> *Ibid.*, p. 292.

<sup>3</sup> *Ibid.*, p. 171.

before the assembled fathers, there can be no doubt that they would have adopted the opinion of the Committee. . . . In their eyes the English service book, even apart from the order of Communion, stood condemned by the mere fact that it was framed in schism, and enacted by laymen."<sup>1</sup>

At the same time that the question was being considered at Trent by the Council, it was submitted to Rome, through De Quadra, who remarked in his accompanying letter that "the petition was not concerned with the Communion, but merely asked whether attendance at the Common Prayer was lawful. Now this Common Prayer contains nothing impious, it is composed of extracts from the Bible, and devotions copied from Catholic models, with intercessions to the saints omitted."<sup>2</sup> Bayne remarks that "the manner in which the ambassador presented the case of the English petitioners leaves no room for doubt that he hoped to receive an answer authorising their attendance at the Anglican Common Prayer."<sup>3</sup>

De Quadra's letter and the petition of the English Catholics was referred by the Pope to the Congregation of the Inquisition. The Fathers were informed that a certain unnamed kingdom had forbidden Catholicism under pain of death, and required its subjects to attend heretical services, consisting of psalms in the vulgar tongue, extracts from the Bible, and sermons inculcating heresy. Could Catholics take part in these services without incurring the risk of eternal damnation? The answer was given on October 2nd, 1562, and was an absolute negative. The Congregation pointed out that the object of the petitioners was to escape persecution, by passing themselves off as heretics. Their duty was, not to partake of the errors of heretics, but to protest against them. Their obedience was due to God, who had said, "Who-soever shall be ashamed of Me and of my words, of him shall the Son of Man be ashamed," rather than to men, who commanded a manner of life and religious rites contrary to God and to the Catholic Church.<sup>4</sup>

Thus, as Bayne says, "Rome spoke with a voice no less decisive than the voice of Trent."<sup>5</sup>

<sup>1</sup> Bayne takes occasion to correct many errors in Dixon's account of the matter.—*Op. cit.*, p. 172, note.

<sup>2</sup> Bayne, *op. cit.*, p. 174.

<sup>3</sup> *Op. cit.*, p. 176.

<sup>4</sup> "Obedire oportet Deo . . . quam hominibus vitam et ritus Deo et Ecclesie Catholicæ contrarios præcipientibus."

<sup>5</sup> *Op. cit.*, p. 178.

(b) The condemnation in 1562 of "profligatissimi, sceleratissimi ritus" by the theologians of Trent, and the Answer of the Holy Inquisition, concerning "ritus Deo et Ecclesiæ Catholicæ contrarios," referring as they do mainly to the comparatively innocuous offices of Morning and Evening Prayer in the Elizabethan Prayer Book, are in themselves sufficient to cast discredit upon the story that Pope Pius IV offered, through Parpaglia, to confirm the English Prayer Book, provided that his authority was acknowledged, and the book formally accepted from his hand. As Dixon points out,<sup>1</sup> there is no contemporary evidence of such an offer; the earliest mention of it is eleven years later, in 1571, in a despatch from Walsingham, who says that "the Pope, as I am informed, would have by Council confirmed as Catholic" the Anglican form of prayer. A note made in the margin by Walsingham himself refers to "an offer made by the Cardinal of Lorraine, as Sir N. Throckmorton shewed me."<sup>2</sup> Dixon says: "This is indirect: it is what Walsingham said that Throckmorton showed him that the Cardinal of Lorraine had offered. How, when, where that powerful and unscrupulous ecclesiastic made the offer, is left." The next mention is by Camden in 1618, who speaks of it only as a rumour. After that, the next reference is in a printed version of an episcopal charge by Coke, of Norwich—but as Dixon says, this printed version was "furiously repudiated" by the bishop. The whole matter thus reduces itself to a supposed statement made by the Cardinal of Lorraine. The Cardinal was favourably inclined towards the petition of the Protestants at the Colloquy of Poissy in 1561 for a vernacular liturgy, and presented a petition to the Council of Trent in this sense—a petition which was, however, not granted. He may have told Throckmorton that he would similarly favour an English liturgy for England, but if so, he must have made the statement entirely on his own authority. In any case, there would be a world of difference between authorising a Catholic liturgy in English, and an approbation of the Elizabethan Prayer Book, which was a definitely Protestant compilation!

<sup>1</sup> *Op. cit.*, p. 288, note.

<sup>2</sup> *Foreign Calendar, Elizabeth, 1569-71*, p. 477.

## CHAPTER VIII

### THE THIRTY-NINE ARTICLES OF RELIGION

- A. THE PREPARATION OF A NEW DOCTRINAL FORMULA.
- B. DOCTRINE OF THE ARTICLES IN GENERAL.
- C. THE CHURCH.
- D. THE SACRAMENTS.
- E. THE EUCHARIST.
- F. THE SACRIFICE OF THE MASS.
- G. THE MINISTRY.
- H. THE ORDINAL.

#### A. THE PREPARATION OF A NEW DOCTRINAL FORMULA.

1. Professor Tytrel Green remarks in his essay on the "Articles of Religion" in the *Dictionary of English Church History*, that "for four years after Queen Elizabeth's accession there was no authoritative doctrinal standard for the Church of England other than that contained in the Prayer Book" as authorised by the Act of Uniformity. But this must be corrected by Dr. Frere's admission that "It was the service books which at this epoch, as at the Edwardine epoch, symbolised a real doctrinal change."<sup>1</sup> Here we have emphatically a case of *lex orandi, lex credendi*, and the reintroduction of the Second Prayer Book of Edward VI, even with the slight modifications authorised by the Act of Uniformity, was equivalent to the reintroduction of the Protestant Creed, which the Edwardine Prayer Book was intended to express, and therefore it also signified the denial of the traditional Catholic doctrine, especially on the subject of Transubstantiation, the Sacrifice of the Mass, and the Sacrificing Priesthood. The utmost that we could allow would be that the slight modifications introduced into the Second Prayer Book signified the Queen's wish to tolerate some kind of Lutheran view of the Presence, in addition to the Calvinistic and Zwinglian views which had rather been favoured under Edward, and, as we shall see, she

<sup>1</sup> *History of the English Church*, p. 26.



modified the language of the Articles where they were too definite in their exclusion of a Presence. But, even so, it must be borne in mind that the utmost Elizabeth would allow was a Presence after the Lutheran idea. Transubstantiation was definitely and utterly rejected, and with Transubstantiation went Eucharistic Adoration. Similarly, there was no toleration for the traditional doctrine of the Sacrifice of Christ's Body and Blood in the Mass. The Communion service was a sacrifice of praise and thanksgiving, but nothing more.

Thus, it was clear from the outset that the new Elizabethan Church was based upon a definitely Protestant standard of doctrine, as opposed to the traditional Catholic belief. But it was slightly broader in its views than the Edwardine Church, and more tolerant of divergent Protestant schools of thought. In particular it allowed certain Lutheran views to be held, but that was as far as its toleration could go. The traditional Catholic doctrine was rejected absolutely.

2. Already between 1559 and 1561, no less than three doctrinal formulæ were drawn up. The first of these was a long "Declaration of Doctrine and Opinions" by a group of Protestants who had just returned from abroad. This was composed shortly after the Disputation at Westminster, and presented to the Queen, as we gather from its title: "A Declaration of doctrine offered and exhibited by the Protestants to the Queen at the first coming over of them."<sup>1</sup> These Protestants complain that their opponents called them heretics, "most untruly reporting of us that our doctrine is detestable heresy, that we are fallen from the doctrine of Christ's Catholic Church, that we be subtle sectaries, that we dissent among ourselves. . . ." They claim to be "true members of the Catholic Church of Christ, that is, of that Church that is founded and grounded upon the doctrine of the prophets and apostles." They condemn the ancient heresies by name, and add "Therefore, according to the ancient laws of the Christian emperors . . . we do justly vindicate and challenge to ourselves the name of Christian Catholics." But this profession of Catholicity is followed by an express statement of Protestant doctrine, based on the Forty-two Articles of Edward VI, which, moreover, are, where necessary, expanded or "interpreted" in an extreme Protestant sense. Thus, the

<sup>1</sup> This *Declaration of Doctrine* is of importance, because, as Dixon says, "it forms a link in the chain of English Confessions, between the Forty-two Articles and the Thirty-nine (*op. cit.*, V, p. 107).

article on Justification insists that "a man is justified by faith only, without all works of the law," and explains that Justification means "pardon or remission of sins, a free acceptance into God's favour, and a full and perfect reconciliation to God for Christ's sake, wherein Christ's righteousness is imputed." Similarly, faith is defined as "a certainty and full persuasion . . . whereby a man is assured of the mercy of God promised in Christ."

We shall later on quote other passages which are definitely Protestant in tone, but it is already clear that the claim to be Catholic in doctrine was not limited to the more conservative Anglicans, but was, as we have already remarked, common to all the various Protestant groups and churches. This disposes of the argument so often advanced that because the Prayer Book speaks of the "Catholic Church" or of "Catholic" doctrine, and does not use the word "Protestant," therefore the Anglican Communion is Catholic, and not Protestant.

3. In the same year, 1559, or possibly in 1560, a series of 24 Articles were drawn up in Latin. These are called by Strype "Articles of the Principal Heads of Religion, prescribed to Ministers."<sup>1</sup> Hardwick says "they seem to have been drawn up by the Archbishop (i.e. Parker) and his friends . . . but whether from motives of prudence, or from inability to gain the sanction of the Crown, they were not circulated among the clergy." They are, however, as Hardwick says, "most important as contemporary illustrations of the Thirty-nine Articles."<sup>2</sup>

4. The most widely used of these early formulæ was that known as the "Eleven Articles of Religion," called by Frere "Declaration of the Principal Articles of Religion."<sup>3</sup> These articles were "compiled under the eye of Archbishop Parker, with the sanction of the northern metropolitan, and other English prelates; of it, the clergy were required to make a public profession, not only on admission to their benefices, but twice also every year, immediately after the Gospel for the day."<sup>4</sup> They were designed to "promote uniformity of doctrine, and were to be taught and holden of all parsons, vicars and curates, as well in testification of their common consent in the said doctrine, to the stopping of the mouths of them that go about to slander the ministers of the Church for diversity of judgment, as

<sup>1</sup> *Annals*, I, pp. 323-5; Cardwell, I, 208.

<sup>2</sup> Hardwick, *History of the Articles*, p. 118, note.

<sup>3</sup> *History of the English Church*, p. 60. Frere dates it March, 1561.

<sup>4</sup> Hardwick, *op. cit.*, p. 118.

necessary for the instruction of their people."<sup>1</sup> The wide, public, and official use of this formula makes it of high authority in determining the doctrine of the Elizabethan Church.<sup>2</sup>

All the above three doctrinal formulæ were definitely Protestant in character, and thus it is clear that, from the start, the doctrinal basis of the new Church was intended to be, and was in fact, Protestant, and not Catholic.

5. The doctrinal formulæ we have so far mentioned were evidently tentative and temporary. Steps were soon taken to prepare a more permanent formula, in the form of a revision of the Forty-two Articles of Edward VI. The preliminary work of revision would seem to have been carried out under the supervision of Parker himself. The result was a set of forty-two Latin articles, which are to be found in a manuscript at Cambridge.<sup>3</sup> These forty-two articles, however, were not altogether identical with the Edwardine ones. Four of the latter had been omitted, i.e. those on Blasphemy against the Holy Ghost, on Grace, the Moral Law, and against the Millenarians. On the other hand, four more had been added, concerning the Holy Ghost, Good Works, the non-reception of Christ by the wicked who eat the Lord's Supper, and on Communion in both kinds. The last two of these were apparently composed by Archbishop Parker himself.

Changes had also been made to seventeen of the original articles. Hardwick says that the alterations "indicate anxiety to check the progress of new forms of error, and to obviate misconception with regard to earlier statements."<sup>4</sup>

It will, however, help us to appreciate the significance of the changes if we explain the documentary sources which inspired or suggested them.

We have already pointed out that the *Declaration of Doctrine by Returned Protestants* in 1559 played an important part. As Dixon says, "its influence is apparent, not only in the additions or alterations . . . but also in the exclusion of some of the Forty-two Articles of Edward."<sup>5</sup>

<sup>1</sup> Hardwick, *op. cit.*

<sup>2</sup> These *Eleven Articles* are also important because they were formally adopted by the Anglican Church in Ireland, and, as Hardwick says (*History of the Articles*, p. 120), constituted the sole doctrinal formulary of that Church until the promulgation of her own Articles in 1615. These later Articles were, in any case, uncompromisingly Protestant in character.

<sup>3</sup> In the *Synodalia* Volume, at Corpus Christi College.

<sup>4</sup> *History of the Articles*, p. 126.

<sup>5</sup> *History of the C. of E.*, V, p. 115, note.

But even more important was the influence undoubtedly exercised by the Wurttemberg Confession, a Lutheran restatement of the Augsburg Confession, which had been drawn up in 1552 with a view to its presentation at Trent. The influence of this formulary was first pointed out by Archbishop Laurence, in his Bampton Lectures, and is now agreed upon by all authorities. Some of the new clauses were copied verbatim from the Wurttemberg Confession, and parallels and adaptations exist in other articles.<sup>1</sup>

Another very important point is the influence exercised by the decrees and definitions of the Council of Trent. Hardwick says that

"Certain dogmas which had been denounced in the twenty-third Article of 1553 as fictions of some 'schoolmen' are significantly described in 1563 as the 'doctrina Romanensium'; the Tridentine doctors having then made further progress in the building and consolidation of the neo-Romish system."<sup>2</sup>

Against this it might be urged that the Tridentine decree particularly referred to, i.e. that on Purgatory, etc. was issued only on December 4th, 1563, i.e. after the drawing up of the corresponding Anglican Article. But, in any case, as Tyrrell Green remarks, the "Reformers were realising that the Church of Rome at the Council of Trent, was adopting the teaching of the later Schoolmen as its own," and at least in so far as Trent did adopt "the teaching of the later Schoolmen," to that extent the Anglican article repudiates that teaching by anticipation. Also, in some other instances, the Tridentine decrees affecting the subject had already been issued when the revised Anglican article was drawn up. Lastly, when the Articles were finally revised and reissued in 1571, all the Decrees of Trent had been officially approved by the Pope, and had been promulgated to the whole world.

6. The first draft of Forty-two Articles thus prepared by Parker and his collaborators was next considered by the bishops and clergy at the Convocation of Canterbury, which met on January 12th, 1563. On January 29th, this draft, as revised by the bishops in Convocation, was signed by seventeen bishops of the Province of Canterbury, and by three of the Province of York. It was not, however, signed by Kitchin of Llandaff, Cheyney of

<sup>1</sup> For details, see Archbishop Laurence, and also Hardwick, *op. cit.*, pp. 125-6.  
<sup>2</sup> *Op. cit.*, pp. 127-8.

Gloucester, or Guest of Rochester. Kitchin was absent from this Convocation, "the Archbishop tendering the quiet of his conscience" as an excuse.<sup>1</sup> Cheyney was present, but did not sign.<sup>2</sup> The same is true of Guest. The inference is that these two bishops disapproved of the draft, to some extent. But they were in a decided minority, and the draft signed by all the other bishops present says :

"Hos articulos fidei Christianæ . . . nos archiepiscopi et episcopi utriusque provinciæ in sacra Synodo provinciali legitime congregati, recipimus et profitemur, et ut veros atque orthodoxos, manuumstrarum subscriptionibus approbamus."

Then follow the signatures of the seventeen bishops.

As thus passed and approved by the bishops of the Church of England, the Articles numbered thirty-nine, three of the original draft having been struck out, i.e. those concerning Anabaptists, etc. There were other alterations in the draft, of great interest, and these we shall note in due course.

The Lower House of Convocation "acquiesced almost implicitly in the copy which received the approbation of the bishops on the 29th of January," and "it is probable that nearly all the members gave in their acquiescence, either in person or in proxy."<sup>3</sup>

The next step was to obtain the approval of the Church's Royal Governor. The printed Latin text tells us that the Articles were first carefully examined by the Queen herself before being approved : "per seipsam diligenter lectis et examinatis, regium suum assensum præbuit."

In the course of this examination, Elizabeth and her advisers made two alterations, which are important.<sup>4</sup> This revised form was then printed, and Coke tells us<sup>5</sup> that it passed under the Great Seal of England. Thus, the printed Latin version gives us the Articles of Religion, as approved by the bishops and clergy of the realm, with two dissentients, and as passed by the Supreme Governor of the Church.

Two modifications were made by the Queen. The first was

<sup>1</sup> Lamb, *Historical Account of the Thirty-nine Articles*, 1829, p. 38. Kitchin died on October 31st of this year, 1563.

<sup>2</sup> Dixon says, on the authority of Strype, that Cheyney signed the Articles. But, as Bennett showed in his *Essay on the Thirty-nine Articles* (1715, p. 183), the manuscript on which Strype was relying said merely that Guest and Cheyney were present, and not that they signed.

<sup>3</sup> Hardwick, *op. cit.*, p. 139.

<sup>4</sup> The draft as thus revised by the Queen is represented by a Latin manuscript in the Record Office. *Dom. Eliz.*, xxvii, 41A.

<sup>5</sup> *Institutes*, Part IV, c. 74.

the insertion of a statement in the Article on the Church, to the effect that the Church has power to decide questions of faith. We shall comment on this in due course. The second alteration was the complete omission of the Article on the non-reception of Christ by the wicked communicant. This also will be commented on in its place.

7. It was evidently thought desirable to issue also an English version of the Articles. There are in the Record Office two English manuscripts of the Articles. One is dated January 31st, i.e. two days after the signing of the Latin draft by the bishops. The other seems to be a fair copy of this. Neither of these English manuscripts contains the clause inserted by the Queen concerning the authority of the Church in matters of faith. But they both contain the Article on the non-reception of Christ by the wicked. In the margin of one of the manuscripts, there is a note: "This is the original, but not passed." The printed English version of 1563 accordingly omits it. Strangely enough, this edition does not contain the clause on the authority of the Church inserted by the Queen into the Latin edition of 1563.

Of the two printed versions, the Latin and the English, the former probably has the greater authority, for it was based upon a manuscript officially signed by the Bishops, and was passed under the Great Seal. The English version may have been approved by the bishops, and it was certainly published with royal approval, but we cannot say more than that.

8. The next step was to make acceptance of the Articles compulsory. We have already said that they had been signed by most of the bishops and clergy. In order to make their acceptance universal, a Bill was introduced into the House of Commons on December 5th, 1566. The edition of the Articles referred to in this Bill was apparently the printed English edition of 1563. The Bill passed the Commons, but was held up in the Lords "by the commandment of the Queen, who considered that the initiation of a Bill affecting religion by the Commons was an infringement of her ecclesiastical supremacy."<sup>1</sup> The Queen made it clear that that was her only objection:

"Her Majesty is not disliking of the doctrine of the book of religion, for that it containeth the religion which she doth openly profess, but the manner of putting forth the book."<sup>2</sup>

<sup>1</sup> Parker's *Correspondence*, p. 292, note.

<sup>2</sup> Letter from Parker to Cecil, December 21st, 1566, in Parker's *Correspondence*, pp. 291-2.

The bishops thereupon sent, on December 24th, a special request to the Supreme Governor to allow the Bill to pass :

" We, your Highness' humble and faithful subjects, think ourselves bound in conscience . . . to make our several and most humble suit unto your Majesty, that it may please the same to grant that the said Bill, by order from your Majesty, may be read, examined and judged by your Highness' said Upper House, with all expedition, and that if it be allowed of and do pass by order there, it would please your Majesty to give your royal assent thereunto."

The bishops proceed to set forth certain reasons. One is that " the approbation of these Articles by your Majesty shall be a very good mean to establish and confirm all your Highness's subjects in one consent and unity of true doctrine." Also, the bishops " thought it our most bounden duties, being placed by God and your Highness as pastors and chief ministers in this Church . . . with all humble and earnest suit to beseech your Majesty to have due consideration of this matter, as the Governor and Nurse of this Church."<sup>1</sup>

This grovelling petition to the Supreme Governor and Nurse was signed by the two Archbishops and by thirteen other Bishops, but it was of no avail, and Elizabeth dissolved Parliament on January 2nd, 1567.

The petition to the Queen had not been signed by Guest, Bishop of Rochester, nor by Cheyney, Bishop of Gloucester. From a letter written by the former to Cecil on December 22nd, 1566, it is evident that the proposed Bill had led to a debate on the Article on the Eucharist in the Lords, and that Cheyney had attacked it, while Guest had defended it. We shall discuss the implication of this in its proper place.

Another Bill for the general imposition of the Articles was introduced into Parliament in April, 1571. The Royal " Governor and Nurse " again protested against this infringement of her privilege. " She approved their good endeavours, but would not suffer these things to be ordered by Parliament."<sup>2</sup> And again under date May 1st, we are told :

" The Queen's Majesty having been made privy to the said Articles, liketh very well of them and mindeth to publish them and have them executed by the bishops, by direction of her Majesty's regal authority of supremacy of the Church of England, and not to have the same dealt in by Parliament."

<sup>1</sup> Parker's *Correspondence*, pp. 293-294.

<sup>2</sup> D'Ewes, *Journals*, p. 185.

But this time Parliament was not so subservient, and the Bill was introduced into the Lords on May 3rd, and passed there on the 21st. Accordingly on the 29th May the Queen gave her royal assent.

Like the proposed Bill of 1566, this Act of Parliament of 1571 had reference to the "Articles of Religion . . . comprised in a book imprinted, entitled 'Articles . . . for the avoiding of the diversities of opinions and for the establishing of consent touching true religion, put forth by the Queen's authority.'" In other words, the version thus officially approved by Parliament was the English version of 1563.

This Act of Parliament ordered that any priest who had been ordained by a rite other than the Edwardine Ordinal should "declare his assent and subscribe to all the Articles of Religion." It seems clear that it was aimed especially at those Marian priests who had conformed to the new Church, but had not signed the Articles of 1563, and were evidently not in sympathy with the Protestant religion. The Act forced them to profess the Protestant Creed, or else to give up their position. The Articles were also to be subscribed and publicly read in Church by all clerics at their admission to a benefice.

Though the Royal Governor thought it politic in 1571 not directly to interfere with the action of Parliament, she took other steps to carry out her wishes, by causing Convocation to pass a separate measure on the subject. For this purpose, the Articles were once more considered by the bishops, and some alterations introduced. The most important of these was the restoration of the Article on the non-reception of Christ by the wicked, which had been rejected by the Queen in 1563. An English draft containing this Article was signed by eleven bishops on May 11th. There was no question of Kitchin signing, for he had been dead many years. Cheyney was absent from this Convocation of 1571, and according to a letter written by Guest to Cecil this same month, he was "pronounced excommunicate" by Archbishop Parker, and was to be "cited to answer before him and other bishops, to certain errors which he was accused of holding."<sup>1</sup> Guest was present, and signed the draft, which contained Article 29. That was on May 11th. And yet, in spite of his signature, he wrote to Cecil a few days later to urge that this particular Article should not be confirmed and authorised by the Queen "because it is quite contrary to

<sup>1</sup> Letter in G. F. Hodges' *Bishop Guest*, pp. 24-26.



the Scripture and to the doctrine of the Fathers " ! If he thought this, why did he sign the Article ?

The English draft signed by the Bishops omitted the clause about the authority of the Church which had been introduced by the Supreme Governor into the Articles of 1563. This was a somewhat tactless attitude to adopt towards the "Supreme Governor and Nurse," and it is hardly surprising that she re-inserted it ! A few other minor alterations were made, either by the Queen or by others. But the most significant fact is that the Article on the non-reception of Christ by the wicked, which had been passed by the bishops but rejected by the Queen in 1563, and had now been reinserted by the Bishops, was this time accepted by the Supreme Governor of the Church. Latin and English editions of the Articles as thus passed by the Bishops and revised and approved by the Queen's authority, were published in this same year, 1571. In addition, a Canon passed by Convocation enacted that every minister should subscribe to all the Articles before beginning his ministry.

Thus there can be no doubt that from 1571 the Articles represent the official doctrine of the Church of England. They had been twice passed by the Bishops in Convocation, and approved, after revision, by the Church's Supreme Governor ; and their subscription had been commanded both by Parliament and by Convocation.

The most official forms of the Articles would be the Latin Articles of 1563, and the English Articles of 1571. Of almost equal authority are the English printed edition of 1563, and the Latin printed edition of 1571. We shall take into account all these editions when discussing the meaning of particular Articles. In addition, the meaning will be elucidated if we consider the Articles in conjunction with the corresponding statements in the three earlier formulæ of 1559-1562. Accordingly, we shall give the relevant citations from these documents, noting any significant variations. Also, where necessary, we shall point out any differences from the Edwardine Articles of 1553.

#### B. DOCTRINE OF THE ARTICLES IN GENERAL.

First we will deal very briefly with some of the Articles which do not immediately concern us in this work, in order to show the essentially Protestant character of the whole compilation.

While affirming that "*Divinæ Scripturæ doctrina sufficit ad salutem*," the Forty-two Articles of Edward had allowed that "*quicquid in ea nec legitur neque inde probari potest . . . interdum a fidelibus, ut pium et conducibile ad ordinem et decorum admittatur*." This allowance of pious opinions depending only on tradition disappears from the Elizabethan Article, in all its editions. Thus the cleavage between Anglican doctrine, and the Catholic doctrine defined at Trent in 1546, that Tradition is, together with Scripture, a source of Christian doctrine, is made perfectly clear.

Trent had also drawn up in 1546 the catalogue of the Books of Scripture, containing both the "protocanonical" and "deuterocanonical" books of the Old Testament, and declared that these were to be received "*pari pietatis affectu ac reverentia*." The Elizabethan Article of 1563 and 1571 adopts from the Wurtemberg Confession the statement that those books are canonical "*de quorum auctoritate in Ecclesia nunquam dubitatum est*," and then proceeds to give a list, from which the deuterocanonical books of the Old Testament are absent. It gives these in a separate list, and says that they are read by the Church "for example of life and instruction of manners," but not "to establish any doctrine." This is a contradiction of the Council of Trent.

Next, it is to be noted that, whereas Trent had officially declared in 1546 that the grace conferred in baptism takes away "*totum id quod veram et propriam peccati rationem habet*," and that the concupiscence which remains in the baptised is called "sin," not because "*vere et proprie in renatis peccatum sit*" but because "*ex peccato est*" and "*ad peccatum inclinat*"; the Elizabethan Article repeats the assertion of the Edwardine Article that concupiscence which remains in the baptised, "*peccati in sese rationem habere*" ("concupiscence and lust hath of itself the nature of sin").

On this matter the Anglican formulary is in direct contradiction to the Council of Trent, and agrees instead with the Lutheran and Reformed Confessions, which affirm that "*Hanc malam concupiscentiam dicimus esse peccatum*"<sup>1</sup>; and that "*hoc vitium, etiam post baptismum, esse vere peccatum*."<sup>2</sup>

Again, Trent had declared justification to consist, not merely in the imputation of Christ's righteousness, but in the making of us righteous ("*non modo reputamur, sed vere justi nominamur et sumus*"). The *Declaration of Doctrine* of the returned exiles

<sup>1</sup> *Saxon Confession*, 1551.

<sup>2</sup> *French Confession*, 1559.

in 1559 had, as we have seen, declared that Justification means "pardon of sins . . . wherein Christ's righteousness is *imputed*." Similarly, the Wurttemberg Confession declared: "*Homo enim fit Deo acceptus, et reputatur coram eo justus propter solum filium Dei . . . per fidem.*" The Elizabethan Article paraphrases this, and asserts that "*Tantum propter meritum Domini ac Servatoris nostri Jesu Christi, per fidem, non propter opera et merita nostra, justus coram Deo reputatur.*" It then repeats the assertion of the Edwardine Article that "we are justified by faith *only*." Trent in 1547 had passed several canons in which all these doctrines were explicitly anathematised.<sup>1</sup>

Again, the Elizabethan Article repeats the statement of the Edwardine Article, that "Works done before the grace of Christ . . . are not pleasant to God . . . neither do they make men meet to receive grace, or, as the school authors say, deserve grace of congruity, but because they are not done as God hath willed and commanded them to be done, we doubt not but *they have the nature of sin*." Trent had defined in 1547: "*Si quis dixerit opera omnia quæ ante justificationem fiunt, quacumque ratione facta sint, vere esse peccata, vel odium Dei mereri, aut quanto vehementius quis nititur se disponere ad gratiam, tanto eum gravius peccare, A.S.*" Here again the contradiction is as explicit as possible, and the Anglican formulary sides with the Continental Protestants against the Catholic Council.

Thus on the general points in dispute between Catholics and Protestants, the Anglican Articles reject the Catholic doctrine, and side with the condemned Protestant views.

Next we come to the Articles which are of more immediate interest to us. We adopt the same arrangement as that used in our consideration of the Edwardine Articles of 1552<sup>2</sup> except that we separate the treatment of the Church from that of the Ministry. Thus we consider successively the Articles on :

- (1) The Church.
- (2) The Sacraments.
- (3) The Eucharist.
- (4) The Sacrifice of the Mass.
- (5) The Ministry.
- (6) The Ordinal.

<sup>1</sup> See especially canons 9, 11, 12.

<sup>2</sup> Vol. I, pp. 537 *et seq.*

## C. THE CHURCH.

*Declaration of the Returned Protestants in 1559<sup>1</sup>:*

## Art. 6. On the Church.

"The visible Church of Christ is a congregation of faithful men, in the which the pure Word of God is preached, and the Sacraments be duly ministered, according to Christ's ordinance, in all those things that of necessity are requisite to the same.

"As the principal Churches of the East have at sundry times fallen into error touching Arianism and the proceeding of the Holy Ghost, so the Church of Rome both hath and doth err, not only in life and manners (as is notoriously known to all the world) but also in divers matters of faith and religion. As in challenging their supremacy by God's word, in taking away from the lay people the one part of the Sacrament, in promising to save souls out of Purgatory by Masses, and other manifest errors."

## Art. 7. Of the Authority of the Church.

"It is not lawful for the Church to ordain anything that is contrary to God's word written, neither may it so expound one place of Scripture that it be repugnant to another. Wherefore although the Church be a witness and a keeper of Holy Writ, yet as it ought not to decree anything against the same, so besides the same ought it not to enforce anything to be believed for necessity of salvation."

## Art. 17.

"It is not necessary that traditions and ceremonies be in all places one or utterly like. For at all times they have been diverse and may be changed, not only by General Councils but also by particular churches, according to the diversities of the countries and men's manners, so that they be not against God's word, and make to edification."

*Latin Heads of Religion:*

"Ecclesia Christi est in qua purum Dei verbum prædicatur et sacramenta juxta Christi ordinationem administrantur, et in qua clavium autoritas retinetur.

"Quævis ecclesia particularis auctoritatem instituendi, mutandi, et abrogandi ceremonias et ritus ecclesiasticos habet, modo ad decorem, ordinem et ædificationem fiat."

*Eleven Articles:*

## Art. 3.

"I do acknowledge that Church to be the Spouse of Christ, wherein the Word of God is truly taught, the Sacraments orderly ministered according to Christ's institution, and the authority of the keys duly used; and that every such particular Church hath authority to institute, to change, clear, to put away ceremonies, and other ecclesiastical rites, as they be superfluous, or be abused, and to constitute other making more to seemliness, to order, or edification."

<sup>1</sup> C.C.C.C. MSS., cxxi, *Synodalia*, 20.

*Latin Articles of 1563 :*

## Art. 19. De Ecclesia.

"Ecclesia Christi visibilis est cœtus fidelium, in quo verbum Dei purum prædicatur, et sacramenta, quoad ea quæ necessario exiguntur, juxta Christi institutum recte administrantur.

"Sicut erravit ecclesia Hierosolymitana, Alexandrina et Antiochena : ita et erravit Ecclesia Romana, non solum quoad agenda et cæremoniarum ritus, verum in hijs etiam quæ credenda sunt."

## Art. 20. De Ecclesiæ Autoritate.

"Habet Ecclesia ritus statuendi jus, et in fidei controversiis autoritatem, quamvis Ecclesiæ non licet quicquam instituere, quod verbo Dei scripto adversatur, nec unum scripturæ locum sic exponere potest ut alteri contradicat. Quare licet Ecclesia sit divinorum librorum testis et conservatrix, attamen ut adversus eos nihil decernere, ita præter illos nihil credendum de necessitate salutis debet obtrudere."

## Art. 33. Traditiones ecclesiasticæ.

"Traditiones atque cæremonias easdem non omnino necessarium est esse ubique aut prorsus consimiles. Nam et variæ semper fuerunt, et mutari possunt, pro regionum, temporum, et morum diversitate, modo nihil contra verbum Dei instituitur.

"Traditiones et cæremonias ecclesiasticas quæ cum verbo Dei non pugnant, et sunt autoritate publica institutæ atque probatæ, quisquis privato consilio volens et data opera publice violaverit, is, ut qui peccat in publicum ordinem ecclesiæ, quique lædit auctoritatem Magistratus, et qui infirmorum fratrum conscientias vulnerat, publice, ut cæteri timeant, arguendus est.

"Quælibet ecclesia particularis, sive nationalis, auctoritatem habet instituendi, mutandi, aut abrogandi cæremonias aut ritus ecclesiasticos, humana tantum auctoritate institutos, modo omnia ad ædificationem fiant."

*English Articles of 1571 :*

## Art. 19. Of the Church.

"The visible Church of Christ is a congregation of faithful men, in the which the pure word of God is preached, and the sacraments be duly ministered, according to Christ's ordinance, in all those things that of necessity are requisite to the same.

"As the Church of Hierusalem, Alexandria and Antioch have erred, so also the Church of Rome hath erred, not only in their living and manner of ceremonies, but also in matters of faith."

## Art. 20. Of the authority of the Church.

"The Church hath power to decree rites or ceremonies, and authority in controversies of faith. And yet it is not lawful for the Church to ordain anything that is contrary to God's word writtten, neither may it so expound one place of Scripture that it be repugnant to another. Wherefore, although the Church be a witness and a keeper of Holy Writ, yet as it ought not to decree anything against the same, so besides the same ought it not to enforce anything to be believed for necessity of salvation."

Art. 34. Of the traditions of the Church.

"It is not necessary that traditions and ceremonies be in all places one, or utterly like, for at all times they have been diverse, and may be changed according to the diversity of countries, times, and men's manners, so that nothing be ordained against God's word.

"Whosoever through his private judgment, willingly and purposely doth openly break the traditions and ceremonies of the Church, which be not repugnant to the word of God and be ordained and approved by common authority, ought to be rebuked openly (that other may fear to do the like) as he that offendeth against the common order of the Church, and hurteth the authority of the magistrate, and woundeth the consciences of the weak brethren.

"Every particular or national Church hath authority to ordain, change, and abolish ceremonies or rites of the Church ordained only by man's authority, so that all things be done to edifying."

The general definition of the Visible Church of Christ as "a congregation of faithful men in the which the *pure* Word of God is preached, and the sacraments be *duly* ministered," comes from the Augsburg Confession, and had already been embodied in Hooper's Articles and the Edwardine Articles of 1553.<sup>1</sup> Viewed in conjunction with the categorical statement, which figured also in Hooper's Articles and the Forty-two Articles of 1553, that the Church of Rome has erred not only in matters of ceremonial, but also in matters of faith, and the express condemnation in a later article of Communion in one kind, etc., it is clear that, according to the official Anglican formulary, the Roman Church has ceased to be a part of the "Visible Church of Christ." A similar condemnation seems to be passed upon the Churches of Jerusalem, Alexandria, and Antioch, i.e. the "principal Churches of the East," as the Declaration of Returned Protestants calls them. On the other hand, there is no condemnation passed upon the Protestant Churches of the Continent, and by implication these are regarded as constituting, like the Elizabethan Church, parts of the "Visible Church of Christ." The variations in rites and ceremonies between these several Protestant communions are not important, for each Church has power to change things of human institution.<sup>2</sup>

As we have already pointed out, the first statement in Article 20, "Habet Ecclesia ritus statuendi jus, et in fidei controversiis auctoritatem," was not in the Articles of 1563 as signed by the bishops, but was inserted into the printed Latin version authorised by the Queen, though absent from the printed English version

<sup>1</sup> See Vol. I., pp. 537-539.

<sup>2</sup> Art. 34.

of that year. It was absent from the English draft signed by the Bishops in 1571, but appears in all the Latin and English editions printed in 1571 with one exception. Its inclusion was thus evidently due to the Queen's intervention. But even so, it is noteworthy that the Wurtemberg article "De Ecclesia" contained a similar clause :

"Ecclesia habet jus judicandi de omnibus doctrinis. . . ."

Lastly, it is to be noted that the first part of Article 34 comes from the Thirteen Articles of 1538, i.e., the proposed agreement between the Lutherans and Anglicans in the reign of Henry VIII.<sup>1</sup> The second paragraph of this Article comes from the Edwardine Articles of 1553, and the third from the Eleven Articles of 1559—all Protestant compilations.

#### D. THE SACRAMENTS.

##### *Declaration of the Returned Protestants in 1559 :*

##### Art. 11.

"Our Lord Jesus Christ hath knit together a company of new people with sacraments most few in number, most easy to be kept, most excellent in signification, as is Baptism and the Lord's Supper.

"Sacraments ordained by the Word of God be not only badges and tokens of Christian men's profession, but also they be certain sure witnesses and effectual signs of grace and God's good will towards us, by the which He doth work invisibly in us, and doth not only quicken, but also confirm and strengthen our faith in Him."

##### *Latin Heads of Religion :*

"Christus tantum duo sacramenta expresse nobis commendat, Baptisma et Eucharistiam : quibus confertur gratia rite summentibus, etiamsi malus sit minister ; et non prosunt indigne suscipientibus quantumvis bonus sit minister."

##### *Latin Articles of 1563 :*

##### Art. 25. De Sacramentis.

"Sacramenta, a Christo instituta, non tantum sunt notæ professionis Christianorum, sed certa quædam potius testimonia, et efficacia signa gratiæ atque bonæ in nos voluntatis Dei, per quæ invisibiliter ipse in nobis operatur, nostramque fidem in se, non solum excitat, verum etiam confirmat.

"Duo a Christo Domino nostro in Evangelio instituta sunt sacramenta, scilicet Baptismus et Cœna Domini.

"Quinque illa vulgo nominata sacramenta, scilicet Confirmatio, Pœnitentia, Ordo, Matrimonium et Extrema Unctio, pro sacramentis evangelicis habenda non sunt, ut quæ partim a prava

<sup>1</sup> See Vol. I, p. 264.

Apostolorum imitatione profluxerunt, partim vitæ status sunt in Scriptis quidem probati, sed sacramentorum eandem cum Baptismo et Cœna Domini rationem non habentes : quomodo nec Pœnitentia, ut quæ signum aliquod visibile seu cæremoniam a Deo institutam non habeat.

"Sacramenta non in hoc instituta sunt a Christo ut spectarentur aut circumferrentur, sed ut rite illis uteremur, et in his duntaxat qui digne percipiunt, salutarem habent effectum : qui vero indigne percipiunt, damnationem (ut inquit Paulus) sibi ipsis acquirunt."

*English Articles of 1571 :*

Art. 25. Of the Sacraments.

Sacraments ordained of Christ be not only badges or tokens of Christian men's profession : but rather they be certain sure witnesses and effectual signs of grace and God's good will towards us, by the which He doth work invisibly in us, and doth not only quicken, but also strengthen and confirm our faith in Him.

"There are two Sacraments ordained of Christ our Lord in the Gospel, that is to say, Baptism and the Supper of the Lord.

"Those five commonly called Sacraments, that is to say, Confirmation, Penance, Orders, Matrimony, and Extreme Unction, are not to be counted for Sacraments of the Gospel, being such as have grown partly of the corrupt following of the Apostles, partly are states of life allowed in the Scriptures ; but yet have not like nature of Sacraments with Baptism and the Lord's Supper, for that they have not any visible sign or ceremony ordained of God.

"The Sacraments were not ordained of Christ to be gazed upon, or to be carried about : but that we should duly use them. And in such only as worthily receive the same they have a wholesome effect or operation : but they that receive them unworthily purchase to themselves damnation, as St. Paul saith."

We have seen<sup>1</sup> that the original draft of the Edwardine Articles stated definitely that there are only two sacraments properly so called, but that in the final printed version this was modified into the assertion that the Sacraments were "numero paucissimis . . . sicuti est baptismus et cœna Domini," thus leaving open the question whether, as the Lutherans were inclined to think, Penance is a third sacrament. The Declaration of Returned Protestants in 1559 similarly left the question open. But the Latin *Heads of Religion* says that Christ "tantum duo sacramenta expresse nobis commendat," and any latitude disappears from the final Articles of 1563 and 1571. These definitely state that "Duo a Christo in Evangelio instituta sunt sacramenta," and add that the other rites commonly called sacraments "pro sacramentis evangelicis habenda non sunt." Some of these other rites have arisen from "the corrupt follow-

<sup>1</sup> Vol. I, p. 542.



ing of the Apostles" (*prava imitatione Apostolorum*)—presumably Confirmation, Extreme Unction, and Penance<sup>1</sup> are here meant—and the others are "states of life allowed in the Scriptures, i.e. Matrimony, and Orders. The Articles do not, of course, deny that religious ceremonies may be attached to these "states of life," but they definitely assert that these rites are not truly sacramental in character, for the express reason that "they have not any visible sign or ceremony ordained *of God*." The reference here to "God" instead of "Christ" evidently excludes the possibility that the Apostles, or the Church, as distinct from Christ, might by Divine authority, have instituted some sacraments. The Apostles, or the Church, may have instituted some religious rites, but, if so, they did this without God's authority, and any "visible sign or ceremony" in them is not "ordained of God," and therefore confers no grace.

This definite assertion that the five other sacraments are not to be regarded as Sacraments of the Gospel, for that they have no visible sign or ceremony ordained of God, is in direct contradiction to the solemn assertion of the Council of Trent in 1547 that there are seven sacraments, all instituted by Jesus Christ, our Lord, and that all these seven are "*vere et proprie sacramenta*."

The first part of Article 25 comes from the Augsburg Confession, through the Thirteen Articles of 1538. The remaining part is of English origin.

As to the efficiency of the Sacraments, there is one interesting modification. The Edwardine Article had expressly asserted that the Sacraments do not produce their effects "*ex opere operato*," and we have seen that there was a keen discussion on the matter in 1552.<sup>2</sup> But though denying that grace is produced "*ex opere operato*," the Edwardine Article had allowed that the sacraments have "a wholesome effect" in those who worthily receive them. The Declaration of Returned Protestants in 1559 went further and described the Sacraments as "effectual signs of grace," and the Elizabethan Articles adopt

<sup>1</sup> It is interesting to note that in the Latin Article as printed in 1563, there is a clause explicitly denying for the second time that Penance is a sacrament: "*quomodo nec Pœnitentia*." This clause was not in the manuscript of the Articles signed by the Bishops, but on the other hand it is in the Latin MS. which formed the basis of the printed edition, and hence it was evidently inserted by royal authority. This is curious, as it strikes directly against a Lutheran idea, and shows that the Queen or her advisers did not agree with the Lutherans in this matter, at any rate. Doubtless Elizabeth objected to going to Confession! The clause, however, does not appear in the 1571 Article, but Penance is still excluded from the sacraments in this.

<sup>2</sup> See Vol. I, pp. 542-3.

this phrase. This leaves open the question whether or not the sacraments may be said to give grace "ex opere operato."

#### E. THE EUCHARIST.

*Declaration of the returned Protestants in 1559 :*

##### Art. 14.

"The Supper of the Lord is not only a sign of the love that Christians ought to have among themselves one to another, but rather it is a sacrament of our redemption by Christ's death, insomuch that to such as rightly, worthily and with faith receive the same, the bread which we break is a communion of the Body of Christ. Likewise the Cup of Blessing is a communion of the Blood of Christ.

"So that in the due administration of this Holy Supper we do not deny all manner of Presence of Christ's Body and Blood ; neither do we think or say that this Holy Sacrament is only a naked and a bare sign or figure in the which nothing else is to be received of the faithful but common bread and wine, as our adversaries have at all times most untruly charged us. And yet we do not allow the corporal, carnal and real presence which they teach and maintain, affirming Christ's Body to be sensibly handled of the priest, and also corporally and substantially to be received with the mouth as well of the wicked as of the godly. For that were contrary to the Scripture, both to remove Him out of heaven, where concerning his natural Body He shall continue to the end of the world, and also by making his Body bodily present in so many sundry and several places at once to destroy the properties of his human nature.

"Neither do we allow the fond error of Transubstantiation or change of the substance of bread and wine into the substance of the Body and Blood of Christ, which, as it is repugnant to the words of Scripture and contrary to the plain assertions of ancient writers, so doth it utterly deny the nature of a sacrament.

"But we affirm and confess that as the wicked, in the unworthy receiving of this Holy Sacrament, eateth and drinketh his own damnation, so to the believer and worthy receiver is verily given and exhibited<sup>1</sup> whole Christ, God and man, with the fruits of his Passion. And that in the distribution of this Holy Sacrament, as we with our outward senses receive the sacramental bread and wine, and inwardly by faith and through the working of God's Spirit we are made partakers *vere et efficaciter* of the Body and Blood of our Saviour Christ, and are spiritually fed therewith unto everlasting life.

"And we also confess and ever have done, that by the celebrating and right receiving of this mystery and Holy Sacrament, we enjoy divers and singular comforts and benefits. For herein we are assured of God's promises of the forgiveness of sins, of the pacifying of God's wrath, of our resurrection and everlasting life. Herein also by the secret operation of God's Holy Spirit our faith is increased and confirmed, we are made one with Christ and He with

<sup>1</sup> Note this significant word.

us, we abide in Him and He in us, we are stirred up to unity and mutual charity, to joyfulness of conscience and patient suffering for Christ's sake, and finally to continual thanksgiving to our merciful heavenly Father for the wonderful work of our salvation purchased in the death and bloodshed of our Redeemer and Saviour Jesus Christ."

*Latin Heads of Religion :*

"Cœna Dominica non est tantum symbolum mutuæ benevolentiæ Christianorum inter se, sed magis symbolum est nostræ redemptionis per Christi mortem et nostræ conjunctionis cum Christo. Ubi fidelibus vere datur et exhibetur,<sup>1</sup> communicatio corporis et sanguinis Domini. Sacramentum eucharistiæ (neque ex præcepto) neque ex usu primitivæ ecclesiæ aut servabatur, aut circumferebatur, vel elevabatur ut adoraretur.

"Scholastica Transubstantiatio panis et vini in corpus et sanguinem Christi probari non potest ex sacris litteris."

*Eleven Articles :*

"The Holy Communion or Sacrament of the Body and Blood of Christ, for the due obedience of Christ's institution and to express the virtue of the same, ought to be ministered unto the people under both kinds, and it is avouched by certain fathers of the Church to be a plain sacrilege to rob them of the mystical cup."

*Latin Articles of 1563 :*

Art. 28. De cœna Domini.

"Cœna Domini non est tantum signum mutuæ benevolentiæ Christianorum inter sese, verum potius est sacramentum nostræ per mortem Christi redemptionis. Atque adeo rite, digne et cum fide summentibus, panis quem frangimus est communicatio corporis Christi : similiter poculum benedictionis est communicatio sanguinis Christi.

"Panis et vini transubstantiatio in Eucharistia, ex sacris literis probari non potest, sed apertis Scripturæ verbis adversatur, sacramenti naturam evertit, et multarum superstitionum dedit occasionem.

"Corpus Christi datur, accipitur et manducatur in cœna, tantum cœlesti et spiritali ratione. Medium autem quo Corpus Christi accipitur et manducatur in cœna, fides est.

"Sacramentum Eucharistiæ ex institutione Christi non servabatur, circumferebatur, elevabatur, nec adorabatur."

Art. 29. De utraque specie.

"Calix Domini laicis non est denegandus : utraque enim pars dominici sacramenti ex Christi institutione et præcepto, omnibus Christianis ex æquo administrari debet."

*English Articles of 1571 :*

Art. 28. Of the Lord's Supper.

"The Supper of the Lord is not only a sign of the love that

<sup>1</sup> Again we have "exhiberi."

Christians ought to have among themselves one to another, but rather it is a sacrament of our redemption by Christ's death. Inasmuch that to such as rightly, worthily and with faith receive the same, the bread which we break is a partaking of the Body of Christ, and likewise the cup of blessing is a partaking of the Blood of Christ.

"Transubstantiation (or the change of the substance of bread and wine) in the Supper of the Lord cannot be proved by Holy Writ, but is repugnant to the plain words of Scripture, overthroweth the nature of a Sacrament, and hath given occasion to many superstitions.

"The Body of Christ is given, taken and eaten in the Supper only after an heavenly and spiritual manner. And the mean whereby the Body of Christ is received and eaten in the Supper is faith.

"The Sacrament of the Lord's Supper was not by Christ's ordinance reserved, carried about, lifted up, or worshipped."

Art. 29. Of the wicked, which do not eat the Body of Christ in the use of the Lord's Supper.

"The wicked and such as be void of a lively faith, although they do carnally and visibly press with their teeth (as St. Augustine saith) the Sacrament of the Body and Blood of Christ : yet in no wise are they partakers of Christ, but rather to their condemnation do eat and drink the sign or Sacrament of so great a thing."

Art. 30. Of both kinds.

"The cup of the Lord is not to be denied to the lay people. For both the parts of the Lord's Sacrament, by Christ's ordinance and commandment, ought to be ministered to all Christian men alike."

1. The first paragraph of Article 28 is practically identical with the first part of the corresponding Article in the Edwardine series. There is, however, one change in the final English text of 1571 : The Edwardine Article had said that to those who worthily and with faith receive the bread, the same is a "communion" of the Body of Christ (Latin version : "communicatio"). The Declaration of Returned Protestants in 1559 retains this phrase. In the 1563 Articles, the Latin has "communicatio," and the English "communion." But in the 1571 English MS, signed by the Bishops, "partaking" is substituted for "communion," in Parker's handwriting.<sup>1</sup> Accordingly, the printed English version of 1571 has "partaking," though the Latin version of 1571 still has "communicatio."

2. The next paragraph in the Edwardine Article of 1553 repudiated Transubstantiation, and the 1563 and 1571 Article does the same. But there is a slight variant, which must be

<sup>1</sup> See Lamb, *Historical Account of the 39 Articles*, p. 38.

mentioned, as a recent attempt has been made to base an argument upon it. The original Edwardine Article had, in the Latin text: "Panis et vini transubstantiatio in Eucharistia." But the corresponding English version of 1553 had: "Transubstantiation, or the change of the substance of bread and wine into the substance of Christ's body and blood." The "Declaration of Returned Protestants" in 1559 uses the same phrase as the English article of 1553. The Latin "Heads of Religion" speaks of the "Transubstantiatio panis et vini in corpus et sanguinem Christi." The 1563 Latin Article retains the Edwardine form, "Panis et vini transubstantiatio in Eucharistia," and the English version of that year agrees with the Edwardine English version of 1553. Also, the 1571 English manuscript signed by the Bishops has the same: "Transubstantiation, or the change of the substance of bread and wine into the substance of Christ's body and blood. . . ." But the official English text printed in 1571 has: "Transubstantiation (or the change of the substance of bread and wine) in the Supper of the Lord. . . ." This is, if anything, nearer to the Latin text, which remained unchanged throughout: "Panis et vini transubstantiatio in eucharistia," and it is hard to see any doctrinal significance in the modification for, after all, if the substance of the bread and wine is changed at all, it is changed into Christ's Body and Blood. It has been necessary to point this out, because a recent Anglican writer, the Rev. A. H. Rees, has actually argued that "the Article (in its final form) expressly refrains from denying the presence of the substance of the Body and Blood of Christ," and says that the words "into the substance of Christ's Body and Blood," which had followed the words "change of the substance of bread and wine," were struck out of the original draft by Bishop Guest.<sup>1</sup> So far is this from being true, that the draft English Article, containing the whole phrase "the change of the substance of bread and wine into the substance of Christ's body and blood," was signed by Guest in 1571.<sup>2</sup> And if the final omission signified anything, we should have to argue similarly that the Latin article of 1553 also "expressly refrained from denying the presence of the substance of the Body and Blood of Christ," which surely no one will maintain, seeing that it goes on to maintain that no faithful man

<sup>1</sup> *Eucharistic Doctrine and Reunion*, 1936, S.P.C.K., p. 19. Mr. Rees copied this statement from Bp. Forbes' *Explanation of the XXXIX Articles*, 1890, p. 554.

<sup>2</sup> See the MS. in *Synodalia*, C.C.C.C., 121.

ought to believe the real and bodily presence of Christ's flesh and blood in the Sacrament of the Lord's Supper !

It is, moreover, carefully to be noted that Transubstantiation had already, in 1551, been solemnly defined at the Council of Trent, as the "conversio totius substantiæ panis in substantiam corporis Christi, et totius substantiæ vini in substantiam sanguinis ejus," and it is evidently to this that the Anglican article refers by "Panis et vini transubstantiatio in Eucharistia," or "the change of the substance of bread and wine in the Supper of the Lord." Note also that Transubstantiation is explained in the Anglican Article as the change of *substance*, exactly as the Council of Trent had defined it, and so it cannot possibly be maintained that the Article is directed against some gross popular idea of "transaccidentation" or of a "sensible Presence." The Anglican Article formally denies the doctrine defined at Trent.

The Elizabethan Article adds one phrase not found in the Edwardine Article : Transubstantiation "overthroweth the nature of a Sacrament." This seems to have been adopted from the Declaration of Returned Protestants in 1559.

3. After condemning Transubstantiation, the Edwardine Article of 1553 went on expressly to reject the "Real and Bodily Presence of Christ's flesh and blood in the Lord's Supper," on the ground that Christ's body cannot be in many places at the same time, and is now in Heaven. The Declaration of Returned Protestants in 1559 had also rejected the "corporal, carnal and real presence" on similar grounds.

4. In the original draft of the Latin Article of 1563 as first submitted to Convocation, immediately after the repudiation of Transubstantiation, there was inserted, in Parker's own handwriting,<sup>1</sup> the statement : "Corpus Christi datur accipitur et manducatur in cœna tantum cœlesti et spirituali ratione."

This was followed in the 1563 draft by a revised form of rejection of the Real and Corporeal Presence, as follows :

"Christus in cœlum ascendens, corpori suo immortalitatem dedit, naturam non abstulit ; humane enim nature veritatem (juxta Scripturas) perpetuo retinet, quam uno et definito loco esse, et non in multa, vel omnia simul loca diffundi, oportet. Quum igitur Christus in celum sublatus, ibi usque ad finem seculi permanens atque inde non aliunde (ut loquitur Augustinus) venturus sit, ad judicandum vivos et mortuos, non debet quisquam fidelium,

<sup>1</sup> See John Lamb, *Historical Account of the 39 Articles*, 1829, p. 38.

et carnis ejus et sanguinis realem et corporalem (ut loquuntur) presentiam in Eucharistia vel credere vel profiteri."

Such was the form of the draft article prepared by Parker and his friends, and submitted to the Bishops. It at least makes it quite clear that Parker himself disbelieved in the Real and Corporeal Presence, though he was prepared to allow a "spiritual" Presence, "in cœna"—not, evidently, in the bread and wine.

The Bishops, however, were not all agreed upon the matter. Cheyney held the Lutheran view of the Presence, and Guest, as we shall see, had come also to believe in a Presence of some kind, though he probably did not go so far as Cheyney. In the end, Guest proposed a modified Article. The first part, repudiating Transubstantiation, was retained. But the express repudiation of the "Real and Corporeal Presence" was struck out. Instead, the new sentence preceding that section, which had been suggested apparently by Parker, was retained, and amplified, so that this part of the Article ran as follows :

"Corpus tamen Christi datur, accipitur, et manducatur in cœna, tantum cœlesti et spirituali ratione. Medium autem quo Corpus Christi accipitur et manducatur in cœna, fides est."

We must now consider very carefully the exact significance of this portion of the Article in its new form.

The first thing to note is that it presented considerable difficulties to Bishop Cheyney. We saw that Cheyney rejected Transubstantiation in Mary's reign, and held then either a Lutheran or a Virtualist view of the Presence. In Elizabeth's reign, he upheld Lutheran views on some subjects, in opposition to the Calvinism then dominant in English ecclesiastical circles, and in particular, he definitely professed the Lutheran view of the Presence, at the Debate on the Articles Bill in the House of Lords in 1566. We gather this from a letter written by Bishop Jewel to Bullinger on February 24th, 1567 :

"One alone of our number, the Bishop of Gloucester, hath openly and boldly declared in Parliament his approval of Luther's opinion respecting the Eucharist, but this crop will not, I hope, be of long continuance."<sup>1</sup>

Now Cheyney found fault with the terminology of this Article

<sup>1</sup> "Unus tamen quispiam a nostro numero, episcopus Glocestrensis, in comitiis aperte et fidenter dixit, probari sibi Lutheri sententiam de eucharistia, sed ea seges non erit, spero, diuturna."—*Epistolæ Tigurinae*, boxvii, p. 110. Strype similarly says of Cheyney : "We may conclude him not a Papist, but a Lutheran rather in his opinion on the Eucharist." (*Annals*, I, ii, 285.)

28, precisely because it seemed to exclude the Lutheran view, of a Real Objective Presence, which he himself held. And he said this publicly in the House of Lords in December, 1566, on the debate on the Bill enforcing subscription to the Articles. The incident is referred to by Bishop Guest, in a letter to Cecil written on December 22nd. From this we gather that Guest defended the language of the Article, which was his own composition, and claimed that he, too, believed in a Presence. But it is clear that his view could not have been so high as that of Cheyney. Here is the relevant part of this letter to Cecil :

"I suppose you have heard how ye Bishop of Gloucester found himself grieved with the placing of this adverb 'only' in this article, 'The Body of Christ is given, taken and eaten in the Supper after an heavenly and spiritual manner only,' because it did take away the presence of Christ's Body in the Sacrament, and privily noted me to take his part therein, and yesterday in mine absence more plainly vouched me for the same. Whereas between him and me, I told him plainly that this word 'only' in the foresaid Article did not exclude the presence of Christ's Body from the Sacrament, but only the grossness and sensibleness in the receiving thereof. For I said unto him, though he took Christ's Body in his hand, received it with his mouth, and that corporally, naturally, really, substantially, and carnally as the doctors do write, yet did he not for all that see it, feel it, smell it, nor taste it. And therefore I told him I would speak against him herein, and the rather because the article was of mine own penning. And yet I would not for all that deny thereby anything that I had spoken for the presence."<sup>1</sup>

Cheyney seems to have maintained his attitude throughout. He had refused to sign the draft of the Articles in 1563, and he did not join in the appeal of the Bishops to the Queen in 1556 to allow the Articles Bill to pass.

He also absented himself from the Convocation of 1571, and was threatened with excommunication for his views. At this Convocation the Articles were reconsidered, and the revised English draft was signed by Guest. But a day or two after he had done so, he wrote to Cecil, and once more defended the Article against Cheyney :

"Some be offended with this word 'only,' as my lord of Gloucester, as though this word 'only' did take away the Real Presence of Christ's Body, or the receiving of the same by the mouth, whereas it was put in only to this end, to take away all gross and sensible presence."

Then he suggests that "to avoid offence and contention, the word 'only' may be well left out, as not needful," especially if

<sup>1</sup> Tyrrell Green, *Thirty-nine Articles*, p. 349.



the omission would satisfy the scruples of Cheyney. Guest also suggested that the word "profitably" might be inserted into the phrase dealing with the means of reception, so that it would run :

"The mean whereby the Body of Christ is *profitably* received is faith."

Guest adds : "then should the occasion of this question, 'Whether the evil do receive Christ's body in the Sacrament because they lack faith,' which riseth of the aforesaid words and causeth much strife, should be quite taken away."<sup>1</sup> But the Queen and her advisers rejected these suggestions, and the Article was published in the form in which it had been approved by the bishops, i.e. :

"The Body of Christ is given, taken and eaten in the Supper only after an heavenly and spiritual manner. And the mean whereby the Body of Christ is received and eaten in the Supper is faith."

Thus the scruples of Cheyney remained unsatisfied, and the inference surely is that the Lutheran doctrine of the Real Presence is not consistent with the Article.

It might, however, be urged that, at any rate, the Article must have been consistent with the doctrine which Guest himself held. But it is really difficult to determine what that doctrine was. We have seen that at the Disputation at Westminster in 1559 he vehemently denied the Catholic doctrine of the Sacrifice of the Mass<sup>2</sup>, and if the letter he wrote to Cecil on the new Prayer Book belongs to that same year, as we think,<sup>3</sup> he at that time held a very low view of the Presence, for he denied that any greater gift is given in the Supper than in Baptism. On the other hand, he had apparently come to hold higher views by 1564, for in that year he preached a sermon on the subject before the Queen at Rochester.<sup>4</sup> Also, his letter to Cecil in 1566, already quoted, implies that he then believed in some kind of Presence. In the absence of any further definite evidence, we are inclined to think that Guest advocated a view intermediate between the Virtualist and the Lutheran doctrines. And it is quite reasonable to think that, in framing this Article 28, Guest had his own doctrine in mind, and that the Article is therefore compatible with his particular doctrine of the Presence.

<sup>1</sup> Letter in Hodges, *Bishop Guest*, pp. 24-26.

<sup>2</sup> See p. 227.

<sup>3</sup> See pp. 183-7.

<sup>4</sup> Strype, *Annals*, I, i, p. 499. It was evidently concerning this sermon that a fellow Anglican remarked : "An ass in a rochet preached the Presence before the Queen" (A. H. Lang, *Religion of the Thirty-nine Articles*, C.T.S., p. 24).

But it is one thing to say that the Article is *compatible* with a certain doctrine of the Presence, and quite another to say that it *teaches* it. The Article, though framed by Bishop Guest, had to meet with the approval of the other Bishops. We quote from some of these in another chapter, but it will suffice to give here the statement of the Rev. G. F. Hodges, whose work on Bishop Guest is described by Dr. Firminger<sup>1</sup> as "an admirable little brochure." Mr. Hodges writes :

"It is indisputable that, with few exceptions, the members of Convocation in 1562 and 1571 had discarded a belief in the Real Objective Presence."<sup>2</sup>

But bishops who themselves disbelieved in the Real Objective Presence would certainly not approve and sign an Article expressly teaching that Presence.

We conclude, then, that Article 28, *taken by itself*, is compatible with some kind of Real Presence. It excludes Transubstantiation, as we have seen. It is compatible with the virtual view of the Presence. It is difficult to regard it as compatible with the Lutheran view, as held by Cheyney. But further light will be thrown on this when we examine Article 29.

The weakening of the condemnation of the Real Objective Presence in Article 28 was noted at the time, and bewailed by the Zwinglian party. Two of these wrote thus to Bullinger on July 1st, 1566 :

"The Article composed in the time of Edward the Sixth respecting the spiritual eating, which expressly oppugned and took away the Real Presence in the Eucharist, and contained a most clear explanation of the truth, is now set forth among us mutilated and imperfect."<sup>3</sup>

But, in spite of this fact, the doctrine of the Real Absence continued to be taught, for, as Bishops Grindal and Horne wrote to Bullinger in February, 1567—two months after the debate on the Articles in the House of Lords—the doctrine contained in the famous Black Rubric, was still "most diligently declared, published, and impressed upon the people,"<sup>4</sup> and this precisely by those who had assented to and approved of the Article as drawn up by Bishop Guest ! That is the best possible proof that it was not regarded as *teaching* a Real Objective Presence.

##### 5. The last part of Article 28 rejects Reservation of the

<sup>1</sup> *The Doctrine of the Real Presence*, Calcutta, 1898, p. 7.

<sup>2</sup> *Zurich Letters*, Vol. I, p. 165.

<sup>3</sup> *Op. cit.*, p. 36.

<sup>4</sup> *Zurich Letters*, Vol. I, p. 180.

Sacrament, and the elevation and worship of the Host. The Latin Article of 1563 is identical with the Edwardine Article of 1553. But the English versions differ. The Edwardine English had :

"The Sacrament . . . was not commanded by Christ's ordinance . . ."

The Elizabethan version runs :

"The Sacrament . . . was not by Christ's ordinance . . ."

Thus the Elizabethan Article is more definite than the Edwardine. The 1553 Article might be taken to mean that Christ's ordinance permitted Reservation, etc., but did not command it. The Elizabethan version definitely says that the practice is not in accordance with Christ's ordinance.

6. Now we come to the most important of these Eucharistic articles, Article 29, on the non-reception of Christ by the wicked communicant. This appeared for the first time in 1563, and was apparently composed by Archbishop Parker himself.<sup>1</sup> We have said that the draft containing this Article was signed by practically all the Bishops, but not by Kitchin, Cheyney or Guest, and that the absence of the signatures of the two last mentioned Bishops is a clear indication that they disapproved of it. We have also seen that the Article was struck out by the Queen in 1563, and was not printed, in either the Latin or English editions published in that year. But it was reinserted by the Bishops in their English draft in 1571, and this time it was approved by the Queen, and included in both the Latin and English printed editions. We have also pointed out that the English draft containing this Article was signed by Bishop Guest on May 11th, 1571. And yet, a few days later, he wrote the following to Cecil :

"If this Article be confirmed and authorised by the Queen's grace, it will cause much business, because it is quite contrary to the Scripture and to the doctrine of the Fathers, for it is certain that Judas, as evil as he was, did receive Christ's Body, because Christ said unto him, 'Take, eat, this is my body.' It is not said, 'If thou be a good or faithful man, take, eat, this is my body,' but simply, without any such conditions, 'Take, eat, this is my body.'"

Guest goes on to argue from St. Paul's language in the First Epistle to the Corinthians.

<sup>1</sup> See Parker's Letter, in *Correspondence*, p. 381, in which he defends it against criticisms.

<sup>2</sup> See the letter in Hodges, *op. cit.*, pp. 24-26.

It was presumably because of Guest's letter that Cecil took up the matter with Archbishop Parker, and the latter replied on June 4th claiming "our opinion in the Article to be most true, howsoever some men vary from it."<sup>1</sup> It is difficult to acquit Bishop Guest of dishonesty in this matter. If he held such a strong opinion about the doctrine contained in the Article, why did he sign the draft containing it? And having signed the draft, was it honest to endeavour to persuade the Queen's advisers to reject it?

In any case, Guest's statement as to the character of Article 29 is of the highest importance. He knew very well what it meant. He had refused to sign the draft in 1563 because it contained this obnoxious article, and in 1571 he plainly acknowledges that the doctrine contained in it is "quite contrary to the Scripture and the Fathers." It is evident that, as Guest realised, this Article involves a denial of the Real Presence, which was tolerated, in a moderate form, by the previous Article 28, which Guest himself had drawn up for that express purpose. According to this Article 29, the wicked do not receive Christ, when they receive the consecrated elements. In other words, the reception of the sacramental bread and wine does not necessarily involve the reception of Christ's Body and Blood. This is fatal to any real and objective Presence of the Body and Blood under the forms of bread and wine. Hence, Article 29 definitely excludes the doctrine which Guest had endeavoured to safeguard in Article 28.

This view of the doctrinal effect of Article 29 upon Article 28 is shared by the Rev. G. F. Hodges in his "admirable little brochure in which the subject of Guest's teaching is dealt with in a thoroughly conclusive manner."<sup>2</sup>

Mr. Hodges writes as follows :

"It has been inferred, and naturally, that Article 28 was accepted by Convocation in 1562 in Guest's own sense, or at least as permitting it."<sup>3</sup>

"It is indisputable that, with few exceptions, the members of Convocation in 1562 and 1571 had discarded a belief in the Real (Objective) Presence. But may not Convocation have been willing to concede a *locus standi* to those who thought otherwise? From motives of toleration and comprehension, may they not have accepted Article 28 in Guest's own sense? The answer to this question is Article 29."<sup>4</sup>

<sup>1</sup> Parker's *Correspondence*, p. 381.

<sup>2</sup> Dr. Firminger, *Doctrine of the Real Presence*, Calcutta, 1898, p. 7.

<sup>3</sup> Page 23.

<sup>4</sup> Page 28.

"When we remember that Article 29 was inserted by men who had abandoned all belief in a Real Objective Presence . . . that it was championed by men who often treated what remained of the consecrated bread with the most gross profanity ; when we remember that the article was offensive to such men as Bishops Guest and Cheyney . . . the conclusion is inevitable. . . .

"At the Reformation it was acknowledged by all that a Real Objective Presence and that wicked Christians receive Christ's Body, are doctrines that stand or fall together. . . . We conclude that the Article was formulated to condemn what was then regarded as a necessary consequence of a Real Objective Presence. . . . It follows that in condemning this corollary, the Elizabethan Reformers condemned by implication the doctrine of the Real Objective Presence."<sup>1</sup>

"We conclude . . . that Convocation did not accept Article 28 in the sense attached to it by Bishop Guest."<sup>2</sup>

Once more we repeat that this Article 29 was solemnly passed by the Bishops, formally approved by the Supreme Governor of the Church, and imposed upon all the clergy, both by Parliament and by Convocation, and thus there can be no doubt that it represents the authentic doctrine of the Church of England, as expressed in its formularies.

7. Finally we come to Article 30. This insists that "ex Christi institutione *et præcepto*," both parts of the sacrament ought to be ministered to all. Now the Council of Trent had declared in 1562 that

"nullo divino *præcepto* laicos . . . obligari ad Eucharistiæ sacramentum sub utraque specie sumendum."<sup>3</sup>

Thus once more we have a flat contradiction between the teaching of the Catholic Council and that of the Anglican Church.

#### F. THE SACRIFICE OF THE MASS.

##### *Declaration of Returned Protestants in 1559 :*

Art. 15. The Perfect Oblation of Christ made upon the Cross.

"The offering of Christ made once for ever is the perfect redemption, the pacifying of God's displeasure, and satisfaction for all the sins of the whole world, both original and actual, and there is none other satisfaction for sin, but that alone. Wherefore the sacrifice of the Masses, in the which it was commonly said that the priest doth offer Christ for the quick and the dead, to have remission of pain or sin, are forged fables and dangerous deceits."

<sup>1</sup> Page 32.

<sup>2</sup> Page 36.

<sup>3</sup> Session XXI, cap. 1.

*Latin Heads of Religion :*

"Missa, ut consuevit a sacerdotibus dici, non erat a Christo instituta, sed a multis Romanis Pontificibus consarcinata. Nec est sacrificium propitiatorium pro vivis et defunctis."

*Eleven Articles :*

"I do not only acknowledge that private Masses were never used amongst the fathers of the primitive Church, I mean public ministrations and receiving of the sacrament by the priest alone without a just number of communicants, according to Christ's saying, 'Take ye and eat ye,' etc., but also that the doctrine that maintaineth the Mass to be a propitiatory sacrifice for the quick and dead, and a mean to deliver souls out of purgatory, is neither agreeable to Christ's ordinance, nor grounded upon doctrine apostolic, but contrariwise most ungodly and most injurious to the precious redemption of our Saviour Christ, and his only sufficient sacrifice offered once for ever upon the altar of the Cross."

*Latin Articles of 1563 :*

Art. 30. De unica Christi oblatione in cruce perfecta.

"Oblatio Christi semel facta, perfecta est redemptio, propitiatio et satisfactio pro omnibus peccatis totius mundi, tam originalibus quam actualibus. Neque præter illam unicam est ulla alia pro peccatis expiatio. Unde missarum sacrificia, quibus vulgo dicebatur sacerdotem offerre Christum in remissionem peccatorum aut culpæ pro vivis et defunctis, blasphemia figmenta sunt, et perniciosæ imposturæ."

*English Articles of 1571 :*

Art. 31. Of the one oblation of Christ finished upon the Cross.

"The offering of Christ once made is the perfect redemption, propitiation and satisfaction for all the sins of the whole world, both original and actual, and there is none other satisfaction for sin but that alone. Wherefore the sacrifices of Masses, in the which it was commonly said that the priests did offer Christ for the quick and the dead to have remission of pain or guilt, were blasphemous fables and dangerous deceits."

The teaching of this Article is so clear that it would hardly need any commentary, were it not for the fact that so many attempts have been made by High Church Anglicans to elude its obvious meaning.

The Latin text of 1563 is identical with that of the Latin Edwardine Article of 1553, save for the insertion of "blasphemia" before "figmenta." The reason for this insertion is plain. The Council of Trent published its decree and canons on the Sacrifice of the Mass on September 17th, 1562, i.e. a few months before

the Elizabethan revision of the articles was presented to Convocation. Now the fourth Tridentine canon runs :

“Si quis dixerit, blasphemiam irrogari sanctissimo Christi sacrificio in cruce peracto, per Missæ sacrificium, aut illi per hoc derogari, anathema sit.”

Trent says that he who maintains that the Sacrifice of the Mass is blasphemous is to be anathema. The Anglican Article straightway maintains that the Sacrifice of the Mass is blasphemous !

We have already<sup>1</sup> pointed out that there is no ground for the oft repeated statement that the Anglican article condemns, not the Sacrifice of the Mass, but the sacrifices of masses. The phrases were evidently equivalent. Thus, the *Declaration of the Returned Protestants* in 1559 speaks of “the sacrifice of the masses,” the Eleven Articles condemns the sacrifice of the Mass, and the Thirty-nine Articles “the sacrifices of Masses.”

The English version of the Article published in 1571 differs slightly, both from the English version of the Edwardine Article published in 1553, and the English Article as printed in 1563. But the differences are not of much significance. The Edwardine article has “priest” in the singular, “sin” instead of “guilt,” and “forged” instead of “blasphemous.” Also, it speaks of “the offering of Christ made once for ever.” This is likewise the English version of 1563. But the official English of 1571 speaks as above, of “the offering of Christ once made.” There is one other curious difference between the Latin versions on one side, and the English versions on the other. The former condemn the Mass in the present tense : “figmenta sunt” ; the latter in the past tense : “were forged (or blasphemous) fables, etc.” It would hardly be safe to build an argument upon this difference !

One thing, at least, is perfectly clear, and that is, that the Anglican Article condemns, not some strange popular misconception of the nature of the Sacrifice of the Mass, but precisely the Sacrifice of the Mass as officially taught by the Church. For it is absolutely true, according to the teaching of the Council of Trent, that in the Mass the priest offers Christ for the quick and the dead, to have remission of pain or guilt.

It can hardly be maintained that, inasmuch as the Anglican Articles were drawn up for the most part before the corresponding

<sup>1</sup> Vol. I, pp. 549-550.

decrees of Trent, the former cannot be said to contradict the latter. We have in each case indicated the relevant dates. The crucial point to bear in mind is that the Council of Trent, which had begun its sittings in 1545 and issued its first decrees against Protestant doctrine in 1546, came to an end in December, 1563, and all its decrees were solemnly confirmed by the Pope on January 26th, 1564. From that date there could be no possible doubt as to the authenticity of the Council's doctrinal definitions. Conceivably the Anglican reformers might have pleaded before that date that the points at issue had not been solemnly defined. From 1564 that plea could not be made. If the Anglican reformers had, so to speak, sinned through ignorance in their doctrinal formulæ, they had every opportunity of correcting these after 1564. In particular, the great opportunity came in 1571, when the Articles were carefully revised by the Anglican Bishops in Convocation, and once more officially set forth by the Church's Supreme Governor. But, as we have seen, so far from modifying the previous Articles, now in obvious contradiction to the Council's definitions, they were ostentatiously reiterated, and in some instances made even more definite.

It follows from this that, speaking historically, the many attempts which have been made to show that the Anglican Articles do not contradict the Tridentine decrees must be dismissed as dishonest.

It is worth noting that in the Wurttemberg Confession, which the Anglican revisers of 1563 had before them, there is a passage explaining that, while there is no propitiatory sacrifice of Christ's Body and Blood in the Mass, there is in the Eucharist a "sacrifice of praise and thanksgiving."<sup>1</sup> The Anglicans could thus have taken the opportunity also to assert that the Eucharist is a "sacrifice of praise and thanksgiving," but they evidently preferred not to raise this question, and confined themselves to a repudiation of the Catholic doctrine of the propitiatory sacrifice of Christ's Body and Blood. They may have felt that the Anglican Communion service was sufficiently explicit as to the "sacrifice of praise and thanksgiving."

#### G. THE MINISTRY.

##### *Declaration of Returned Protestants in 1559 :*

"It is not lawful for any to take upon him the office of public preaching, or ministering the sacraments in the congregation,

<sup>1</sup> See passage quoted in Vol. I, p. 139. Cf. Tyrrell Green, *op. cit.*, p. 263.



before he be lawfully called and sent to execute the same. And those we ought to judge lawfully called and sent which be chosen and called to this work by men who have public authority given unto them in the congregation to call and send ministers into the Lord's vineyard."

*Latin Heads of Religion :*

"Absque externa et legitima vocatione non licet cuiquam sese ingerere in aliquod ministerium ecclesiasticum vel sæculare."

*Eleven Articles :*

"It is not lawful for any man to take upon himself any office or ministry, either ecclesiastical or secular, but such only as are lawfully thereunto called by their high authorities, according to the ordinances of this realm."

*Latin Articles of 1563 :*

Art. 23. Nemo in Ecclesia ministret nisi vocatus.

"Non licet cuiquam sumere sibi munus publice prædicandi, aut administrandi sacramenta in Ecclesia, nisi prius fuerit ad hæc obeunda legitime vocatus et missus. Atque illos legitime vocatos et missos existimare debemus, qui per homines quibus potestas vocandi ministros atque mittendi in vineam Domini publice concessa est in Ecclesia, cooptati fuerint et asciti in hoc opus."

*English Articles of 1571 :*

Art. 23. Of ministering in the congregation.

"It is not lawful for any man to take upon him the office of public preaching, or ministering the sacraments in the congregation, before he be lawfully called and sent to execute the same. And those we ought to judge lawfully called and sent which be chosen and called to this work by men who have public authority given unto them in the congregation to call and send ministers into the Lord's vineyard."

This Article has parallels in other Protestant Confessions of the time. Its ultimate source is the Augsburg Confession, Part I, Art. 14 :

"Nemo debeat in ecclesia publice docere aut sacramenta administrare nisi rite vocatus."

The *Thirteen Articles* of Henry VIII (1538) added :

"nisi rite vocatus, et quidem ab his penes quos in Ecclesia, juxta verbum Dei et leges ac consuetudines uniuscujusque regionis, jus est vocandi et admittendi."

This became in the official Latin Article of 1553 :

"vocatos et missos existimare debemus, qui per homines quibus potestas vocandi ministros atque mittendi . . . publice concessa est in Ecclesia, cooptati fuerint."

And in the English version of 1553 :

"Those we ought to judge lawfully called and sent which be chosen and called to this work by men who have public authority given unto them in the congregation, to call and send ministers into the Lord's vineyard."

These two versions remain unchanged in the Latin Articles of 1563 and the English Articles of 1571. Light is thrown on their meaning by the Latin *Heads of Religion* and the *Eleven Articles*, which expressly compare ecclesiastical offices with secular, and these documents, again, suggest the declaration by Cranmer in 1540 that the Christian prince has immediately of God the whole cure of all his subjects, as well concerning the administration of God's word for the cure of souls, as concerning the ministration of things political and civil governance, and in both these ministrations has sundry ministers under him.<sup>1</sup>

The Edwardine and Elizabethan Articles, however, deal elsewhere with the civil magistracy, and therefore confine themselves here to the ecclesiastical ministry. This leads us to the question who are those who have "public authority given to them in the congregation to call and send ministers"? The phrase is undoubtedly meant to apply especially to England, though it will also apply to other countries. The formula in the *Thirteen Articles* was expressly intended to be a general one applicable to all countries. To whom does this "public authority" belong in England? Doubtless to the Bishops, in the first and proximate sense. But this leaves open the question whence the Bishops derive their authority, i.e. from the Crown, the people or from God. If the Article does not expressly teach the Royal Supremacy, it is equally true that it does not teach the divine right of bishops. The most that can be said is that it leaves the question open. It is also to be noted that, by not expressly naming bishops as those who possess this public authority, precisely when we should expect the term to be used, the Article almost suggests that the authority may be possessed by others, at least outside England. Thus not only is the Royal Supremacy not excluded, but also the presbyterian form of government is not excluded either, as a possible form of Church polity, and as one which may and does exist in countries other than England. In this connection it must be remembered that the Articles have already denied that Holy Orders is a Sacrament of the Gospel. It is only an

<sup>1</sup> See Vol. I, pp. 286-287.

ecclesiastical rite for admitting ministers of the word and sacraments to the exercise of their office. Such admission will naturally pertain to the chief ecclesiastical authority, whatever this may happen to be.

#### H. THE ORDINAL.

The Edwardine Articles of 1553 contented themselves with the statement that the Book of Ordering Ministers was

“godly, and in no point repugnant to the wholesome doctrine of the Gospel, but agreeable thereunto, furthering and beautifying the same not a little.”

The Elizabethan Article is much more definite. Here is the Latin text of 1563 and the English text of 1571 :

Art. 35. De episcoporum et ministrorum consecratione.

Libellus de Consecratione Archiepiscoporum et episcoporum et de ordinatione presbyterorum et diaconorum editus nuper temporibus Edwardi sexti et auctoritate Parliamenti illis ipsis temporibus confirmatus, omnia ad ejusmodi consecrationem et ordinationem necessaria continet, et nihil habet quod ex se sit aut superstitiosum aut impium. Itaque quicumque juxta ritus illius libri consecrati aut ordinati sunt ab anno secundo prædicti regis Edwardi, usque ad hoci tempus, aut in posterum juxta eosdem ritus consecrabitur aut ordnabuntur, rite ordine atque legitime statuimus esse et forer consecratos et ordinatos.”

Art. 35. Of consecration of bishops and ministers.

“The Book of Consecration of Archbishops and Bishops, and ordering of priests and deacons, lately set forth in the time of Edward the Sixth and confirmed at the same time by authority of Parliament, doth contain all things necessary to such consecration and ordering ; neither hath it anything that of itself is superstitious or ungodly. And therefore, whosoever are consecrated or ordered according to the rites of that book since the second year of the aforesaid King Edward unto this time, or hereafter shall be consecrated or ordered according to the same rites, we decree all such to be rightly, orderly and lawfully consecrated and ordered.”

We note here that the Edwardine Article did not content itself with a justification of the Ordinal against the attacks of Hooper and his Puritan colleagues, but went on to defend it also against the Anglo-Catholic party.<sup>1</sup> Evidently in Elizabeth's reign the attack upon the Ordinal was being conducted with greater vigour from the two sides. The Catholics maintained that it was inadequate, and did not “contain all things necessary to consecration and ordering.” The extreme Puritans, on the

<sup>1</sup> See Vol. I, p. 553.

other hand, thought it still had "superstitious and ungodly elements." The Article gives the direct negative to the Catholic and Puritan contentions, and asserts that all ordained by the ordinal are "rightly, orderly, and lawfully consecrated and ordered."

All this makes it quite clear that the Catholic opinion of the new Ordinal as reintroduced into the Elizabethan Church must have been very plainly and widely expressed.

We note also that this Article does not in any way assert the necessity of episcopal ordination of ministers, but merely claims that those who have been ordained by Bishops according to the Anglican ordinal have been duly ordained.

Article 25 explains that the ministry is "a state of life allowed in the Scriptures," and Article 35 claims that the religious rite devised by the Anglican Church for the admission of persons to this "state of life" is adequate for its purpose.

### *Conclusion.*

Our examination of the *Thirty-nine Articles*, in their historical context, has shown conclusively that this, the official doctrinal formulary of the new Elizabethan Church, was fundamentally and thoroughly Protestant throughout. The Catholic position was once more definitely repudiated, and it is really impossible to maintain, as Bishop Headlam has recently done, that the Articles were intended to be sufficiently comprehensive to apply to the Marian Catholic clergy who had conformed to the new Church.<sup>1</sup> Steps were taken, by means of an Act of Parliament in 1571, to ensure that the Marian clergy who had conformed should subscribe to the Articles, but this was undoubtedly in order to commit them definitely to Protestant heterodoxy. The only point in which the Articles differed from the Edwardine Articles was that these Elizabethan articles were somewhat more favourable to certain Lutheran views than the Edwardine Articles had been. But on the fundamental points of the Real Presence, the Mass and the Priesthood, the Elizabethan Articles were still uncompromisingly Protestant. They committed the Church of England definitely to a denial, not only of Transubstantiation and of the Sacrifice of the Mass, as recently defined at Trent, but also of the Real Objective Presence in any shape or form.<sup>2</sup>

It is significant that, in their negotiations with the Eastern

<sup>1</sup> See p. 651.

<sup>2</sup> See Article 29.

Orthodox Churches, modern High Anglicans have carefully abstained from quoting Article 29 when setting forth the Anglican doctrine on the Real Presence.<sup>1</sup> And it is also significant that the same Anglicans should have given the Eastern Orthodox to understand that the Anglican Church attaches little or no value to the Articles, and regards them as a purely secondary and unimportant document, essentially connected with controversies of the sixteenth century which have long since ceased to have any actuality. This explanation sounds strange when given by clergy who, when installed in their offices, publicly and solemnly declared their assent to these Thirty-nine Articles !

<sup>1</sup> See p. 648.

## CHAPTER IX

### THE HOMILIES AND THE CATECHISM

The essentially Protestant character of the doctrinal basis of the Elizabethan Church will be confirmed by an examination of two other official publications, the *Second Book of Homilies* and the *Catechism* of Dean Nowell.

#### A. THE HOMILIES.

1. A *First Book of Homilies* had already been issued in the reign of Edward VI, and had been officially approved in the Forty-two Articles of 1552. But it was professedly incomplete, and some of the subjects calling for treatment had not yet been dealt with. Accordingly, early in Elizabeth's reign, a Committee of Bishops and others prepared a Second Book consisting of twenty more Homilies. This was passed by Convocation in 1563, and in due course received the assent of the Church's Supreme Governor. The Latin Articles of 1563 declared that the

"Tomus secundus Homiliarum . . . continet piam et salutarem doctrinam, et his temporibus necessariam, non minus quam prior tomus Homiliarum quæ editæ sunt tempore Edwardi sexti. Itaque eas in ecclesiis per ministros diligenter et clare, ut a populo intelligi possint, recitandas esse judicamus."

A list of the Homilies followed. In the English Article of 1571, the same approval was given, but the list comprised an additional Homily, "Against rebellion," written after the Northern Rising of 1569. The Queen's Injunctions of 1559 had ordered that "all parsons, vicars, and curates shall read in their churches every Sunday one of the homilies which are and shall be set forth for the same purpose by the Queen's authority." In view of this official adoption and approval by the Church authorities, the question of the authorship of the Homilies is of less importance, but Bishop Jewel of Salisbury is thought to have been in the main responsible for those in the Second Book, with which we are here concerned.

2. The Homily on Common Prayer and Sacraments has the following statement on the number of the sacraments :

“ As for the number of them, if they should be considered according to the exact signification of a sacrament—namely, for the visible signs expressly commanded in the New Testament, whereunto is annexed the promise of free forgiveness of our sins, and of our holiness and joining in Christ—there be but two ; namely, Baptism and the Supper of the Lord. For although Absolution hath the promise of forgiveness of sins, yet by the express word of the New Testament it hath not this promise annexed and tied to the visible sign, which is imposition of hands. For this visible sign—I mean laying on of hands—is not expressly commanded in the New Testament to be used in Absolution, as the visible signs in Baptism and the Lord’s Supper are : and therefore Absolution is no such sacrament as Baptism and the Communion are. And though the Ordering of Ministers hath this visible sign and promise, yet it lacks the promise of remission of sin, as all other sacraments besides the two above named do. Therefore neither it, nor any other sacrament else, be such sacraments as Baptism and the Communion are. But in a general acception, the name of a sacrament may be attributed to anything whereby an holy thing is signified. In which understanding of the word, the ancient writers have given this name, not only to the other five, commonly of late years taken and used for supplying the number of the seven Sacraments, but also to divers and sundry other ceremonies, as to oil, washing of feet, and such like. . . . Although there are retained by the order of the Church of England, besides (Baptism and the Supper) certain other rites and ceremonies about the Institution of Ministers, Matrimony, Confirmation of children by examining them of their knowledge in the articles of the faith and joining thereto the prayers of the Church for them, and likewise for the visitation of the sick ; yet no man ought to take these for sacraments in such signification and meaning as the sacraments of Baptism and the Lord’s Supper are, but either for godly states of life, necessary in Christ’s Church, and therefore worthy to be set forth by public action and solemnity by the ministry of the Church, or else judged to be such ordinances as may make for the instruction, comfort and edification of Christ’s Church.”<sup>1</sup>

We take this to mean that ordination, for instance, is not properly a sacrament, inasmuch as though there is a visible sign accompanied by a promise, recorded in the New Testament—the reference is presumably to I Tim., iv. 14 and II Tim., i. 6, which imply that grace is given by the imposition of hands—the grace in question is not the forgiveness of sins. The New Testament authorises the custom of laying hands on candidates for the ministry, and gives us to understand that the grace necessary for the due fulfilling of the duties of the office will be

<sup>1</sup> Pp. 328-9 in 1817 edn.

given on this occasion. But ordination is not a sacrament, because it does not forgive sins. All this, of course, involves a wrong definition of a sacrament, expressly condemned at Trent, and also contradicts the same Council's declaration that Order is *truly and properly* a Sacrament.

3. The Homily "Of the Worthy Receiving and Reverent Esteeming of the Sacrament of the Body and Blood of Christ" sets forth quite clearly the general Protestant position on the Eucharist. Almost at the commencement, it says :

"We must take heed, *lest of the memory it be made a sacrifice ; lest of a communion it be made a private eating ; lest of two parts we have but one ; lest, applying it for the dead, we lose the fruit that be alive.*"<sup>1</sup>

And a little further on :

"St. Paul, blaming the Corinthians for the profaning of the Lord's Supper, concludeth that ignorance both of the thing itself, and the signification thereof, was the cause of their abuse. . . . What hath been the cause of the ruin of God's religion, but the ignorance hereof? What hath been the cause of this *gross idolatry*, but the ignorance hereof? What hath been the cause of this mummish massing, but the ignorance hereof? . . . Let us therefore, so travail to understand the Lord's Supper that we be no cause of the decay of God's worship, of *no idolatry, of no dumb massing.* . . ."<sup>2</sup>

Then it proceeds to give an instruction as to the nature of the sacrament. It is "no vain ceremony, no bare sign, no untrue figure of a thing absent," but "the Communion of the Body and Blood of the Lord, in a marvellous incorporation." But, of course, "the terrene and earthly creatures remain."<sup>3</sup>

Together with the knowledge of what the sacrament is, we must have "a sure and constant faith, not only that the death of Christ is available for the redemption of all the world, for the remission of sins, and reconciliation with God the Father, but also that He hath made upon his cross a full and sufficient sacrifice for thee, a perfect cleansing of thy sins. . . . For this is to stick fast to Christ's promise made in his institution ; to make Christ thine own, and to apply his merits unto thyself. Herein thou needest no other man's help, *no other sacrifice or oblation, no sacrificing priest, no mass, no means established by man's invention.*"<sup>4</sup>

Faith teaches us that "the meat we seek for in this supper

<sup>1</sup> *Op. cit.*, pp. 415-6. Italics ours throughout these citations.

<sup>2</sup> *Ibid.*, p. 417.

<sup>3</sup> *Ibid.*, p. 418.

<sup>4</sup> *Ibid.*, p. 418.



is spiritual food . . . an invisible meat and not bodily, a ghostly substance, and not carnal." Hence, "*the unbelievers and faithless cannot feed upon that precious Body.*"<sup>1</sup> Accordingly we must endeavour to "receive not only the outward sacrament, but the spiritual thing also, not the figure but the truth, not the shadow only but the body, not to death but to life."<sup>2</sup>

All this makes it sufficiently clear that, whatever presence there may be in the Eucharistic rite, the bread and wine remain unchanged. The believer receives not only the "figure" but the "truth." *The unbeliever receives only the elements of bread and wine, and does not receive the Body of Christ.* The Sacrifice on the Cross was all-sufficient, and we must beware of making the Eucharist a "sacrifice" instead of only a "memory." We need "no other sacrifice or oblation, no sacrificing priest, no Mass." The rejection of the Catholic priesthood and of the Sacrifice of the Mass could hardly be more explicit. And it is to be noted that this doctrine is set forth, not only in the Articles which had to be subscribed by all the clergy, but also in the Homilies ordered to be read by them in all the churches.

#### B. THE CATECHISM.

1. A like doctrine is to be found in the Elizabethan *Catechism* written by Nowell, Dean of St. Paul's.<sup>3</sup> At the Convocation of 1563, it was resolved that "there should be authorised one perfect Catechism for the bringing up of the youth in godliness, in the schools of the whole realm; which book is well nigh finished by the industry of the Dean of St. Paul's." Also, "the said Catechism, being once approved by the learned in the Convocation House, may be authorised to be taught also by the Universities, and to the youth wheresoever they be taught their grammar in any private men's houses."<sup>4</sup> The Catechism was in due course approved by the Lower House of Convocation and apparently, after revision, by the Bishops of the Upper House. Next it was sent to Cecil, doubtless for submission to the Supreme Governor. It was returned to the author "with certain notes of some learned man upon it." The suggested modifications were duly made, and the Catechism was eventually published in its Latin form in 1570. It was dedicated to the Archbishops and Bishops of England, and had the *Imprimatur* of the two

<sup>1</sup> *Op. cit.*, p. 419.

<sup>2</sup> *Ibid.*, p. 420.

<sup>3</sup> Nowell "borrows appreciably" from the Catechisms of Poynt and Calvin. See Brightman, *English Rite*, p. cxcvii.

<sup>4</sup> Strype, *Ann.*, 1562, I, i, 473.

Archbishops. An English translation was made from the second Latin edition, in the same year, 1570.

2. The "Visible Church" is here defined as "a certain multitude of men which, in what place soever they be, do profess the doctrine of Christ, pure and sincere . . . and which do truly call upon God the Father in the name of Christ and, moreover, do use his mysteries, commonly called sacraments, with the same pureness and simplicity (as touching their substance) which the apostles of Christ used and have put in writing." These are "the chief and the necessary marks of the Visible Church, such as without the which it cannot be indeed, nor rightly be called, the Church of Christ."<sup>1</sup> Since the Reformers taught that the Church of Rome had erred in the faith, and had also corrupted the sacraments, it follows that they could not and did not regard the Catholic and Roman Church as forming a part of the "Visible Church of Christ."

3. A sacrament is defined in the Catechism as "an outward testifying of God's good-will and bountifulness towards us, through Christ, by a visible sign representing an invisible and spiritual grace, by which the promises of God touching forgiveness of sins and eternal salvation given through Christ are, as it were, sealed, and the truth of them is more certainly confirmed in our hearts."<sup>2</sup>

To the question "How many sacraments hath God ordained in his church?" the answer is categorically given: "Two."<sup>3</sup> There is no mention of the "other five, commonly called sacraments," except for a reference to "an ancient custom whereby children were taken to the bishop" to give an account of their religion and faith, "and such children as the bishop judged to have sufficiently profited in the understanding of religion, he allowed and, laying his hands upon them and blessing them, let them depart. This allowance and blessing of the bishop our men do call Confirmation." "Instead of this most profitable and ancient confirmation" Papists had "conveyed a device of their own . . . adjoining other ceremonies unknown unto the Holy Scripture and the primitive church. This invention of theirs they would needs have to be a sacrament, and accounted it in manner equal in dignity with baptism."<sup>4</sup>

<sup>1</sup> Parker Society edn., pp. 174-5.

<sup>2</sup> *Ibid.*, p. 207.

<sup>3</sup> *Op. cit.*, p. 205.

<sup>4</sup> *Ibid.*, p. 211.

#### 4. The use of "the Lord's Supper" is

"to celebrate and retain continually a thankful remembrance of the Lord's death . . . and as in Baptism we were once born again, so with the Lord's Supper we be always fed and sustained to spiritual and everlasting life."<sup>1</sup>

"All ought alike to receive both parts of the Sacrament. . . . For sith the Lord hath expressly so commanded, it were a most high offence in any part to abridge his commandment."<sup>2</sup>

As to the effects,

"Sith Christ is the truth itself, it is no doubt but that the thing which He testifieth in words and representeth in signs, He performeth also in deed . . . and that He as surely maketh them that believe in Him partakers of his Body and Blood, as they surely know that they have received the bread and wine with their mouth and stomach."<sup>3</sup>

The Master then asks :

"Sith we be in the earth, and Christ's body in heaven, how can that be that thou sayest?"

To which the pupil replies :

"We must lift our souls and hearts from earth, and raise them up by faith to heaven, where Christ is."<sup>4</sup>

This doctrine of the Real Absence is confirmed later :

"Dost thou . . . imagine the bread and wine to be changed into the substance of the flesh and blood of Christ?"

"There is no need to invent any such change. . . . [In baptism] there is no such change made in the water. . . . In both the sacraments the substances of the outward things are not changed, but . . . when we rightly receive the Lord's Supper . . . we are continually fed and sustained to eternal life."<sup>5</sup>

As to the Sacrifice of the Mass, the Master remarks :

"Of this that thou hast said of the Lord's Supper, meseems I may gather that the same was not ordained to this end, that Christ's body should be offered in sacrifice to God the Father for sins."

The pupil replies :

"It is not so offered. For He, when He did institute his Supper, commanded us to eat his body, not to offer it. As for the prerogative of offering for sins, it pertaineth to Christ alone . . . which also when He died upon the Cross, once made that only and everlasting sacrifice for our salvation, and fully performed the same for ever. For us there is nothing left to do, but to take the use and benefit of that eternal sacrifice bequeathed to us by the Lord Himself, which we chiefly do in the Lord's Supper."<sup>6</sup>

Thus the Supper sends us to the Cross. "For by bread and

<sup>1</sup> *Op. cit.*, p. 212.

<sup>2</sup> *Ibid.*, p. 213.

<sup>3</sup> *Ibid.*, p. 212.

<sup>4</sup> *Ibid.*, p. 214.

<sup>5</sup> *Ibid.*, p. 213.

<sup>6</sup> *Ibid.*, p. 215.

wine, the signs, is assured unto us that as the body of Christ was once offered a sacrifice for us to reconcile us to favour with God, and his blood once shed . . . so now also in his holy supper, both are given to the faithful. . . .” And to the question : “Are then only the faithful fed with Christ’s body and blood ?” The answer is given : “They only.”<sup>1</sup>

Lastly, to say that “the body and blood of Christ are included in the bread and cup, or that the bread and wine are changed into the substance of his body and blood . . . were to bring in doubt the truth of Christ’s body, to do dishonour to Christ himself, and to fill them with abhorring that receive the sacrament.”<sup>2</sup>

5. As to the ministry, the Master asks :

“To whom the ministration of the sacraments properly belongeth ?”

To this the pupil replies :

“Sith the duties and offices of feeding the Lord’s flock with God’s word and the ministering of sacraments are most nearly joined together, there is no doubt that the ministration thereof properly belongeth to them to whom the office of public teaching is committed.”<sup>3</sup>

Thus the ministry of the church is a pastoral ministry, but definitely not a sacrificing priesthood.

6. This Catechism, it is to be noted, was to be used in all educational establishments, and its popularity is witnessed by the number of editions it went through. Also, there were many injunctions issued, “that no Catechisms were allowed to be used by clergymen and schoolmasters except one or other of Nowell’s.”<sup>4</sup>

Two successive abridgements of this Catechism were subsequently published by the author himself. It is also of interest to note that, when the Puritans complained in 1604 that the Catechism attached to the service of Confirmation in the Elizabethan Prayer Book was too brief—it had no section on the sacraments—and that by Nowell was too long, it was decided to supplement the former by a few questions and answers on the sacraments, and for this purpose one or other of Nowell’s Catechisms was utilised by Overall.<sup>5</sup> With two slight emendations, this amplified Prayer Book Catechism of 1604 was approved by Parliament and Convocation in 1662.

<sup>1</sup> *Op. cit.*, pp. 215-6.

<sup>2</sup> *Ibid.*, p. 216.

<sup>3</sup> *Ibid.*, p. 217.

<sup>4</sup> Cardwell, *Synodalia*, I, 128 ; Grindal’s *Remains*, F.S., pp. 142, 152.

<sup>5</sup> Cf. Brightman, *English Rite*, p. clxxx.

7. It would seem evident from this that, inasmuch as the treatment of the sacraments in the present Anglican Catechism, which is identical with that of 1662, is an abridgement of that of Nowell, this latter may fairly be utilised for its interpretation, except where obvious modifications have been made. Also, the Catechism must be interpreted in accordance with the other formularies of the Church, and in particular with the *Thirty-nine Articles*.

Thus, the present Catechism, in reply to the question "How many Sacraments hath Christ ordained in his Church?" gives the answer: "Two only, as generally necessary to salvation." This is certainly, *pro tanto*, a modification of Nowell's definite statement that there are only two sacraments. But even so, it must presumably be interpreted in accordance with Article 25, which, while allowing that there are other rites "commonly called sacraments," insists that these are not "Sacraments of the Gospel," and that they "have not any visible sign or ceremony ordained of God."

The "Sacrament of the Lord's Supper" was, according to the present Catechism, "ordained for the continual remembrance of the sacrifice of the death of Christ, and of the benefits which we receive thereby." The "outward part or sign" is "bread and wine, which the Lord hath commanded to be received." The "inward part or thing signified" is "the Body and Blood of Christ, which are verily and indeed taken and received by the faithful in the Lord's Supper." Curiously enough, this does not say that the Body of Christ is *given* in the Supper, as Article 28 does. In any case, the "verily and indeed" is to be understood in the light of "only after an heavenly and spiritual manner . . . by faith."<sup>1</sup> Also, the statement that it is the *faithful* who thus receive the Body and Blood, reminds us that, as Article 29 says, the wicked do not receive more than bread and wine.

Thus, the official teaching of the Anglican Church has remained consistently the same throughout. There is a spiritual Presence in the rite, but not in the bread and wine; reception is by faith only; the unworthy receive only bread and wine; these elements remain unchanged in their natures; and the Communion service is not a true sacrifice but a remembrance of a sacrifice.

<sup>1</sup> Article 28.

## CHAPTER X

### THE DOCTRINE OF THE ELIZABETHAN DIVINES ON THE EUCHARIST

The Protestant character of the official teaching of the Anglican Church, which is clearly seen in its liturgy and doctrinal formularies, appears also in the writings of Elizabethan bishops and divines. In a previous chapter, we have explained the doctrinal position of Grindal, successively Bishop of London (1559), Archbishop of York (1570) and of Canterbury (1575)<sup>1</sup>; Cox, Bishop of Ely<sup>2</sup>; Pilkington, Bishop of Durham<sup>3</sup>; Parker, Archbishop of Canterbury<sup>4</sup>; Dr. May, Archbishop-elect of York<sup>5</sup>; Sandys, successively Bishop of Worcester (1559), London (1570) and Archbishop of York (1576)<sup>6</sup>; and Dr. Whitehead.<sup>7</sup> We have also discussed the higher teaching of Bishops Cheyney and Guest, and have shown how this was criticised by other Anglicans, and disowned in the official formulary, the *Thirty-nine Articles*.<sup>8</sup>

Definite Protestant teaching will likewise be found in the writings of other divines of this period, and in this chapter we will discuss some of the best-known authors.

1. THOMAS BECON had been one of the six Preachers of Canterbury Cathedral in the reign of Edward VI. He was deprived under Queen Mary, but was reinstated by Elizabeth, and became Rector of Buckland, Vicar of Christ Church, Newgate Street, London, and Rector of St. Dionis Backchurch. A complete edition of his works, revised by himself, was published in 1560-4. Dr. Darwell Stone says that Becon "supplies a representative of the most extreme type of the English Reformers," and remarks on "the violence of his language, and its frequently unseemly and sometimes indecent character." He says that "his repudiation of the sacrifice of the Mass included a rejection of any 'proper' or 'propitiatory' or 'satisfactory' or 'expiatory'

<sup>1</sup> See p. 179.

<sup>2</sup> See p. 181.

<sup>3</sup> See p. 180.

<sup>4</sup> See p. 180.

<sup>5</sup> See p. 181.

<sup>6</sup> See p. 180.

<sup>7</sup> See p. 183.

<sup>8</sup> See pp. 285-91.

sacrifice in the Eucharist," and that "as to the Eucharistic presence, he appears to have wavered between Virtualism, such as that held by Cranmer, and the Zwinglian opinion that the sacrament is merely symbolical of Christ."<sup>1</sup> That this verdict is justified will be seen from the following extracts, which we take from Becon's later works :

"If the death of Christ be of full force, and sufficiently perfect yea, and to the uttermost able to take away the sins of the whole world (as it is indeed), what need we the Missal sacrifice lately brought in by the devil and antichrist? . . . Forasmuch as the celebration of the Lord's Supper is a certain representative image of the Passion of Christ, which is the alone true sacrifice, therefore the holy fathers many times call the Lord's Supper a sacrifice. Now, if the Lord's Supper be not properly a sacrifice, but only a memorial of the true sacrifice, which is the passion and death of Christ, how can the massing priests brag that their Mass (in the which many things are done contrary to the institution of Christ) is a propitiatory, satisfactory, and expiatory sacrifice for the sins of the quick and of the dead? . . . The Lord's Supper, although an holy institution or ordinance of Christ, is not a sacrifice to put away sin, but a memorial of that one and alone true sacrifice which Christ Himself offered on the Cross. . . ."

"The doctrine of Transubstantiation . . . is a papistical, wicked and devilish error. . . . As the doctrine of Transubstantiation is vain and false . . . so likewise the doctrine of Christ's corporal presence in the Sacrament is most vain, false, and erroneous. . . . Christ's Body, taken up into heaven, neither is, neither can be, both in heaven and in earth at once. . . . As touching his bodily presence, Christ is in heaven, yea, in heaven only."<sup>2</sup>

"Christ calleth the bread his Body, not that it is his natural Body indeed, but because it representeth, signifieth, declareth, preacheth and setteth forth his Body unto us. . . . The Sacrament of Christ's Body and Blood is called the Body and Blood of Christ, not that they be the things themselves, but they be so called because they be the figures, sacraments, and representations of the things which they signify, and whereof they bear the names."<sup>3</sup>

"Christ did distribute and give true and perfect bread made of wheat, and very wine, the true fruit of the vine, unto his disciples, at that mystical supper, yea, and that after the words of consecration (as the papists speak), no mutation, change, or alteration of the bread and wine being made, but only sacramental, the very substances of the bread and wine remaining still in their proper nature and kind. The Massmonger utterly denieth that there remaineth any substance of bread and wine . . . but the accidents thereof only."<sup>4</sup>

<sup>1</sup> *History of the Doctrine of the Eucharist*, II, p. 235.

<sup>2</sup> *New Catechism*, in *Works*, P.S., II, 246-251.

<sup>3</sup> *New Catechism*, *ibid.*, pp. 270-272.

<sup>4</sup> *Ibid.*, pp. 282-3.

<sup>5</sup> *Comparison between the Lord's Supper and the Pope's Mass*, in *Works*, III, p. 369.

"After ye have once spoken these five words, 'Hoc est enim corpus meum,' over the bread, and have blasted, breathed, and blowed upon it, ye kneel down to it, and worship it, like abominable idolators, and afterwards ye hold it above your pestilent, pilled, shaven, shameless heads, that the people by looking upon it and worshipping it may be partakers also of your abominable idolatry, not being contented with your own damnable estate, except ye bring other also into the same degree."<sup>1</sup>

"A stinking sodomite, or a wicked whoremonger, being dressed in his fool's coat, and standing at an altar with a little thin round cake in his hand, shall with these five words, 'Hoc est enim corpus meum,' and with blowing and breathing upon the bread, make Christ, the King of glory, to come from the right hand of his Father. . . ."<sup>2</sup>

"If He be only in heaven as concerning his corporal presence . . . how then is He either in your round cake at Mass, or else hanging up in your popish pix over the altar with an halter. . . . Ye will object . . . the omnipotency or almighty power of God. . . . I answer . . . there are certain things which God cannot do. . . . Whatsoever is contrary to his word, that cannot God do, but it is contrary to the word of God for Christ's Body to be in more places at once than in one. . . . The sacramental bread is not the natural Body of Christ, God and man, but a figure, sacrament, and holy sign of his Body."<sup>3</sup>

"Thy Son at his supper willed the sacramental bread and wine to be eaten and drunken for a remembrance of that one and only sacrifice which He offered on the altar of the Cross for the sins of the people. The papists, in their idolatrous and abominable Masses make of the Sacrament a propitiatory, expiatory and satisfactory sacrifice for the sins of the people . . . affirming that their act in the Mass is of equal price, dignity, virtue, might, efficacy, and power before the eyes of thy Divine Majesty with the most healthful and sweet-smelling sacrifice that thy Son offered on the altar of the Cross. . . ."<sup>4</sup>

"What then remaineth, but that that popish Mass be out of hand in all places utterly overthrown, forsaken, and put to flight, with all her game-player's garments and gestures, with her feigned propitiatory sacrifice, with her transubstantiation, circumgestion, adoration, ostentation, impanation, inclusion, reservation, and such other monstrous monsters of the most monstrous whore of Babylon, that 'great bawd' and 'mother of all the whoredoms and abominations of the earth,' that 'inhabitation of devils, that hold of all foul spirits, and cage of all unclean and hateful birds' . . . that we, godly and devoutly using the holy mysteries of the Lord's supper, being the true figures and signs of the most true Body and Blood . . ."<sup>5</sup>

Observe the clear distinction between the Popish Mass and the Anglican Communion service !

<sup>1</sup> *Op. cit.*, p. 270.

<sup>2</sup> *Ibid.*, p. 232.

<sup>3</sup> *Ibid.*, p. 272.

<sup>4</sup> *Ibid.*, pp. 273-4.

<sup>5</sup> *Ibid.*, p. 395.



It is important to note that in spite of his intense Protestantism, Becon finds himself quite at home in the "realistic" language of the Book of Common Prayer, to which High Anglicans sometimes appeal. Thus, he allows that "the faithful Christians, besides the corporal eating of the bread and the outward drinking of the wine, do spiritually through faith both eat the body of Christ and drink his blood, unto the confirmation of their faith."<sup>1</sup> Elsewhere he explains that "the true eating of the body of Christ, and the drinking of his blood in the sacrament, is not corporal but spiritual, not done with the mouth of the body, but with the faith of the soul."<sup>2</sup> Becon's interpretation surely gives us the real meaning of the Anglican formularies.

2. It might, however, be urged that Becon was, after all, only an individual clergyman, and that his views were not necessarily those of the Anglican Church. Accordingly, we pass on now to a much more important and prominent personage, JOHN JEWEL, Bishop of Salisbury, whose famous *Apology of the Church of England* was described by Bishop Creighton as "the first methodical statement of the position of the Church of England against the Church of Rome, and . . . the groundwork of all subsequent controversy." The *Apology* was published first in Latin in 1562, and translated into English two years later under the direction and supervision of Dr. Matthew Parker, Archbishop of Canterbury, who wrote a Preface to the work, and apparently also added an Appendix.<sup>3</sup> The character of Jewel's work is shown by the fact that, in Bishop Creighton's words, it was "immediately adopted on all sides as the literary exposition of England's ecclesiastical position,"<sup>4</sup> and also by the fact that a proposal was made or endorsed by Parker in the Convocation of 1562 that the *Apology* should be bound together with the Catechism and Articles of the Church of England, and be officially authorised as "containing true doctrine."<sup>5</sup>

Archbishop Bancroft arranged in 1609 for the publication of a collected edition of Jewel's works, and also ordered the *Apology* to be placed in all the Churches. It is worthy of note that the dedication for this collected edition was written by Overall, the compiler of the Anglican catechism still in use.<sup>6</sup> It is also in-

<sup>1</sup> *Works*, II, p. 228.

<sup>2</sup> *Works*, III, p. 430.

<sup>3</sup> See Bishop Creighton's article on Jewel in *Dictionary of National Biography*.

<sup>4</sup> Creighton, *loc. cit.*

<sup>5</sup> Strype, *Annals*, I, i, 474. Cf. Dixon, *op. cit.* V, p. 397.

<sup>6</sup> See previous chapter.

teresting that Jewel had for a pupil Richard Hooker, who declared that his master was "the worthiest divine that Christendom hath bred for some hundreds of years."<sup>1</sup>

Bishop Jewel thus occupies a very privileged position as an exponent of Anglican doctrine. It will be useful, therefore, to study his teaching. But first we will quote Dr. Darwell Stone's opinion. He says that Jewel's works are "marked by unseemly language, and a controversial spirit. . . . His teaching concerning the Eucharist closely resembles that of Bucer ; and while denying that the consecrated sacrament is the body of Christ, he expresses belief in a specific participation of the Body of Christ in heaven by faith through the reception of the sacrament."<sup>2</sup> Jewel's teaching will be seen in the following quotations from his writings :

"We say not, either that the substance of the bread or wine is done away, nor that Christ's Body is let down from heaven, or made really or fleshly present in the Sacrament. We are taught . . . to lift up our hearts to heaven, and there to feed upon the Lamb of God. . . . The bread that we receive with our bodily mouths is an earthly thing, and therefore a figure, as the water in baptism is likewise also a figure, but the Body of Christ that thereby is represented, and there is offered unto our faith, is the thing itself, and no figure. . . . We seek Christ above in heaven, and imagine not Him to be present bodily upon the earth."<sup>3</sup>

"A sacrament is a figure or token : the Body of Christ is figured or tokened. The sacrament-bread is bread, it is not the Body of Christ ; the Body of Christ is flesh, it is no bread. The bread is beneath : the Body is above. The bread is on the table, the Body is in heaven. The bread is in the mouth : the Body is in the heart. . . . The Sacrament is eaten as well of the wicked as of the faithful : the Body is only eaten of the faithful."<sup>4</sup>

As to adoration, Dr. Darwell Stone says that "consistently with his opinion that the consecrated sacrament is not the body of Christ, Jewel repudiates adoration of the sacrament, or of the body of Christ there present, and limits the adoration of Christ to the adoration of him in heaven."<sup>5</sup>

Here is a typical statement by Jewel :

"The eating thereof and the worshipping must join together. But where we eat it, there must we worship it ; therefore must we worship it sitting in heaven. Christ's Body is in heaven . . . there must we worship it."

<sup>1</sup> Creighton, *loc. cit.*

<sup>2</sup> *History of the Doctrine of the Eucharist*, II, p. 225.

<sup>3</sup> *Works*, P.S., Vol. I, pp. 448, 449.

<sup>4</sup> *Works*, Vol. II, pp. 1119-21.

<sup>5</sup> *Op. cit.*, p. 228.

"We worship and reverence the Sacrament and holy mystery of Christ's Body . . . but we adore them not with godly honour as Christ Himself."<sup>1</sup>

Lastly, Jewel's doctrine of the Eucharistic sacrifice is, as Dr. Darwell Stone remarks, "harmonious with his doctrine of the Presence. He denies that there is on the altar a sacrifice of the body and blood of Christ. He affirms a remembrance of Christ's death made to Christians in the Eucharist, and a sacrifice of praise and thanksgiving."<sup>2</sup> Here are some extracts from Jewel himself :

"The priest in the canon . . . saith that he offereth and presenteth up Christ unto his Father, which is an open blasphemy."<sup>3</sup>

"We offer up Christ, that is to say, an example, a commemoration, a remembrance of the death of Christ."

"The ministration of the Holy Communion is sometimes of the ancient fathers called an 'unbloody sacrifice,' not in respect of any corporal or fleshly presence that is imagined to be there without bloodshedding, but for that it representeth and reporteth unto our minds that one and everlasting sacrifice that Christ made in his Body upon the Cross. . . . This remembrance and oblation of praises and rendering of thanks . . . is called of the old fathers 'an unbloody sacrifice.'"<sup>4</sup>

Here is another very significant passage, cited by Dr. Pusey in his Tract 81, but not quoted by Dr. Darwell Stone :

"'But you Protestants' (ye say) 'have no external sacrifice, and therefore ye have no Church at all.' It pitieth me, Mr. Harding, to see the vanity of your dealing. Have we no external sacrifice, say you? I beseech you, what sacrifice did Christ or his Apostles ever command, that we have refused? Leave your misty clouds, and generalities of words, and speak it plainly, that ye may seem to say some truth.

"We have the sacrifice of Prayer, the sacrifice of Alms-Deeds, the sacrifice of Praise, the sacrifice of Thanksgiving, and the sacrifice of the Death of Christ. We are taught to present our own bodies . . . and to offer up unto Him the burning oblation of our lips. These (saith St. Paul) are the sacrifices wherewith God is pleased. These be the sacrifices of the Church of God. Whosoever hath these, we cannot say he is void of sacrifice. Howbeit, if we speak of a sacrifice propitiatory for the satisfaction of sins, we have none other but only Christ Jesus, the Son of God upon his Cross. 'He is that sacrificed Lamb of God, that hath taken away the sins of the world.' You will say, 'ye offer not up Christ really unto God his Father.' No, Mr. Harding, neither we nor you can so offer Him; nor did Christ ever give you commission to make such sacrifice. And this is it, wherewith you so foully

<sup>1</sup> *Works*, P.S., Vol. I, pp. 12, 514.

<sup>2</sup> *Works*, Vol. I, p. 9.

<sup>3</sup> *Op. cit.*, p. 230.

<sup>4</sup> *Works*, Vol. I, pp. 729, 734, 735.

beguile the simple. Christ offereth and presenteth us unto his Father. . . . But no creature is able to offer Him."<sup>1</sup>

Here we have a clear repudiation of the Catholic doctrine of the Sacrifice of the Mass, and an equally clear statement of the Protestant view. In the next chapter we will deal with an attempt to excuse Jewel, on the ground that his object really was to protest against a doctrine which he attributes to Catharinus, a contemporary Catholic writer. In the meantime, it is interesting to note Canon Wilfred Knox's account of Jewel. He finds his teaching "a trifle difficult to follow," but doubts whether Jewel "realised how slight was the difference between his view and the official Roman view as stated, e.g. by Bellarmine." He adds that "the important point is that Jewel was perfectly prepared to admit the Sacrifice of the Mass in the sense in which it was believed by St. Augustine and Eusebius."<sup>2</sup> We abstain from comment.

3. The Protestant views as enunciated by Jewel were held by practically all Anglicans in the reign of Elizabeth. Somewhat higher views on the Presence might be held by people like Bishop Guest or Bishop Cheyney, but it was made quite clear that these were not encouraged by the ecclesiastical authorities, and, in any case, even Guest and Cheyney denied Transubstantiation and the Catholic doctrine of the Sacrifice of the Mass.

A similar denial of Catholic doctrine was bound up with assertions of some kind of "spiritual" presence, associated with the bread and wine, by certain Anglican writers of the end of Elizabeth's reign, and in the reign of James I. All these say with one voice that the substance and nature of the bread and wine remain unchanged, and that there is no propitiatory sacrifice in the Mass.

One Anglican writer appealed to is SARAVIA, mentioned by Dr. Darwell Stone.<sup>3</sup> But Saravia is far removed from the doctrine of the Real Objective Presence under the forms of bread and wine. He explains that

"the conjunction of the parts of the Sacrament is one of relation, not of substance, as is the condition of a sign in regard to the thing signified. . . . For the bread which is made the Sacrament of the Body of Christ has a relation to his Body, and the wine to his Blood. . . . Not indeed that these are present absolutely and simply, as they are now locally and circumscribed in Heaven,

<sup>1</sup> *Defence of the Apology*, in *Works*, P.S., Vol. III, p. 336.

<sup>2</sup> *Friend*, I do thee no wrong, pp. 34, 35.

<sup>3</sup> *Op. cit.*, II, pp. 221 et seq.

but in a certain figure, by a necessary relation to the Body and Blood, and by sacramental union therewith."<sup>1</sup>

Similarly, it is to be noted that, as Dr. Darwell Stone says, "some passages show a tendency to restrict the sacramental presence within the limits of the Eucharistic service." So that, when analysed, this "spiritual presence" of Saravia is not much more than the "spiritual presence" in the rite allowed by other Protestants.

Another Elizabethan writer appealed to is BISHOP BILSON. But Dr. Firminger, for instance, allows that "Bilson, perhaps, cannot be cited as one who maintained the doctrine of the Real Objective Presence."<sup>2</sup> On the other hand, Symonds maintains that Bilson "admits the rightfulness of the use of the word 'sacrifice' as applied to the Eucharist."<sup>3</sup> It must be obvious that a sacrifice without the Real Objective Presence is not the Sacrifice as Catholics understand it. But Bilson's mind will be evident from the following extract :

"The Fathers with one consent call not your private Mass, that they never knew, but the Lord's Supper a Sacrifice, which we both willingly grant and openly teach. So their text, not your gloze may prevail. For there, besides the sacrifice of prayer and thanksgiving which we must then offer to God for our redemption, and other his graces bestowed on us by Christ his Son; besides the dedication of our souls and bodies to be a reasonable, quick and holy sacrifice to serve and please Him; besides the contributions and alms then given in the Primitive Church for the relief of the poor and other good uses, a sacrifice no doubt very acceptable to God; I say besides these sundry sorts of offerings incident to the Lord's table, the very Supper itself is a public memorial of that great and dreadful sacrifice: I mean of the death and blood-shedding of Our Saviour, and a most assured application of the merits of his Passion by the remission of our sins, not to the gazers on or standers by, but to those that with faith and repentance come to the due receiving of these mysteries. The visible sacrifice of bread and wine representeth the Lord's death. This oblation of bread and wine for a thanksgiving to God and a memorial of his Son's death, was so confessed and undoubted a truth in the Church of God, till all your schoolmen began to wrest both Scriptures and Fathers to serve their quiddities."<sup>4</sup>

In other words, the Eucharist is (1) a sacrifice of praise and thanksgiving; (2) an offering of ourselves; (3) an occasion for

<sup>1</sup> *Treatise on the Holy Eucharist*, pp. 26-32.

<sup>2</sup> *Doctrine of the Real Presence in Anglo-Catholic Divines*, p. 9.

<sup>3</sup> *Council of Trent and Anglican Formularies*, p. 116, cf. also p. 113.

<sup>4</sup> *Difference between Christian Subjection and Unchristian Rebellion*, Oxford, 1585, p. 668.

offering alms ; and (4) an offering of bread and wine as a memorial of Christ's Passion. But it is *not* an offering of Christ's Body and Blood. Elsewhere Bilson writes :

"Christ is offered daily, but mystically, not covered with qualities and quantities of bread and wine, for those be neither mysteries nor resemblances to the death of Christ, but by the bread which is broken, by the wine which is drunk, in substance creatures, in signification sacraments, the Lord's death is figured and proposed to the communicants, and they, for their parts, no less people than priests, do present Christ hanging on the cross to God the Father, with a lively faith, inward devotion, and humble prayers, as a most sufficient and everlasting Sacrifice for the full remission of their sins."<sup>1</sup>

The above might have been written by Cranmer, or by Jewel.

4. A very fair exposition of Anglican Eucharistic teaching towards the end of the reign of Elizabeth is to be found in the *Laus of Ecclesiastical Polity* of RICHARD HOOKER, the famous pupil of Bishop Jewel who became Master of the Temple, and is known to fame as the "Judicious Hooker." In his great work we have a well-balanced attempt to justify the general policy and position of the post-Reformation Church of England. Hooker's setting forth of Eucharistic teaching therefore deserves close attention. He insists that "the fruit of the Eucharist is the participation of the Body and Blood of Christ." He regrets that there have been so many opinions held on the subject of the Presence. But he himself thinks that all parties agree "concerning that which alone is material, namely, the real participation of Christ, and of life in his Body and Blood by means of this sacrament ; wherefore should the world continue still distracted and rent with so manifold contentions, when there remaineth now no controversy, saving only about the subject where Christ is ? Yea, even in this point no side denieth but that the soul of man is the receptacle of Christ's presence. Whereby the question is yet driven to a narrower issue, nor doth anything rest doubtful but this, whether when the sacrament is administered, Christ be whole within man only, or else his Body and Blood be also externally seated in the very consecrated elements themselves ; which opinion they that defend are driven either to consubstantiate and incorporate Christ with elements sacramental, or to transubstantiate and change their substance into his."<sup>2</sup>

<sup>1</sup> *Op. cit.*, p. 514.

<sup>2</sup> *Works*, Oxford, 1888, Vol. II, p. 349.

Then he sets forth his own view :

"Let our Lord's Apostle be his interpreter, content we ourselves with his explication, my Body, the communion of my Body, my Blood, the communion of my Blood. Is there anything more expedite, clear and easy, than that, as Christ is termed our life because through Him we obtain life, so the parts of this sacrament are his Body and Blood for that they are so to us who, receiving them, receive that by them which they are termed? The bread and cup are his Body and Blood because they are causes instrumental, upon the receipt whereof the participation of his Body and blood ensueth. . . . *The real presence of Christ's most blessed Body and Blood is not therefore to be sought for in the sacrament, but in the worthy receiver of the sacrament.* . . . I see not which way it should be gathered by the words of Christ, when and where the bread is his Body, or the cup his Blood, but only in the very heart and soul of him which receiveth them. As for the sacraments, they really exhibit, but for aught we can gather out of that which is written of them, they are not really,<sup>1</sup> nor do really contain in themselves that grace which, with them or by them, it pleaseth God to bestow. If on all sides it be confessed that the grace of Baptism is poured into the soul of man, that by water we receive it, although it be neither seated in the water, nor the water changed into it, what should induce men to think that the grace of the Eucharist must needs be in the Eucharist before it can be in us that receive it? . . .

"It seemeth therefore much amiss, that against them whom they term Sacramentaries so many invective discourses are made, all running upon two points, that the Eucharist is not a bare sign or figure only, and that the efficacy of his Body and Blood is not all we receive in this sacrament. For no man having read their books and writings which are thus traduced can be ignorant that both these assertions they plainly confess to be most true. . . .

"That strong conceit which two of the three (parties) have embraced, as touching a literal, corporal and oral manducation of the very substance of his Flesh and Blood, is surely an opinion nowhere delivered in Holy Scripture, whereby they should think themselves bound to believe it, and (to speak with the softest terms we can use) greatly prejudiced, in that, when some others did so conceive of eating his Flesh, our Saviour, to abate that error in them, gave them directly to understand how his flesh so eaten could profit them nothing, because the words which He spake were spirit, that is to say, they had a reference to a mystical participation. . . ."<sup>2</sup>

Later, Hooker deals with the testimony of the Fathers, upon which he concludes thus :

"It appeareth not that, of all the ancient Fathers of the Church, anyone did ever conceive or imagine other than only a mystical participation of Christ's both Body and Blood in the sacrament,

<sup>1</sup> Note this difference. Sacraments "exhibit" but "are not really" . . .

<sup>2</sup> *Op. cit.*, pp. 352-6.

neither are their speeches concerning the change of the elements themselves into the Body and Blood of Christ such that a man can thereby in conscience assure himself it was their meaning to persuade the world either of a corporal consubstantiation of Christ with those sanctified and blessed elements before we receive them, or of the like transubstantiation of them into the Body and Blood of Christ. Which both to our mystical communion with Christ are . . . unnecessary."<sup>1</sup>

All this clearly suggests that Hooker believed neither in Transubstantiation nor in Consubstantiation, but was little more than a "Sacramentarian," or at most held the Bucerian or Calvinist "Virtual Presence." It is somewhat surprising that Dr. Darwell Stone should say: "of set and deliberate purpose, he abstained from expressing his own opinion as to whether the body and blood of Christ are present in the consecrated elements, or are only communicated to the souls of the recipients of the Sacrament."<sup>2</sup> In reality, Hooker plainly insinuates the latter view.

Dr. Darwell Stone similarly finds "considerable obscurity" in Hooker's references to the Eucharistic Sacrifice. But really his position is quite clear. From the fact that the Temple services continued for a time after the Ascension, he infers that the Old Law

"did not so soon become unlawful to be observed as some imagine, nor was it afterwards unlawful so far that the very name of altar, of priest, of sacrifice itself, should be banished out of the world. . . . Unless there be some greater let than the only evacuation of the Law of Moses, the names themselves may (I hope) be retained without sin, in respect of that proportion which things established by our Saviour have unto them which by Him are abrogated. And so throughout all the writings of the ancient fathers we see that the words which were do continue, the only difference is, that whereas before they had a literal, they now have a metaphorical use, and are so many notes of remembrance unto us, that what they did signify in the letter is accomplished in the truth."<sup>3</sup>

This means that the terms "priest" and "sacrifice" can be used, but only metaphorically. Accordingly, in a passage we shall quote later on<sup>4</sup> Hooker says quite plainly that "sacrifice is now no part of the church ministry," and that the new dispensation "has properly now no sacrifice." However, the word "sacrifice" can be used metaphorically for the Eucharist because this corresponds "proportionally" or analogically to ancient sacrifices, although in itself it is not a sacrifice, just as

<sup>1</sup> *Op. cit.*, p. 358.

<sup>2</sup> *Works*, Vol. I, pp. 459-60.

<sup>3</sup> *Op. cit.*, ii, p. 239.

<sup>4</sup> See pp. 349-50.



St. Paul calls "flesh" the substance of fishes, "which hath a proportional correspondence to flesh, although it be in nature another thing."<sup>1</sup>

This surely makes it clear that, at any rate, there is no Christian Sacrifice properly so called, but only a rite which can be called a sacrifice metaphorically.

Hooker is thus little more than a Zwinglian.

5. The difference between the Anglican and the Catholic conception of the Eucharist, as shown by Anglican formularies and the writings of the Elizabethan divines, is witnessed to also by two other points, which we may conveniently mention here, namely, the fate of the remains of the consecrated elements, and the infrequency of the celebration of the Communion service.

First, as to the remains of the consecrated bread and wine. We have seen<sup>2</sup> that the rubric in the second Prayer Book of Edward directed that, if any bread and wine remained, this was to be for the curate's own use. This rubric governed Anglican practice until 1662, and the way in which it was understood will be gathered from a statement made by Rastell, when writing against Jewel in 1564 :

"The residue of the Sacrament unreceived was taken of the priest or the parish clerk to spread their young children's butter thereupon, or to serve their own tooth with it at their homely table."<sup>3</sup>

Again, Heskyns wrote in 1566 in his *Parliament of Christ* :

"In some places the minister had that that was left, in some places the parish clerk ; in some places a piece of it was delivered to him that should the next Sunday provide the bread for the Communion, and every of these put this bread into his bosom or purse, as beggars do their lumps and fragments into their bags and wallets, without all reverence or regard, and, carrying it home, with like irreverence used it in no otherwise than other common bread, giving it to their young wives and children, the crusts to their dogs and cats, the crumbs to their pullen."<sup>4</sup>

Lest it be urged that these were merely idle accusations, made by Catholic controversialists, without any foundation in fact, it is to be noted that the practice was defended by the Anglican controversialist Fulke, in his reply to Heskyns :

"Whereas he railleth against us for our usage of that bread and wine which remaineth after the ministry of the Communion, he sheweth his wisdom and charity. For that which remaineth on the table when the ministration is ended is no more the Sacrament

<sup>1</sup> *Works*, Vol. II, pp. 471-2.

<sup>2</sup> Quoted by Hodges, in *Bishop Guest*, p. 56.

<sup>3</sup> Vol. I, p. 527.

<sup>4</sup> *Parliament of Christ*, 1566, p. 390.

than it was before the ministration began, and therefore may be used as all other bread, whatsoever the Pope's decrees are to the contrary."<sup>1</sup>

That this irreverent method of consuming the remainder of the consecrated elements continued for nearly a century is an undoubted fact. We shall discuss the matter again in connection with the alteration in the rubric in 1662, but in the meantime we must point out that the Elizabethan Anglican practice shows conclusively that there was at that time no general belief in a Real Objective Presence.

The second point is the comparative infrequency of the celebration of the Anglican Communion service. The Prayer Book enacted that the faithful should receive Communion at least three times a year, and there is every reason to think that in many Churches three or four celebrations during the year were thought sufficient. Even in Canterbury Cathedral in 1565, Archbishop Parker was satisfied with a promise that the Communion service should be said once a month.<sup>2</sup> What a contrast to the Catholic religion, with its obligation to assist at Mass every Sunday !

<sup>1</sup> *Reply to Heskyns*, p. 520.

<sup>2</sup> Dixon, *History of the C. of E.*, VI, p. 47. The Canons of 1604 merely specify monthly celebration in Colleges, and in parish churches such celebrations as will suffice for reception three times in the year (Canons 21, 23).

## CHAPTER XI

### THE TEACHING OF CATHARINUS ON THE MASS

1. It has been urged by some Anglican writers that what the Elizabethan divines were really concerned to deny was, not the true doctrine of the Sacrifice of the Mass, but the doctrine, attributed by Reformation writers to certain Catholic theologians, that the Sacrifice of the Cross was only for original sin, not for actual sin. We have examined in our first volume the evidence upon which this accusation is based, in the case of Henrician and Edwardine Protestants, and we have shown that the doctrine in question was not taught by pseudo-Thomas Aquinas in the work then referred to, and moreover that when Catholic theologians repudiated this false doctrine and correctly stated the Catholic position, the Protestants nevertheless continued to deny the Sacrifice of the Mass.

The same is true of the Elizabethan Anglican divines. But the subject calls for careful treatment, for this time another Catholic theologian is brought forward as teaching the false doctrine in question, namely, Catharinus. The Elizabethans also continue to invoke pseudo-Thomas Aquinas. Sometimes they give no authority at all. This is the case with Becon, who writes :

“The Massmonger is become so impudent, and without shame, that he feareth nothing most ungodly and wickedly to affirm, teach and hold that Christ by his death did only put away original sin ; and as for all other sins, saith he, they must be purged, cleansed, and put away by the sacrifice of the Mass.”<sup>1</sup>

But it is more important to note how Jewel gradually came to formulate the same accusation.

In his original *Apology of the Church of England*, he wrote :

“[Catholics] say and sometime do persuade fools that they are able by their Masses to distribute and apply unto men’s commodity all the merits of Christ’s death, yea, although many times the partise think nothing of the matter, and understand full little what is done.”<sup>2</sup>

<sup>1</sup> *Comparison between the Lord’s Supper and the Pope’s Mass*, in *Works*, P.S., III, p. 368.

<sup>2</sup> *Apology*, in *Works*, P.S., Vol. III, p. 556.

Note that Jewel here recognises that, according to Catholic teaching, the Mass applies the merits of Christ's death. Against this doctrine, Jewel urges that it is not the Mass, but our faith, which applies those merits :

"It is our faith that applieth the death and cross of Christ to our benefit, and not the act of the massing priest."<sup>1</sup>

Jewel's *Apology* was answered by Thomas Harding, in a *Confutation of the Apology*. This work denies that Catholics teach that "by our Masses we distribute and apply to men indifferently, howsoever they be disposed, all the merits of Christ's death." The Mass does indeed apply the merits of Christ's death, but the application depends upon the state of the individual, and upon God's will.<sup>2</sup>

Jewel next wrote a *Defence of the Apology*, in which he replied to Harding's criticisms. Here he maintained that the doctrine he had imputed to Catholics, i.e. that the Mass applies the merits of Christ's death to individuals irrespective of their state or disposition, had always been taught by "the most Catholic pillars" of the Church. In proof of this he quoted, *inter alia*, the so-called Sermons of Thomas Aquinas, which we dealt with in Vol. I :

"Thomas of Aquin, your angelical doctor, saith thus : 'As the Body of our Lord was once offered upon the Cross for debt of original sin, so it is daily offered upon the altar for the debt of daily sins.'"<sup>3</sup>

Note that Jewel is quoting this passage as a proof that Catholics hold that the Mass applies the merits of Christ's passion, irrespective of the state of the individual. But, as we shall see in a moment, it evidently suggested to his mind a new accusation against Catholics.

In the meantime, Harding dealt with Jewel's *Defence* in a later work, entitled *Detection of Sundry Foul Errors*. He comments as follows upon Jewel's quotation from pseudo-Thomas :

"You have corrupted St. Thomas' words with false translation, Englishing 'pro quotidianis delictis' 'for the debt of daily sin,' where 'debt' is not in the latin."<sup>4</sup>

<sup>1</sup> *Op. cit.* In the nineteenth of his *Articles*, Jewel similarly sets forth correctly the Catholic doctrine : for he denies that "the priest had authority to apply the virtue of Christ's death and passion to any man by mean of the Mass." (*Works*, P.S., Vol. II, p. 746.)

<sup>2</sup> Harding, *apud* Jewel, *Works*, Vol. III, pp. 556-7.

<sup>3</sup> Jewel, *Works*, Vol. III, p. 557.

<sup>4</sup> In Jewel, *Works*, P.S., Vol. III, pp. 557-8.

Jewel answered Harding's *Detection* by making certain additions in a later version of his *Defence*, and this time he took the occasion to formulate a new accusation, i.e. that Catholics teach that the Cross atoned only for sins before baptism, and the Mass for sins after baptism. This idea had evidently been suggested to him by the passage he had previously quoted from pseudo-Thomas, but it is interesting to note that he does not now base his accusation on pseudo-Thomas, but on a contemporary Catholic theologian, Catharinus :

"This doctrine not long sithence was holden for Catholic, and was strongly maintained by your Catholic doctors. Catharinus, one of the worthies of your late chapter of Trident, saith : 'Apparet quod pro peccatis sub Novo Testamento, post acceptam salutaris hostiæ in baptismo efficaciam commissis, non habemus pro peccato hostiam illam quam Christus obtulit pro peccato mundi et pro delictis baptismum præcedentibus : non enim nisi semel ille mortuus est : et ideo semel duntaxat hostia illa ad hunc effectum applicatur.'"<sup>1</sup>

And Jewel urges :

"The sum and meaning hereof is this, that our sins committed after baptism are not forgiven by the death of Christ, but only by the sacrifice of the Mass."<sup>2</sup>

Jewel has thus suddenly changed his ground, and makes a new accusation against Catholics, quite inconsistent with his original charge. In the *Apology* he had recognised that, according to Catholic teaching, the Mass applies the merits of Christ's death, and both in the *Defence of the Apology* and the *Defence of the Articles* he had quoted many Catholic theologians who expressly enunciate this. But now he quotes Catharinus as teaching that the Cross atoned only for original and pre-baptismal sin, and that the Mass atones for post-baptismal sin.

Here, then, we have yet another accusation against Catholic theological teaching on the Mass, and as Catharinus has been triumphantly quoted ever since Jewel's time by Anglicans in proof of the existence of corrupt teaching on the Sacrifice of the Mass, against which corruption—as distinct from the doctrine of the Sacrifice itself—the Anglican Church is said to protest, we must carefully examine his teaching.

First we will remark that, as Bishop Wordsworth<sup>3</sup> allows, Jewel is not quoting Catharinus verbatim : "Verba Catharini ex paginis 160, 161, 172, etc., non exacte sed summam tantum

<sup>1</sup> Works, P.S., Vol. III, p. 558.

<sup>2</sup> Op. cit.

<sup>3</sup> De validitate ordinum Anglicanorum, Responsio ad Batavos, 1894, p. 9, note.

refert." In reality, the supposed quotation is not a quotation at all, but a "conflation" of isolated phrases, torn from their context, and then presented as an actual quotation ! This is a good example of the intellectual honesty of Bishop Jewel !<sup>1</sup>

2. Before passing on to consider the real teaching of Catharinus, it may be well to point out that he was, in some respects, rather original, and held some peculiar views which have not commended themselves to the majority of theologians. He had been a Professor of Civil Law at Sienna, and it was not till his thirtieth year that he entered religion. He then studied theology, not in the schools, but privately. Much given to polemics, he not only combated the Lutheran heresy and the apostate friar Bernardino Ochino, but also severely criticised the Commentaries of Cardinal Cajetan and the writings of Dominic de Soto, both respected members of his own Dominican order. He distinguished himself at the Council of Trent by championing a peculiar theory on intention. He was nominated by Pope Paul III to the See of Minori in the Kingdom of Naples, and on that occasion Fra Bartolomeo Spina, the Dominican Master of the Sacred Palace, opposed the nomination and submitted to the Pope a schedule of fifty errors said to be taken from the works of Catharinus. But the latter explained himself, and he was also championed by the Legates at Trent, and accordingly was consecrated Bishop on August 27th, 1546. In June, 1553, he was made Archbishop of Conza, and died at Naples on November 11th, 1553, on his way to Rome, where he was to have received a Cardinal's hat.

The particular work from which Jewel quotes is an opusculum, *De veritate incruentis sacrificii*, written somewhere between 1546 and 1552, and published for the first time in 1552, together with other *opuscula*.<sup>2</sup>

Catharinus also dealt with the subject in other works, and particularly in a *Speculum Hæreticorum*, written against Fra Ochino in Rome in 1532, and published in 1540 ; and also in a work written in Italian, entitled *Compendio d'errori ed inganni Luterani* ; and in his *Commentary on the Epistle to the Hebrews*.<sup>3</sup>

We must remind the reader that the Council of Trent began

<sup>1</sup> Bp. Frere praises Jewel for his "scholarship" (*English Church in the Reign of Elizabeth*, p. 86). He does not comment on Jewel's dishonesty, or on his belief in Pope Joan.

<sup>2</sup> It is included in a volume entitled *Enarrationes in quinque priora capita libri Geneseos, etc.*, Rome, 1552.

<sup>3</sup> Venice, 1566.

its discussion of the Sacrifice of the Mass in December, 1551, but did not finally define the doctrine on the subject until September, 1562, i.e. nine years after Catharinus' death. Thus it would not be altogether surprising if Catharinus should have advanced some points of doctrine not in harmony with those eventually defined officially by the Church. But in point of fact, his main position is entirely sound, and all that can be objected against him is that he adds to or interprets the authentic Catholic teaching in the light of some peculiar ideas of his own.

Thus, we shall see that, like every other Catholic author, Catharinus holds that *our redemption was merited for us once for all by our Lord's Sacrifice of Himself upon the Cross*, and that from this sacrifice comes ultimately all our graces, whether before or after justification. Also, like all other Catholic authors of that time, he insists, against the Lutherans, that the fact that our Lord offered a sufficient sacrifice and satisfaction on the Cross for the sins of the whole world does not mean that we are altogether exempt from co-operating in the work of our salvation by good works, penance, etc. These, as he insists, derive their value ultimately from the Sacrifice of the Cross. He repeats over and over again that, while the Cross is a sufficient sacrifice and satisfaction for the sins of all, and able to save all mankind, it needs to be *applied* to the salvation of each particular soul, and it has to be applied in the way God has laid down.

At this point, Catharinus introduces a peculiar idea of his own. Basing himself chiefly on the statement of St. Paul in the Epistle to the Hebrews that "Christ is the mediator of the New Testament for the redemption of those transgressions which were under the former Testament," he argues that the Sacrifice of the Cross is applied *primarily and directly* only to the remission of original sin, and actual sins committed before Justification, i.e. before baptism. That is, so to speak, the *primary* object of the sacrifice of the Cross: it is to remove original sin and its consequences, and to restore us to the state of grace which we had lost, i.e. to "justify" us. From that moment onwards, we ought to keep ourselves free from sin. But it unfortunately happens that we continue to fall into sin, even after baptism. These sins require forgiveness, and satisfaction. Sins committed before baptism were forgiven directly and immediately in baptism, by virtue of our Lord's Sacrifice of the Cross. Also, the *satisfactory* value of that sacrifice was applied to us

directly in baptism, in so far as the sins before baptism are concerned. So far this is the accepted Catholic doctrine. It is also the accepted Catholic teaching that sins *after* baptism have, to some extent, to be expiated by ourselves, by means of penance, etc., and that our post-baptismal spiritual life is fostered by means of the sacraments other than baptism. But how precisely is post-baptismal sin forgiven? Catharinus argues that, as the Sacrifice of the Cross was intended to apply primarily to pre-baptismal sin, it is not available in the same way, i.e. directly and fully, for post-baptismal sin, though indeed it is sufficient for the sins of all. It requires a much more special mode of application: its redemptive power needs to be made applicable, in the first place, by another sacrifice, which carries on the work of the Sacrifice of the Cross, and is therefore a secondary sacrifice, intended for the remission of post-baptismal sin—which power of remission, however, it derives only from the Sacrifice of the Cross of which it is the commemoration. At this point the peculiar view of Catharinus appears. He argues that the post-baptismal sacraments apply immediately the merits, not of the Sacrifice of the Cross—as is maintained by practically all other theologians—but those of the Sacrifice of the Mass, and only ultimately those of the Cross, from which the Mass, however, derives all its efficacy and power. The virtue of the Sacrifice of the Cross is, according to Catharinus, applied directly and immediately only to the sacrament of baptism. But note that Catharinus safeguards himself all through by insisting that *the Sacrifice of the Mass derives its virtue entirely from the Sacrifice of the Cross*.

3. In the light of this general explanation of Catharinus' doctrine, we will now proceed to examine the way in which he sets forth that doctrine, and first of all, in the work appealed to by Jewel.

In this Opusculum, *De veritate incruenti sacrificii*, Catharinus first explains the necessity of sacrifice for the expiation of sin. Then he goes on to establish that the Old Testament sacrifices could not atone for sin. The sins he has in mind here are original sin, and all other sins, i.e. actual sins, which have been committed since the Fall in consequence of original sin. He goes on to say that Christ atoned, once and for all, for *all* these sins, by his Sacrifice of Himself upon the Cross. And in this connection he quotes St. Paul's statement in the Epistle to the



Hebrews : " He (Christ) is the mediator of the New Testament, that, by means of his death for the redemption of *those transgressions which were under the former testament*, they that are called may receive the promise of eternal inheritance." Then Catharinus explains that the fruits of this bloody sacrifice upon the Cross are applied directly to the human soul in baptism, which washes away not only original sin, but all actual sins previously committed, and also makes complete satisfaction for them.

Next, Catharinus proceeds to say :

" If Christ by his bloody oblation of Himself brought about for us only the redemption of the preceding sins<sup>1</sup> . . . then it would seem to follow that under the New Testament either there are no sins, or else, if there are, they cannot be expiated. . . . Or again, that after baptism, either there are no offences, because there is no law, or if there are, God does not trouble about them, but regards them as having been expiated by that first bloody oblation of the Lord, and so does not impute them now to the faithful, and thus they are expiated merely by faith or trust, without any sacrifice.<sup>2</sup> . . . But this is not the case . . . for often a sin after baptism is more imputed than those which were committed before baptism. . . .

" Since, then, there are sins after baptism, and they must be expiated, and since they do not belong to that bloody sacrifice of Christ,<sup>3</sup> we must see how they can be expiated, and whether they are expiated without any sacrifice. It would seem at first sight that there are no sacrifices for such sins, for there are the Sacraments, and especially the Sacrament of Penance. . . . But we hold that a sacrifice is altogether necessary."

There must, then, according to Catharinus, be some kind of sacrifice for the expiation of post-baptismal sin. Next he argues that, as post-baptismal sin is so very different from, and indeed more serious than pre-baptismal sin, so also the sacrifice for it will be of a different or special kind :

" As those sins which are committed under the New Testament are of a different kind from those under the Old, so also they ought to have their proper sacrifice, priesthood, victim, and suitable oblations."

But where can we find a suitable priest? This can only be Christ our Lord, who redeemed us from our former sins, and reconciled us to God.<sup>4</sup>

<sup>1</sup> " Si Christus sua illa oblatione cruenta, non sit operatus pro nobis nisi redemptionem præcedentium delictorum. . . ." (Col. 161).

<sup>2</sup> " Eas habeat pro expiatis per illam primam Domini cruentam oblationem, et sic non imputet eas jam fidelibus, et ita, sola fide ac fiducia absque ullo sacrificio expientur." (Col. 161.)

<sup>3</sup> " ad illam cruentam Christi hostiam non pertineant."

<sup>4</sup> " Quis tantus, nisi ille unus Christus, qui nos antea reconciliavit Deo ? "

Next, Catharinus stresses the fact that our Lord has an eternal priesthood, and one according to the Order of Melchisedech :

" Christ our Lord was declared by God to be our priest and pontiff in the days of his flesh. . . . Similarly, He was also constituted by God Himself as priest and pontiff in the days of his glorification, in order that He should be the mediator of the New Testament."

Christ is our High Priest now in heaven, as well as then on earth. Therefore He must have somewhat to offer now in heaven, as well as then on earth.

" From this results a reasonable difference in the priesthood, sacrifice, and oblations."

There was a sacrifice belonging to Christ's priesthood on earth—the bloody sacrifice of the Cross ; there must also be a sacrifice characteristic of Christ's heavenly priesthood. " Moreover," continues Catharinus, " that bloody offering was not according to the order of Melchisedech," who offered bread and wine. Hence Christ, who is a priest for ever according to the order of Melchisedech, must have a perpetual sacrifice under the forms of bread and wine.<sup>1</sup>

In c. 169, he deals with an objection :

" All expiation seems to require the shedding of blood. . . . Replying to this, we say : We do not offer without the oblation of blood. And although this blood which we offer in a sensible manner now is not sensibly shed at this time, nevertheless it is the same blood which was once shed, and as to its power (*secundum vigorem*), it is shed as often as it is offered with a commemoration of that ancient shedding."<sup>2</sup>

Catharinus then explains that at the institution of the Last Supper, Our Lord said the chalice contained the blood " which is being shed for you,"

" because the efficacy of that shedding [on the Cross] is continuous in the presence of God, so that, as I said, as often as that blood which was shed is offered on our behalf, so often it seems to be shed, and thus, this [unbloody] sacrifice [of the Mass] is perfected by that which was offered on the Cross. And for this reason also it is good, nay necessary, for the priest to offer it as a commemoration of Him.

<sup>1</sup> " Cruenta illa oblatio non fuit secundum ordinem Melchisedech. . . . At ipse decernitur Pontifex secundum ordinem Melchisedech . . . et perpetuo, ita ut oporteat perpetuo offerre hostias." (Col. 163.)

<sup>2</sup> " Nec nos sine sanguinis oblatione offerimus. Et licet hic sanguis quam sensibilibiter offerimus nunc, sensibilibiter non effunditur hoc tempore, est tamen ille idem sanguis qui semel effusus fuit, et secundum vigorem toties effunditur quoties offertur cum commemoratione effusionis antiquæ." (Col. 169.)

Hence the Eucharist is called a Memorial, and St. Paul says that as often as we celebrate it, we show forth the death of the Lord. . . ."<sup>1</sup>

Catharinus continues (col. 170) :

"Therefore, this sacrifice [of the Mass] is true, complete, and efficacious, because it is the shed blood which is offered, through which it expiates. That bloodshedding is accepted as though it were present, for *that which took place then is commemorated, and as to its efficacy, this is continuous.*"<sup>2</sup> For when we are baptised, we are baptised into the death of Christ . . . just as if He then dies . . . because *his Passion and death embraces in its efficacy the whole world and all time. . . . Therefore this new and unbloody sacrifice has its efficacy from that bloody sacrifice of which it is the commemoration.*"<sup>3</sup>

Having thus explained perfectly clearly that *the sacrifice of the Mass derives its efficacy from the sacrifice of the Cross*, and has been instituted to *apply that sacrifice to the expiation of post-baptismal sins*, Catharinus proceeds to explain how, in his view, the sacraments after baptism apply the merits of the Cross *via* the sacrifice of the Mass.

"The Blood of Christ continuously immolated wipes away and washes away those (daily) sins : which is just, provided we confess that we are sinners, and ask that our sins may be forgiven us, and apply to ourselves the saving victim which is daily offered, by eating and drinking the Sacrament, which is to participate in the sacrifice. . . . For the power or strength of the victim of that bloody sacrifice is extended to these things in the unbloody sacrifice."<sup>4</sup> And lest anyone should be mistaken, we must remark that there is not one power of the Sacrament and another of the sacrifice, but through the Sacrament itself of the Eucharist there is applied the power of the unbloody sacrifice, *which we borrow from the bloody sacrifice*,<sup>5</sup> just as, in the case of baptism, the power of the bloody sacrifice is applied without any other sacrifice intervening. . . .

"Thus, that Passion of Christ is *perfectly* applied in baptism for the preceding sins. . . . But it cannot be applied *in that way* to the sins that follow.<sup>6</sup> What then? Have these sinners no mediator? Yes indeed, but not one who fully satisfies for them. Why not?

<sup>1</sup> "Efficacia illius effusionis est assidua coram Deo, ut quoties offertur pro nobis ipse sanguis effusus, toties videatur effundi ; ita ut hoc sacrificium per illud in cruce factum perficiatur. Propter hoc etiam bonum est et necesse est sacerdoti facere in ejus commemorationem. . . . Unde et memoriale vocatur. . . ." (Col. 169.)

<sup>2</sup> "Sanguis effusus offertur, per quem fit expiatio. Effusio autem ipsa etiam quasi præsens accipitur, quoniam memoratur quæ fuit, et secundum efficaciam (sicut æquum fuit) assidua est." (Col. 170.)

<sup>3</sup> "Ejus passio et mors universale seculare tempus amplectitur secundum efficaciam. . . . Hoc ergo sacrificium novum et incrementum suam habet efficaciam ab illo cruento cujus commemoratio sit." (Col. 170.)

<sup>4</sup> "Ad hæc extenditur hostiæ illius cruentæ vigor in sacrificio incremento." (Col. 172.)

<sup>5</sup> "Per ipsum sacramentum Eucharistiæ applicatur sacrificii virtus incremento, quam a cruento mutuamur." (Col. 172.)

<sup>6</sup> "Illa sua passio in baptismo perfecte applicatur pro præcedentibus prævaricationibus. . . . Non potest ad sequentia peccata applicari illo modo." (Col. 172.)

Was not that bloody sacrifice of so great merit, that it could satisfy also these? *It did indeed so merit*,<sup>1</sup> but these persons have made themselves unworthy of this merit. . . . And yet those persons are not left without a remedy. For they have a High Priest before God in Heaven to intercede for them."

And he explains that this intercession in heaven is linked up with the offering of the Sacrifice of the Mass on earth.

He makes his mind plain by answering another objection :

"It is said that this derogates from the former oblation of Christ. If He offered, either his offering was sufficient to perfect for ever those who are sanctified, or else it was not sufficient. If we say that it was not sufficient, then an injury is done to Christ, whose merits are underestimated. . . . But if we grant that his offering was sufficient, then subsequent sacrifices and oblations have no place."

He answers this objection by a parallel one :

"I ask : Did not Christ offer prayers and supplications upon the Cross for us? . . . And was He not heard for his reverence? . . . Why then does He require also our prayers? . . . Is it not clear that his prayers were of such efficacy that our prayers and supplications are heard for his sake? . . . In the same way, after Christ's own oblation, our oblations are not superfluous, nor do they add injury to his oblation ; rather, we are sanctified through that oblation of his. . . .<sup>2</sup> After all, if we are priests, what could we have to offer, if He had not given Himself as a victim? "

And lastly, he offers two specific objections against the words used in the Canon of the Mass :

"They say that the priest, who often says 'I offer,' casts down Christ the offerer. We reply : Rather, the priest magnifies Christ . . . for he confesses that the power of offering, which he has, comes from Christ, and *from the merit of that offering of his*.<sup>3</sup>

"Again, they say that he who says the Canon repeats the crucifixion of Christ. We reply that this is an open calumny, for there is not any crucifixion in the Canon, but only the commemoration of the one crucifixion, and not of many. And this is not crucifying Christ again, but it is the frequent commemoration of Christ once crucified, *in order to gain greater fruit* [from that crucifixion]."<sup>4</sup>

<sup>1</sup> "Nonne meruit hostia illa cruenta in immensum, ut posset et pro his satisfacere? Meruit illa quidem." (Col. 172.)

<sup>2</sup> "Ita post oblationem Christi, etiam oblationes nostræ non superfluent, nec adjiciunt ad injuriam suæ oblationis, per quam potius sanctificamur." (Col. 172.)

<sup>3</sup> "Confitetur offerendi potestatem quam habet, se ab illo habere, et suæ illius oblationis merito." (Col. 177.)

<sup>4</sup> "Non fit in canone ulla crucifixio, sed solummodo unius crucifixionis memoriale, non plurimum. Hoc autem non est iterum crucifigere Christum, sed semel crucifixum sæpius commemorare ad uberiores fructum." (Col. 177.)

Thus, in the very work which Jewel purported to quote, and from the very columns from which his supposed citation was taken, Catharinus insisted over and over again that the Mass derives its efficacy from the Sacrifice of the Cross. Jewel must have been aware of these statements, and yet he deliberately passed them over !

It is also strange that Bishop Wordsworth, who wrote in 1894 to the Dutch Old Catholics, and remarked that Jewel "non exacte sed summam tantum refert verba Catharini," and added that he had himself often read all through this opusculum,<sup>1</sup> nevertheless repeated the calumny against Catharinus, and indeed made it worse by accusing Catharinus and his "followers in England" of saying that the Sacrifice of the Cross was offered for original sin and for sins before baptism, but the Sacrifice of the Mass for sins after baptism," not giving the slightest hint of the way in which Catharinus insisted that the Sacrifice of the Mass only applies that of the Cross !

4. Bishop Jewel and his successor at Salisbury, Bishop Wordsworth, quoted only the opusculum of Catharinus, *De veritate incruentæ sacrificii*. But other works of his have been appealed to, notably by Denny and Lacey in their *De Hierarchia Anglicana*, precisely in order to establish that there was "opinionem . . . quod Christus Dominus pro peccato tantum originali sacrificium suum in cruce consummavit ; pro peccatis autem actualibus, quæ quotidie committuntur, ut satisfaceret, sacrificia in Missæ sollempniis quotidie offerenda instituerit."<sup>2</sup>

The first passage quoted in support of this view is from the *Speculum Hæreticorum*. But all that is necessary is to replace this passage in its context, which is conveniently omitted by Denny and Lacey.

Catharinus is refuting Luther's assertion that penance is to be regarded, not as an active, but as a passive sorrow. At the same time Catharinus laments the diminution of the penitential spirit of the early Church :

"By evil example, the public penances have fallen into desuetude, and those which are imposed in private are now so light that you would hardly suppose they would raise up in the least. But it has

<sup>1</sup> "sæpius perlegi," *op. cit.*, p. 23.

<sup>2</sup> The Bishop does not give their names !

<sup>3</sup> Denny and Lacey, *op. cit.*, p. 128. They add : "Nec defuerunt eo tempore viri doctissimi qui nescio qua mentis captione talia tradiderunt. Namque Ambrosius Catharinus, inter doctores Tridentinos eminentissimus, in suo *Speculo Hæreticorum* hæc habet. . . ."

come to this pass, because of our hardness of heart. But listen. . . . Luther, rejecting all our satisfactions, says the Lamb has made satisfaction for us, and there is no other satisfaction but the Passion and Blood of the innocent Lamb. But then, when David's sin was forgiven him, was he punished in vain by the death of his son? And was it a foolish advice to give to Nabuchodonosor, that he should redeem his sins by alms? And the Ninivites were to appease God in sackcloth and hair shirt and fasting, and by penance wash out the Divine sentence already pronounced against them! But they say, 'Has not the Lamb made satisfaction for us?' "

This question leads to the passage quoted in *De Hierarchia Anglicana*, which is as follows :

"Certainly, He made satisfaction *completely* for the ancient sin, and for all that followed upon it before the reception, by faith, of baptism.<sup>1</sup>

"But once we have been baptised, and have professed and accepted the law of the gospel, then if we fall the case is not the same. The last state has become worse than the first : there is no longer left a victim for sins that there should be a *perfect* renewal.<sup>2</sup> Here comes in the need of the second plank after shipwreck : we must be contrite, we must confess, we must suffer the penalties. For in these consists the sacrament of penance. In this we have Christ as our advocate, but not paying the whole debt for us : we have Christ the just, but not taking upon Himself our whole burden, for this He only did once."<sup>3</sup>

That is all that is quoted by Denny and Lacey. But Catharinus almost immediately proceeds to extend the bearing of his argument to the Sacrifice of the Mass, in a passage which is worthy of quotation :

"Similar to this is what they assert concerning the Sacrifice, which they altogether deny in the Church, because they hear St. Paul say that there is one sacrifice and one only priest, who by one victim and oblation has consummated all things, so that He has no need to offer often. If these were considered only lightly, then they might seem to be of some moment. But if we search the Scriptures and the power of God more deeply, they will not move us. For what prevents us from often and continuously offering the one and the same sacrifice which Christ once offered on the Cross, seeing that it is a perpetual sacrifice, although offered once by Him? But it is so precious in the sight of God that as often as it is offered by us in memory (*per memoriam*), so often does it exercise the virtue of expiation and propitiation.

<sup>1</sup> "Utique penitus satisfecit pro antiquo peccato, et pro omnibus quæ insecuta sunt ante susceptum fide baptismum. . . ." The key word here is "penitus."

<sup>2</sup> "Non ulterius relinquitur hostia pro peccatis ut perfecta renovatio fiat." The reference here is to *Hebraeus* x, 26, and the key word is "perfecta."

<sup>3</sup> *Speculum Hæreticorum*, fol. E., iii, Cracow, 1540; Denny and Lacey, *De Hierarchia Anglicana*, pp. 128-9.

"You say : 'What need is there to offer often, if once Christ Himself consummated for ever those who are sanctified?' I will reply by asking a question in turn : 'What need is there of faith, if Christ suffered for us once, and obtained justification for us? And what need is there of baptism, and to be assiduous in the works of charity? And what need is there to eat and drink his Flesh and Blood? Who does not see that the Passion of Christ and the power of his Blood have to be applied to us, so that we may obtain its fruit? These are applied by faith and sacraments and works, but his tremendous loving kindness has also given us further, that each one is able not only to apply the merits of Christ to himself, which is done by the Sacrament, but also he is able to apply it to others, as is done in the Sacrifice by priests. For as He has given to us that we should eat his Flesh and drink his Blood in the Sacrament, so also He has given us to sacrifice the same Body and Blood, offering them for ourselves and others, and communicating at the same time in the merits of the Blessed Virgin and all the saints. This very thing, that we are able to offer these, as priests under Him, indeed and in Him, we have received through his grace, and this was prophesied so clearly and so evidently that it is a wonder that they should dare to contradict it, for we read in Malachy : 'From the rising of the sun to the going down thereof.' . . ."

This makes it perfectly clear that Catharinus recognises that the Mass applies the merits of the Cross.

Here is a passage from a later work, *Compendio d'errori ed inganni Luterani*, which teaches the same doctrine :

"This is a foolish thing to say to anyone who understands the matter, as if the merits, the righteousness and the Blood of Christ were not sufficient to make satisfaction for us. For no one says that they are not sufficient : but that which is sufficient for a given effect will not produce that effect unless it be applied to produce it. And thus the merits and the Blood of Christ are sufficient to save an infinite number of worlds, if such there were, and so all men in the world. But, nevertheless, it does not save all, nor does it satisfy for all. And why? Because it is necessary that the merits should be applied, and to apply them it is necessary to have recourse to Him, which is done by faith, and indeed at the first grace, faith is required, and afterwards, if man relapses, contrition, confession, and also some satisfaction are required."<sup>1</sup>

5. Lastly, we will deal with the exposition which Catharinus gives in his Commentary on *Hebrews* x, from which Denny and Lacey give a very inadequate, truncated and misleading quotation. As before, we will give the whole context of the passage. Catharinus is commenting on the words "those that are sanctified."

"That is to say, those who do not reject the fruit of his sanctification. For these He has finished and made perfect, so that there is no further need of another oblation to be made by Himself. And this is the text on which the new heretics chiefly rely in their denial of the Sacrifice of the New Law, besides other arguments taken from the words of the Apostle. Hence, in order that these may be dealt with the more fully, I will first state briefly their contentions, and then forthwith answer them. They say :

"First : If by one oblation the Lord made perfect for ever those that are sanctified, why do you seek for new oblations ? Is not this an insult to Him, as if He had not made satisfaction ?

"Second : If one who is our High Priest, is in Heaven, unceasingly making intercession for us, how can priests here on earth be otherwise than superfluous ?

"Third : If the plurality of the priests of the Old Law is condemned by Paul as a mark of weakness, how comes it that you have such a multitude of priests ?

"Fourth : If between the Old Law, which constituted priests, and the New Law, which is called the 'word of the oath,'<sup>1</sup> there is this difference, that the former law constituted priests who were subject to infirmity and mortal, how can you be priests of the New Law, seeing that you, too, in like manner, are subject to death ?

"Fifth : Even as those priests were rejected by Paul because they were always praying for themselves and the people—for it is from this he infers that their intercession never appeased God, or reached its end—why may not the same be said of you, who do precisely the same, and never cease to sacrifice for the people of God, as a precept ?

"Lastly : St. Paul plainly says : 'Where there is remission of sins, there is no longer an oblation for sin.' But the remission of sins is by that oblation. Whence, then, come your oblations ?

"We make answer to all these, but take them in the inverse order. To the sixth :"

Now begins the quotation by Denny and Lacey<sup>2</sup> :

"I answer that the Apostle is speaking of the sins which were under the former testament, such as original sin, and those which arose therefrom. Hence St. Paul says, 'Where there is remission of these' (that is, of those concerning which the Lord spoke through Jeremias saying, 'I will give my laws in their hearts, and their sins and iniquities' (obviously their past ones, and not those which they commit after the law has been written in their hearts) 'I will remember no more.' And thus it is necessary that there remain a sacrifice for sins committed under the New Testament and after the remission of the old sins and the acceptance of grace.

"To the fifth : We have rightly said that the Apostle rejected the former priests as not propitiating and always sacrificing, for they were always praying and offering the same victims for their own sins and those of the people. But it does not follow that we, the priests and ministers of the new Sacrifice, are to be rejected. For

<sup>1</sup> *Hebrews* vii, 28.

<sup>2</sup> *De Hierarchia Anglicana*, p. 129.



we do not the same, who sacrifice for another kind of sin and constantly for the new sins committed by us. They, indeed, sacrificed for the original sin, which if it had been once taken away would not have returned any more. Accordingly it was not necessary, when once it was taken away, to sacrifice any further for it. But, inasmuch as we offer sacrifice for constantly recurring sins, which are daily committed, there is no reason why we should not, but rather it is necessary that we should constantly sacrifice and also constantly propitiate, in order that what is constantly being committed may be constantly expiated. For it is not always for the same sins that the Sacrifice is offered by us."

Now follows a section omitted by Denny and Lacey :

"To the fourth. We have said that the first priesthood had not one High Priest who was ever living, and in whom the priesthood itself could therefore endure. But all, including the High Priests, were infirm, and subject to death. But our priesthood is founded in that High Priest who is immortal. Hence there is a clear distinction between the priesthood of the Old Law and that of the New. For the strength and perpetual endurance of our priesthood is founded in Christ Jesus our Redeemer, who is a priest for ever. For we are priests under Him, and are his ministers. He is the Chief Shepherd, and we are shepherds under Him.

"To the third : In like manner we say that there is nothing absurd in the fact that under Christ, the Living Priest, there should be many priests subject to death. For it is sufficient that He, the principal Priest (*sacerdotem principem*) should live for ever. Which was not the case in the ancient priesthood.

"To the second : We say that priests here on earth are not superfluous just because He is present with God in Heaven and makes intercession for us. On this point careful attention is necessary, and we must recall what we have often said, and shall have to repeat again because of these heretics, namely, that Christ by his one oblation did not cease to be priest, but rather, by that oblation, He acquired the priesthood, so that the Levitical one should be translated into the priesthood of the New Law. But this priesthood, like the Levitical one, certainly ought to have, not only a High Priest who enters in the Holy of Holies, but also many other lesser priests who remain below in the sanctuary."

Now the *De Hierarchia* takes up the quotation :

"For this form the Lord ordained to be observed after the model of the ancient Tabernacle, in which there had to be the sanctuary, where also the celebration was made, and sacrifices offered ; and also that there should be a Holy of Holies in Heaven, into which our High Priest has already entered, by means of his own Blood, in that one only sacrifice by which was effected that propitiation for the preceding sins which were under the former testament, and by which it was also effected that, for the new sins arising under the New Testament, the old and useless priesthood should be translated,

and a new one established for the expiation of those sins which are constantly recurring under the New Testament."<sup>1</sup>

The next passage is omitted by Denny and Lacey :

"Observe, heretic, that St. Paul says that by the Blood of Christ the priesthood was translated, not extinguished. But you wish it to be altogether extinguished, when you wish that all oblation should cease. And see that, just as the high priest of the Old Law, after he had entered into the Holy of Holies, no longer offered sacrifice himself, though remaining all the while a priest, while the lesser priests ceased not to offer the lamb daily, and various sacrifices, all typifying this our own Sacrifice—so also Christ, having entered once by his Blood into the Holy of Holies in Heaven, while retaining his eternal priesthood, permits, yea wills and commands, that by us lesser priests in this, the lower tabernacle of his Holy Church, should be offered that living and spotless sacrifice which He, by his omnipotence, made and commanded that we should make—which is, according to the order of Melchisedech, not common bread or common wine, but, under the appearance of common bread and wine, his Body and Blood, that is, the true living and heavenly Bread, and heavenly Wine, our ambrosial drink and nectar, the food and drink of the gods, that is, of the heavenly, and indeed of all blessed spirits."

The *De Hierarchia* resumes the quotation :

"Behold how aptly all things fit in. For we have the Blood, the true Blood, which we offer to appease God for the new sins—for without blood there is no remission—the shedding of which once done must always profit, provided it be constantly offered—"

The next part is omitted by Denny and Lacey :

"not only for those sins which are committed, but also indeed for the giving of thanks, and the praise which we owe to God ; not only to wash away sins already committed, but also to obtain benefits, and preserve those we have obtained. For as often as we offer, so often is that shed blood before the eyes of God, that is, so often does it produce the efficacy of that shedding, because when that shedding is commemorated (for we do it in his memory), it is, in a manner, renewed. Thus most wisely has the Lord ordained matters."

Now the quotation is resumed by them :

"For in order to profit, it must be applied to us. With regard to the preceding sins under the old covenant, it is applied through baptism. But with respect to the new sins, it is applied through this new sacrifice and through the other sacraments, which without this sacrifice would not avail, just as without *that* sacrifice of Christ, baptism would not avail."

<sup>1</sup> *Op. cit.*, pp. 129-30.

Now comes a part omitted :

"Hence our Sacrifice is not a fictitious but a true one, instituted by Christ Himself at the Last Supper. For He, the first and true Melchisedech, when He had first offered Himself in spirit and desire to God, and saw that God accepted the oblation, and that by that oblation He had acquired an eternal priesthood—He then ordained and offered bread and wine, that is his Body and Blood, an unbloody Sacrifice, and gave us power to do and offer the same in the New Testament, the sins of the Old being now washed away. Not only has He given us the power to do this, but also He has commanded that we should do it in very deed."

Denny and Lacey take up the quotation :

"See, then, that the priests of the New Law are not superfluous, but necessary, in order that there should be and remain a priesthood for ever—that is, in this eternal testament, for the new sins."

Finally, the *De Hierarchia* quotes a passage on the text, "For if we sin wilfully after having the knowledge of the truth, there is now left no sacrifice for sins."<sup>1</sup>

"[This text also hits our opponents hard.] For it thereby appears that, for the sins committed under the new covenant after we have received the efficacy of the saving Sacrifice in baptism, we have not for the sin that Sacrifice which Christ offered for the sin of the world and for the sins preceding baptism. For He died only once, and therefore only once is that Sacrifice applied to this effect."

But the rest of the passage is not quoted by Denny and Lacey :

"Nevertheless, another way of remission remains open, i.e. Penance, Christ in Heaven making intercession for us, provided we make satisfaction by due penitential works expiating according to the need of what we have committed. It must be observed that here the Apostle has specially willed to speak against those who withdrew from the Church by a certain wilful sin."

Thus, when these passages are put back in their context, the meaning of Catharinus becomes quite clear. And whatever may be thought of the idiosyncrasies of his theory that the post-baptismal sacraments derive their efficacy mediately from the Cross through the Mass, it is at least evident that, like all other Catholic theologians, Catharinus taught that *the Mass derives its efficacy from the Cross*.

6. But although Catharinus is really innocent of the doctrine attributed to him by Bishop Jewel, it has been urged that his language is, at any rate, misleading, and that Jewel could be excused for misinterpreting him, especially in view of the fact

<sup>1</sup> *Hebrews* x, 26. We insert the preceding sentence.

that Catharinus was understood, or rather misunderstood, in more or less the same way by such eminent Catholic theologians as Melchior Cano, Vasquez, and Suarez.

As to the first of these, Melchior Cano, this Dominican theologian does not deal in detail with the theory of Catharinus, but merely mentions him in passing in connection with the theological opinion that the Sacrifice of the Mass remits mortal sins. Cano remarks that this cannot be true, inasmuch as mortal sins are remitted by the sacrament of penance, and God cannot have instituted two means of remission. Then he adds :

“ Ex quo Ambrosii Catharini deliratio patet, peccata ante baptismum admissa per crucis sacrificium remitti, post baptismum vero omnia per sacrificium altaris. Hostiam quippe crucis generalem causam esse remissionis peccatorum, sive ante baptismum, sive postea commissa sint, tum ad Romanos et Hebræos tradit Apostolus, tum etiam nos manifestissime probaremus, nisi stultum esset commenta improbabilia refellere.”<sup>1</sup>

This passage might, however, be merely a repudiation of Catharinus' doctrine that the post-baptismal sacraments derive their efficacy *proximately* from the Mass. It does not necessarily ascribe to Catharinus the teaching ascribed to him by Jewel.

Vasquez's Commentary on St. Thomas's *Summa* was published in 1598. Under q. 83 of Pars III, art. 1, disp. 222, cap. 1, he says :

“The idea (modus philosophandi) of Catharinus, in his opusculum *De veritate incruentii sacrificii*, in which he explains the power of this sacrament and sacrifice, and how the unbloody sacrifice is not superfluous, and is daily repeated, whereas the bloody sacrifice was offered only once, must be regarded as altogether improbable and absurd, and Cano calls it a ‘deliratio.’ Catharinus in the said work remarks that there are two kinds of sins to be expiated by priesthood and sacrifice. One kind is original sin and the sins connected therewith, and these he calls sins under the former covenant, i.e. in the way in which St. Paul speaks in *Hebrews* ix. The other kind are the sins committed after baptism, which he calls sins under the new covenant. For each kind he assigns a separate sacrifice, and he supposes that if each had not its own sacrifice the sacraments for expiating each kind of sin would not exist.

“Thus for original sin and those connected with it . . . he assigns Christ, and the Sacrament of Baptism, which, by virtue of his sacrifice, remits them. . . . And in this way he expounds *Hebrews* x. . . . But for the sins after baptism, for which there is not left the Bloody Sacrifice of Christ, because they are wilfully committed, according to *Hebrews* x, ‘For if we sin wilfully, etc.’

<sup>1</sup> *De locis theologicis*, xii, c. 11.

there is now left no sacrifice for sins, that is, as he understands it, no Bloody Sacrifice again repeated, but he assigns the Unbloody Sacrifice of the Mass, daily repeated because offered for daily sins. . . . He adds that for the expiation of these sins there is not applied to us the Bloody Sacrifice of Christ, but the Unbloody Sacrifice, through the Sacrament of Penance.

"This is the whole opinion of Catharinus, which, in my judgment, is manifestly absurd, and openly in conflict with the Catholic Faith ; first because it asserts that the merit of Christ's Passion and of his Bloody Sacrifice was only for the remission of original sin and those connected therewith, but not for those committed after baptism and the reception of faith—which is plainly absurd, for according to the common opinion and the Catholic Faith, the merits of Christ, which were consummated by his Death, were universally for every kind of grace, not only for justification through baptism, but also through the Sacrament of Penance, or through any other way. . . . But according to the view of Catharinus, in penance it is not the fruit of the Passion and of the Bloody Sacrifice that is communicated and applied, but that of the Unbloody Sacrifice.

"Then again, Catharinus manifestly errs when he says that the Unbloody Sacrifice is for the expiation of the sins which are committed after baptism, in such a way that it is applied through the Sacrament of Penance and others : for then he ought clearly to assert that Christ daily merits for us through the Unbloody Sacrifice the grace of justification for other sins, and thus our whole sanctification, by way of universal merit, would not have been consummated by the Sacrifice of the Cross, but there would be two universal causes of merit, altogether diverse, for the remission of our sins, and so when St. Paul says in *Hebrews* x that Christ by one oblation, namely, that of the Cross, consummated those who are sanctified, this would not be understood of all justification of those who are sanctified and of every grace ; which ideas are plainly absurd, and against the teaching of all the Scholastics and the Fathers."

It must be admitted that Vasquez does indeed attribute to Catharinus the false doctrine mentioned by Jewel. But we can only say that Vasquez's exposition of Catharinus is most unfair, and that, like Jewel, he seems deliberately to overlook the plain statements in which Catharinus professes that the sacrifice of the Mass derives all its efficacy from that of the Cross.

This makes it all the more regrettable that when the Abbé Portal wrote his brochure on Anglican Orders in 1894, under the pseudonym of "Dalbus," he should have accepted Vasquez's interpretation of Catharinus without any question, and should have taken it as proof of the existence in the sixteenth century, of the theory that "the Sacrifice of the Eucharist was an absolute sacrifice, complete in itself, and providing an expiation in-

dependent of the expiation accomplished by Our Lord on the Cross."<sup>1</sup>

It is equally regrettable, and surprising, that the French Abbé should also hold in consequence that what the Anglican Church reprobated and condemned was, not the authentic and official Catholic doctrine, but this supposed travesty of it.<sup>2</sup>

Lastly, we come to Suarez. Though he does discuss Catharinus, he does not, in point of fact, attribute to him the precise doctrine that the Sacrifice of the Cross atoned only for original sin. Suarez is discussing the general question, "Whether the Sacrifice of the Mass has any effect *ex opere operato*?"<sup>3</sup> He first expounds the view that it has no effect *ex opere operato*, and ascribes this to Petrus Soto.<sup>4</sup> Secondly, he sets forth the directly opposite view, namely, that

"this sacrifice is, as it were, a universal cause, which confers or concurs *ex opere operato* in all the fruits and effects of grace which Christ merited for us through his Passion, and which are applied to us in any way. So teaches St. Thomas. . . . The foundation for this view may be that this sacrifice is equal to the sacrifice of the Cross, as appears from the principal offerer, and from the thing offered; therefore it is as universal and efficacious in *causando*, as that of the Cross was in meriting and satisfying. From this argument, Catharinus, so it is said (ut refertur),<sup>5</sup> infers further, in his opusculum *De Sacrificio Missæ* and on *Hebrews x*, that this sacrifice, in its virtue of operating (virtute operandi) is not based on the Sacrifice of the Cross, nor does it depend upon it, because it is as infinite as that was. Hence, just as the Cross does not depend upon the Mass, and is not based upon it, so neither does the Mass upon the Cross, but they are both equal, as in perfection so also in value and power (in valore et in virtute). They are therefore like two universal causes, each first in its own genus, *although, by the will of Christ, they have diverse uses, for the Sacrifice of the Cross was ordained only quoad sufficientiam*, but this was ordained *quoad efficaciam*."<sup>6</sup>

Suarez then explains his own view, which is, that the Mass has some effect *ex opere operato*, as the *proximate* cause of these effects. (Catharinus had said it was a universal, or remote cause.) He claims that his view is proved "by the consent of the Church, for all are persuaded that the Sacrifice of the Mass, by virtue of its institution, has a singular force and efficacy for the application of some fruits of the redemption of Christ, as is

<sup>1</sup> *Les Ordinations Anglicanes*, p. 27.

<sup>2</sup> *Comment. in III Summæ*, in *Vivès* edn., Vol. XXI, pp. 709 et seq.

<sup>3</sup> Note that Suarez does not himself assert that Catharinus held the doctrine which had been attributed to him.

<sup>4</sup> Page 709.

<sup>5</sup> *Ibid.*, p. 29.

<sup>6</sup> Page 709.

laid down by the Council of Trent." Secondly, he argues that "the Church has always understood that the fruit of this sacrifice does not depend upon the grace or sanctity of the minister who offers it." But this is not precisely because "Christ is always the chief offerer, for the fruit does not result from Christ thus offering himself, as if He satisfied anew, for He is not now in a state in which He can satisfy, but it is because it was instituted precisely to apply the merits of the Sacrifice of the Cross."<sup>1</sup> Then Suarez establishes directly against Catharinus that the "*Sacrificium Eucharistiæ non universalis causa cum omnibus gratiæ instrumentis concurrens censendum.*" It is not a universal cause, as maintained by Catharinus, and also by St. Thomas, but a partial cause. Thus, Catharinus is discussed by Suarez only in connection with the question whether the Mass produces any effects *ex opere operato*, and whether it acts in this way as a universal cause for all effects, or only for some. He recognises that according to Catharinus, the two sacrifices, though in themselves independent, have different uses, and that by the will of Christ, the Mass is only a universal cause "*quoad efficaciam*," while the Cross was the universal cause "*quoad sufficientiam*." In this connection it must be remembered that, for Catharinus, "*efficaciam*" means instrumentality, applying the virtue of the Cross.

It will be of interest now to see that Anglican writers have defended Catharinus. First it is worthy of note that Hooker, the Elizabethan writer whose own views we have already discussed, seems not to have believed in the accusation made against Catharinus :

"Their Jesuits are marvellously angry with the men out of whose gleanings Mr. Travers seemeth to have taken this ; they openly disclaim it, they say plainly, 'Of all the Catholics, there is no one that did ever so teach.' They make solemn protestation : 'We believe and profess that Christ upon the Cross hath altogether satisfied for all sins, as well original as actual.' Indeed, they teach that the merit of Christ doth not take away actual sin in such way as it doth original."<sup>2</sup>

As to modern Anglicans, Dr. Darwell Stone writes :

"In some passages in his works, he [Catharinus] writes as if he held the efficacy of the redemption accomplished on the Cross to be limited to sins committed before Baptism. . . . In other passages, however, he very distinctly represents the Sacrifice of the Mass as deriving its efficacy from the Sacrifice of the Cross."<sup>3</sup>

<sup>1</sup> Pages 710-11.

<sup>2</sup> Works, III, p. 584.

<sup>3</sup> History of the Doctrine of the Eucharist, ii, p. 71.

And, lastly, Dr. Kidd allows :

"Theologically, no doubt, Catharinus would have held that the Mass, though a sacrifice distinct from that of the Cross, is not a sacrifice independent of it. He does, in fact, make this recognition in several places . . . and, of course, admissions such as this must have their due weight as mitigations of his extravagance. Neither Vasquez nor Suarez seems to have taken them into consideration at all."<sup>1</sup>

Thus, Anglican writers of note really acquit Catharinus of the accusation made against him.

However, let us suppose that Bishop Jewel may fairly be excused for having misrepresented the doctrine of Catharinus, and that it was a genuine misunderstanding on his part. We should presumably have to make a similar allowance for Vasquez. Now the difference in the reaction of the two is most significant. Vasquez repudiates the doctrine which he attributes to Catharinus, denounces it as contrary to the Catholic Faith, and proceeds to formulate once more the orthodox teaching, as set forth by the Catholic Church. Jewel, on the other hand, does not merely repudiate the supposed corrupt view of the Sacrifice of the Mass, but, as we have shown, he clearly repudiates also the orthodox and official doctrine of the Catholic Church on the point. In this<sup>2</sup> he was joined by all the other Anglican Reformers, as we have shown. They one and all repudiate, not merely exaggerated doctrines, but the authentic Catholic doctrine itself. And it was this authentic doctrine which was likewise excluded from the Anglican liturgy, and condemned in its doctrinal formularies.

<sup>1</sup> *Later Mediæval Doctrine of the Eucharistic Sacrifice*, pp. 93-4.

<sup>2</sup> He had denied the Sacrifice of the Mass before he had formulated the accusation against Catharinus, and denied explicitly that the Mass applies the merits of the Sacrifice of the Cross. See quotations on pp. 321-2.



## CHAPTER XII

### ELIZABETHAN ANGLICANS AND HOLY ORDER

It must be obvious that the Elizabethan bishops and divines, who so unanimously repudiated the doctrines of the Real Objective Presence and the Sacrifice of the Mass, could not possibly have held the Catholic doctrine on the Christian sacrificial priesthood. Instead, they advocated a Christian ministry of "pastors and watchmen," to use Jewel's phrase, and were quite content that this should exist in three grades, bishops, "priests" or presbyters, and deacons.

There are thus two points which call for consideration in this chapter :

(a) The Elizabethan conception of the Christian ministry in general.

(b) The Elizabethan conception of episcopacy, with special reference to the question of the validity of non-episcopal orders of foreign Reformed Churches.

#### A. THE ELIZABETHAN CONCEPTION OF THE CHRISTIAN MINISTRY.

This is clearly stated in the following extracts from representative divines.

1. THOMAS BECON, in his *Demands of Holy Scripture*, written in 1563, clearly denies that Order is a Sacrament, and insists that there are two sacraments only :

"Christ in the New Testament left no more to be occupied in his Church. As there were given to the people of the Old Law but two sacraments, that is to say, circumcision and the passover ; so likewise in the New Testament Christ appointed but two sacraments, that is, instead of circumcision baptism, and in the place of the passover the Lord's Supper. Therefore as for the rest, they be not aptly called sacraments. They be honest trades, godly orders of life and virtuous, meet to be exercised of Christians, as matrimony, order, penance, confirmation, and extreme unction."<sup>1</sup>

<sup>1</sup> *Works*, P.S., III, p. 618.

As to the "honest trade" called Order, Becon writes as follows :

"Order hath been wrongfully taken both for a sacrament, and for the anointed order of priesthood, which Christ took away. But indeed a godly, holy and reverend state of ministers, preachers, pastors or apostles, is of Christ allowed in the New Testament to be lovingly and reverently received of us as shepherds of the flock."<sup>1</sup>

This makes it perfectly clear that according to Becon, ordination is not a sacrament conferring the priesthood, but a rite for making "Gospel ministers."

2. BISHOP JEWEL's conception of the ministry will be seen from a letter he wrote to a Continental reformer on November 2nd, 1559 :

"As to your expressing your hopes that our bishops will be consecrated without any superstitious and offensive ceremonies, you mean, I suppose, without oil, without the chrism, without the tonsure. And you are not mistaken ; for the sink would indeed have been emptied to no purpose if we had suffered those dregs to settle at the bottom. Those oily, shaven, portly hypocrites we have sent back to Rome from whence we first imported them, for we require our bishops to be pastors, labourers, and watchmen."<sup>2</sup>

It might be urged that this is mainly concerned with the ceremonies of episcopal consecration, but the last sentence certainly deals with the episcopal office as such. In any case, Jewel's views are set forth elsewhere with great clearness, as in the *Treatise on the Sacraments, gathered out of certain sermons which the Reverend Father in God, Bishop Jewel, preached at Salisbury* (1583). Here we find the following :

"Now we are to speak in the next place of the ministry of the Church, which some have called Holy Orders. Shall we account it a sacrament ? There is no reason so to do. It is a heavenly office, a holy ministry, or service. . . . No doubt the ministry of the Gospel is highly to be esteemed . . . yet it appeareth not wherever our Saviour did ordain it to be a sacrament. . . .

"Note that this ministry of the Church was not ordained to offer sacrifice for forgiveness of sins. Whosoever taketh that office upon him, he doth wrong and injury to the death and Passion of Christ. . . . He alone is our High Priest. . . . All others whatsoever, apostles, prophets, teachers and pastors, are not in office to offer any propitiatory sacrifice, but are called to the ministry of the saints, to the edification of the body of Christ, and to the repairing of the Church of God. Thus much of the holy ministry of the Church, which standeth in the setting forth of the mystery of our

<sup>1</sup> *Op. cit.*

<sup>2</sup> *Zurich Letters*, First Series, p. 50.

salvation, both by the preaching of the word of God, and by the due and reverend ministration of the sacraments.”<sup>1</sup>

3. PILKINGTON, Bishop of Durham, has some very interesting statements on the subject of the Anglican conception of Holy Order.

St. Paul's in London had been set on fire by lightning in 1561. Pilkington, preaching at Paul's Cross, said this might be a judgment of God for the sins of men. A Catholic, probably Morwen, chaplain to Bishop Bonner, published *An Addition to the Causes of the Burning of Paul's Church*, in which he said the event might well be a token of God's displeasure with the new religion :

“The said preacher . . . did declare the virtue of obedience to be much decayed in these our days, but he leaves out who they be that cause disobedience. For ‘there is none more disobedient than the new bishops and preachers nowadays, which disobey the universal Church of Christ. . . . As, where the universal Church of Christ commands Mass and seven sacraments as necessary for our salvation, they call it abomination with their blasphemous mouths. . . .’

“We may see how they condemn all that blessed fathers, holy martyrs, and saints have decreed : they disobey all that have been virtuous and good in Christ's Catholic Church. As now of late, ‘they have invented a new way to make bishops and priests, and a manner of service and ministration that St. Augustine never knew, St. Edmund, Lanfranc, St. Anselm, nor never one bishop of Canterbury saving only Cranmer, who forsook his profession as apostata, so that they must needs condemn all the bishops in Canterbury but Cranmer, and he that now is. . . . In Duresme have been many good fathers ; but he that now is bishop cannot find any one predecessor in that see that was of his religion, and made bishop after such sort as he was, so that he that now is must take in hand to condemn all the bishops afore him.’ ”<sup>2</sup>

To this work Pilkington replied at length, dealing with the particular point as follows :

“Granting these old bishops to be made after another sort than these be now, what harm may follow ? . . . If our order agree with Christ's doings and his Apostles' writings better than theirs, are we to blame in forsaking them and following Christ and his Apostles ? ”<sup>3</sup>

He then goes on to maintain that the Anglican ordination rite is in accordance with Scripture, etc.

“In . . . Scripture . . . there be these things to be noted in sending forth ministers. First, an assembly of the clergy and people,

<sup>1</sup> *Works*, P.S., II, pp. 1129-1131.

<sup>2</sup> In Pilkington's *Works*, P.S., pp. 484-5.

<sup>3</sup> *Ibid.*, p. 579.

to bear testimony of their honesty and aptness that be called. . . . Secondly, I note they used exhortations, with fasting, prayer and laying on of hands. These ceremonies we be sure are good and godly, because the Apostles used them so oft, and these, except some great cause to the contrary, are to be used of all in calling of the ministers. All these things the order now appointed observes, and no more : all the popish ceremonies be cut off as vain and superfluous. . . . The Pope and his prelates have devised . . . oil for anointing their fingers, and power to sacrifice for quick and dead . . . with such a kind of apparel that they be more like to Aaron and Moses, priests of the old law, than a simple preacher of Christ's gospel, or minister of his sacraments of the New Testament."<sup>1</sup>

Note that Pilkington says that the ceremonies spoken of in Scripture and used in the Anglican rite, such as the laying on of hands, are not absolutely necessary for ordination, and may be dispensed with if some great cause be present. Note also his distinct repudiation of the priest's power to sacrifice, and his statement that the clergyman is merely a "simple preacher and minister of sacraments." It is obvious that it is not merely the ceremonies of the Pontifical that he objects to : it is the whole Catholic conception of the sacrificial priesthood. Here is another significant passage.

"In Duresme I grant the bishop that now is and his predecessor<sup>2</sup> were not of one religion in divers points, nor made bishops after one fashion. This has neither cruche nor mitre, never sware against his prince his allegiance to the pope ; this has neither power to christen bells, nor hallow chalices and superaltars, etc., as the other had ; and with gladness praises God that keeps him from such filthiness. . . . God defend all good people from such religion and bishops !"<sup>3</sup>

4. Thoroughly Protestant views on the ministry were expressed by SANDYS, successively Bishop of Worcester, London, and Archbishop of York. Consistently with his plain denial, both of the Real Presence, and of the Eucharistic Sacrifice, to which we referred on a previous page<sup>4</sup> he clearly denies the existence of the sacrificial priesthood :

"There can be no sacrifice without a priest, as there can be no priest where there is no sacrifice. In the Scriptures I find a three-fold priesthood allowed of God, a Levitical priesthood, a royal priesthood figured in Melchisedech, and verified in Christ, a spiritual priesthood belonging generally to all Christians. . . . Where the popish priesthood taketh footing, in what ground the foundation thereof is laid, I cannot find in the Scriptures. Antichrist is the

<sup>1</sup> *Works*, P.S., pp. 580-581.  
<sup>2</sup> *Works*, pp. 586-7.

<sup>3</sup> Tunstall.  
<sup>4</sup> See p. 183.

author of that priesthood ; to him they sacrifice, him they serve. . . . There remaineth no other sacrifice to be daily offered but the sacrifice of ' righteousness ' which we must all offer. At the hands of the minister it is required that he feed the flock committed unto his charge ; this is righteousness in him, it is his sacrifice."<sup>1</sup>

5. WHITGIFT, who in 1577 became Bishop of Worcester, and in 1583 Archbishop of Canterbury, is said by the *Encyclopædia Britannica*<sup>2</sup> to have held "extreme High Church notions." Even so, he explains to Cartwright, the Puritan, that the imposition of hands "is but a ceremony,"<sup>3</sup> and elsewhere he says that it is "a token, or rather a confirmation" that "God doth bestow his gifts and spirit upon such as be called to the ministry of the word," and that in this sense "it is no vain ceremony, though it be done by men."<sup>4</sup>

He also explains the sense in which the Anglican Bishop uses, when ordaining, the words "Receive the Holy Ghost" :

"The Bishop speaking these words doth not take upon himself to give the Holy Ghost, no more than he doth to remit sins when he pronounces the remission of sins, but by speaking these words of Christ, 'Receive the Holy Ghost, whose sins soever ye remit,' etc., he doth show the principal duty of a minister, and assureth him of the assistance of God's Holy Spirit if he labours in the same accordingly."<sup>5</sup>

"Neither doth the bishop speak them as though he had authority to give the Holy Ghost, but he speaketh them as the words of Christ used in the like action, who, as I said before, doth most certainly give his Holy Spirit to those whom He calleth to the ministry."<sup>6</sup>

Shortly afterwards, he condemns

"the foolish imitation of the papists, who follow Christ in breathing, but that there is any great misliking of these words, 'Receive the Holy Ghost' (except only when they speak of the papistical abusing of them) I cannot perceive."<sup>7</sup>

Obviously the "papistical abuse" is when a Catholic bishop claims to confer the Holy Ghost upon the ordinands by the use of these words.

It is of interest to note that to the contention of Cartwright that the Anglican Ordinal "is taken word for word from the Romish Pontifical," Whitgift replies :

"It is most false and untrue that the Book of Ordering Ministers and Deacons, etc., now used is word for word drawn out of the

<sup>1</sup> *Sermons*, Parker Society, pp. 411 *et seq.*

<sup>2</sup> *Answer to Admonition*, in *Works*, P.S., I, p. 487.

<sup>3</sup> *Ibid.*, p. 490.

<sup>4</sup> *Ibid.*, p. 490.

<sup>5</sup> Eleventh edn., Vol. 28, p. 608.

<sup>6</sup> *Ibid.*, p. 489.

<sup>7</sup> *Ibid.*, p. 491.

Pope's Pontifical, being almost in no point corresponding to the same."<sup>1</sup>

Evidently Archbishop Whitgift clearly realised the differences between the two ordination rites !

6. The last Elizabethan Bishop we will mention in this connection is BILSON. He is said to have held somewhat high views on various subjects, but we have seen that he keeps well within the bounds of Anglican doctrine on the Eucharist and the Sacrifice. As to ordination, he holds that :

"To create ministers by imposing hands is to give them, not only power and leave to preach or to dispense the sacraments, but also the grace of the Holy Ghost to make them able to execute both parts of their function."

But though the Holy Ghost is given in ordination, it is only for the execution of the two functions of preaching and administering the sacraments. There is no reference to any power to offer sacrifice.

7. Finally, we have the conception of the Christian ministry set forth by the judicious HOOKER.

This great authority describes the Christian ministry as "that function which undertaketh the public ministry of holy things according to the laws of the Christian religion."<sup>2</sup> He holds a somewhat high view of its nature, for he speaks of "the power given in ordination," and not merely of authority given to do things. Also he emphasizes the Divine origin of this power :

"The ministry of things divine is a function, which as God did Himself institute, so neither may men undertake the same but by authority and power given them in lawful manner."<sup>3</sup>

He even speaks as follows :

"The power of the ministry of God . . . raiseth men from the earth and bringeth God Himself down from heaven, by blessing visible elements it maketh them invisible grace, it giveth daily the Holy Ghost, it hath to dispose of that flesh which was given for the life of the world, and that blood which was poured out to redeem souls ; when it poureth malediction upon the heads of the wicked they perish, when it revoketh the same they revive."<sup>4</sup>

<sup>1</sup> *Works*, ii, 408.

<sup>2</sup> Quoted by Canon A. J. Mason, *Church of England and Episcopacy*, Cambridge University Press, p. 48. The student must carefully distinguish between this work by Canon A. J. Mason, published in 1914, and the defence of Anglican Orders published by Archdeacon Francis Mason in 1613. Both of these are referred to in the present work, but the context will make it clear which work is meant.

<sup>3</sup> *Works*, Vol. II, p. 444.

<sup>4</sup> *Ibid.*, p. 455.

<sup>5</sup> *Ibid.*, p. 456.

And he adopts the Catholic terminology of the twofold power given in ordination, over the natural body of Christ, and his mystical body :

"To whom Christ hath imparted power both over that mystical body which is the society of souls, and over that natural which is himself, for the knitting of both in one (a work which antiquity doth call the making of Christ's Body)."<sup>1</sup>

But note that he does not interpret the phrase "making of Christ's body" to mean the power of consecrating the Eucharist.

Hooker even allows that "the same power is in such not amiss both termed a kind of mark or character, and acknowledged to be indelible."<sup>2</sup>

He interprets the words "Receive the Holy Ghost" used in ordination to signify, not the person alone, but the gifts of the Holy Ghost."<sup>3</sup>

The "special grace" given in ordination is "a holy and ghostly authority over the souls of men, authority a part whereof consisteth in power to remit and retain sins."<sup>4</sup>

Hooker also teaches the Scriptural institution of a three-fold ministry, and a certain kind of Apostolic succession.

But now comes out his essential Protestantism, for he insists that the ministry, which thus exists in three degrees, is not a sacrificial ministry, but a pastoral one ; and, accordingly, he prefers the word "presbyter" to "priest." The latter term, however, may be used, because it no longer suggests sacrificial powers :

"Touching the ministry of the Gospel . . . the clergy are either presbyters or deacons. I rather term the one sort Presbyters than Priests, because in a matter of so small moment I would not willingly offend their ears to whom the name of Priesthood is odious though without cause. . . . Concerning popular use of words, that which the wisdom of their inventors did intend thereby is not commonly thought of. . . . If you ask of the common sort what any certain word, for example, what a Priest doth signify, their manner is not to answer, a Priest is a clergyman which offereth sacrifice to God, but they shew some particular person whom they use to call by that name. . . . Howbeit, because the most eminent part both of heathenish and Jewish service did consist in sacrifice, when learned men declare what the word Priest doth properly signify according to the mind of the first imposer of that name, their ordinary schools do well expound it to imply sacrifice.

"Seeing then that sacrifice is now no part of the Church ministry, how should the name of Priesthood be thereunto rightly applied ? Surely even as St. Paul applieth the name of Flesh unto that very

<sup>1</sup> *Op. cit.*

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, p. 460.

<sup>4</sup> *Ibid.*, p. 461.

substance of fishes which hath a proportional correspondence to flesh, although it be in nature another thing. . . . The Fathers of the Church of Christ . . . call usually the ministry of the Gospel Priesthood in regard of that which the Gospel hath proportionable to ancient sacrifices, namely, the Communion of the blessed Body and Blood of Christ although it hath properly now no sacrifice. As for the people, when they hear the name it draweth no more their minds to any cogitation of sacrifice than the name of a senator or of an alderman causeth them to think upon old age. . . . Wherefore, to pass by the name, let them use what dialect they will, whether we call it a Priesthood, a Presbytership, or a Ministry it skilleth not : although in truth the word Presbyter doth seem more fit, and in propriety of speech more agreeable than Priest, with the drift of the whole Gospel of Jesus Christ."<sup>1</sup>

In view of the pastoral and non-sacrificial nature of the priesthood, it matters little that Hooker goes on to say that "Of presbyters some were greater, some less in power, and that by Our Saviour's own appointment," and that "to these two degrees appointed of Our Lord . . . his Apostles soon after annexed deacons."<sup>2</sup> The ministry which thus exists in three degrees is not the sacrificial priesthood as the Catholic Church has always understood it.

#### B. THE ELIZABETHAN BISHOPS AND NON-EPISCOPAL ORDERS.

1. The dominant Anglican conception of Episcopacy during Elizabeth's reign may be set forth as follows : The Christian ministry has, historically, existed in three grades, bishops, "priests," and deacons, and in this sense the episcopate may be described as an Apostolic, or even as a "divine" institution. But it is clear that even so, episcopacy is regarded, not as absolutely necessary for the *esse* of a Church, but, at most, required for its *bene esse*. Accordingly, while defending the episcopate and episcopal ordination, the Elizabethans are very careful not to insinuate or imply that the non-episcopal ministries of Reformed Churches abroad are invalid. Indeed, one of the cardinal points of Anglican belief, accepted by all for the first century of Anglicanism, was that the Reformed Continental Churches were true branches of the Church of Christ, with which the Anglican Church was in full communion, though differing from them in some features of government or ceremonial. This frank recognition of the Continental Protestants is proved by the constant correspondence which took place between many of the Eliza-

<sup>1</sup> *Op. cit.*, pp. 469-72.

<sup>2</sup> *Ibid.*, pp. 473-4.



bethan bishops and the Protestant leaders abroad, and especially with Bullinger, whom Dr. Frere so fittingly describes as "the Pope of Geneva," and who was often consulted on matters of ceremonial, etc.

Incidentally, this fact, that the Elizabethan Anglicans recognised the Continental Protestant Churches as sister churches, is itself very significant, for no one has ever pretended that the Continental Protestants retained the "sacerdotal" or "sacrificial" conception of the Christian ministry. On the contrary, it is agreed that they had replaced it definitely by the "evangelical" conception of pastors. The natural inference is that there was no fundamental difference between this Continental and the English conception of the Christian ministry: at most there was a difference of opinion as to the number and necessity of its grades.

But trouble arose in the Elizabethan Church through the subversive activities of some of the more extreme members of the Puritan party. These were in complete agreement with all other Anglicans and with Continental Protestants, as to the non-sacrificial but evangelical character of the Christian ministry. But they differed from their fellow Anglicans inasmuch as they would not allow that the method of ecclesiastical government was a matter upon which different views might lawfully be held.

They were not content to regard episcopacy as optional—they went further, and maintained that it was rather blasphemous and sinful, and that the one divinely instituted method of Church government was presbyterianism. In this respect they were more extreme than the more sober foreign Protestants, who were not opposed to bishops, at least in theory. This assertion of the divine right of presbyterian government quite naturally led to another extreme in the opposite direction, and thus we get the famous sermon preached at St. Paul's Cross on February 9th, 1589, in which Bancroft, then a divine, denied that presbyterianism was of divine institution, and, somewhat tentatively, asserted on the contrary that bishops govern the Church by divine right.<sup>1</sup> This doctrine had indeed been advanced already

<sup>1</sup> Even so, Bancroft was careful to insist, in the same sermon, that "not only the title of Supreme Governor over all persons and in all cases, as well ecclesiastical as civil, did appertain and ought to be annexed to the Crown, but likewise all honours, dignities, pre-eminences, jurisdiction, privileges, authorities, profits and commodities which by usurpation, at any time did appertain to the Pope."—See the sermon in *Bibliotheca Scriptorum Ecclesiæ Anglicanæ*, 1709, I, p. 291.

by some of the Anglican bishops in the previous year, 1588. But it had not passed unnoticed or uncriticised. Hammond, an ecclesiastical lawyer and Commissary to the Dean of Arches, had written to Cecil, now Lord Burghley, as follows :

"If it had pleased her Majesty, with the wisdom of this realm, to have used no bishops at all, we could not have complained justly of any defect in our Church ; or, if it had liked them to limit the authority of bishops to shorter terms, they might not have said they had any wrong. But sith it hath pleased her Majesty to use the ministry of bishops, and to assign them this authority, it must be to me, that am a subject, as God's ordinance, and therefore to be obeyed, according to St. Paul's rule."<sup>1</sup>

Also, Sir Francis Knollys expressed his alarm at this new development of episcopal pretensions. It was eventually made clear that this "divine right of bishops" merely meant that episcopacy was an Apostolic institution, which ought to be retained. And even the upholders of this "divine right of bishops" agreed that foreign presbyterian orders are valid, and that in case of necessity, episcopal government may be dispensed with, and presbyters may ordain. And, as we shall see, there is evidence to show that foreigners in presbyterian orders were regarded at first as sufficiently ordained to hold Anglican benefices.

But a different line was taken towards those English Puritans who, neglecting or despising the episcopal government at home, obtained some kind of presbyterian ordination, either at home or abroad. These were regarded as not properly ordained, and therefore as incapable of holding benefices with the cure of souls.

It would seem that the explanation of this apparent inconsistency is to be found in Article 23 of the Thirty-nine Articles, which asserts that a man may not take upon himself the office of public preaching or ministering the sacraments in the congregation before he is lawfully called and sent to execute the same by "men who have public authority given unto them in the congregation to call and send ministers." In England, the Crown had given "public authority to call and send ministers" only to bishops. Accordingly, in England, ordination by bishops was required, unless some special grace or dispensation

<sup>1</sup> Quoted from the Hatfield Calendar, III, 754, by Child, *Church and State under the Tudors*, p. 304. On p. 296 Child erroneously attributed the same statement to Whitgift. The error was pointed out by Dr. Firminger, in his *Attitude of the Church of England to non-episcopal Ordinations*, p. 38. Nevertheless it has been repeated by the Rev. H. E. G. Rope in his *Matthew Parker's Witness against Continuity*, 1931, p. 63.

should be given. But in the case of Geneva, for example, "public authority" to ordain had been given to presbyters, and thus Swiss ministers ordained according to the Genevan fashion would be regarded as validly ordained. By way of extension, orders conferred during Mary's reign upon English refugees at Geneva by the presbyterian rite might be regarded as valid. But there would be no excuse for an Englishman in Elizabeth's reign seeking such presbyterian ordination abroad, and accordingly his orders would be disregarded.

All this explains the real meaning of the claim to "Apostolic succession" made by certain Anglican writers in Elizabethan and Jacobean times. This term merely means that the episcopate is a mode of Church government, or a grade in the ministry, which goes back to Apostolic times, and that the bishops are the successors to the Apostles inasmuch as the commission to preach the word and administer sacraments has been handed on to them. Catholics, on the other hand, use the phrase in a very different sense, to signify the handing on of the High Priesthood, first possessed by the Apostles, together with the power of spiritual jurisdiction. Only bishops possess the fullness of this priesthood, and only bishops transmit this priesthood to others.

2. The Anglican conception which we have just outlined may be verified by an examination of Elizabethan writers on the subject. We do not propose to give lengthy citations here. But the following will serve as illustrations.

JEWEL nowhere asserts the divine rights of bishops, but frequently implies the contrary. The most definite assertion of episcopacy to be found in his writings is his statement in the *Apology* :

"We believe that there be divers degrees of ministers in the Church, whereof some be deacons, some priests, and some bishops, to whom is committed the office of instructing the people, and the whole charge and setting forth of religion."<sup>1</sup>

In the *Defence of the Apology*, Jewel plainly intimates that there is no essential difference between a bishop and a priest, or even between a priest and a layman, and that the method of ecclesiastical government admits of variation according to time and place.<sup>2</sup>

<sup>1</sup> *Works*, P.S., Vol. III, p. 271.

<sup>2</sup> *Ibid.*, pp. 294, 335.

Jewel, of course, was on the friendliest terms with the foreign Protestant reformers, and constantly corresponded with them.

WHITGIFT says indeed that episcopacy is an "institution apostolical and divine," not of merely human institution, having as its author the Apostles, and that bishops were appointed as successors to the Apostles.<sup>1</sup> But, on the other hand, when he wrote to Beza, he addressed him as his "colleague in the ministry." And in his *Answer to the Admonition*, he speaks thus of the points in dispute with the Puritans :

"The controversy was not whether many of the things mentioned . . . were fitly used in the Apostles' time, or may be now well used in some places ; yea, or be conveniently used in sundry Reformed Churches at this day ; that none of these branches were denied ; neither did they take upon them either to blame (as they were slandered) or to condemn other churches for such orders as they had received as most fit for their estates."<sup>2</sup>

In 1554, Whitgift issued certain articles for the clergy, the fifth of which enacted that anyone not "priest or deacon at least admitted thereunto by the laws of this realm" should be prohibited even from preaching. Subsequently Whitgift explained that this was aimed at "those who take orders at Antwerp or elsewhere beyond the seas," i.e. Englishmen who went abroad for ordination.

BISHOP BILSON, according to Mason,<sup>3</sup> is "contented to show that episcopacy was apostolical in origin and catholic in history."

Turning from bishops to divines, we next quote WHITAKER, Master of St. John's College, Cambridge, and Regius Professor of Divinity. He was commissioned to write a reply to Blessed Edmund Campion's *Ten Reasons*. In this reply, he said :

"We permit none to exercise the ministry but those who are by due order called to that office."<sup>4</sup>

Campion's work was defended against Whitaker by Father Drury, S.J., who urged :

"Tell us, if you can, who called Luther, Calvin, Beza, and the other preachers of your gospel, to that office ?"

To this Whitaker replies as follows :

"Luther was a priest and doctor of your own. . . . So too were Zuinglius, Bucer and many others. And as presbyters, if presbyters are by divine right the same as bishops, they could set other presbyters over the churches. . . . But I would not have you think

<sup>1</sup> Mason, *Church of England and Episcopacy*, p. 29.

<sup>2</sup> Preface to Third Edition.

<sup>3</sup> *Church of England and Episcopacy*, p. 47.

<sup>4</sup> *Responsio ad Decem Rationes*, 1610.

we make such account of your orders, as to consider no calling lawful without them. Therefore, keep your orders to yourselves. God is not so tied to orders but that He can, without order, when the good of the Church requires, constitute ministers in the churches. And the churches have the lawful power of choosing ministers, so that there is no need to take from you those who are to discharge the ministry among us."<sup>1</sup>

Whitaker's views are thus summarised by Haddan :

"In order to take up a ground which shall at once include foreign Protestants and exclude Romanists, he dwells strongly on doctrinal, as distinct from personal succession, rests the claims of ministers on 'extraordinary' vocation, and affirms priestly to be episcopal orders."<sup>2</sup>

Whitaker thus teaches the non-necessity of episcopal ordination, and believes in the validity of the ministry of the foreign non-episcopal Protestant churches.

Another interesting Anglican writer of this period is FULKE, a scholar of St. John's College, Cambridge, and Lady Margaret Professor of Divinity. He writes :

"You are highly deceived if you think we esteem your offices of bishops, priests and deacons better than laymen."<sup>3</sup>

And in another work :

"With all our hearts we defy, abhor, detest and spit at your stinking, greasy, Antichristian orders."<sup>4</sup>

These passages make clear Fulke's opinion of Catholic orders. On the other hand, he of course believes in *Anglican* orders :

"For order and seemly government among the clergy, there was always one principal, to whom the name of Bishop or Superintendent hath been applied. . . . The ordination, or consecration, by imposition of hands, was always principally committed to him."<sup>5</sup>

And elsewhere :

"Imposition of hands is used of us in ordaining of ministers."<sup>6</sup>  
But episcopal ordination is not really necessary :

"I speak not this as though, in planting of the church where it hath been long exiled, an extraordinary form of ordaining were not sufficient."<sup>7</sup>

Lastly, HOOKER, in spite of his belief in the three degrees

<sup>1</sup> *Defence of the Answer to Campion*, London, 1583, p. 820.

<sup>2</sup> Bramhall's *Works*, Oxford edn., Vol. III, p. 135, note.

<sup>3</sup> *Answer of a True Christian to a Counterfeit Catholic*, art. 13, p. 50, London, 1577.

<sup>4</sup> *Retentive against Bristow's Motives*, 21, p. 69, London, 1580.

<sup>5</sup> *In Titum*, c. i, v. 5.

<sup>6</sup> *Overthrow of Stapleton's Fortress*, c. viii, p. 113, London, 1580.

<sup>7</sup> *Overthrow of Stapleton's Fortress*, P.S., p. 117.

of the ministry, conceded the validity of non-episcopal ordination in extraordinary circumstances :

"There may be sometimes very just and sufficient reason to allow ordination made without a bishop. The whole Church visible being the true original subject of all power, it hath not ordinarily allowed any other than Bishops alone to ordain. Howbeit, as the ordinary course is ordinarily in all things to be observed, so it may be in some cases not unnecessary that we decline from the ordinary ways.

"Men may be extraordinarily, yet allowably, two ways admitted into the spiritual functions in the Church. One is, when God Himself doth raise up any, ratifying their calling by manifest signs and tokens Himself from heaven. . . . Another extraordinary kind of vocation is when the exigence of necessity doth constrain to leave the usual ways of the Church which otherwise we would willingly keep : where the Church must needs have some ordained, and neither hath nor can have possibly a bishop to ordain ; in cases of such necessity the ordinary institution of God hath given oftentimes, and may give, place.

"And therefore we are not simply without exception to urge a lineal descent of power from the Apostles by continued succession of bishops in every effectual ordination."<sup>1</sup>

3. In 1571 an Act of Parliament was passed which enacted that "any person under the degree of a bishop who shall pretend to be a priest or minister of God's holy word and sacraments by reason of any other form or institution, consecration or ordering than the form set forth by Parliament in the time of . . . Edward VI" should "declare his assent and subscribe all the Articles of Religion." No mention was made of any reordination. The Act without doubt aimed at the Marian priests who had conformed to the Elizabethan Establishment, but were still opposing the doctrinal Reformation. As they had been ordained by Catholic bishops, they came under the category of those who were "at this present bishop, priest or deacon"<sup>2</sup> and accordingly did not require ordination by the Edwardine Ordinal.

But neither the Act of Parliament nor the Preface to the Ordinal explained what was to be done in the case of Englishmen or foreigners who had received presbyterian ordination. Were they "at this present, priest or deacon"? And were they able to claim the same exemption from reordination tacitly granted the Marian priests by the Act of Parliament? This was not clear. But, as we shall see, in practice it was argued

<sup>1</sup> *Ecclesiastical Polity*, Book VII, xiv, 11.

<sup>2</sup> Preface to Ordinal.

that Englishmen in the reign of Elizabeth who obtained presbyterian ordination, at home or abroad, were not ordained according to the requirements of the law. On the other hand, it was expressly stated that no reflection was thereby cast upon presbyterian ordinations legitimately carried out in the case of foreigners.

4. We will now examine concrete cases of non-episcopally ordained ministers in the Elizabethan Anglican Church.

There are two instances during Parker's episcopate in which ministers who had not received Edwardine ordination were deprived of their livings. Both of these were subsequent to the Act of 1571. The first was in that very year: a certain Townsend had apparently received some kind of ordination, for he was instituted to a benefice by Parkhurst of Norwich and described as a "clericus." But he was deprived by the Archbishop, as a "laicus," on the ground of "incapacity." But we have no further information, and we do not know whether the previous ordination which Townsend had received was a presbyterian one, or the Catholic "tonsure."

Secondly, in 1575, a certain Thwaites was deprived of his benefice of Crosby Ravensworth, because he was not a minister according to the Edwardine Ordinal, and also because he had not subscribed the *Thirty-nine Articles*. Here, again, we do not know anything about his previous ordination—in fact, it is possible that he had received no orders of any kind.

Canon Mason<sup>1</sup> rightly says that these two cases are "inconclusive." But clearer cases occur later.

5. Parker was succeeded in the See of Canterbury in 1575 by Grindal.

During his tenure of the principal see, a certain JOHN MORISON, who had been ordained by the "General Synod or Congregation of the Reformed Church of Scotland in the County of Lothian," i.e. by a presbyterian body, was licensed by Aubrey, Grindal's Vicar General, to preach and administer the sacraments throughout the Province of Canterbury, in virtue of his "ordination by the laying on of hands according to the laudable form of the Church of Scotland."<sup>2</sup>

Strenuous attempts have been made by certain High Church writers to evade the force of this distinct recognition of Scotch

<sup>1</sup> *Church of England and Episcopacy*, p. 497.

<sup>2</sup> Denny, *English Church and the Ministry of the Reformed Churches*, p. 62.

Presbyterian orders. Thus, Denny<sup>1</sup> suggests that Morison may really have been ordained by a Scotch bishop "acting in collusion with the General Synod"! Similarly, Dr. Firminiger<sup>2</sup> argues that in recognising this ordination, the Vicar General exceeded his rights.

Canon Mason, on the other hand,<sup>3</sup> allows that "on the whole, the case must be said to be made out." He argues, indeed, that "the licence was not issued by the Church of England,"<sup>4</sup> yet admits that the licence was "issued by the authority of its highest minister."

Thus, from the first, Scotch Presbyterian orders were recognised as valid by the Anglican authorities.

6. While Grindal was Archbishop of Canterbury, Sandys was Archbishop of York, and he was involved in the well-known Whittingham case, which is usually urged as showing that presbyterian orders were repudiated by him. We must therefore examine this case carefully.

WHITTINGHAM had been a refugee at Geneva during the reign of Queen Mary, and had there received some kind of ordination. He returned to England at the beginning of Elizabeth's reign, and was appointed Dean of Durham. There he evidently made enemies, and his administration of his office being generally unsatisfactory, a Royal Commission of Enquiry was appointed to investigate the matter (1576-9). Among the accusations made against him was the charge that he was not ordained according to the laws of the realm. The Commission included Sandys, Archbishop of York, the Dean of York, and also the Lord President of the North, Henry Earl of Huntingdon.

As to the point concerning his orders, Whittingham urged in defence that he had been duly ordained at Geneva, according to the rite of that Church. Archbishop Sandys thereupon called upon him to give proof of this ordination. Whittingham produced two statements written by other English people who were at Geneva at the time of the ordination. The first statement said that he was "chosen by lot and election" to the office of minister. The Archbishop observed that neither in Geneva nor in any other Reformed Church in Europe could

<sup>1</sup> *Loc. cit.*

<sup>2</sup> *Attitude of the Church of England to Non-Episcopal Ordinations*, p. 22.

<sup>3</sup> *Church of England and Episcopacy*, p. 497.

<sup>4</sup> But how could the Church of England issue a licence, other than by one of its bishops, or his Vicar General?



it be proved that such orders were even used or allowed of. Whittingham then produced a second certificate, saying that he was "admitted minister, and was published with such other ceremonies as used and accustomed." Against this, the lawyers said :

"There is no proof of the fact. . . . There were wanting *externæ solemnitates, auctoritatem ordinantis*, which by Bucer's opinion ought to be a bishop or superintendent, and the *formam ordinationis*, which chiefly consisteth in imposition of hands."

The Dean of York, on the other hand, remarked that the Geneva ordination was of much more value than the Popish ordination which was all that some of the Commissioners had received !

Eventually the Earl of Huntingdon wrote to Cecil, now Lord Treasurer, as follows :

"Judge what flame this spark was like to breed if it should kindle, for it could not but be ill taken of all the godly learned, both at home and in all the Reformed Churches abroad, that we should allow of the popish massing priests in our ministry, and disallow of the ministers made in a Reformed Church. . . . Already there had been great difference grown between the Archbishop and Dean of York upon this case. And for himself he (the Commissioner) must confess to his Lordship plainly that he thought in conscience he might not agree to the sentence of deprivation for that cause only."<sup>1</sup>

The Lord Treasurer thereupon wrote to Archbishop Sandys on the matter, and received the following significant reply :

"Verily, my lord, that Church [of Geneva] is not touched, for he hath not received his ministry in that Church, or by any authority or order from that Church, so far as yet can appear."<sup>2</sup>

Also, one of the documents in the case, printed in the *Life of Whittingham*,<sup>3</sup> is headed :

"Mr. W. W., now Dean of Duresme, hath not proved that he was orderly made minister at Geneva according to the Order of Geneva, by public authority established there."

And again :

"Unless therefore Mr. W. prove he was made minister at Geneva according to the law there, if it were 'aut contra aut præter formam specificam jure Genevensi publico stabilitam,' he was neither minister there nor here now is."<sup>4</sup>

<sup>1</sup> Strype, *Annals*, II, ii, p. 174.

<sup>2</sup> Camden Society, Misc. Vol. VI, p. 41.

<sup>3</sup> *Ibid.*, p. 620.

<sup>4</sup> *Ibid.*, p. 46.

And again :

"His pretended priesthood or ministry of Geneva order not sufficiently proved."<sup>1</sup>

All this makes it quite clear that, if Whittingham could have produced sufficient evidence of a proper ordination according to the Genevan rite, this particular point would not have been urged against him. But there were many other accusations made against him which would doubtless have led to his deprivation, had he not died before the case was concluded.

At any rate, this case seems to make it clear that Archbishop Sandys may be included amongst those who recognised foreign presbyterian orders, at least those of the Calvinists at Geneva.<sup>2</sup>

7. Grindal was succeeded at Canterbury by Whitgift in 1583.

It is clear that Whitgift distinguished between foreign presbyterian orders, as given to foreigners, and the same orders given to Englishmen. The former are valid in his view, but the latter invalid. This will be seen from the case of Travers.

TRAVERS was precisely one of those Englishmen who, rather than obtain episcopal orders at home, went to Antwerp and there obtained presbyterian ordination. He was a preacher at the Temple Church, and eventually applied for the Mastership. But this candidature was opposed by Archbishop Whitgift, who urged the defective character of his orders. Travers sent a defence of his position to Burghley, who in turn sent the document to Whitgift for his observations. The document with observations is reprinted by Strype in his *Whitgift*.<sup>3</sup>

Travers urges that ordinations in one Reformed Church ought to be recognised by other Churches. Whitgift observes that this is just what the French Protestants will not do, for they even reordain Anglicans who go there.

Travers appealed to Polycarp. Whitgift observes that Polycarp, "being ordained minister according to the order of the Church wherein he lived, was suffered to execute his function at Rome. But Mr. Travers, misliking the order of this country,

<sup>1</sup> *Breviary of proofs against the Dean of Durham*, State Papers, Dom., Eliz., Vol. CXXX, 24.

<sup>2</sup> The Whittingham case receives very one-sided treatment in Denny (*English Church and the Ministry of the Reformed Churches*, pp. 58-61) and Firminger (*Attitude of the Church of England to Non-Episcopal Ordinations*, pp. 22-24). Both of these writers are silent about Archbishop Sandys' letter to Cecil, with its significant statements quoted above. Canon Mason, on the other hand, quotes this letter (*Church of England and Episcopacy*, pp. 494-5).

<sup>3</sup> Vol. III, p. 185.

ran to be ordained elsewhere by such as had no authority to ordain him."<sup>1</sup>

Travers also appealed to the Whittingham case. Whitgift observes that had Whittingham lived, he would have been deprived, unless he had received "special grace and dispensation." He adds: "His case and Mr. Travers are nothing like. For he in time of persecution was ordained minister by those who had authority in the Church persecuted. But Mr. Travers in the time of peace, refusing to be made minister at home, gaddeth into other countries to be ordained by such as had no authority, condemning thereby the kind of ordering ministers at home."

Travers also objected that "repeating the former calling to the ministry might void that former calling, and consequently such acts as were done by him, as confirmation, marriages, etc." Whitgift comments: "This is untrue."

Travers said: "In this Church of England, many Scottish men and others made ministers abroad have been so acknowledged, and exercised their ministry accordingly."

Whitgift comments:

"I know none such, and yet their case is far differing from his."

It is strange that Whitgift should say he knew of no cases of Anglican recognitions of Scottish Presbyterian ministers, in view of Aubrey's admission of Morison a few years before.<sup>2</sup> But, in any case, Whitgift's point is plain: Scottish Presbyterians are in a different category, for they were ordained by those having public authority in that country. Travers, on the other hand, has not been ordained by those who have public authority in England.

Thus, the actual cases which occurred in Elizabeth's reign bear out our contention that the Anglican authorities differentiated between the ordinations by foreign presbyterian churches of their own subjects, and similar ordinations of English subjects. They recognised the former, but refused to recognise the latter.

<sup>1</sup> Travers had been ordained at Antwerp by English Puritan exiles.

<sup>2</sup> See p. 357.

## CHAPTER XIII

### ELIZABETHAN CATHOLICS AND ANGLICAN ORDERS

1. The attitude of Catholics towards the new Elizabethan Church hardly calls for detailed explanation, and has indeed already been made clear so far as the Catholic Bishops are concerned, for these, almost without exception, refused to countenance the changes, and suffered the loss of their sees, and imprisonment, rather than submit. We have also seen the attitude taken up by Bishop Bonner towards the new Hierarchy. But it will be interesting to show that this attitude of non-recognition was shared by all other Catholics. This can be shown, to begin with, from the controversy between Harding and Bishop Jewel.

DR. THOMAS HARDING had been sometime Professor of Hebrew at Oxford, Prebendary of Winchester, and Treasurer of Salisbury Cathedral. Bishop Jewel, in his *Apology*, written in 1562, had said :

“The minister ought lawfully, duly, and orderly to be preferred to that office of the Church of God. . . .”<sup>1</sup>

Dr. Harding, in his *Confutation of the Apology*, written in 1565, answered Jewel as follows :

“Ye say that the minister ought lawfully to be called . . . and duly and orderly to be preferred to that office of the Church of God. Why do ye not so? Why is not this observed among you gospellers? Whatsoever ye mean by your minister and by that office, this are we assured of, that in this your new Church, bishops, priests, deacons, subdeacons or any other inferior orders ye have none. In saying this we speak not of our apostates. . . .

“For whereas, after the doctrine of your new gospel, like the forerunners of Antichrist, ye have abandoned the external sacrifice and priesthood of the New Testament, and have not in your sect consecrated bishops, and therefore, being without priests made with lawful laying on of hands, as Scripture requireth, all holy orders being given by bishops only, how can ye say that any among you can lawfully minister, or that ye have any lawful ministers at all?”<sup>1</sup>

<sup>1</sup> *Works*, P.S., Vol. III, p. 320.

<sup>1</sup> *Confutation of Apologie*, 1565, p. 56.

This passage is noteworthy because it not only denies the existence of any true orders in the Anglican Church, but also explains the reason: it is because Anglicans have "abandoned the external sacrifice and priesthood of the New Testament."

Harding next criticises the position of Bishop Jewel himself, and urges that he cannot claim to be in the succession of the Bishops of Salisbury, either in doctrine or in orders:

"How prove you yourself lawfully called to the room you take upon you to occupy? First touching the ordinary succession of bishops. . . . Succession of doctrine must be joined with the succession of persons. . . . How many bishops can you reckon, whom in the church of Salisbury you have succeeded, as well in doctrine as in outward sitting in that chair? . . . Did ever any bishop of that see before you teach your doctrine? It is most certain they did not. . . . If you cannot show your bishoply pedigree, if you can prove no succession, then whereby hold you? Will you show us the letters patent of the prince? Well may they stand you in some stead before men: before God, who shall call you to an account for presuming to take the highest office in his Church, not duly called thereto, they shall serve you to no purpose. . . .

"To go from your succession, which ye cannot prove, and to come to your vocation, how say you, sir? You bear yourself as though you were bishop of Salisbury. But how can you prove your vocation? By what authority usurp you the administration of doctrine and sacraments? What can you allege for the right and proof of your ministry? Who hath called you? Who hath laid hands on you? By what example hath he done it? How and by whom are you consecrated? Who hath sent you? Who hath committed to you the office you take upon you? Be you a priest, or be you not? If you be not, how dare you usurp the name and office of a bishop? If you be, tell us who gave you orders? The institution of a priest was never yet but in the power of a bishop. Bishops have always, after the apostles' time, according to the ecclesiastical canons, been consecrated by three other bishops, with the consent of the metropolitan and confirmation of the bishop of Rome. . . .

"Tell us whether your vocation be ordinary or extraordinary. If it be ordinary, show us the letters of your orders. At least show us that you have received power to do the office you presume to exercise, by due order of laying on of hands and consecration. But order and consecration you have not. For who could give that to you of all these new ministers, howsoever else you call them, which he hath not himself? If it be extraordinary (as all that ye have done hitherto is besides all good order), shew us some sign of miracle. . . ."<sup>1</sup>

<sup>1</sup> *Op. cit.*, pp. 56-59.

Two years after Harding's vigorous attack, i.e. in 1567, Jewel published a *Defence of the Apology*. It will be of interest to see how he meets Harding's points. He begins by depreciating the doctrine of apostolic succession :

"If it were certain that the religion and truth of God passeth evermore orderly by succession, and none otherwise, then were succession, whereof he (Harding) hath told us so long a tale, a very good substantial argument of the truth."<sup>1</sup>

Then he deals with Harding's searching questions about his own orders :

"Whereas it further pleaseth you to call for my letters of orders, and to demand of me, as by some authority, Whether I be a priest or no? What hands were laid over me; and by what order I was made? I answer you, I am a priest, made long sithence by the same order and ordinance, and I think also by the same man and the same hands, that you, M. Harding, were made priest by, in the late time of that most virtuous prince King Edward the Sixth. Therefore ye cannot well doubt of my priesthood without like doubting of your own.

"Further, as if you were my metropolitan, ye demand of me, Whether I be a bishop or no? I answer you, I am a bishop, and that by the free and accustomed canonical election of the whole chapter of Sarisbury, assembled solemnly together for that purpose. Our bishops are made in form and order, as they have been ever, by free election of the chapter; by consecration of the archbishop and other three bishops; and by the admission of the prince. . . ."<sup>2</sup>

Next Jewel denies that ordained ministers are really necessary for a Church :

"Therefore we neither have bishops without church, nor church without bishops. Neither doth the Church of England this day depend of them whom you often call apostates, as if our Church were no Church without them. . . . If there were not one neither of them nor of us left alive, yet would not therefore the whole Church of England flee to Louvain. Tertullian saith, 'And we being laymen, are we not priests? . . . the authority of the church . . . hath made a difference between the lay and the clergy. Yea, and be there but three together, and though they be laymen, yet is there a Church. . . .'<sup>3</sup>

Harding returned to the attack in his *Detection of Sundry Foul Errors uttered by M. Jewel in his Defence of the Apologie*, published in 1568. He therein points out that Jewel has failed to answer many of the questions put to him :

"You answer neither by what example hands were laid on you, nor who sent you, but only say he made you priest who made me

<sup>1</sup> *Works*, P.S., Vol. III, p. 322.

<sup>2</sup> *Ibid.*, p. 334.

<sup>3</sup> *Ibid.*, p. 335.

in King Edward's time. Verily, I never had any name or title of priesthood given to me during the reign of King Edward. I only took the order of deaconship, as it was then ministered. Further I went not. So that if you have no other priesthood than I had in King Edward's time, you are yet but a deacon, and that also not after the Catholic manner, but in some schismatical sort. . . . I took myself neither for priest, nor yet for lawful deacon in all respects by those orders that were taken in King Edward's days. . . . I esteemed not the title of any ministry which I might seem to have received in King Edward's time, so much as I should have done if I had received it of a Catholic bishop and after the order of the Catholic Church, being well assured that those who took upon them to give orders were altogether out of order themselves, and ministered them not according to the rite and manner of the Catholic Church, as who had forsaken the whole succession of bishops in all Christendom, and had created a new Congregation of their own planting, the form of which was imagined only in their own brains, and had not been seen nor practised in the world before."<sup>1</sup>

This plainly indicates that Harding did not regard the Edwardine Ordinal as equivalent to the Catholic rite, and that he considered the former to be, to say the least, defective.<sup>2</sup> He goes on to discuss Anglican episcopal consecration :

"Ye were made, you say, by the consecration of the archbishop and other three bishops. And how, I pray you, was your archbishop himself consecrated? What three bishops in the realm were there to lay hands upon him? You have now uttered a worse case for yourselves than was by me before named. For your metropolitan, who should give authority to all your consecrations, himself had no lawful consecration. If you had been consecrated after the form and order which hath ever been used, ye might have had bishops out of France to have consecrated you, in case there had lacked in England. But now there were ancient bishops enough in England, who either were not required, or refused to consecrate you, which is an evident sign that ye sought not such a consecration as had ever been used, but such a one whereof all the former bishops were ashamed. . . . But seeing your bishops were neither consecrated by those who lineally succeeded in the Apostles, nor have, by your confession, more power by God's law than a priest, you

<sup>1</sup> f. 290.

<sup>2</sup> There is no evidence so far that Harding was reordained to the diaconate, though he received other Catholic Orders. But it is most likely that he was given the Catholic diaconate as well. (See pp. 55, 56.) His language in the above passage *might* mean that he thought the Edwardine form for the diaconate defective only, but not wholly invalid. But note that he adds that these orders were conferred "not according to the rite and manner of the Catholic Church," "not after the Catholic manner but in some schismatical sort." Also, it seems quite likely that he is explaining the sentiments he held at the very time when he received the Edwardine diaconate. Jewel had urged that Harding had also received Edwardine Orders. Harding accordingly seems to explain that even when he was ordained according to the Edwardine rite he did not feel satisfied—note the past tenses: "I took myself . . . I esteemed not the title . . ."

both have false bishops without the true Church, and false Church without true bishops."<sup>1</sup>

In 1570 Jewel issued a greatly enlarged edition of his *Defence of his Apology*, in which he dealt with some of the points raised by Harding in his *Detection of Errors*. He repeats his statement that he had been consecrated by a metropolitan and other bishops :

"We deny not the consecration of three bishops. We deny not the confirmation of the metropolitan. We ourselves are so consecrated, and so confirmed."<sup>2</sup>

But with reference to Harding's pertinent question as to how Parker was consecrated, and what bishops laid hands on him, Jewel maintains a discreet silence. He could only have said that four bishops acted who were empowered to do so by special dispensation from Queen Elizabeth, who likewise authorised the rite they used. Rather than admit this, Jewel preferred to say nothing about it. Harding died in 1572, and did not press Jewel further.

2. Bishop Jewel was criticised not only by Dr. Harding, but also by others, such as JOHN RASTELL,<sup>3</sup> THOMAS DORMAN,<sup>4</sup> and THOMAS HESKYNs, sometime Chancellor of Salisbury, in his *Parliament of Christ*, published in 1565. From this last work we take the following extract :

"The ministers of the new Church, not being the Catholic succession, as they have no such power, authority nor commandment from Christ to consecrate his Body and Blood ; and as these monstrous heads (the new bishops) neither can give them such, neither mindeth that they should do any such thing (but rather as they find it bread and wine, so to let it remain and so to receive it), they do not, so rehearsing Christ's words, consecrate his Blessed Body, no more than they do that read those words upon the book in their common studies. For if the history of Christ's Supper, rehearsed by a minister not endued with lawful authority descending to him by Catholic Order, did consecrate, then should consecration have been done in many a querulous and contentious dinner and supper, as well in taverns as elsewhere, where the like words have been spoken and rehearsed of men of as good authority for that purpose as the ministers. Be not deceived, therefore, gentle reader, to think that of such men's hands you receive the Body of Christ. It is too much that you receive their schismatical bread : it were lamentable therewith also to commit idolatry. . . ."<sup>5</sup>

<sup>1</sup> ff. 234-5.

<sup>2</sup> Works, P.S., Vol. III, p. 330.

<sup>3</sup> *A Confutation of a Sermon by M. Jewel*, Louvain, 1564.

<sup>4</sup> *A Proof of Certain Articles in Religion denied by M. Jewel*, Antwerp, 1564.

<sup>5</sup> Book III, p. 320.



"Understand that in this new-founded Church be two sorts of ministers that do minister this communion. One sort is of priests which, lawfully consecrated in the Catholic Church, have fallen to heresy ; who, although they have authority by their holy orders to consecrate the Body and Blood of Christ, yet now, having neither right intention, nor faith of the Catholic Church, they consecrate not. The other sort is of ministers made after the schismatical manner. These men, though they would unwisely have intention to consecrate, yet lacking the lawful authority, they neither do nor can consecrate, but (as it may be justly thought) having neither authority nor due faith and intention, they neither receive nor distribute to the people any other thing than bread and wine."<sup>1</sup>

3. Another great controversy was that between Bishop Horne, of Winchester, and Dr. THOMAS STAPLETON, Fellow of New College, Oxford, and Prebendary of Chichester, whom Archbishop Bramhall described as "one of the most rational heads" that the Catholic Church had possessed "since the separation."<sup>2</sup> This controversy arose through the tendering of the Oath of Supremacy by Bishop Horne to Abbot Feckenham, who wrote a small treatise explaining why he could not in conscience take it. To this Horne wrote a reply, and Feckenham a *Rejoinder*, and Stapleton took up the defence of Feckenham in *A Counterblast to Mr. Horne's Vain Blast*, first published in 1567.

In his "Preface to the Reader," Dr. Stapleton says :

"In the first year of our gracious Queen, the Act of Parliament for making and consecrating of bishops, made the 28th of King Henry, was revived. And yet the bishops were ordered, not according to that Act, but according to an Act made in King Edward's days and repealed by Queen Mary, and not revived the same first year. And if they will say that this defect is now supplied, let them yet remember that they are but Parliament and no Church bishops, as being ordered in such manner and fashion as no Catholic Church ever used."

This clearly implies the non-recognition of Anglican bishops. In the body of the work, Stapleton is equally clear. He thus addresses Bishop Horne :

"Ye are both called and taken for the Bishop of Winchester, whereas in deed ye are but an usurper and an intruder, as called thereto by no lawful and ordinary vocation, nor canonical consecration. . . . Ye are no Lord Bishop of Winchester, nor elsewhere, but only Mr. Robert Horne. For albeit the Prince may make a Lord at her gracious pleasure whom she liketh, yet can she not make you Lord Bishop of Winchester. . . . You usurping the See, as you are no Bishop. . . . That you are no true Bishop, it is

<sup>1</sup> Book III, p. 327.

<sup>2</sup> Bramhall, *Works*, Oxford edn., Vol. III, p. 109.

evident by that your vocation is direct contrary to the Canons and Constitutions of the Catholic Church, and to the universal custom and manner heretofore used and practised, not only in England, but in all other Catholic countries and churches, delivered to us from hand to hand, from age to age. . . . Ye are the first Bishop of this race, and so consequently no Bishop at all, as not able to show to whom ye did ordinarily succeed, or any good and accustomed either vocation or consecration."<sup>1</sup>

"Is it not notorious that ye and your colleagues were not ordered, no not according to the prescript, I will not say of the Church, but even of the very Statutes?"<sup>2</sup>

"Your investiture of the prince was without any consecration at all of your metropolitan, himself, poor man, being no bishop neither. . . . It is not the Prince's only pleasure that maketh a bishop, but there must be both free election . . . and also there must follow a due consecration, which you and all your fellows do lack. And therefore are indeed . . . no true bishops, neither by the law of the Church . . . neither yet by the laws of the realm, for want of due consecration, expressly required by an Act of Parliament. . . ."<sup>3</sup>

Again, in Book IV :

"If I should further ask Master Horne how he can go for a bishop, and write himself as he doth . . . Bishop of Winchester, being called to that function only by the letters patent of the prince, without due consecration or imposition of hands by any bishop or bishops living, which imposition of hands St. Paul evidently practised upon Timothy, and the Universal Church hath always used as the only and proper means to ordain a bishop of the Church, I am well assured that neither he nor all his fellows, being all unordered prelates, shall be able to make any sufficient or reasonable answer . . . whereby it may appear that they may go for right bishops of Christ's Church, but that they must remain as they were before, or mere laymen, or simple priests."<sup>4</sup>

There are some equally strong passages in Stapleton's *Fortresse of the Faith*, first published in 1565 :

"The pretended bishops of Protestants, whereas the whole number of our learned and reverend pastors . . . for confession of the truth were displaced of their rooms, none being left in the realm having authority to consecrate bishops or to make priests (that being the office of only bishops), by what authority do they govern the fold of Christ's flock? Who laid hands over them, as St. Paul expressly did unto Timothy and Titus when he made them bishops? Whither went they to be consecrated? Into France, Spain, or Germany, seeing that at home there was no number of such as might and would serve their turn? No. . . . They have not come in by the door, they have stolen in like thieves, without all spiritual authority or government. . . .

"By the verdict of Holy Scripture and practice of the Primitive Church, these men are no bishops. I speak nothing of the laws

<sup>1</sup> Fol. 7-8

<sup>2</sup> Fol. 9.

<sup>3</sup> Fol. 301.

<sup>4</sup> Fol. 458.

of the realm. It hath been of late sufficiently proved they are no bishops, if they should be tried thereby. . . .

"Protestants refuse this sacrament [of order], deny such grace to be given, and do occupy the rooms of bishops without laying on of hands of the priesthood. We may therefore say of them, as St. Cyprian said of Novatian, 'Novatian cannot be in the Church.' . . . For what other are these pretended bishops? To whom did they succeed in that religion which they teach? Of whom were they consecrated? . . . These pretended bishops, therefore, being unlawfully placed themselves without authority from other, without laying on of hands of the priesthood, as Scripture expressly requireth, their doctrine hath no authority. Their Ministers may return everyone to their occupations again, and live like honest craftsmen, where now they are unlawful Ministers . . ."<sup>1</sup>

"Your pretended bishops have no such ordination, no such laying on of hands of other bishops, no authority to make true priests or ministers, therefore neither ye are true ministers, neither they any bishops at all."<sup>2</sup>

Again, in his *Return of Untruths to Jewel*, published in 1566, Stapleton says :

"You and your fellows have not the consent of the Pope, or of any Christian Bishop at all through Christendom, neither are liked or allowed by any of them ; but have taken upon you that, without any imposition of hands, without all ecclesiastical authority, without all order of canons and right. . . . I ask not who gave you bishopricks? but—who made you bishops?"<sup>3</sup>

In his later Latin works Stapleton is, if anything, clearer still. Thus he writes in his *Triplicatio adversus Whitakeri duplicationem*, published in 1596 :

"Pulsis universis Catholicis Episcopis, plurimisque Pastoribus ac Doctoribus qui omnes in Anglia, Ecclesias sub uno Christi vicario capite et in totius orbis Christianæ communione veterisque Ecclesiæ fide obtinebant, intrusi sunt alii sine ulla manuum impositione, sine ulla legitima aut ordinatione aut successione, ex sola Principis voluntate, qui se pro Episcopis et Pastoribus gererent, quoad externam politiam veteribus Episcopis ac Pastoribus similes, quoad totam doctrinam fidei hodie controversam puri Calvinistæ."<sup>4</sup>

And in his *Relectio Scholastica*, published in the same year, 1596 :

"Anglo-Calvinistæ, quum in principio sola Regia autoritate cathedras episcopales occuparent, nunc per manuum impositionem omnes suos ministros ridicule ordinant, allatrantibus Puritanis, et totam illam ceremoniam deridentibus atque seniorum Consistoria per quos ordinationes fiant, magno clamore flagitantibus."<sup>5</sup>

<sup>1</sup> Fol. 141-3.

<sup>2</sup> Fol. 144.

<sup>3</sup> Page 130.

<sup>4</sup> Page 240.

<sup>5</sup> Pages 252-3.

4. Next we may mention NICHOLAS HARPSFIELD, sometime Archdeacon of Canterbury, who writes as follows in his *Dialogi Sex*, published in 1566 :

"Videtur certe apud Evangelicos Christianorum sacerdotium abrogatum, et ethnicum pro eo suppositum. . . . Et flagitiose populo illudunt, qui sibi Presbyterorum et Episcoporum auctoritatem, qui remittendi peccata, qui conficiendi corpus et sanguinem Christi (quam nulla [tenuis] habent) potestatem insolenter et perniciose arrogant. Sed quorsum loquor de corpore Christi, quod Apologetici cum reliquis Zuinglianis Ecclesiæ eripuerunt? . . . Ethnicum vero istorum Sacerdotium ideo appellavi, quia totum a civili magistratu, ejusque auctoritate pendet, ut olim apud Ethnicos."<sup>1</sup>

The reference to Jewel here is plain. Note that Harpsfield denies that the new ministers have power to consecrate the Body and Blood of Christ.

5. Next we have DR. RICHARD BRISTOW, who was made a Fellow of Exeter College, Oxford, in 1567, but became a Catholic two years later. In 1574 he published his *Motives inducing to the Catholic Faith*, in which he says :

"Consider what that Church is, whose ministers are but very laymen, unsent, uncalled, unconsecrated . . . holding therefore amongst us, when they repent and come again, none other place but the place of laymen ; in no case admitted, no, nor looking to minister in any office, unless they take our orders, which they had not."<sup>2</sup>

Also, in his *Reply* to the Anglican controversialist Fulke, published in 1580, he says :

"The Apostles, Bishops and Priests were made by other bishops and priests, as also with us it continueth to this day. But yours be only of laymen's making, as of kings and other civil magistrates. . . . Yourselves confess our orders to be good enough . . . whereas we, as you know, account your orders for no orders. . . . We make your ministers to abjure, and yet after that they be but laymen still."<sup>3</sup>

6. Lastly, we come to NICHOLAS SANDERS, Professor of Canon Law at Oxford, who left England in 1561. His *History of the Anglican Schism* was completed by Edward Rishton, who studied at Oxford from 1568 to 1572, became a Catholic in 1573 and added a fourth Book to Sanders' work on Elizabeth's reign.

In this fourth book, Rishton-Sanders tells us how Edward VI

<sup>1</sup> Page 867.

<sup>2</sup> *Motives*, XXI, Antwerp, 1599 edn., fol. 91.

<sup>3</sup> Page 319.

suppressed the old Pontifical rite of ordination, "and put in its place certain Calvinistical prayers, preserving, however, the former enactments touching the number of bishops to be present at the imposition of hands. This new rite was set aside by Mary, but renewed by Elizabeth."<sup>1</sup> Elizabeth's new prelates should therefore have been ordained in this way, but—

"they could find no Catholic bishops to lay hands upon them, and in their sect there were neither three nor two bishops, nor was there any metropolitan whatsoever having previously received episcopal consecration, to give his consent or to lay his hands upon them."<sup>2</sup>

Sanders adds that an Irish archbishop was importuned to come to the rescue, but declined. Then,

"being thus utterly destitute of all lawful orders, and generally spoken of as men who were not bishops, for by the laws of England they could not be, they were compelled to have recourse to the civil power, to obtain in the coming Parliament the confirmation of their rank from a lay authority, which should also pardon them if anything had been done, or left undone, contrary to law, in their previous admission to their offices, and this was done after they had been for some years acting as bishops without any episcopal consecration. Hence their name of 'parliamentary bishops.'<sup>3</sup>

This account is obviously confused and inaccurate. But at any rate it shows that the real facts about Parker's consecration were so little known, even to those who were in England when it took place, that it was surmised that the Act of Parliament of 1564, and the famous "Suppentes" clause in Elizabeth's Commission in 1559, was intended to dispense even from the necessity of episcopal consecration. The Irish Archbishop referred to was apparently Richard Creagh, Archbishop of Armagh, who was a prisoner in London for a few months in 1565. He may have been invited to join Elizabeth's new establishment, and this may have been magnified into, or interpreted as an attempt to secure his co-operation in the ordaining of the new ministry. But in any case there is no reason to suppose that he was really called upon to supply the defects in Parker's consecration.

7. The citations we have given from these works by Catholic scholars in Elizabeth's reign make it quite clear that the Elizabethan Anglican clergy were regarded as mere laymen, and their bishops in the same light. If the extracts quoted are carefully

<sup>1</sup> Lewis's translation, p. 275.

<sup>2</sup> Page 276.

<sup>3</sup> Page 277.

studied, sufficient indications will be found which show that the Anglican Ordination rite itself was regarded as insufficient, and indeed as invalid. Harding says Anglican Orders are not ministered "according to the rite and manner of the Catholic Church," that Anglican bishops received, "not such a consecration as had ever been used, but such as even whereof all the former bishops were ashamed." Heskyns says that "the ministers of the new Church . . . have no power, authority, nor commandment from Christ to consecrate his Body and Blood," and the new "monstrous heads" cannot give them such. Stapleton says Anglican bishops have not received "any good and accustomed consecration." Harpsfield says that the priesthood has been abolished, and those who pretend to have authority as priests and bishops, possess no such authority. Dr. Bristow says Anglican ministers are mere laymen, and Sanders describes the Anglican Ordination rite as a set of "Calvinistical prayers."

But surely the quotations given also show that Catholic writers suspected that there was some further defect in the origin of the Anglican hierarchy, and that they questioned whether Parker had received episcopal consecration at all, by any rite. Harding asked Jewel in vain to tell him how Parker was consecrated. "What three bishops in the realm were there to lay hands upon him? . . . Your bishops were not consecrated by those who lineally succeeded the Apostles." Stapleton insists that Parker was "no bishop . . . for want of due consecration." "Who laid hands over them?" Protestants occupy the rooms of bishops "without laying on of hands of the priesthood." At first, Anglican bishops began "*sine ulla manuum impositione . . . ex sola Principis voluntate*," though "*nunc per manuum impositionem omnes suos ministros ridicule ordinant*." Bristow says Anglican bishops and priests are "only of laymen's making, as of Kings and other civil magistrates." And, lastly, Sanders says that as the new bishops could not get anyone to consecrate them, they had to obtain from the civil power the confirmation of their rank, "after they had been for some years acting as bishops without any episcopal consecration."

These statements suffice to show how misleading is the assertion of a recent Anglican writer, in a brochure written for the benefit of Rumanian Orthodox ecclesiastical students, and described by Dr. Kidd as "a model of accurate, concise and lucid statement," to the effect that "for forty-five years after Parker's consecration. . . . Roman controversialists admit that the cere-

mony took place, but deny on various grounds its validity and legality."<sup>1</sup>

There is another interesting feature of these Catholic criticisms of Anglican Ordinations. They do not object that Anglican clergy and bishops have not received the tradition of instruments, anointings, etc., but they object that they have received no proper "laying on of hands," and it is precisely for this reason that Anglican Orders are regarded as invalid. This would seem to indicate that these English Catholic writers did not condemn Anglican Orders because of the absence of a tradition of instruments, etc., and that they did not understand the Decree of Eugenius IV, which had been included by Cardinal Pole in his Legatine Constitutions at the Synod of Lambeth in Mary's reign, as defining that the matter of holy order is the tradition of instruments. They seem rather to have continued to hold the opinion that the essential matter is the laying on of hands, and it was because there was no due laying on of hands in the Anglican rite, i.e. an imposition of hands accompanied by a suitable "form," that they rejected Anglican Orders.

8. The uncertainty and doubts entertained by Catholic writers as to Parker's consecration developed, early in the seventeenth century, into the definite assertion that he had never been consecrated at all, or else, that he had been consecrated in some unworthy and unusual manner at the Nag's Head, where his confirmation had taken place. Thus Dr. Kellison, subsequently President of the English College at Douay, writing in 1605, allows that "true bishops" may have officiated at Protestant ordinations of "bishops, priests and preachers," but adds :

"They used not the matter and form of ordination, but only by a letter of the Prince, Superintendent or Magistrate constituted their inferior ministers with as little solemnity as they make their aldermen. . . . And if they had truly ordained their ministers, as their Apostate Bishops might have done if they had used the form and matter of Order, because the power of consecrating and ordering . . . is never abolished, yet, besides Order, Jurisdiction and Mission from a lawful Pastor is also required. . . ."<sup>2</sup>

Dr. Kellison here obviously suggests that Dr. Parker had been

<sup>1</sup> *The Consecration of Archbishop Parker*, by Beatrice M. Hamilton Thompson, M.A., B. Litt, with Foreword by the Warden of Keble College, London, 1934, p. 11. A similar statement is made by Frau Paula Shaefer in her *Catholic Regeneration of the Church of England*, 1935, p. 37 : "For forty-five years not a soul doubted the validity of this proceeding, neither was there any protest from Rome."

<sup>2</sup> *Survey of the New Religion*, Book I, ch. 1, p. 7.

made a bishop merely by letters patent, without any form of consecration. A reply was written to this by an Anglican writer, Sutcliffe, who categorically asserted that

"Bishop Parker was consecrated by the imposition of hands of Bishop Barlow, Bishop Coverdale, Bishop Scory, and two suffragans, mentioned in the act of consecration yet to be seen, which not only had succession from such bishops as our adversaries account lawful, but indeed were lawful bishops."<sup>1</sup>

Sutcliffe is in error as to the presence of the two suffragans at Parker's consecration, but his statement is otherwise correct. And it is important to note that this constitutes the first definite account of Parker's consecration to appear in print in a work intended for public circulation.<sup>2</sup>

Evidently for various reasons, such as the intensity of the Catholic attack, and the repeated suggestion that Parker had received no consecration at all, it was thought advisable to let the real facts be known. Even so, as yet no satisfactory evidence was produced, and the definite statement by Sutcliffe merely gave rise to an equally definite counter-assertion on the Catholic side, in which a rumour which had been current for some time received formal statement and approbation. This was the famous Nag's Head story, which had appeared in print for the first time two years before, i.e. in 1604, in John Holywood's *De Investigatione Veræ et Visibilis Christi Ecclesiæ*.<sup>3</sup> The story was taken up and repeated by Dr. Kellison, in his *Reply* to Sutcliffe's *Criticism*, published in 1608, and it figured in almost every Catholic work after that date.

The details of the story vary somewhat, but the main features are that Bishop Bonner had forbidden or warned Kitchin of Llandaff not to consecrate Parker, and that the new Archbishop was consecrated by Scory, with or without the assistance of others, at the Nag's Head Tavern, after dinner, by laying a Bible on his head, and pronouncing the words "Take thou authority to preach the word of God sincerely," or some other similar formula.

The truth of the story was strongly asserted by Dr. Champney, Vice-President of Douay College, in his treatise *On the Vocation of Bishops*, written in 1616. Champney says the story was con-

<sup>1</sup> *Examination and Confutation of Kellison's Survey*, ch. 1, p. 5. London, 1606.

<sup>2</sup> The Lambeth Register is said to have been appealed to in 1582 by the Anglican Reynolds in a public discussion with the Catholic Hart. (See Mason, *Vindiciæ Ecclesiæ Anglicanæ*, 1625, p. 414.) But nothing seems to have appeared in print on the subject at that time.

<sup>3</sup> C. iv, pp. 17-19.



tained in a manuscript written by Henry Constable about 1600, and he adds that when he himself was a prisoner with other priests at Wisbech, he heard the story several times from "Mr. Thomas Bluet, a grave, learned and judicious priest, he having received it of Mr. Neal . . . belonging to Bishop Bonner."

The source of the story is thus given as Neal. Mr. Haddan, in his annotations to Courayer's *English Ordinations*, tells us that Neale was a chaplain to Bishop Bonner, Rector of Thenforth, Regius Professor of Hebrew at Oxford from 1558 to 1569, and an author and orientalist of distinction.<sup>1</sup> Haddan adds :

"The opposers of the Nag's Head story have been sadly ignorant of the real character and position of Neale, to which ignorance must, in charity, be admitted the contemptuous manner in which they have thought proper to speak of him."<sup>2</sup>

Haddan then proceeds to give what is, in our opinion, the true explanation of the story :

"Since it is altogether improbable, either that Neale should have invented and circulated a deliberate falsehood, or that, if he had really related what is alleged, it should not have been noticed publicly till more than forty years afterwards, the most natural conclusion is, that at the most, some statement or observation of Neale's, if not altogether misunderstood at the time, was at all events so incorrectly transmitted afterwards as in the end to have given rise to the fable in question."<sup>3</sup>

Developing this suggestion, we would point out that after the confirmation of Parker's election, which took place at Bow Church, Cheapside, on Dec. 9th, 1559, and at which his four consecrators were present, there was a dinner at the "Nag's Head," a neighbouring hostelry in Cheapside. This fact has been so generally overlooked in recent times that it is worth while quoting some earlier Anglican testimonies concerning it :

Fuller, *Church History*, 1655, Vol. VIII, p. 62 :

"Though we are not to gratify our adversaries with any advantages against us, yet so confident is our innocence . . . that it may acquaint the world with that small foundation on which this whole report was bottomed : every archbishop and bishop presents himself in Bow Church, accompanied thither with civilians, where any shall be heard who can make any legal exceptions against his election. A dinner was provided for them at the Nag's Head in Cheapside as convenient for the vicinity thereof ; and from this spark hath all this fire been kindled."

To this Fuller himself gives the following note in the margin :

<sup>1</sup> Haddan's edn. of Courayer, p. 372, note.

<sup>2</sup> *Op. cit.*, p. vi.

<sup>3</sup> *Ibid.*, p. vi.

"This the Lord Chancellor Egerton affirmed to Bishop Williams."

Archbishop Bramhall, *Consecration of Protestant Bishops Vindicated*, 1658 :

"... The Nag's Head Ordination itself, where a confirmation dinner was mistaken for a solemn consecration."<sup>1</sup>

"Archbishop Parker was not personally present at his confirmation in Bow Church, or at his confirmation dinner at the Nag's Head, which gave the occasion to this merry legend."<sup>2</sup>

Heylyn, *Ecclesia Restaurata: History of Queen Elizabeth*, 1661 edn., p. 121 :

"The Vicar General, the Dean of the Arches, the Proctors and Officers of the Court, whose presence was required at the Solemnity, were entertained at a dinner provided for them at the Nag's Head Tavern in Cheapside; for which, though Parker paid the shot, yet shall the Church be called to an after reckoning. . . . Some sticklers for the Church of Rome, having been told of the dinner which was made at the Nag's Head Tavern . . . raised a report that the Nag's Head Tavern was the place of the Consecration."

Strype's *Life and Acts of Matthew Parker*, 1711, p. 57 :

"The Process being ended, with the sentence definitive and final decree of the Bishops Commissioners confirming and ratifying the election, it is like the company might part and go from Bow Church to take a dinner together at the Nag's Head Tavern hard by, according to the common custom formerly and usually before and since, even to our own times, after the despatch of the confirmation of bishops elect."

Collier, *Ecclesiastical History of Great Britain*, 1714, Vol. II, pp. 460-1 :

"When the ceremony of the Confirmation was over, the Vicar General, the Dean of the Arches, and other officers of the Court, were entertained at the Nag's Head Tavern in Cheapside. This treat gave occasion to the senseless story of the Nag's Head Consecration."

Courayer, *Défense de la Dissertation*, 1726, Vol. I :

"Il y a même quelque lieu de croire que le repas qui se fit le 9 décembre à la cérémonie de la confirmation de Parker, mais huit jours avant sa consécration, est ce qui a fourni le fond de l'histoire que l'on a ensuite ornée de nouvelles fictions."<sup>3</sup>

"Le repas qui se fit à l'Auberge après la confirmation de Parker, joint à ce premier reproche (que l'Ordination des premiers évêques était ridicule parce qu'elle s'était faite selon le Rituel d'Edouard), aura donné lieu à quelque raillerie . . ."<sup>4</sup>

<sup>1</sup> Page 24.

<sup>2</sup> Page 33.

<sup>3</sup> Page 24.

<sup>4</sup> *Ibid.*, p. 302.

Thus, it was a general admission by Anglican writers from 1655 onwards that there was a dinner at the Nag's Head after the Confirmation ceremony, and this admission was made even in controversial works in defence of Anglican Orders such as that of Archbishop Bramhall, and also in that of Courayer, which was written with the assistance of the Archbishop of Canterbury himself. Fuller tells us that the truth of the lunch at the Nag's Head was affirmed by Lord Chancellor Egerton to Bishop Williams. He means Sir Thomas Egerton, Baron Ellesmere, who lived from 1540(?) to 1617, and entered Lincoln's Inn in 1559, so that he was in London as a law student at the very time of Parker's Confirmation at Bow Church. He may even have been present at the ceremony, though we have no absolute proof of this. But we can be sure at least of one thing, and that is that, in denying the story of the Nag's Head Consecration, these Anglican writers would never have admitted the fact of this Nag's Head dinner if this, too, had been an "invention" of the Catholics.

There was, then, a dinner at the Nag's Head on December 9th, after the Confirmation of Parker's election, and Barlow, Scory, Coverdale and Hodgkin were present, though apparently Parker himself was not. To this fact we feel tempted to add a hypothesis, and to suggest that after the dinner there may have been a discussion, and perhaps even a rehearsal, of the ceremony which was to take place a few days later. The Edwardine Ordinal had not been used for some years, and so the details of the ceremony might have been discussed, with illustrations, by those who were to take part in it. Such a "rehearsal" might also have been reported to Bishop Bonner by a witness, or have become known to Neale, then Bonner's chaplain. The story would be passed on, with amplifications, until, in the absence of any definite information as to the real ceremony, the meeting at the Nag's Head came to be identified with the actual consecration itself. After all, it was obvious that there must have been something very wrong and irregular in Parker's consecration, seeing that an extraordinary exercise of the Royal Dispensing Power, and a subsequent Act of Parliament, had been required to regularise it. Anglican writers were obviously unwilling for some time to give any information about it. In view of this, it is not altogether surprising that the Nag's Head story should have gained currency. It is indeed regrettable that Catholic writers should have adhered to it after the Lambeth record was

made known, and that they should have rejected this record as spurious rather than give up their former belief. But, though regrettable, such an attitude is not altogether beyond comprehension, in view of the fact that the Lambeth record had not been published sooner, and that for some fifty years the civil and ecclesiastical authorities in England, who were responsible for Parker's uncanonical and illegal consecration at Lambeth preferred a policy of silence to one of explanation.

In any case, the quotations we have given earlier in this chapter make it abundantly clear that the Nag's Head story was not the sole, or even the principal objection made by Catholic writers to Anglican Orders. Then, as now, the principal reason was the rejection by the Anglican Church of the Catholic conception of the Eucharist and the priesthood, and the expression of this heretical conception of the ministry in its new ordination rite.

## CHAPTER XIV

### ANGLICAN DOCTRINE ON THE EUCHARIST IN THE REIGNS OF JAMES I AND CHARLES I

1. The foregoing chapters have made it clear that the Anglican Church during the reign of Elizabeth was essentially a Protestant institution, definitely committed to Protestant views on the Eucharist and the priesthood, and with a ministry ordained by a Protestant rite. There were, it is true, some validly ordained Catholic priests who conformed to the new regime. But as these died, their places were taken by others ordained by the Protestant rite, and by the end of Elizabeth's reign the true priesthood had been completely lost.

This being the case, it is comparatively unimportant that during the succeeding reigns there gradually arose a more orthodox school of Anglican thought, that a somewhat higher Eucharistic doctrine began to be taught, both as to the Presence and the Sacrifice, that a greater insistence was laid upon the Apostolic Succession of bishops, and that the ministry began to be regarded as, in some sense, a sacrificial priesthood. In any case, though a Real and even an Objective Presence was thus taught by some, no Anglican allowed the doctrine of Transubstantiation. Similarly, though some allowed that the Eucharist is, in a certain sense, a sacrifice, all agreed that it is certainly not a propitiatory sacrifice of Christ's Body and Blood, as defined at the Council of Trent. Thus: none of these Stuart writers really regarded the Anglican ministry as equivalent to the Catholic and Roman priesthood.

Moreover, even those divines who belonged to the High Church party recognised other Protestant bodies as sister churches to the Church of England. Yet these Protestant communions had never claimed to possess a true sacrificial priesthood, and further, some of these were without bishops. Logically, High Church Anglicans ought to have "unchurched" the foreign Protestants, but most of them did not do so.

The existence of a High Church party from 1603 onwards has a certain bearing on the question of the interpretation of Anglican formularies. We have seen that these formularies were understood in a definitely Protestant sense in the reign of Elizabeth, and it is reasonable to maintain that this is the natural sense which they were intended to have. True, from 1603 onwards, attempts were made to show that these formularies were patient of a more orthodox interpretation, and advantage was taken of their indefiniteness in certain respects to suggest that they were not incompatible with doctrines which they certainly did not imply, even if they did not exclude them. In this connection it is significant that the Stuart writers, who claim that Anglican formularies teach a Real or even an Objective Presence, are strangely silent about Article 29. Article 28 is quoted, and also the Catechism, but nothing is said of the categorical statement that the unworthy communicant does not receive Christ's Body and Blood! Hence it is not possible to allow that the "High Church" interpretation is of equal weight with the traditional Protestant one. And, in any case, this High Church school repudiated the Tridentine definitions of Catholic doctrine, and thus constituted merely one more school of Protestant thought.

2. We do not propose to discuss in detail the Eucharistic ideas professed by Anglican writers of the Stuart period, but it will be of interest to note the following, taking Dr. Darwell Stone as our guide.

BISHOP OVERALL, the compiler of the Anglican Catechism in 1604, is quoted by Dr. Darwell Stone as teaching a Real Presence. But the Bishop merely says that "in the right use of the sacrament, and to those who receive worthily" (note the restrictions) "when the bread is given and received, the Body of Christ is given and received."<sup>1</sup> But a Zwinglian would have admitted as much! Further, Overall expressly repudiates, not only Transubstantiation, but also Consubstantiation, "or any like fictions of human reason."

ANDREWES (1555-1626), successively Bishop of Chichester (1605), Ely (1609), and Winchester (1618) teaches a Real Objective Presence, for he says there is a kind of hypostatic union between the bread and wine and the Body and Blood which they truly represent. But the bread and wine remain un-

<sup>1</sup> Darwell Stone, *History of the Doctrine of the Eucharist*, II, p. 253.

changed in their substances, and may not be adored. He repudiates, not only Transubstantiation, but also the "oral manducation of the Body of Christ in the Sacrament," which Du Perron, his French antagonist, had distinguished from Transubstantiation.<sup>1</sup>

As to the Sacrifice, Andrewes allows that the Eucharist may be called a sacrifice in a certain sense, but only because it is a memorial of a sacrifice. Or again, it is a sacrifice "in the representation of the breaking the bread and pouring forth the cup." "There must be something done to celebrate this memory : that done to the holy symbols that was done to Him . . . break the one, pour out the other, to represent how his sacred Body was ' broken,' and how his precious Blood was ' shed.'"<sup>2</sup>

All this makes it quite clear that according to Andrewes there was no real offering of Christ's Body and Blood in the Eucharist, as taught by the Catholic Church, but only a representation of the offering on the Cross, inasmuch as the breaking of the bread (which remains unchanged in its substance) represents the breaking of Our Lord's Body, and similarly with the wine. This gives us the real meaning and significance of Andrewes' remark to Bellarmine, "Do you take away from the Mass your Transubstantiation, and there will not long be any strife with us about the sacrifice." Indeed, Andrewes immediately adds, "Willingly we allow that a memory of the sacrifice is made there. That your Christ made of bread is sacrificed there we will never allow."<sup>3</sup>

Thus Andrewes, while teaching some form of Objective Presence, not *in*, but *associated with* the bread and wine, repudiates Transubstantiation, oral manducation, and denies the Catholic doctrine of the Sacrifice of the Mass.

After Bishop Andrewes, Dr. Darwell Stone discusses six other writers :

CRAKANTHORP (1567-1624), a Fellow of Queen's College, Oxford, "argues at great length against Transubstantiation," and also rejects "the real and bodily presence of the Body and Blood." He condemns "the adoration of the Body of Christ in the Sacrament. . . . He explains the purpose of the consecration of the elements as being to make them an effectual sign and instrument to enable believers to receive the Body and

<sup>1</sup> See passages in Darwell Stone, *op. cit.*, p. 255 *et seq.*

<sup>2</sup> Darwell Stone, *op. cit.*, passages cited on pp. 260, 263.

<sup>3</sup> *Works*, Oxford edn., Vol. VIII, p. 251.

Blood."<sup>1</sup> As to the sacrifice, Crakanthorp denies the doctrine defined at Trent, and affirms that "Christ's Body cannot be offered, except in a figure, and by way of commemoration."<sup>2</sup>

THOMAS MORTON (1564-1659), successively Bishop of Chester, Coventry and Lichfield, and Durham, "denies Transubstantiation and the bodily presence of Christ, maintains that Our Lord's words at the institution of the sacrament were used in a figurative sense, and asserts that faithful communicants receive the Body of Christ spiritually, by faith."<sup>3</sup> Morton of course denies that the Eucharist is a proper or propitiatory sacrifice.

CHRISTOPHER SUTTON (1565-1629), a Canon of Westminster and of Lincoln, "appears to have believed that there is no change in the elements at consecration, except in regard to their use."<sup>4</sup>

THOMAS JACKSON (1579-1632), Dean of Peterborough, rejects any change in the elements at consecration. As to the Sacrifice, Melchisedech offered no sacrifice, and Christ is a priest according to the order of Melchisedech only "in the dignity of authoritative blessing."<sup>5</sup>

HENRY HAMMOND (1605-1660), Chaplain to King Charles I, says the Eucharist is a memorial or symbol of Christ.<sup>6</sup>

RICHARD FIELD (1561-1616), Dean of Gloucester, "one of the most famous and learned of post-Reformation divines," says the bread and wine are the Body and Blood of Christ "in mystery and exhibitiv signification<sup>8</sup>." The only change is one in "virtue, grace and power." He denies "the real, that is, the local presence of Christ's Body in the sacrament."

Field allows that, in a sense, the Body and Blood of Christ are "offered" in the Eucharist, but he explains this as consisting merely in the "taking, breaking and distributing the mystical bread and pouring out the cup of blessing," and the inward offering which is "the faith and devotion of the Church." Thus, "we admit the Eucharist to be rightly named a sacrifice, though we detest the blasphemous construction the papists make of it." Also, "we have altars in the same sort the Fathers had, though we have thrown down popish altars."<sup>9</sup>

<sup>1</sup> Darwell Stone, *op. cit.*, p. 280.

<sup>2</sup> *Ibid.*, p. 284.

<sup>3</sup> *Ibid.*, p. 295.

<sup>4</sup> *Ibid.*, p. 302.

<sup>5</sup> Note the word "exhibitiv" associated here with a denial of the Real Presence.

<sup>6</sup> Darwell Stone, *op. cit.*, pp. 302-4.

<sup>7</sup> *Ibid.*, pp. 282-3.

<sup>8</sup> *Ibid.*, p. 290.

<sup>9</sup> *Ibid.*, p. 298.



Next we come to a more famous person :

LAUD (1573-1645), successively Bishop of St. David's (1621), Bath and Wells (1626), London (1628), and Archbishop of Canterbury (1633). He explicitly rejects Transubstantiation, and will not hear of a "conversion of the bread and wine into the Body and Blood of Christ." The elements "are to us, but are not transubstantiated in themselves into the Body and Blood of Christ," and there is no "corporal presence in or under the elements."<sup>1</sup>

On the Sacrifice, he writes as follows :

"We offer up to God three sacrifices : One by the priest only, that is, the commemorative sacrifice of Christ's death, represented in bread broken and wine poured out. Another by the priest and the people jointly, and that is the sacrifice of praise and thanksgiving. . . . The third is the sacrifice of every man's body and soul."

He expressly rejects the Catholic doctrine on the subject. He says he will agree with Bellarmine

"if he mean no more by the oblation of the Body and Blood of Christ than a commemoration and a representation of that great sacrifice offered up by Christ Himself. . . . But if Bellarmine go further than this . . . and mean that the priest offers up that which Christ Himself did, and not a commemoration of it only, he is erroneous in that, and can never make it good."<sup>2</sup>

RICHARD MONTAGUE (1577-1641), successively Bishop of Chichester (1628) and Norwich (1638), "rejects Transubstantiation with great explicitness and vehemence, and calls it a 'monster of monsters.'"<sup>3</sup>

The consecrated elements are "disposed and used to that holy use of imparting Christ unto the communicants." He denies that the Eucharist is "propitiatory for the living and dead," or "an external, visible, true and proper sacrifice," but asserts that it is only "representative, rememorative, and spiritual." There is "no such sacrifice of the altar," and "no such altars" as the Church of Rome teaches.<sup>4</sup>

WILLIAM FORBES, Bishop of Edinburgh, in his *Considerationes modestæ*, published in 1658, insists that Christ is present in the Eucharist, "not by bodily or oral reception, but in some way known to God alone." Transubstantiation cannot be rejected as impossible, but it is contrary to the Scriptures and more ancient fathers. He also rejects the idea that the consecrated

<sup>1</sup> *Works*, Oxford edn., Vol. III, pp. 353-5.

<sup>2</sup> Darwell Stone, *op. cit.*, p. 275.

<sup>3</sup> *Ibid.*, pp. 358-9.

<sup>4</sup> *Ibid.*, p. 275.

and reserved host is "the real and substantial Body of Christ, not less apart from Communion than in Communion itself," which seems to imply a presence only in use.

He allows that in the Eucharist "there is made, therefore, in a certain manner, a sacrifice of bread," which is "offered and blessed to this end, that it may be eaten." The Fathers indeed "very often say that the very Body of Christ is offered and sacrificed in the Eucharist," but this means "not properly and really . . . but by a commemoration and representation of that which was once accomplished in that one Sacrifice of the Cross."<sup>1</sup>

JOHN HALES, a "pioneer of Latitudinarian thought," in his work *On the Sacrament of the Lord's Supper*, published soon after 1635, says that the Roman and Reformed Churches all err in supposing that at the words of consecration "something befalls that action which otherwise would not." To say that the consecrated elements are the Body and Blood, "not after a carnal but after a spiritual manner," is "nonsense." "In the Communion there is nothing given but bread and wine. The bread and wine are signs indeed, but not of anything there exhibited, but of something given long since . . . sixteen hundred years ago. Jesus Christ is eaten at the Communion Table in no sense, neither spiritually . . . neither metaphorically, nor literally."<sup>2</sup>

Lastly we may mention two other writers not referred to by Dr. Darwell Stone. The first is FRANCIS MASON, Archdeacon of Suffolk. In his *Consecration of the Bishops of the Church of England* (1613) he denies over and over again that the Eucharist is a Sacrifice, as will be seen from some passages we quote in a later chapter, when analysing his defence of Anglican Orders.

Secondly, BISHOP JOSEPH HALL (1574-1656), in a work with the significant title *No Peace with Rome*, says that "the priestly office of Christ is not a little impeached by the daily oblation of the Missal Sacrifice, and the number of mediators." He says there is in the Eucharist a "latreutical" or "eucharistical" sacrifice, and a "memorial of Christ's Passion," but no "propitiatory sacrifice," "none (as the Tridentines labour to persuade) true and proper, neither indeed can there be."<sup>3</sup>

Thus, during the whole of this period, *there is not a single Anglican writer who really approaches within measurable distance of the Catholic*

<sup>1</sup> Dr. Pusey, *Tract 81*, p. 109.

<sup>2</sup> *Apud* Pusey, *Tract 81*, p. 106.

<sup>3</sup> Darwell Stone, *op. cit.*, p. 315.

*doctrine on the Eucharist.* There are only two who teach an Objective Presence, Andrewes and Forbes, and even these employ language which makes their meaning somewhat doubtful. All, including Andrewes and Forbes, repudiate the Tridentine doctrine of the Sacrifice of the Mass, and see in the Eucharist at most an offering of bread and wine representing the Sacrifice of Calvary. There is no real offering of Christ's Body and Blood.

3. From authors we may now pass on to consider ecclesiastical enactments and pronouncements in this period.

We begin with the IRISH ARTICLES of 1615, said to have been drawn up by Archbishop Ussher. These are stated to have received the sanction of the Convocation in Dublin. At any rate, as Dr. Darwell Stone says, they appear to have been a standard of belief in Ireland until 1635, when the Thirty-nine Articles of 1563 were adopted instead.

The Irish Articles pronounce absolutely that the Pope is the Man of Sin spoken of in Scripture (Art. 80).<sup>1</sup>

As to the Eucharist, they state that

"in the outward part of the sacrament, the Body and Blood of Christ is in a most lively manner represented, being no otherwise present with the visible elements than things signified and sealed are present with the signs and seals, that is to say, symbolically and relatively. But in the inward and spiritual part, the same Body and Blood is really and substantially presented unto all those who have grace to receive the Son of God. . . . And unto such as . . . do worthily and with faith repair unto the Lord's table the Body and Blood of Christ is not only signified and offered, but also truly exhibited and communicated."<sup>2</sup>

Transubstantiation is of course denied, and Article 29 is reproduced. The Article on the Mass is as follows :

"The Sacrifice of the Mass, wherein the priest is said to offer up Christ for obtaining the remission of pain or guilt, for the quick and the dead, is neither agreeable to Christ's ordinance nor grounded upon doctrine apostolic, but contrariwise most ungodly and most injurious to that all-sufficient sacrifice of our Saviour Christ offered once for ever upon the Cross, which is the only propitiation and satisfaction for all our sins."<sup>3</sup>

This, at any rate, leaves no room for a distinction between the "Sacrifice of the Mass," and the "Sacrifices of Masses" !

<sup>1</sup> The complete text of these Articles will be found in Hardwick, *History of the Articles*, pp. 371-388.

<sup>2</sup> Art. 94. Note the word "exhibited" here.

<sup>3</sup> Art. 99.

Next we must mention the *Constitutions and Canons Ecclesiastical*, drawn up by "the Archbishops of Canterbury and York, and the rest of the Bishops and Clergy of those Provinces, and agreed upon in their several Synods begun at London and York in 1640," and published in the same year "by his Majesty's authority, under the Great Seal of England."<sup>1</sup> The seventh of these Canons is entitled "A Declaration concerning some Rites and Ceremonies," and deals mainly with the Communion Table, which was henceforth to stand at the east end of churches, i.e. where the altar had stood in Catholic times. But note the careful way in which it is explained that the Communion Table is not a true and proper altar as understood in the Catholic Church :

"We declare that the situation of the holy table doth not imply that it is, or ought to be esteemed, a true and proper altar, whereon Christ is again really sacrificed ; but it is and may be called an altar by us in that sense in which the primitive Church called it an altar, and in no other."

This "primitive sense" is not further explained, but it is at any rate obviously not the Catholic sense. This is especially evident from the preceding part of the Canon, which remarks that some, i.e. the Puritans, have "feared innovations," and others, i.e. Catholics, have "flattered themselves with a vain hope of our backslidings unto their Popish superstition by reason of the situation of the Communion table." In point of fact, as the Canon explains, "at the time of reforming this Church from that gross superstition of Popery, it was carefully provided that all means should be used to root out of the minds of the people, both the inclination thereunto, and the memory thereof ; especially of the Idolatry committed in the Mass, for which cause all Popish altars were demolished." In view of this explanation, the Canon claims that the placing of the Communion Table where the altar once stood must be "acquitted" from "just suspicion of Popish superstition."

Next, the Canon orders that the Communion table shall be "severed with rails" from the rest of the Church,

"because experience hath shown us how irreverent the behaviour of many people is in many places, some leaning, others casting their hats, and some sitting upon, some standing, and others sitting under the Communion Table in time of Divine Service."

<sup>1</sup> Whether these Canons had any civil force is disputed. But at any rate it is clear that they had full ecclesiastical authority, inasmuch as they were passed by both Convocations, and approved by the Church's Supreme Governor !

The Canon aims at saving the table "from such or worse profanations." But what a light is thrown upon the treatment accorded to the "holy table" hitherto ! It seems obvious that, at least in the "many places" referred to, there was no idea of any Real Presence.<sup>1</sup>

The Canon goes on to say that the communicants are to go to the holy table to receive the "Divine Mysteries, which have heretofore in some places been unfitly carried up and down by the Minister." Presumably, the "minister" had handed round the bread and wine to the people sitting in their pews ! Again it is obvious that these "ministers" and the people to whom they thus "ministered" had no idea that they were assisting at a service which was the same as the Sacrifice of the Mass !

Lastly, the Canon inculcates "reverence and obeisance" upon entering or leaving the church. But it explains that this is

"not with any intention to exhibit any Religious Worship to the Communion table, the East, or Church, or anything therein contained in so doing, or to perform the said gesture in the celebration of the Holy Eucharist, upon any opinion of a corporal presence of the Body of Jesus Christ on the Holy Table, or in the mystical elements, but only for the advancement of God's Majesty. . . ."

Note the clear rejection of any "corporal presence," either "on the holy table," or "in the mystical elements" !

Thus the Canon of 1640, while inculcating greater reverence in Church, at the same time takes occasion to repudiate both the Real Objective Presence, and the Sacrifice of the Mass. And

<sup>1</sup> This Canon was doubtless due in the main to the influence of Laud, then Archbishop of Canterbury. It is interesting to note that, as Dean of Gloucester in 1615, Laud had changed the position of the Communion table from the centre of the choir to the east end, and in consequence of this the Bishop refused to enter the cathedral ! (*Encyclopædia Britannica*, 11th edn., Vol. 16, pp. 276-7.) When he became Archbishop of Canterbury in 1633, he proceeded to impose throughout his province this new and permanent position of the Communion Table. A flood of light is thrown on the state of things in the Church of England at that time by the following passage from J. P. Lawson's *Life and Times of William Laud*, Vol. II, pp. 71-2 : "When Archbishop Laud made his primary and second visitations, he found the churches and the communion table grossly desecrated and profaned, in consequence of that laxity of government and that encouragement to the notions of Puritanism which Abbot's unhappy primacy had extensively generated. On the communion tables the churchwardens kept their accounts, and employed them for the transaction of parish business ; school-boys were taught to read and write upon them, and deposited upon them their hats and books ; during sermon time they were employed as seats ; dogs defiled them ; those who happened to be repairing the church would drive them full of nails ; nay, such were the habitual carelessness and irreverence of those concerned, that in one place a dog actually seized and made off with the whole of the sacramental bread, and in other places the wine had been brought to the holy table in pint pots and bottles (Heylyn, pp. 269-272)."

this Canon was passed with the full assent of the bishops and clergy of the Anglican Church of the time, in Convocation assembled !

4. The Puritan or Low Church party naturally viewed the growing development of High Church doctrines and practices with considerable alarm. There was much friction between them and the High Church party, and in 1641, at the beginning of the "Long Parliament," the House of Lords appointed a "Committee of Accommodation," consisting of ten bishops and twenty lay peers, to adjust the difference between the two parties. A sub-committee of four bishops, under Bishop Williams of Lincoln, was appointed to prepare material for the larger Committee, and they were empowered to appoint other divines as assessors. From a circular letter sent out, we gather that they were to "examine all innovations in doctrine and discipline introduced into the Church without law since the Reformation."

Amongst the "Innovations in doctrine" noted were "that priestly absolution is more than declaratory," and "that the Lord's Supper is a true and proper sacrifice."<sup>1</sup>

But the proposed reform did not take place. Instead, a year or two later, the "Commonwealth Settlement of Religion" took place, in the form of the abolition of episcopacy, and the establishment of Presbyterianism. At the Westminster Assembly in 1643, three doctrinal formulæ were set forth, the *Westminster Confession of Faith*, and two *Catechisms*. These were duly approved by the English and Scottish authorities as well as the service book known as the *Directory of Public Worship*, which dates from 1645. It will be of interest to examine the doctrine on the Eucharist in these works.

As to the Real Presence, the *Westminster Confession* says that

"the outward elements . . . have such relation to Christ crucified that truly, yet sacramentally only, they are sometimes called by the name of the things they represent . . . albeit in substance and nature they still remain truly and only bread and wine.

"Worthy receivers outwardly partaking of the visible elements . . . do then also inwardly by faith really, and indeed, yet not carnally and corporally, but spiritually, receive and feed upon Christ crucified."

A fuller statement is contained in the *Larger Catechism* :

<sup>1</sup> There was, however, no suggestion that the "sacrifice" in the Lord's Supper was being taught as identical with the "Sacrifice of the Mass."

“As the Body and Blood of Christ are not corporally or carnally present in, with, or under the bread and wine in the Lord’s Supper, and yet are spiritually present to the faith of the receiver no less truly and really than the elements themselves are to their outward senses, so they that worthily communicate in the sacrament . . . do therein feed upon the Body and Blood . . . not after a corporal or carnal, but in a spiritual manner, yet truly and really, while by faith they receive and apply unto themselves Christ crucified.”

To this we may add the statement of the *Westminster Confession* that “ignorant and wicked men receive not the thing signified,” although they receive the outward elements.

There is really nothing here which is in any way contrary to the teaching of the *Book of Common Prayer*: rather it seems an excellent presentation of it. Christ is really, but spiritually present, in the rite, but not “in, with, or under the bread and wine.” He is present to the faith of the communicant, and received by faith. He is not received by the wicked. Note especially the statement that Christ, though really present in the rite, is not “corporally or carnally present in, with, or under the bread and wine.” This gives us the clue to the meaning of the word “corporally” as used at this time. It means any presence “in, with, or under the bread and wine,” i.e. the Real Objective Presence, in any of its various forms.

As to the sacrificial aspect, the *Westminster Confession* states that Our Lord “instituted the Sacrament of his Body and Blood . . . for the perpetual remembrance of the sacrifice of Himself. . . . In this Sacrament Christ is not offered up to his Father, nor any real sacrifice made at all for remission of sins of the quick or dead, but only a commemoration of that one offering up of Himself . . . and a spiritual oblation of . . . praise . . . so that the Popish sacrifice of the Mass, as they call it, is most abominably injurious to Christ’s one only sacrifice, the alone propitiation for all the sins of the elect.”

This, again, seems a very fair setting forth of the official Anglican teaching as enshrined in the Prayer Book and Articles.

## CHAPTER XV

### THE CHURCH OF ENGLAND AND NON-EPISCOPAL ORDERS UNDER JAMES I AND CHARLES I

1. We have seen in a previous chapter that towards the end of Elizabeth's reign the doctrine began to be preached that bishops govern the Church by divine right. This had been formally enunciated by Bancroft in 1588, i.e. before his elevation to the episcopate. Bancroft became Bishop of London in 1597, and Archbishop of Canterbury in 1604. But he seems to have moderated his views, and already in 1593, in his *Survey of the Pretended Holy Discipline*, he does not claim direct divine sanction for episcopacy, but is content to show that it was "apostolic in its origin."<sup>1</sup> Further, there is evidence that, as a Bishop, Bancroft recognised foreign and Scottish Presbyterian orders as valid.

Thus, SARAVIA, a Dutch Protestant minister, was presented by Bancroft to the Rectory of Great Chart in Kent in 1609-10, and a diligent search of Anglican registers has failed to produce any evidence that he was given Anglican Orders. It has indeed been urged by Denny and others that Saravia joined the Church of England because he had come to believe in the necessity of episcopacy, and therefore he must have been re-ordained. As to this, it is true that Saravia says, in his *Treatise on the Different Degrees of the Christian Priesthood*, that he considers bishops to be "indispensably necessary to the Church."<sup>2</sup> But, in the subsequent *Defence* of that treatise, written in answer to Beza, he remarks that at the Conference between Catholics and Protestants at Poissy in 1561 :

"Although all who assembled there had not the same ordination, and some had been ordained by bishops of the Roman Church, others by the Reformed Churches, none of them had any need to be ashamed of his ordination. Without any risk that I can see, they could acknowledge that they had been ordained, some by

<sup>1</sup> Mason, *Church of England and Episcopacy*, p. 45.

<sup>2</sup> *Op. cit.*, Oxford, 1840, p. 32.



Bishops of the Roman Church, others according to some order received in the Churches of Christ, after a previous examination . . . accompanied by imposition of hands and prayer. For although I consider that the ordination of ministers of the Church properly appertains to the Bishops, nevertheless, when they are wanting and cannot be had, necessity empowers orthodox presbyters to ordain a presbyter, which practice, although contrary to the order received from the times of the Apostles, is excused by necessity, necessity turning the presbyter into a bishop under the circumstances."

It seems clear in view of this that, in spite of his belief in episcopacy, Saravia must have regarded his own non-episcopal ordination as valid, and would not seek for reordination. It is curious that Mason, in his *Church of England and Episcopacy*, quotes the first passage, from the *Treatise*, but is silent about the second passage, from the *Defence of the Treatise*, and thus gives an entirely incorrect account of Saravia's real position.

As to the contention that Bancroft was not the man to recognise the ordinations of the Reformed, the falsity of this will be seen from a very significant event which took place in 1610, i.e. the consecration of three bishops for the Scottish Church, when James I decided to introduce episcopacy there.

For this purpose, three Scottish divines in Presbyterian orders were selected, and it was arranged that they should be raised to the episcopate by Bishop Abbot of London (subsequently Archbishop of Canterbury), Bishop Andrewes of Ely, Bishop James Montague of Bath and Wells, Bishop Neile of Rochester, and Bishop Parry of Worcester.

Spottiswood, one of these new Scottish Bishops, in his *History of Scotland*, says that when the consecration was under discussion, Bishop Andrewes objected to the Presbyterian orders of the bishops elect, and said they ought to be given the diaconate and priesthood before being raised to the episcopate. Thereupon Archbishop Bancroft, who was present, said that "thereof there was no necessity, seeing that, when bishops could not be had, the ordination given by the presbyters must be esteemed lawful ; otherwise that it might be doubtful if there were any lawful vocation in most of the Reformed Churches. This applauded by the other Bishops, Ely acquiesced."<sup>1</sup> Note the acceptance of the principle that the foreign Protestant Churches possess a valid ministry.

The above version, written by one of the Scottish bishops then and there consecrated, is much more likely to be true than

<sup>1</sup> *History of Scotland*, p. 514.

the statement made later on by Heylyn (who was a boy of ten years old when the event took place) that Bancroft proceeded on the assumption that the episcopate includes all other orders.

As to Andrewes, Canon Mason remarks that

"with all his insistence upon the divine right of bishops, Andrewes was not prepared to make episcopacy absolutely indispensable. . . . The evidence of facts was too strong the other way. . . . Andrewes did not reject presbyterian orders as wholly invalid where others were not to be had."<sup>1</sup>

In particular, Andrewes wrote thus to Du Moulin, a minister of the French Reformed Church :

"Though our form [of government] be of divine right, it does not follow that there is no salvation without it, or that a Church cannot stand without it. He must be blind that does not see that Churches stand without it. . . . It is not to condemn a thing to prefer something else to it."<sup>2</sup>

It is important to note that not only were the Scottish presbyters consecrated bishops without any reordination, but also, as Professor Cooper points out,<sup>3</sup>

"of the clergy whom the bishops of 1610 found in the parishes, not one was reordained. . . . In the period commencing in 1610, every bishop in Scotland concurred in the sentiments expressed by the most sagacious of their number, Bishop Patrick Forbes of Aberdeen : 'The pastors of our Reformed Churches having (in common) had an ordinary calling, and therewith, holding the true Apostolic doctrine, are the successors of the Apostles,' and the Romanists 'are more than impudent to deny our ordinary vocation.'"<sup>4</sup>

He adds that several of these Presbyterian ministers of the Church of Scotland were given high preferment in the Church of Ireland about that time.<sup>5</sup>

Now all this is especially significant, because the Lambeth Conference of 1908 said<sup>6</sup> that it might be possible to reunite with Presbyterian and other non-episcopal Churches "on the

<sup>1</sup> *Church of England and Episcopacy*, pp. 69-72.

<sup>2</sup> Letter in Andrewes' *Opuscula*, Oxford edn., p. 191. Abp. Bramhall quotes this statement with approval (see *Works*, Oxford edn., III, p. 518) : "Episcopal divines will readily subscribe to the determination of the learned Bishop of Winchester [Andrewes]. . . . The mistake proceedeth from not distinguishing between the true nature and essence of a Church which we do readily grant them [the non-episcopal Churches] and the integrity and perfection of a Church which we cannot grant them. . . ."

<sup>3</sup> *The First Episcopacy*, in *Historical Papers submitted to the Christian Unity Association of Scotland*, 1914, p. 76.

<sup>4</sup> Forbes, *Defence of the Lawful Calling*, Middleburg, 1614.

<sup>5</sup> Page 78, footnote.

<sup>6</sup> Resolution 75. (*Report and Resolutions*, p. 65.)

basis of consecration to the episcopate on lines suggested by such precedents as those of 1610."

The recognition thus accorded to presbyterian orders by Bancroft, Abbot, James Montague and Andrewes was given by most Anglicans. Thus OVERALL, Bishop of Norwich, who actually claimed divine sanction for all the grades in the hierarchy, nevertheless was prepared to allow presbyterian orders in practice. He was asked in 1618, by Peter de Laune a Dutch Protestant minister ordained at Leyden, to reordain him so that he could obtain an Anglican benefice. The Bishop said that he could not think of reordaining him absolutely, but if episcopal ordination should be declared by the lawyers to be essential for the tenure of the benefice, he would ordain him conditionally. The Bishop added: "For mine own part, if you will adventure the orders that you have, I will admit your presentation, and give you institution into the living."<sup>1</sup>

The next bishop we may mention is THOMAS MORTON (1564-1659), Bishop of Durham. He was asked to reordain a foreign presbyter, so that he might have freer access to ecclesiastical benefices, but refused to do so, on the ground that it would constitute a most grave offence to the Reformed Churches—a scandal of which he did not choose to be the originator.<sup>2</sup>

FIELD (1561-1616), Dean of Gloucester, expressly recognised the validity of non-episcopal ordinations abroad:

"Who dare condemn all those worthy ministers of God that were ordered by presbyters in sundry Churches of the world, at such times as bishops in those parts where they lived opposed themselves against the truth of God, and persecuted such as professed it?"<sup>3</sup>

"When the bishops of a whole Church or country fall away from the faith, or consent to them that do so, the care of the Church is devolved to the presbyters remaining Catholic. . . . When there appeareth no hope of remedy from other parts of the Church, the presbyters may choose out one among themselves to be chief, and so add other to their numbers by the imposition of his and their hands."<sup>4</sup>

The Supreme Governor of the Church at this time, i.e. James I, evidently shared the opinions of his bishops and divines, for Du Moulin the elder, a French Protestant pastor, who came to England and was made a Canon of Canterbury and a royal

<sup>1</sup> For further details on this case see additional note at end of Appendix III, pp. 745-6.

<sup>2</sup> See evidence in Child, *Church and State under the Tudors*, pp. 298-9.

<sup>3</sup> *Of the Church*, in *Works*, Oxford edn., Vol. I, p. 323.

<sup>4</sup> *Works*, Vol. IV, p. 151.

chaplain without any fresh ordination, frequently gave communion to the King.<sup>1</sup>

2. Another interesting sidelight on the relations between the Anglican Church and the foreign Protestant Churches is to be found in the fact that James I sent a deputation of Anglican theologians to Holland to take part in 1618-19 in the Calvinistic Synod of Dort. This consisted of George Carleton, Bishop of Llandaff; Joseph Hall, then Dean of Worcester and afterwards Bishop of Exeter and Norwich; John Davenant, Lady Margaret Professor at Cambridge and afterwards Bishop of Salisbury; and Samuel Ward, Archdeacon of Taunton. Anglican writers insist that this was no deputation from the Anglican Church as such, but simply a private deputation sent by the King. But it is surely obvious that on this occasion the King was acting in his capacity of Supreme Governor of the Church of England. If the Royal Governor could authorise Prayer Books, Rubrics and Articles, and hold Conferences between the various Church parties in England, he could surely send a delegation of bishops and clergy to Dort!

It is, however, urged by Anglicans that in any case the English theologians at Dort strongly defended episcopacy when the Synod proposed to assert the presbyterian idea of the parity of ministers. This is quite true. But Bishop Carleton, the principal Anglican spokesman, expressly allows that the presbyterian polity in Holland was excusable, seeing that episcopacy could not then be introduced.<sup>2</sup> As to the second Anglican representative, Davenant, afterwards Bishop of Salisbury, he also allows that

"in ecclesia turbata, ubi episcopi omnes in hæresin aut idololatriam inciderunt, ubi ministros orthodoxos ordinare recusarunt, ubi solos factionis et erroris sui participes sacris ordinibus dignos reputarunt, si orthodoxi presbyteri (ne pereat ecclesia) alios presbyteros cogantur ordinare, ego non ausim hujusmodi ordinationes pronuntiare irritas et inanes. . . . Hac freti necessitate, si ecclesiæ quædam protestantium, quæ ordinationes ab episcopis papistis expectare non poterant, consensu presbyterorum suorum presbyteros ordinarunt, non inde dignitati episcopali præjudicasse sed necessitati ecclesiæ obtemperasse judicandi sunt."<sup>3</sup>

The third Anglican divine at Dort was Joseph Hall, at that time Dean of Worcester, but afterwards Bishop of Durham. He is usually represented as an uncompromising upholder of

<sup>1</sup> See Child, *Church and State under the Tudors*, Appendix, p. 300.

<sup>2</sup> See Mason, *Church of England and Episcopacy*, p. 108.

<sup>3</sup> *Apud* Mason, *op. cit.*, p. 110.

episcopacy, but though he maintains the "divine right" of bishops, he very carefully explains his meaning thus :

"The divine or apostolical right which he holds, goes not so high as if there were an express command, that upon an absolute necessity there must be either episcopacy or no Church, but so far only that it both may and ought to be. The sticking at the admission of our brethren returning from Reformed Churches was not in case of ordination, but of institution ; they had been acknowledged ministers of Christ without any other hands laid upon them, but according to the laws of our land they were not, perhaps, capable of institution to a benefice unless they were so qualified as the statutes of this realm do require. And secondly, I know those, more than one, that by virtue only of that ordination which they have brought with them from other Reformed Churches, have enjoyed spiritual promotion and livings, without any exception against the lawfulness of their calling."<sup>1</sup>

Elsewhere, Bishop Hall remarks that there is no essential difference between the Church of England and the Protestant Churches abroad :

"Blessed be God, there is no difference in any essential matter betwixt the Church of England and her sisters of the Reformation. We accord in every point of Christian doctrine without the least variation. . . . The only difference is in the form of outward administration ; wherein also we are so far agreed as that we all profess this form not to be essential to the being of a Church, though much importing the well or better being of it according to our several apprehensions thereof. But if there must be a difference of judgment in these matters of outward policy, why should not our hearts be still one ?"<sup>2</sup>

These statements are so clear that they call for no comment. The fourth Anglican divine at Dort, Samuel Ward, does not seem to have expressed his views on the matter under discussion in writing.

3. FRANCIS MASON, Archdeacon of Suffolk, wrote in 1613 the first quasi-official defence of Anglican Orders, under the title of *The Consecration of Bishops in the Church of England*. We deal later on with Mason's method of defending Anglican Orders, but we refer to the work here because in his Epistle Dedicatory to Archbishop Abbot, he mentions that "other Reformed Churches were constrained by necessity to admit extraordinary fathers, that is, to receive ordination from presbyters, which are but inferior ministers, rather than to suffer the fabric of the Lord

<sup>1</sup> *Defence of the Humble Remonstrance*, sect. 14, in *Works*, Oxford, 1863, Vol. IX, p. 356.

<sup>2</sup> *The Peacemaker*, in *Works*, Vol. VI, p. 610.

Jesus to be dissolved.”<sup>1</sup> Evidently, Mason did not regard such presbyterian ordinations as invalid. Moreover, in a sermon, Mason said :

“ Concerning the Reformed Churches, I beseech God to pour his blessings and spirit upon them. It is true they have rejected some ceremonies which we retain : the things were indifferent, and they have used their Christian liberty in refusing them, and we the like liberty in using them. But why should we be bound to their example ? ”<sup>2</sup>

Twenty years after Francis Mason’s death, i.e. in 1641, a pamphlet was published under his name entitled *The Validity of the Ordination of the Ministers of the Reformed Churches beyond the Seas, maintained against the Romanists*. But, according to Davenport, it “ was made by Bishop Overall, with whom the Dean [John Cosin] lived, and not by Mr. Mason. Mr. Mason indeed added something to it, with the approbation of the Bishop, and printed it in his own name at the desire of the Bishop, whose chaplain he was.”<sup>3</sup> The author of this pamphlet—whether Bishop or Archdeacon—argues that Catholics ought to allow foreign presbyterian orders, because some canonists have held that the Pope could authorise a priest to ordain other priests. He goes on to argue that there was at the outset no possibility for the foreign Reformed Churches to obtain episcopal ordination, and adds that in more recent times these churches have appointed certain “ bishops,” or officers equivalent to bishops, by whom their ordinations are now performed.<sup>4</sup>

Thus the Anglican Bishops and Divines of this period carry on the Elizabethan tradition practically in its entirety. If they stress the advantages and the desirability of episcopacy, they nevertheless agree that a church and ministers can exist without bishops. They recognise the Protestant Churches of the Continent as sister churches, and proclaim their unity of belief with them.

#### ADDENDUM.

A striking proof of the recognition of non-episcopal ministries by Elizabethan and Stuart Anglicans is to be found in the recognition of such a ministry in the Channel Islands. Here,

<sup>1</sup> *Op. cit.*, p. 11.

<sup>2</sup> Printed in the 1728 edition of Mason’s work, p. 602.

<sup>3</sup> See letter from Davenport to Sancroft written in 1655 and printed by Canon A. J. Mason in his *Church of England and Episcopacy*, p. 89.

<sup>4</sup> See A. J. Mason, *Church of England and Episcopacy*, p. 93.

as Heylyn himself admits,<sup>1</sup> the "Genevan discipline had been settled under Queen Elizabeth, and being so settled by that Queen, was confirmed by King James. . . . It was thought fit to tolerate that form of government in these petit islands." The two islands of Jersey and Guernsey were at first, indeed, presbyterian in their mode of worship as well as in their ecclesiastical ministry. Yet both islands acknowledged the Bishop of Winchester as their chief pastor, and were regarded as in his diocese!<sup>2</sup> In 1623, when Andrewes was Bishop of Winchester, King James I persuaded the inhabitants of Jersey to adopt the Book of Common Prayer, in place of the Genevan services held hitherto. Guernsey, on the other hand, still kept its Calvinistic services, and the ministers in both islands were still only ordained by presbyters. During the reign of Charles I, Archbishop Laud endeavoured to introduce episcopally ordained ministers into the islands, by founding fellowships at Oxford, the holders of which were to be promoted to benefices in one or other island as vacancies occurred. But even then *there was no attempt to insist on episcopal ordination for the ministers already functioning in the churches.* The Genevan services continued in Guernsey till 1662, and even after that date many of the churches seem to have been served by ministers who had not received episcopal ordination. According to Martin Rule<sup>3</sup> the first episcopally ordained minister was appointed in Sark in 1820! Dr. Firmin-ger gives the following account of this matter:

"The English Church has indeed accepted the protection of certain non-episcopal bodies. . . . This is the explanation of Dr. Child's fallacious dilemma with regard to the inaction of the Bishops of Winchester in regard to the Channel Islands. . . . From 1558 to 1662, the religious relation between England and the Channel Islands was analogous to that which now exists between the Maltese and ourselves."<sup>4</sup> (!)

<sup>1</sup> *History of the Presbyterians*, 1670, p. 395.

<sup>2</sup> The islands were transferred from the (Catholic) diocese of Coutances to the (Anglican) diocese of Winchester by Queen Elizabeth in 1568.

<sup>3</sup> *Apostolical Succession not a doctrine of the Church of England*, 1870, p. 3, note.

<sup>4</sup> *Attitude of the Church of England to Non-Episcopal Ordinations*, p. 50. There seems to be no reference to the matter in Canon Mason's *Church of England and Episcopacy*!

## CHAPTER XVI

### THE REVISION OF THE PRAYER BOOK IN 1661-2

1. The Anglican Reformation may be said to have culminated in the final Settlement of 1662, in which the Prayer Book, Ordinal, and general polity of the Church received the form which has remained unchanged to our own time.

We have already remarked that the Puritan party gained the upper hand in 1641, abolished episcopacy and introduced a new Liturgy into the English Church in harmony with that in use amongst the Presbyterians of Scotland.

But the restoration of Charles II in 1660 was followed almost at once by the return to the episcopal form of church government, and the revival of the Book of Common Prayer. Charles II had been welcomed back by practically the whole nation, and it seemed desirable to make an attempt to unite the two religious parties, the Episcopalians and the Puritans. A Conference was arranged at the Savoy, between twelve bishops and twelve Presbyterian divines, together with other consultants. The Presbyterians asked for numerous changes to be made in the Book of Common Prayer. The Bishops declined most of the requests, but seventeen small alterations were agreed to. Amongst the requests made by the Presbyterian party was one to the effect that kneeling might be made optional instead of compulsory when receiving communion. The Bishops said in reply that the kneeling posture was "most convenient." Another request was that the word "minister" should be used in place of "priest" or "curate." This the Bishops said was unreasonable, because "there is a real distinction between priest and deacon," and the word "curate" could hardly be objected to.

Another request was that the "black rubric" printed in the Second Prayer Book of Edward VI but omitted in later editions, should be restored, "for the vindicating of our Church in the matter of kneeling (though it be left indifferent)." The Bishops answered that the rubric in question was "not in the liturgy



of Queen Elizabeth, nor confirmed by law ; nor is there any great need of restoring it, the world being now in more danger of profanation than of idolatry. Besides, the sense of it is declared sufficiently in the twenty-eighth article of the Church of England."<sup>1</sup> In other words, Article 28, in repudiating Transubstantiation, and asserting that the Body of Christ is given "only after a heavenly and spiritual manner" and is received by "faith," is said by the Bishops to be equivalent to the Black Rubric of Edward VI.

2. The Savoy Conference broke down. But nevertheless King Charles II soon afterwards ordered Convocation to proceed with a revision of the Prayer Book. A Committee was duly appointed for the purpose, consisting of eight bishops. Of these, Dr. Brightman says<sup>2</sup> there are "three whose influence is more or less definable" in the result—Wren, Bishop of Ely ; Sanderson, Bishop of Lincoln ; and Cosin, Bishop of Durham. And of these three, the most important are undoubtedly Wren and Cosin.

Accordingly, we will first discuss the theological views of these Bishops on the Eucharist, and those of Thorndike, a prominent Anglican theologian who may have influenced the revision. Next we will discuss the main sources used in the revision of the Prayer Book ; and then we will study the result so far as the Communion Service is concerned. After that we will give a similar treatment to the revision of the Ordinal.

BISHOP WREN speaks of the "fancy of Transubstantiation," and says that the "remembrance" in the Eucharist is to "put Christ in mind of Christians."<sup>3</sup> He said in 1641 that "he had never called the holy table an altar."<sup>4</sup>

BISHOP SANDERSON, according to Darwell Stone regarded the Eucharist as "a remembrance to Christians,"<sup>5</sup> which does not sound remarkably high.

COSIN's views are much better known, and are of great importance. His Eucharistic doctrine is set forth in his *History of Papal Transubstantiation*, and in his *Notes on the Prayer Book*. There are three series of these. The first notes were made in a Prayer Book of 1619, and seem to be a mere series of comments,

<sup>1</sup> Cardwell, *History of Conferences*, p. 354.

<sup>2</sup> *English Rite*, p. ccix.

<sup>3</sup> Darwell Stone, *op. cit.*, II, p. 354.

<sup>4</sup> Hutton, *History of English Church from Charles I to Anne*, p. 96.

<sup>5</sup> *Op. cit.*, p. 354.

which do not necessarily represent Cosin's own views. The second and third series, however, certainly give his own mind.

Cosin rejects the "fable of Transubstantiation." In the Communion service, the priest "blesses each symbol, and consecrates them to be the sacrament of the Body and Blood of Christ." Dr. Darwell Stone says that "a few passages at first might seem to imply that the consecrated sacrament is the Body and Blood of Christ before communion, but when these are examined closely and viewed in their context, the meaning of them appears to be that it is the office of the consecrated elements to enable the communicant to receive Christ's Body and Blood,"<sup>1</sup> which might imply a merely receptionist doctrine. Incidentally, Cosin speaks of the bread and wine as "exhibiting" the Body and Blood.<sup>2</sup> Cosin says indeed that he believes in the Real Presence, but he asserts that "none of the Protestant Churches doubt of" this Presence, and in support of his contention, quotes the Anglican Prayer Book, the Augsburg, Wittenberg, Bohemian, Strassburg, French and Helvetic Confessions, and the Polish Agreement! We may justly remark with Cardinal Vaughan that "a Real Presence which was accepted by all these Protestant formularies is clearly not the kind of Real Presence in which the Catholic Church believes."<sup>3</sup>

Indeed, it seems clear that Cosin believed only in a Presence *in usu* to the communicants. Even Dr. Firminger does not think that Cosin "believed in a Real Presence *extra usum sacramenti*."<sup>4</sup> He quotes the following from the Bishop's works:

"We deny that the elements still retain the nature of sacraments when not used according to Divine institution, that is, given by Christ's ministers, and received by his people, so that Christ in the consecrated bread ought not, cannot be kept and preserved to be carried about, because He is present to the communicants."<sup>5</sup>

Again, Cosin says that

"The Body and Blood is neither sensibly present (nor otherwise at all present, but only to them that are duly prepared to receive them, and in the very act of receiving them and the consecrated elements together, to which they are sacramentally in that act united)."<sup>6</sup>

And again:

"True it is that the Body and Blood of Christ are sacramentally and really (not feignedly) present when the blessed bread and wine

<sup>1</sup> *Op. cit.*, p. 325.

<sup>2</sup> *Vindication of Leo XIII's Bull*, p. 111.

<sup>3</sup> *Works*, Oxford edn., Vol. I, p. 174.

<sup>4</sup> *Ibid.*, p. 324.

<sup>5</sup> *Doctrine of the Real Presence*, p. 17.

<sup>6</sup> *Works*, Vol. V, p. 345.

are taken by the faithful communicants, and as true is it also that they are not present but only when the hallowed elements are so taken, as in another work (*History of Papal Transubstantiation*) I have more at large declared."<sup>1</sup>

In view of this, we can understand that Cosin sees no reason why the curate should not have to his own use the remainder of the consecrated bread and wine :

"If, for lack of care, they consecrate more than they distribute, why may not the curates have it for their use . . . for though the bread and wine remain, yet the consecration, the Sacrament of the Body and Blood of Christ, do not remain longer than the holy action itself remains for which the bread and wine were hallowed, and which being ended, return to their former use ?"<sup>2</sup>

It is to be noted that this is not a purely hypothetical contingency, for Cosin bears witness that this custom, which, as we saw, was prevalent in Elizabeth's time,<sup>3</sup> still continued in his own day, for he says that certain clergy "suppose they may take all that remains of the consecrated bread and wine itself home to their houses, and there eat and drink the same with their other common meats."<sup>4</sup>

As to the Eucharistic Sacrifice, Cosin favours the idea of an offering of bread and wine at the Offertory. But he will not allow the Catholic doctrine of the Sacrifice of the Mass. He clearly distinguishes between this and the doctrine of the Church of England. Thus, commenting on the words, "by his own oblation of himself," in the Anglican consecration prayer, he says :

"Therefore Christ can be no more offered, as the doctors and priests of the Roman party fancy Him to be, and vainly think that every time they say Mass they offer up and sacrifice Christ anew,

<sup>1</sup> *Works*, Vol. V, p. 345.

<sup>2</sup> *Ibid.*, p. 356.

<sup>3</sup> See p. 319.

<sup>4</sup> *Works*, Vol. V, p. 519. Cosin deprecates the practice, though it would seem he had no doctrinal objection to it. There is plenty of other evidence, besides Cosin's statement, as to the existence of this irreverent method of disposing of the sacramental bread and wine. Thus, L'Estrange, in his *Alliance of Divine Offices*, the first edition of which appeared in 1659, and the second in 1690, strongly defends it : "As for the order of our Church, it is very circumspect, for, by saying the curate shall have it to his own use, care thereby is taken to prevent the superstitious reservation of this sacrament, as the papists formerly practised" (p. 330). Dr. Harris, in *Liturgy and Worship*, allows that this "irreverent practice" of "using the remains of the consecrated elements in their homes as food at ordinary meals" was "not uncommon among the Puritan clergy," and adds that "a similar practice prevailed in Scotland—perhaps also in England—of distributing these remains after service to the poorer communicants, to be taken home by them and used in the same way" (pp. 589-590). Thus for a hundred years it was customary in England to regard the consecrated bread and wine as ordinary bread and wine, at least outside the Communion service, and they were treated as ordinary food for men, and even animals. Could there be any more conclusive proof that the doctrine of the Real Objective Presence was not believed in at this time ?

as properly and truly as He offered up Himself in his sacrifice upon the Cross. And this is one of the points of doctrine, and the chief one, whereof the popish Mass consisteth, abrogated and reformed here by the Church of England."<sup>1</sup>

Elsewhere he remarks that the Latin Canon of the Mass had contained the words "offering" and "sacrifice," and that these, "though well used of old, and in a far different meaning from that sense wherein the papists use them, seemed nevertheless to sound their meaning, and therefore to give offence," and that is why in the Prayer Book "it is altered into another expression," i.e. "a perpetual memory."<sup>2</sup>

Cosin allows that the Eucharist is a "sacrifice of praise," "offered to God as a commemoration of the propitiatory sacrifice of Christ once for all offered on the Cross," and again, that the Eucharist "may by allusion, analogy, and extrinsical denomination, be fitly called a sacrifice, and the Lord's table an altar . . . though neither of them can be strictly and properly so termed."<sup>3</sup> Thus, Cosin really remains faithful to the Protestant tradition of the Anglican Church.

The opinions of the three principal revisers of the Prayer Book would lead us to expect that there would be no substantial alteration in its moderate Protestant character, especially so far as the Communion Service is concerned.

It is, however, maintained by some High Church Anglican writers that, at any rate, THORNDIKE, who was one of the Anglican theologians at the Savoy Conference in 1661, held a doctrine on the Eucharist which was comparatively orthodox, and that, though he denied Transubstantiation, he asserted the Real Objective Presence, and believed that the Eucharistic Sacrifice is an offering of Christ's Body and Blood, and is propitiatory. Certainly Thorndike, more than other Anglicans, adopts Catholic terminology on the subject. But he nowhere gives any satisfactory account of his doctrine on the Real Objective Presence, and he rejects, not only Transubstantiation, but also Consubstantiation. He insists that the bread and wine remain substantially the same after consecration, but that they become the flesh and blood of Christ "by mystical representation," inasmuch as they are the means of conveying the Body and Blood to the communicant. Again, he speaks of a "supernatural conjunction and union between the Body and Blood of Christ and the bread and wine, whereby they become truly the

<sup>1</sup> *Works*, Vol. V, p. 333.

<sup>2</sup> *Ibid.*, p. 471.

<sup>3</sup> *Ibid.*, p. 347.

instrument for conveying God's Spirit to them who receive as they ought."<sup>1</sup> He says the Eucharist is a sacrifice in the sense that, by consecration, the Body and Blood of Christ crucified are caused to be "mystically present in the elements, as in a sacrament representing them separated by the crucifying of Christ." The Eucharist is the Sacrifice of Christ upon the Cross, "as every representation is said to be the same thing with that which it representeth, taking 'representing' here not for barely signifying, but for tendering and exhibiting thereby that which it signifieth."<sup>2</sup> And though he says the Eucharistic Sacrifice is "propitiatory," he explains this as meaning that it applies the merits of Christ's Sacrifice on the Cross to the communicant who receives with faith and repentance. That is obviously not the sense in which the term is used by Catholic theologians.

Thorndike's language is by no means clear, but it is significant that he was not understood by his fellow Carolines to teach a doctrine higher than their own. An interesting proof of this is to be seen in HICKES's (1642-1715) interpretation of Thorndike. Hickes's own view is set forth in his *Christian Priesthood Asserted*. Speaking of "the ministers of the Gospel in Apostolic times," he says :

"Their ministration at the Lord's Table being the most special and excellent part of their priestly function, in which making the bread and wine an holy and acceptable sacrifice to God by solemn oblation and prayer, they thereby make intercession and atonement for their sins and the sins of the people, as by a most solemn rite of supplication."<sup>3</sup>

This speaks merely of a sacrifice of bread and wine. Elsewhere Hickes explains his view in greater detail, and says that

"the bread and wine are substituted and deputed in the Lord's Supper for his Body and Blood, and in virtue of that deputation are to be deemed, taken, and esteemed as his natural Body and Blood."<sup>4</sup>

He continues :

"This is a legal fiction."<sup>5</sup>

and adds :

"By divine fiction or substitution, the bread is made the Body and the wine the Blood of Christ in the Holy Mystery, and by virtue of this substitution and mystical union between them,

<sup>1</sup> *Works*, Vol. IV, p. 106.

<sup>2</sup> *Works*, Oxford, 1847, Vol. II, p. 87.

<sup>3</sup> Page 159.

<sup>4</sup> Quoted in Pusey, *Tract 81*, p. 171.

<sup>5</sup> *Ibid.*, p. 158.

his Body is supposed and deemed to be broken and his Blood shed and sprinkled in the holy sacrament as it was upon the Cross. Or in other words, that the offering and breaking of the bread is supposed to be the offering and breaking of his Body."<sup>1</sup>

In other words, the bread and wine represent the Body and Blood, and by a legal fiction, are called the Body and Blood, and the breaking of the bread and the pouring out of the wine represent the Sacrifice of the Cross. There is a world of difference between this and the Catholic doctrine of the Sacrifice of the Mass !

Now it is interesting to note that Hickes does not consider that Thorndike held any different view. Thus he writes :

"Thorndike hath written elaborately to prove that the Eucharist is an external sacrifice of bread and wine to God. . . . For fear he should be misunderstood, as if he thought it to be the real, proper, propitiatory sacrifice of Christ, which as a sacrament it only represents, he declares that it is the sacrifice of Christ only mystically or sacramentally."<sup>2</sup>

And again :

"Mr. Thorndike, to avoid the imputation of being for the popish sacrifice, asserts the eucharistic oblation not to be the real, but mystical sacrifice of Christ upon the Cross, which it represents."<sup>3</sup>

Secondly, we have the witness of BISHOP WATERLAND. Writing in 1738, he gives a general survey of Anglican doctrine on the Eucharistic sacrifice down to his own time. He distinguishes between three views which have been held since the Reformation. The first is that the Eucharist is not a true sacrifice at all. This view Waterland attributes to Hooker, Archdeacon Mason, Crakanthorp, etc. The second school of Anglican thought is that there is a true material sacrifice of bread and wine in the Eucharist. Waterland says that this doctrine was first introduced in 1635, by Mede, and that before that time, this doctrine of a material offering had not been taught by any Anglican. The third view, which Waterland himself champions, is that in the Eucharist there is only a spiritual, and not a material sacrifice, i.e. there is a offering of ourselves. He attributes this view to Bishop Andrewes, Archbishop Laud, Bishop Richard Montague, etc.<sup>4</sup>

Note that Waterland does not attribute to any Anglican writer the doctrine that the Eucharistic Sacrifice is an offering

<sup>1</sup> Page 160.

<sup>2</sup> *Works*, Vol. I, p. 27.

<sup>3</sup> *Ibid.*, p. 28.

<sup>4</sup> Waterland, *Charge on the Christian Sacrifice*, in *Works*, Oxford edn., 1823, VIII, p. 175.

of Christ's Body and Blood, which he would surely have done had such a doctrine really been held by anyone. As to Thorndike, Waterland expressly says :

"Mr. Thorndike's notion plainly resolves itself into the passive sense, viz. into the grand Sacrifice itself as contained in the Eucharist because represented, applied and participated in it."<sup>1</sup>

In other words, according to Bishop Waterland, Thorndike merely taught that in the Eucharist there is an offering of bread and wine, representing the Sacrifice of the Body and Blood upon the Cross.

In any case, whatever view Thorndike may himself have held, in point of fact his influence upon the new Prayer Book seems to have been confined to a few prayers outside the Communion Service.

3. We next turn to the sources employed for the revised Prayer Book, confining our attention mainly to the new form of the Communion Service.

First we may mention a revised Prayer Book which had been authorised in 1637 for use in the Scottish Church, into which episcopacy had been introduced in 1610. This Prayer Book was the work mainly of Bishops Maxwell and Wedderburn, but they were helped and advised by Archbishop Laud.<sup>2</sup> The most interesting features in the book are, first, that in deference

<sup>1</sup> *Op. cit.*, p. 166, note.

<sup>2</sup> For previous rites proposed for use in the Church of Scotland, see *Scottish Liturgies of the Reign of James VI*, edited by Rev. Dr. Sprott, 1901. This includes a very interesting "Form and manner of ordaining ministers and consecrating of archbishops and bishops used in the Church of Scotland," belonging to the year 1620, drawn up apparently with the approval of the Scottish bishops. It contains no rite for deacons. The rite for the priesthood is replaced by a "form and manner of ordaining ministers," following in most respects the corresponding Anglican rite, except that "minister" is always used instead of "priest." The "Prayer of Ordination," however, is taken almost verbatim from the previous Presbyterian "Form and Order of the election of the Superintendent." Then "the bishop with the ministers that are present shall lay their hands upon the head of him that is to be admitted . . . and the bishop shall say : 'In the name of God, and by the authority committed unto us by the Lord Jesus Christ, we give unto thee power and authority to preach the word of God, to minister his holy Sacraments and exercise discipline. . . .'" The rite for consecrating bishops is similar to the Anglican rite, except that at the laying on of hands the Archbishop says : "We . . . give unto thee the power of ordination, imposition of hands, and correction of manners, within the diocese whereunto thou art or hereafter shall be called. . . ." Archbishop Laud objected to this Ordinal, because it had no rite for deacons, and also because "the very essential words of conferring orders" (presumably the words 'Receive the Holy Ghost') "were left out." A revised Ordinal was apparently contemplated, but in the end the English Ordinal was introduced. Note that this early Scottish Ordinal spoke throughout of "ministers" instead of "priests," and that the Scottish Bishops acquiesced in this Protestant and Evangelical conception of the ministry. On all this, see *The Worship of the Scottish Reformed Church : Hastie Lectures in the University of Glasgow*, 1930, by the Rev. Dr. McMillan, especially ch. 27.

to Scottish prejudices, "presbyter or minister" is usually put in place of "priest," and secondly, that the Communion service revives a few features of the service in Edward VI's First Prayer Book.

The second source was a series of suggestions for revision made by Bishop Wren. They contain nothing of interest for us.

The third and most important source was the work of Bishop Cosin. We have already mentioned his three series of *Notes on the Prayer Book*. In addition, he drew up a number of suggestions for alterations and modifications in the Book, probably in 1640. Also, in direct preparation for the revision of 1661, he made extensive manuscript alterations in a printed copy of the Prayer Book, dated 1619. These alterations were to a great extent adopted in the 1661 revision. The same printed copy of the 1619 Book contains some further emendations in the handwriting of Sancroft, the Secretary to the episcopal committee of revisers and subsequently Archbishop of Canterbury.

There is another printed Prayer Book, of the 1634 edition, in which Cosin's and Sancroft's modifications are both introduced. This is known as "Sancroft's fair copy."

Lastly, we have a third printed Prayer Book, of the 1636 edition, with manuscript emendations. This is apparently the copy actually used by Convocation when discussing the 1661 revisions.

Finally, there is the original MS. of the revised book, subscribed by Convocation on December 20th, 1661. This corresponds practically to the book as finally printed in 1662. It contains most of the emendations in Cosin's and Sancroft's books, but also some other variations, which will be noted in due course.

#### 4. *The Revised Communion Service.*

We will begin by calling attention to the fact that throughout, the rubrics speak, not of "the altar," but "the holy Table." No attempt is made to reintroduce the word "altar," which, as we have said<sup>1</sup> never appeared after the First Book of 1549. Next, it is interesting to note that, in spite of the provisions of the Canon of 1640 that the Communion Table should be placed, "side-way under the East window," the 1662 Book retains the rubric of the former books, to the effect that "The table at the Communion time . . . shall stand in the Body of the Church,

<sup>1</sup> See p. 219.



or in the Chancel," and the priest is, as before, to stand "at the north side of the table." It was not easy to determine exactly how this was to be interpreted, if the table was to remain permanently altar-wise at the east end, instead of being placed lengthwise in the Church as was previously the practice. We gather from Dr. Srawley that "during the century following 1661, the practice of standing at the north part of the front of the holy Table, facing eastwards, was not uncommon," but that "the more general position . . . was at the north end, and this position gradually became general until modern times, when the eastward position was revived."<sup>1</sup>

Thus there was no attempt to imitate the position taken by a Catholic priest when saying Mass.

Coming now to the service itself, we must note that although a suggestion was made that the Scottish service of 1637, which resembled the First Prayer Book of Edward VI, should be adopted, this proposal was expressly rejected by the Bishops on the Committee, who decided to keep the order of the 1552 Book, with its mutilated and dislocated Canon.<sup>2</sup> But certain changes were made, which must be carefully considered.

The first change of importance was at the Offertory. The First Prayer Book had directed that "while the clerks do sing the Offertory, so many as are disposed shall offer unto the poor men's box every one according to his ability and charitable mind. And at the offering dates appointed, every man and woman shall pay to the Curate the due and accustomed offerings." Then the minister was to "take so much bread and wine as shall suffice for the persons appointed to receive the Holy Communion, laying the bread upon the corporas, or else in the paten," and should set "both the bread and wine upon the altar." There was no "offering" of the bread and wine.

The Second Prayer Book of 1552, and the Elizabethan and subsequent books, had ordered the churchwardens, or some other by them appointed, to "gather the devotion of the people, and put the same into the poor men's box," and also that "upon the offering days appointed, every man and woman shall pay to the curate the due and accustomed offerings." There was still no offering of the bread and wine.

Haddon's Latin Prayer Book of 1560 translates "due and accustomed offerings" as "*consuetas oblationes et decimas*," which again refer to the payments to the clergy.

<sup>1</sup> *Liturgy and Worship*, pp. 308-9.

<sup>2</sup> Cf. *Liturgy and Worship*, p. 344.

The Scottish Book of 1637, however, directed that "While the presbyter pronounceth some or all of the Sentences . . . the deacon . . . shall receive the devotions of the people then present, in a bason provided for that purpose. And when all have offered, he shall reverently bring the said bason with the oblations therein and deliver it to the presbyter, who shall humbly present it before the Lord and set it upon the holy table. And the presbyter shall then offer up and place the bread and wine prepared for the sacrament upon the Lord's table." Thus, in the Scottish Book, the word "oblations" evidently means the money offerings in the bason, not the bread and wine. Nevertheless, the presbyter is also to "offer up" the bread and wine.

In the First Book of 1549, God was asked "mercifully to receive these our prayers," no mention being made even of alms. The Second Book of 1552 had: "mercifully accept our alms, and receive these our prayers," and this form remained even in the Scottish Book. Hence, though in the latter the presbyter was to "offer up" the bread and wine, there was no prayer asking God to accept them.

In Cosin's Prayer Book, the printed rubric was altered in the sense of the Scottish Book. The deacon was to collect "the devotions of the people" in a bason, and take it to the priest, who would "humbly present and place it upon the holy table." "And if there be a Communion, the priest shall then offer up and place upon the table as much bread and wine as he shall think sufficient," after which he was to "offer up" prayer and praise, begging God to "accept these our alms and oblations." Taking into consideration Cosin's known views, it is probable that he intended the word "oblations" here to signify the bread and wine, which he had directed the priest to "offer up."

But it is important to note that Cosin's proposals were not adopted without serious modifications. In the Book as finally passed and printed in 1662, the deacon receives "the alms for the poor, and other devotions of the people, in a decent bason," and takes it to the priest, "who shall humbly present and place it upon the holy table." Thus, the bason contains "alms" and "other devotions." Then, "when there is a Communion, the priest shall place upon the table so much bread and wine as he shall think sufficient," as directed by Cosin. But whereas the Scottish Book and Cosin had directed the priest to "offer up" the bread and wine, the revised English Book simply directs the

priest to "place it upon the table," and says nothing of any offering up. Cosin next directed the priest to "offer up prayers and praises," but the new English Book directs him merely to "say" the prayer for the Church Militant. This prayer contains the addition suggested by Cosin: "these our alms and oblations." But as no offerings have been mentioned except the "devotions of the people," the "oblations" referred to in this new English Book are obviously those "devotions," and *not* the bread and wine, which the priest has *not* been directed to "offer up." Note that even in the Scottish Book, the word "oblations" refers to the "devotions of the people." This exclusion of the "offering up" of the bread and wine from the final English Book must be regarded as deliberate. *Thus, the 1662 Book lends absolutely no support to the idea that there is an "oblation" of bread and wine at the Offertory.* This is all the more significant in view of the fact that L'Estrange, in his *Alliance of Divine Offices*, published before the 1661 revision (i.e. in 1659), mentions the bread and wine among the "gifts" which we bring to the "altar," and again, that Sparrow, in his *Rationale*, does the same. Nor is it much to the point to appeal to the fact that after the revision Bishop Patrick of Ely speaks of an oblation of bread and wine.<sup>1</sup>

The next modifications which call for notice occur in the Prayer for the Church Militant. The Scottish Book had introduced here a reference to the Saints:

"We yield unto Thee most high praise and hearty thanks for the wonderful grace and virtue declared in all thy saints," and went on to pray that "we and all they which are of the mystical body of thy Son, may be set at his right hand." Cosin had similarly attempted to transform the prayer from one for the Church Militant to one for the Church as a whole, and had adopted the Scottish phraseology in commemoration of the saints, and in the very indirect prayer for the faithful departed. But this was not acceptable to the other revisers. Accordingly, the final version is still a prayer only for the Church on earth. The express commemoration of saints, and the indirect prayer for the departed, are not adopted, but in their place is introduced the following: "We bless thy holy name for all thy servants

<sup>1</sup> Dr. Srawley, in *Liturgy and Worship*, p. 320, and Wheatley, in his *Rational Illustration*, use similar language. The fact remains that the official Prayer Book deliberately excluded language which would countenance this offering of bread and wine.

departed this life in thy faith and fear, beseeching thee to give us grace so to follow their good example, that with them we may be partakers of thy heavenly kingdom." This is obviously a prayer for the living, not for the dead.

The Scottish Book, like the First Book of Edward, directed the celebrant to lay his hands upon the bread and wine when saying the words of consecration. Cosin suggested that this should be done in England, and his suggestion was this time accepted.<sup>1</sup>

In the Scottish Book, the consecration was followed by the commemoration of the Passion, Resurrection and Ascension as in the First Book of Edward. Cosin wanted this to be done in England, but the other bishops refused.

The form for giving Communion in the new Book is unchanged from the Elizabethan Book. Cosin suggested that when taking the communion himself, the celebrant should use a similar form, but this was rejected.

The next significant change is the provision for an additional consecration of bread and/or wine, if the amount previously provided should not suffice for the communicants present. We have seen<sup>2</sup> that the Order of Communion of 1548 had made provision for the consecration of a second or third chalice of wine if necessary. There was no such provision in the Prayer Book of 1549, 1552, 1559, or 1604, presumably because of the direction that the celebrant should take care to consecrate sufficient for all. But a rubric allowing for a second consecration had been inserted into the Scottish Book of 1637, and this was copied into the English Book of 1662. In both the Scottish and the English Books, it is quite clear that bread may be consecrated without wine, or vice versa, according to the needs of the moment.

It need hardly be said that there is absolutely no liturgical precedent for this extraordinary procedure, and that it is quite inconsistent with the belief that the Eucharist is a sacrifice, culminating in the double consecration, and, in any case, this additional consecration would mean that there would be two distinct offerings of the one sacrifice in one Eucharist! In any case, the provision for consecration under one kind only if necessary is fatal to the idea of the Sacrifice, which, in

<sup>1</sup> There were "manual acts" in the First Book of 1549, but none in that of 1552, or subsequent editions. We have seen (pp. 211-2, 366-7) that English Catholics held that there was no consecration in the 1552 and Elizabethan books.

<sup>2</sup> Vol. I, pp. 363-4.

Catholic teaching, is essentially bound up with the twofold consecration.<sup>1</sup>

Cosin suggested in his Book that, at the time of Communion, the *Agnus Dei* might be sung, as allowed for in the First Prayer Book of Edward VI. But this suggestion was rejected.<sup>2</sup>

The rubrics at the end of the service in the 1662 Book display some interesting new features. One rubric states that any consecrated bread and wine remaining over is to be consumed in church immediately after the blessing, and only unconsecrated bread and wine may be taken by the curate "for his own use." Previously, as we have said, the consecrated bread and wine remaining over had been put to common use as ordinary bread and wine, and used as food even for animals. The new direction appeared for the first time in the Scottish Book of 1637, and was then adopted into the English Book of 1662. The new practice is certainly more reverent than the previous one, but it has not any special doctrinal significance.

Note that the new rubric definitely says that the remains of the consecrated elements are not to be taken out of the church, but are to be consumed inside. If this is taken in conjunction with the fact that this 1662 Book, when providing for the Communion of the Sick, says that if the sick man cannot go to the church, the curate shall "celebrate in his house," where previous books had used the vaguer term "minister"<sup>3</sup> it becomes quite evident that no reservation of the sacrament is allowed. The fact sometimes appealed to, that in reprints of Sparrow's *Rationale* subsequent to 1662, a passage which gave a somewhat hesitating approval to reservation remained unchanged, is of little significance, except as showing that the author was not altogether in sympathy with the new rubrics.

Lastly, we come to the reintroduction of the famous *Black Rubric*, which had appeared in the Second Prayer Book of Edward VI, but had not been inserted in subsequent editions. We have seen that the Puritans asked for its restoration at the Savoy Conference, but that the Bishops then said it was unnecessary. This makes it all the more surprising that, after

<sup>1</sup> We deal in Appendix III (p. 752) with an attempt to find a parallel between this Anglican practice and the rubrics of the Roman Missal, and also with another supposed analogy.

<sup>2</sup> *Liturgy and Worship*, p. 354.

<sup>3</sup> Dr. Harris, in *Liturgy and Worship*, p. 557, argues from the use of this term "minister" in the 1552 and 1559 and 1604 Books, that Reservation was still allowed. We do not think the inference is justifiable, but in any case, by deliberately substituting the word "celebrate," the 1662 Book makes it clear that there is to be no reservation.

all, it was in fact replaced in the Prayer Book, evidently by Convocation, but with one significant alteration which must be carefully considered.

The Edwardine rubric had condemned any adoration paid to "the sacramental bread and wine," or to "any real or essential presence" of Christ's Body and Blood, "for the sacramental bread and wine remain still in their very natural substances, and therefore may not be adored, for that were idolatry, to be abhorred of all faithful Christians; and as concerning the natural Body and Blood of our Saviour Christ, they are in heaven and not here, for it is against the truth of Christ's true natural body to be in more places than in one at one time."

The 1662 rubric changes "real or essential presence" into "corporal presence." Procter and Frere maintain that the altered rubric "implicitly affirms the Real Presence instead of denying it."<sup>1</sup>

That is going too far. It is more correct to say with Dr. Srawley<sup>2</sup> that the new rubric "allows for the recognition of a real but spiritual presence such as Article 28 recognises." Also, we suggest that Article 29, with its plain denial of the reception of Christ's Body by the wicked, must surely be taken into account. The truth is, of course, that all parties were by now agreed that there is a sense in which the term "Real Presence" may be accepted, and the Church in her official formularies might well allow a "real though spiritual presence" in the rite, though not in the bread and wine, for that was excluded by Article 29. In this connection we need only remark that the Westminster Confession of the Puritans teaches such a "real, but spiritual presence" in the rite. It was thus desirable that some other term should be inserted in the new Black Rubric in place of "real and essential presence." Now, the Canons of 1640, when prescribing reverence in church, had expressly explained that this was not meant to imply any "corporal presence" of the Body and Blood "on the holy table, or in mystical elements." Similarly, the Westminster Catechism of the Puritans had insisted that Christ is not "corporally or carnally present in, with, or under the bread and wine."<sup>3</sup> All this explains why the same term "corporal presence" was substituted for "real and essential presence" in the new Black Rubric. The meaning is surely the same as in the 1640 Canon and the *Westminster Catechism*, and signifies a presence "in, with, or under the bread

<sup>1</sup> *History of B.C.P.*, p. 503.    <sup>2</sup> *Liturgy and Worship*, p. 563.    <sup>3</sup> See pp. 387, 389.

and wine." It must be remembered that "corporal presence" was the traditional term for the Real Objective Presence, and had been used in this sense and accepted, not only by pre-Reformation and post-Reformation Catholic writers, but also by Luther himself.<sup>1</sup> Accordingly, we think it clear that the rubric, even in its revised form, still denies the Real Objective Presence of Christ's Body and Blood under the forms of bread and wine. At any rate it is clear that, whatever kind of "spiritual presence" there may be, it is not one which affects the "natural substances of the bread and wine," which are expressly declared to remain unchanged. And note also that the kneeling attitude is explained as "a signification of acknowledgement of benefits given," and not as an adoration either of the bread and wine, or of any "corporal presence" of Christ. There is absolutely no suggestion that the kneeling attitude might signify an adoration of Christ "spiritually" present. And lastly, note that the rubric still asserts categorically that the Body and the Blood are "in heaven, and not here." The retention of this plain denial of the Real Objective Presence is in itself a proof that the substitution of "corporal" for "real and essential" is not of much importance.

It only remains to say that this rubric was inserted into the new Book after a discussion in Convocation of the draft book proposed by the Bishops, and that its insertion was due to Bishops Gauden and Morley.<sup>2</sup> Further, the particular substitution of "corporal" for "real and essential" is said to have been suggested by Dr. Peter Gunning, who had been one of the assessors at the Savoy Conference in 1661, and subsequently became Bishop of Chichester. Gunning seems to have believed in a Real Objective Presence, and accordingly some modern Anglicans urge that the revised rubric does not exclude such a Presence. But if Gunning believed in a Real Objective Presence, it seems clear that he must have disapproved of the rubric altogether, and must have been against its reintroduction. Evidently he could not succeed in that, and had to content himself with obtaining the alteration in question, to which the other bishops assented. But it would seem evident also that while they understood the revised rubric in its natural and objective sense, as excluding a Real Objective Presence, Gunning had some private

<sup>1</sup> See Vol. I, pp. 110, 119.

<sup>2</sup> Burnet, *History of his Own Times*, I, p. 324, Oxford, 1897. Morley had been a member of the Revision Committee, Gauden had not.

interpretation of his own. Thus Burnet tells us that he interpreted "corporal presence" to mean "such a presence as a body naturally has," and hence he made the rubric exclude a doctrine which had never been taught by anyone at all! Also, when he was pressed to say how, if he held a Real Objective Presence, he could assent to the final part of the rubric, with its definite assertion that the Body and Blood are in heaven, "and not here," Gunning answered with what Burnet calls "a very extraordinary subtlety," according to which "by the virtue of the words of consecration, there was a cylinder of a vacuum made between the elements and Christ's body in heaven, so that, no body being between, it was both in heaven and in the elements." Burnet justly remarks that "such a solemn piece of folly as this can hardly be read without indignation."<sup>1</sup> At any rate, this incident shows what an "extraordinary subtlety" is necessary in order to reconcile belief in a Real Objective Presence with the plain language of the Black Rubric, even as modified in 1661.

Lastly, it has sometimes been asserted that this Black Rubric was reintroduced into the Prayer Book without the authority or sanction of Convocation. But as Procter and Frere point out, the insertion took place "clearly before the subscription" of the Book by Convocation,<sup>2</sup> and Brightman and Mackenzie say that "there can be no doubt that the insertion was authorised by Convocation, or by those who had a right to act in its name."<sup>3</sup> The Church of England is therefore officially committed to the Black Rubric, with all its implications.

Summing up the revised Communion Service as a whole, we may say that it retained most of the objectionable features of the 1552 rite, and added some others equally objectionable. It was certainly not an unmixed triumph for the High Church party. As to its characteristics from the liturgical point of view, these are thus described by Dr. Brightman:

"It is difficult to feel any great enthusiasm for the resultant English rite. The Caroline divines . . . do not seem to have had much appreciation of liturgical form. In the Holy Communion service, no suggestion seems to have been made for the reassembling of the scattered members of the anaphora."<sup>4</sup>

<sup>1</sup> Preface to *History of Reformation*, Pocock's edn., III, 8.

<sup>2</sup> *History of B.C.P.*, p. 503, note.

<sup>3</sup> *Liturgy and Worship*, p. 196, note.

<sup>4</sup> Dr. Brightman is hardly accurate here. A suggestion was in fact made that the order of the service of 1549 should be restored, but the suggestion was deliberately negatived by the bishops. See p. 407.



"The march of the liturgy is interrupted. . . . The ceremonial fraction, now ordered for the first time in the reformed rite, seems to be misplaced. . . . The latter part of the Canon, delayed until after Communion, is made alternative to a thanksgiving, and the anamnesis of the saving acts of Christ, the most primitive of all liturgical features, is still missing."<sup>1</sup>

But with all due respect to Dr. Brightman, we would suggest that the principle "*lex orandi, lex credendi*" may well be applied here, and that in point of fact the revised liturgy adequately reflects the real doctrinal position of the Church of England.

### 5. *The Alterations in the Ordinal.*

On the matter of Church Government, the Presbyterian party were willing to acquiesce in a modified form of episcopacy, such as had been already adumbrated in 1641 by Archbishop Ussher, in a document called *The Reduction of Episcopacy*. It is important to note that in this document it was stated, on the authority of the Elizabethan Ordinal, that "presbyters no less than bishops were invested with power to rule the congregation of God."<sup>2</sup> There is good evidence to show that similar arguments, based on the language of the Ordinal, were put forth by Presbyterians about 1661, to support their idea of the essential equality of bishops and presbyters.<sup>3</sup> Hence the question of the relation between the two higher degrees of the ministry was doubtless discussed in 1661. Even so, it is interesting, and in a way significant, that no specific alterations to the Ordinal were asked for by the Puritan party at the Savoy Conference of 1661. Evidently they were fairly satisfied with the Ordinal as it then stood, and considered that it certainly did not imply the divine right of bishops.

But when the Committee of Bishops took in hand the revision of the Prayer Book, they made certain alterations in the Ordinal, which stressed the difference in rank between Anglican bishops and priests. It will be interesting to discuss the precise significance of the alterations made. For this purpose, as in the case of the changes made in the Communion service, we will first discuss the views of the revisers, then the sources and the changes themselves.

(a) The alterations made to the Ordinal have been attributed

<sup>1</sup> *Liturgy and Worship*, p. 197.

<sup>2</sup> Firminger, *The Alterations in the Ordinal of 1662*, S.P.C.K. 1898, p. 31.

<sup>3</sup> See Firminger, *op. cit.*

partly to Drs. Pearson and Gunning.<sup>1</sup> But it is hardly likely that the three others who exercised so great an influence on the changes in the Prayer Book had nothing to do with the changes in the Ordinal, and accordingly we will discuss their views as well as those of Drs. Pearson and Gunning.

We have no particular information as to the sentiments of BISHOP WREN on the subject.

BISHOP SANDERSON defends episcopacy as of apostolical institution, but seems nevertheless to have recognised presbyterian orders as valid.<sup>2</sup>

COSIN's views are important, and significant. He defends episcopacy as in every way desirable, but he also gives full recognition to foreign presbyterian orders. This will be seen from a letter he wrote to "Mr. Cordel at Blois" on February 7th, 1650. In this he deals with two statements made, to the effect (1) that the French Protestants have no priests, and (2) therefore no consecration of the Eucharistic elements. Cosin writes :

"As to the first, though we may safely say, and maintain it, that their ministers are not so duly and rightly ordained, as they should be, by those prelates and bishops of the Church who, since the Apostles' time, have only had the ordinary power and authority to make and constitute a priest, yet that by reason of this defect there is a total nullity in their ordination, or that they be therefore no priests or ministers of the Church at all . . . for my part I would be loath to affirm and determine against them. And these are my reasons :

"First, I conceive that the power of ordination was restrained to bishops rather by apostolical practice and the perpetual custom and canons of the Church than by any absolute precept that either Christ or his Apostles gave about it. . . .

"If at any time a minister so ordained in these French churches came to incorporate himself in ours, and to receive a public charge or cure of souls among us in the Church of England (as I have known some of them to have so done of late, and can instance in many other before my time) our bishops did not re-ordain him before they admitted him to his charge, as they would have done if his former ordination here in France had been void. Nor did our laws require more of him than to declare his public consent to the religion received amongst us, and to subscribe the Articles established. And I love not to be herein more wise, or harder, than our own Church is, which because it hath never publicly condemned and pronounced the ordinations of the other Reformed Churches to be void, as it doth not those of the Unreformed Churches neither . . . I dare not take upon me to condemn or determine a nullity of their own ordinations against them. . . .

<sup>1</sup> Firminger, *Alterations in the Ordinal*, p. 37.

<sup>2</sup> See Mason, *C. of E. and Episcopacy*, p. 169.

"If . . . we renounce the French we must for the very same reason renounce all the ministers of Germany besides ; for the superintendents that make and ordain ministers there have no new ordination beyond their own presbytery at all, and then what will become of the Protestant party?"<sup>1</sup>

Elsewhere Cosin says :

"The question only is . . . whether the Church of England hath ever determined the French and German ordinations by presbyters or superintendents to be null and void, and hath not rather admitted them, and employed them in public administrations of sacraments, sacramentals, and other offices among us?"<sup>2</sup>

And Cosin quotes with approval Bishop Overall as saying :

"Though we are not to lessen the *jus divinum* of episcopacy where it is established and may be had, yet we must take heed that we do not, for want of episcopacy when it cannot be had, cry down and destroy all the Reformed Churches abroad, both in Germany and France, and say they have neither ministers nor sacraments, but all is void and null."<sup>3</sup>

Cosin evidently remained of the same opinion down to his death in 1672, for in his will he not only professed his complete freedom from "the corruptions and impertinent new-fangled or papistical (so commonly called) superstitions and doctrines," but also "joined and united" in his mind and affection with "any Churches, in what part of the world soever, bearing the name of Christ and professing the true Catholic faith and religion . . . which I desire to be chiefly understood of Protestants and the best Reformed Churches."<sup>4</sup>

As to the two divines who are thought to have prepared the revision of the Ordinal—they were not at that time bishops—PEARSON certainly defended episcopacy as existing by divine right, and regarded presbyterian ordination as, at the very least, of doubtful validity. GUNNING, on the other hand, allows that "presbyters, where there are or can be no bishops, may, during that necessity, design persons that are best fitted and qualified to supply the place of ministers, but still they ought to acknowledge they are in an imperfect state, and be ready to receive a regular ordination and submit to lawful ministers as soon as they can be had." Accordingly he maintains that Anglicans

<sup>1</sup> *Works*, Vol. IV, pp. 401 *et seq.*

<sup>2</sup> *Ibid.*, p. 449.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Apud* Mason, *C. of E. and Episcopacy*, p. 231.

"do not hereby unchurch any foreign churches that cannot have bishops."<sup>1</sup>

(b) We now come to the alterations made in the Ordinal. It is rather unfortunate that here we are without the guidance, either of the Scottish Ordinal issued in 1536, or of Cosin's suggested alterations. But we have Sancroft's "Fair Copy," into which he entered Cosin's corrections, and it seems fair to suppose that the alterations in the Ordinal made here were for the most part suggested by Cosin.

The chief feature in the new Ordinal is the way in which the difference between the two orders of the episcopate and priesthood is stressed. This was obviously in reply to the Presbyterian contention that the two degrees were fundamentally equal. Thus, they had appealed to the fact that the previous Ordinal spoke, not of ordaining a bishop, but only of consecrating him. The new Ordinal speaks of "the form of ordaining or consecrating" a bishop. Similarly, the title is changed from "The Form and Manner of making and consecrating bishops, priests and deacons" to "The Form and Manner of making, ordaining, and consecrating, etc."

The language of the Preface to the Ordinal undergoes also significant alterations. The original Preface had said that "no man, by his own private authority, might presume to execute" the offices in question "except he were first called, tried, examined . . . and also by public prayer, with imposition of hands, approved and admitted thereunto." The new Preface omits the phrase "by his own private authority," but adds at the end "admitted thereunto by lawful authority." This makes it clear that only "lawful authority" is to ordain. Next, the old Preface had stipulated that no one "not being at this present bishop, priest, nor deacon" should execute any functions, "except he be called, tried, examined, and admitted" according to the Anglican rite of ordination. The new Preface says that no one shall be "accounted or taken to be a lawful bishop, priest, or deacon in the Church of England, or suffered to execute any

<sup>1</sup> *Apud* Mason, *op. cit.*, p. 236. THORNDIKE, one of the Caroline divines who took part in the Savoy Conference, and who is thought to be the most orthodox of the Anglicans of that time, strongly asserts the divine right of episcopacy. But when he comes to the question of ordination, he holds that in case of necessity, "Christian people may appoint (to) themselves bishops, presbyters and deacons." His principal objection to the foreign Reformed Churches is, apparently, not that they ordained presbyters, but that they did not also consecrate bishops for themselves. In any case, it seems clear that Thorndike recognised the validity of the ministry of the foreign Protestant Churches, though he doubtless questioned its liceity. (See Mason, *C. of E. and Episcopacy*, pp. 184-6.)

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." This makes it clear that only those ordained by bishops are to be accounted as "lawful ministers" in the Church of England.

It is interesting to note that these last mentioned additions to the Preface are not to be found in Sancroft's "Fair Copy," but were evidently added later on in the course of revision, as a result of suggestions made either by some of the bishops, or by some of the clergy of the Lower House.

Passing over comparatively unimportant alterations, we now come to the rite for ordaining priests. Here the most significant change is that in the form accompanying the laying on of hands. The original form was "Receive the Holy Ghost. Whose sins, etc. And be thou a faithful dispenser of the word of God and of his Holy Sacraments." The new form inserts after the words "Receive the Holy Ghost"—"for the office and work of a priest in the Church of God, now committed unto thee, by the imposition of our hands. Whose sins, etc." This suggestion had not been included in Sancroft's "Fair Copy," and accordingly it does not seem that it can be attributed to Cosin.<sup>1</sup>

Similarly the new rite for consecrating bishops has as its form, instead of "Take the Holy Ghost, and remember that thou stir up the grace of God, etc.," the following: "Receive the Holy Ghost for the office and work of a Bishop in the Church of God, now committed unto thee by the imposition of our hands. . . . And remember, etc." Sancroft's "Fair Copy" had suggested: "Take the Holy Ghost, by whom the Office and Authority of a Bishop is now committed unto thee, and remember, etc."

The only other alterations of interest are that whereas the Elizabethan book had given no directions as to the vesture of the *ordinandi*, not even specifying the wearing of the surplice, the new Ordinal says that candidates for the diaconate and priesthood are to be "decently habited"—whatever that may mean—and the person to be consecrated bishop is to be "vested with his rochet," and after the examination, is to be "put on the rest of the episcopal habit." Thus he is fully clothed as a Bishop before the *Veni Creator*, laying on of hands, and pronouncing of the "form."

We now come to a difficult question, namely, the precise

<sup>1</sup> According to Prideaux, this change, and the corresponding change in the form for bishops, were due to Gunning and Pearson. See Brightman, *English Rite*, p. cccxiv.

reason for these alterations in the forms for the priesthood and episcopate in the Ordinal of 1662. It was maintained by contemporary Catholic works, such as *Erastus Senior*,<sup>1</sup> that the alterations were intended to meet Catholic criticisms on the Anglican forms. A page inserted at the end of that work says :

" Since the printing of this, they [the Anglicans] have acknowledged the greatness of our exception against their Forms, by amending them in their new book. . . . But this comes too late for past Ordinations, and consequently also for the future : because being no Bishops now, they cannot ordain validly, by any form whatsoever."

Similar statements have been made right down to Leo XIII, who in his Bull condemning Anglican Orders says :

" If, vitiated in its origin, the Ordinal was wholly insufficient to confer Orders, it was impossible that in the course of time it could become sufficient. . . . Vainly did those who, from the time of Charles I onwards endeavoured to hold some kind of sacrifice or of priesthood, make some additions to the Ordinal. . . ."

Against this, Anglican writers have contended that the changes were made solely in order to meet the Presbyterian theory of the equality of the episcopate and presbyterate. Thus the Anglican Archbishops reply to Pope Leo :

" When in 1662 the addition ' for the office and work of a Bishop or Priest ' was made, it would not seem to have been done in view of the Roman controversy, but in order to enlighten the minds of the Presbyterians. . . . These words, then, were not added to give liturgical completeness to the form. . . . The object of the addition therefore was to declare the difference in the orders. . . . That these facts should escape the Pope's notice is perhaps not strange."

One Anglican writer, Dr. Firminger, has brought evidence to show that many, if not most of the other alterations in the Ordinal of 1662, were made in order to contradict the Presbyterian contention.<sup>4</sup>

It is, we think, quite likely that the Presbyterian contention was mainly in view here, in the new forms. But that does not mean that the alterations were not also in part based upon Catholic criticisms of the preceding forms. For already before 1661 many Catholics had criticised the Anglican forms of ordination, and had maintained their insufficiency.

Thus, Dr. Champney, Christopher Davenport (usually known as Sancta Clara) and Peter Talbot (Archbishop of Dublin)

<sup>1</sup> Published in 1662.

<sup>2</sup> Ch. Hist. Soc. edn., p. 45.

<sup>3</sup> Page 12.

<sup>4</sup> See *The Alterations in the Ordinal of 1662*.

had all criticised these forms, on various grounds. And some of these had criticised the forms precisely because of the absence of terms specifying the distinct office conferred, and/or its special power. We give elsewhere quotations from these.<sup>1</sup>

In this connection it must be mentioned that Morinus's great work on Ordination rites had been published two years before Fr. Talbot wrote, i.e. in 1655. This work had, as Fr. Talbot says, made it perfectly clear that every known Ordination rite in East and West mentioned the office to be conferred in the sacramental form.

Now it is in the highest degree improbable that the Anglican bishops and divines who revised the Ordinal in 1661 were quite impervious to these Catholic criticisms. We know that these criticisms were answered in print by great Anglican apologists such as Archbishop Bramhall. Again, it is hardly likely that Anglican liturgical scholars can have been indifferent to the results of the researches of Morinus. Accordingly, we agree with the Rev. R. Travers Smith when he says, speaking of the additions of 1662, that "perhaps these may have been done partly in reference to the work of Morinus, which had recently appeared, and to the Preface, which declares as requisite the special mention of the office and duty to which ordination is being made."<sup>2</sup>

We must not omit to record one interesting point. A correspondence took place between Anthony Norris and Prideaux, Bishop of Norwich, on the subject of Anglican Orders.<sup>3</sup>

In this correspondence Norris expressly claimed that the Anglican ordination forms had been altered to meet Catholic criticisms. This Prideaux denied. Norris rejoined :

"I say that, for the words Priest and Bishop to be added to the new form for avoiding all cavils from the Presbyterians. . . . I will appeal almost to the whole world whether that could be the true reason."<sup>4</sup>

Dr. Firminger tells us that, in order possibly to end the controversy by a decisive stroke of authority, Prideaux wrote off to one of Archbishop Sancroft's chaplains<sup>5</sup> and asked him to find out from

<sup>1</sup> See quotations from Dr. Champney on pp. 436-7, and Fr. Talbot on pp. 441-2.

<sup>2</sup> *Shall we alter the Ordinal*, p. 97.

<sup>3</sup> See Prideaux, *Validity of the Orders of the Church of England*, 1688.

<sup>4</sup> Prideaux, *op. cit.*, p. 17.

<sup>5</sup> Sancroft had been Secretary to the Committee of Bishops who revised the Prayer Book in 1661.

"my Lord Archbishop (who was, I understand, much concerned in all that was done), how this affair went, and on what motives the explanatory addition was made."

Dr. Firminger continues :

"It would seem that either Prideaux received no answer, or else made no use of it."<sup>1</sup>

Surely this is in the highest degree significant ! We suspect that Sancroft must have sent word that in point of fact Catholic criticisms *had* been taken into consideration.

On the whole, the most reasonable conclusion would seem to be that the alterations were made *primarily* to counteract the Puritan contention, but *also* with the Catholic criticisms in view. This view may claim the support of Dr. Brightman, who writes as follows :

"Although Burnet and Prideaux report that the new defining clause was inserted only to meet the Puritan contention, yet it is likely that both contentions contributed to suggest the addition."<sup>2</sup>

(c) It might at first be thought that, in view of the language of the revised Preface to the Ordinal, and the definite distinction between the presbyterate and the episcopate in the revised ordination forms, the Church of England in 1661 after much vacillation had at length decided against the validity of Presbyterian ordinations. But there is abundant evidence to show that such an inference would be quite unwarranted.

The first line of evidence is that provided by the Act of Uniformity, which authorised the new Prayer Book and Ordinal in 1662.

This stipulated that the new Book was to be used throughout the Church of England. Moreover, in accordance with the new Preface to the Ordinal, section 13 of the Act enacted that no persons not episcopally ordained could receive livings after August 24th, 1662, and section 14 similarly enacted that no persons not ordained by a bishop should henceforth presume to minister the Lord's Supper. But section 15 says "Provided that the penalties in this Act shall not extend to the foreigners or aliens of the Foreign Reformed Churches allowed or to be allowed by the King's Majesty, his heirs and successors in England." It has been suggested that this proviso was intended for the churches of foreign congregations in England, such as the Dutch Reformed Church in Austin Friars. But this can

<sup>1</sup> Firminger, *The Alterations in the Ordinal*, p. 45.

<sup>2</sup> Brightman, *English Rite*, p. ccxxiv.



hardly be maintained. The Act is concerned solely with the Church of England, and admission to Anglican livings. Hence it would seem that this very Act, which insisted upon episcopal ordination as a general rule, allowed the Supreme Governor of the Church to dispense from it, and allow foreign persons in presbyterian orders to minister in the Church of England and to hold benefices, should he think fit.

Even apart from this Proviso, we have conclusive evidence that neither the new Ordinal nor the Act of Parliament, which authorised it, was intended to deny the orders of the foreign Reformed Churches, nor, for that matter, to deny absolutely the validity of Presbyterian orders conferred at home. This evidence is fourfold :

(1) Clarendon's *Life* tells us that objection was made to the proposed Act of Uniformity precisely on the ground that "there had been many, and at present there were some, who possessed benefices with cure of souls, and other ecclesiastical promotions, who had never received orders but in France or in Holland ; and these men must now receive new ordination, which had been always held unlawful in the church. . . . This would lay a great reproach upon all other Protestant churches who had no bishops, as if they had no ministers, and consequently were no churches. . . ." He adds that "To this it was answered, that the Church of England judged none but her own children, nor did determine that other Protestant churches were without ordination. It is a thing without her cognisance, and most of the learned men of those churches had made necessity the chief pillar to support that ordination of theirs. . . . If they who pretend foreign ordination are his Majesty's subjects, they have no excuse of necessity. . . . If they are strangers, and pretend to preferment in this church, they ought to conform and to be subject to the laws of the kingdom. . . . For the argument of reordination, there is no such thing required. Rebaptisation is not allowed in or by any church, yet in all churches where it is doubted, as it may be often with very good reason, whether the person hath been baptised or no . . . without determining the validity or invalidity of such baptism, there is an hypothetical form, 'If thou hast not been already baptised, I do baptise, etc.' So in this case of ordination, the form may be the same, 'If thou hast not been already ordained, then I do ordain, etc.' If his former ordination were good, this is void ;

if the other was invalid or defective, he hath reason to be glad that it be thus supplied."

(2) Clarendon then informs us that "very many who had received Presbyterian orders in the late times came very willingly to be ordained in the manner aforesaid by a bishop."<sup>1</sup>

Similarly Bramhall, when reordaining those who had received only Presbyterian ordination, inserted a special clause in their letters of orders:

"Non annihilantes priores ordines (si quos habuit) nec invaliditatem eorum determinantes, multo minus omnes ordines sacros ecclesiarum forinsecarum condemnantes, quos proprio Judici relinquimus, sed solummodo suppletentes quicquid prius defuit per canones ecclesiæ Anglicanæ requisitum, et providentes paci ecclesiæ, ut schismatis tollatur occasio, et conscientiis fidelium satisfiat, nec ulli dubitent de ejus ordinatione, aut actus suos presbyteriales tanquam invalidos aversentur."<sup>2</sup>

Again, Bishop Cosin offered to give a private and conditional reordination to a man named Frankland, who had evidently received only Presbyterian orders.<sup>3</sup>

(3) But of even greater interest is the situation in Scotland after 1662. Episcopacy was then once more introduced. Two of the new bishops, Sharp and Leighton, had received only Presbyterian orders, and these were first given the Anglican diaconate and priesthood, in accordance with the new legislation. Nevertheless, as Mason allows,<sup>4</sup>

"no attempt was made in Scotland to impose the condition of episcopal ordination upon the existing clergy in general."

(4) If any further proof were needed that the settlement of 1662 did not commit the Church of England to a rejection of Presbyterian orders, it may be found in the fact that many Anglican bishops and divines in the period immediately following continued to teach that the orders of the foreign Reformed Churches are valid. Many testimonies to this effect will be found in Mason's *Church of England and Episcopacy*. We select the following:

SAMUEL PARKER, Bishop of Oxford, in his *Case of the Church of England*, published in 1681, defends episcopacy, but at the same time makes allowances for the foreign Protestant Churches:

"God forbid we should be so uncharitable as to go about to unchurch them. . . ."<sup>5</sup>

<sup>1</sup> *Apud* Mason, *C. of E. and Episcopacy*, pp. 177-9.

<sup>2</sup> *Works*, I, p. xxxvii.

<sup>3</sup> *Ibid.*, p. 275.

<sup>4</sup> *Apud* Mason, *op. cit.*, p. 233.

<sup>5</sup> *Ibid.*, pp. 268 *et seq.*

Similarly, JOHN SCOTT, in his *Christian Life*, published in 1681, says :

" Whenever the Divine Providence doth by unavoidable necessity deprive any church of its episcopacy, it thereby, for the present at least, and while the necessity continues, releases it from the obligation of the institution of episcopacy, and allows it to administer its government and discipline by a parity of presbyters."<sup>1</sup>

And, lastly, THOMAS PIERCE, Dean of Salisbury, in his *Pacifcatorium* (1683), " pays elaborate compliments to the foreign Protestant ministers, who have the inward vocation and the outward also."<sup>2</sup>

Thus, the Settlement of 1662, while tightening up the internal discipline of the Church of England, left its essential character unchanged. In its theological teaching on the Eucharist, it remained essentially Protestant, and as to the Christian ministry, the fact that the foreign Reformed Churches continued to be regarded as sister churches, and their ministry as valid, or, at any rate, as not certainly invalid, though imperfect and even irregular, shows that essentially the Anglican conception of the ministry remained practically the same as that of the foreign Protestants.

<sup>1</sup> Mason, *op. cit.*, p. 259.

<sup>2</sup> *Ibid.*, p. 261.

## CHAPTER XVII

### ANGLICAN DEFENCES OF THEIR ORDERS UNDER THE STUARTS

1. The preceding chapters have shown that the formularies of the Anglican Church, when interpreted in the light of those who drew them up and used them, involve and presuppose a disbelief in the two essential doctrines of the Catholic Church, i.e. Transubstantiation, and the Sacrificial Offering of the Body and Blood of Christ in the Mass. Indeed, we may go further, and say that the Anglican formularies thus interpreted exclude not only Transubstantiation, but any kind of Real Objective Presence under the appearances of bread and wine. The denial of this Presence and of the Sacrifice was necessarily accompanied by a denial of the Catholic sacrificial priesthood. A ministry there is and must be in the Church, and Anglicans say it should normally consist of three degrees, bishops, priests and deacons, but it is an "evangelical" and not a "sacrificial" ministry as taught by the Catholic Church.

It has been shown that the above was the dominant and characteristic teaching of the Elizabethan Anglican Church. We have also seen that, though in the succeeding reigns, Anglican teaching reached a somewhat higher level, and some even taught a Real Presence, and some again that there is in the Eucharist an offering of bread and wine, in commemoration of Christ's Passion and Death, nevertheless there is not a single Anglican writer down to 1661 who teaches the Catholic doctrine, either of the Presence or of the Sacrifice. It must be remembered that belief in the Real Presence does not necessarily involve belief in the Sacrifice. Luther certainly believed in the Real Objective Presence, in the form of Consubstantiation, but he emphatically denied the Sacrifice.<sup>1</sup> And accordingly he also emphatically denied the Catholic conception of the sacrificial priesthood. The same is true of those Anglicans who taught the Real Presence.

<sup>1</sup> See Vol. I, p. 115 *et seq.*

Some did indeed believe in an offering of bread and wine, but that differs *toto celo* from the Catholic Sacrifice of Christ's Body and Blood.

From this it follows that all these Anglicans and the Church to which they belonged, necessarily rejected the Catholic doctrine of the sacrificial priesthood, for that is essentially connected with the doctrine of the Sacrifice of the Mass. In Elizabeth's times the dominant conception of the "priesthood" was that of an evangelical ministry of the Word and the Sacraments. In the subsequent reigns, some taught a sacrificial priesthood, but this still was not the sacrificial priesthood of the Catholic Church.

This will be confirmed by an examination of the discussions concerning the priesthood and orders in which Anglican writers took part during this period.

2. We have already said that the "Nag's Head" story of Parker's consecration appeared in print for the first time in 1604, and that this seems to have persuaded the Anglican authorities to publish the entry in the Lambeth Register. The information contained in the Register was given in print for the first time by ARCHDEACON FRANCIS MASON, in his *Consecration of the Bishops in the Church of England*, published in 1613. This work is of great interest and importance. It sets out to vindicate the "succession, jurisdiction, etc." of the Anglican Bishops, "as also the ordination of priests and deacons," from the "slanders and odious imputations of Bellarmine, Sanders, Bristow, Harding, Allen, Stapleton, Parsons, Kellison, Eudemon, Becanus, and other Romanists." We have conclusive evidence that the work was produced under the direction of the Archbishop of Canterbury, Dr. Abbot, for the author tells us in his Dedication :

"I proceeded in this argument with Your Grace's fatherly direction and encouragement."

It would hardly be an exaggeration to describe the work as a semi-official defence of Anglican Orders, and the first of its kind. It is therefore of great value and importance, as setting forth the doctrinal position of the Reformed Church of England, and the manner in which the officials of that Church considered that its Orders should be defended against Catholic attacks.

It is written in dialogue form. The Catholic side is taken by

"Philodox," while the Anglican side is set forth by "Orthodox."

The Anglican begins by asking the Catholic :

"What mislike you in our Ministerie ?"

The Catholic replies :

"Not one thing or two, but the whole frame of it absolutely and altogether, for to deal plainly, your ministers are no ministers, but merely laymen. Neither is this my private opinion, but the general judgment of our learned divines which affirm the same."<sup>1</sup>

He then proceeds to give quotations from Bristow, Harding, Sanders, Parsons, Allen, Stapleton, Kellison, Reynolds, etc.

The Catholic "Philodox" next proceeds to set forth his reasons for holding that the Anglicans "have no lawful ordinary calling in the Church of England" :

"First to the ordinary calling of a bishop, ordination or consecration is requisite by precedent bishops having episcopal power of order and jurisdiction, but your bishops are descended from such progenitors as had neither of these—

no episcopal power of order, because either they had no consecration at all, or at least such as is not able to abide the touchstone ;

no episcopal jurisdiction, because they are neither elected nor confirmed by our Holy Father, the successor of Peter.

Therefore your bishops are no bishops, and consequently all ordinations derived from them are mere nullities.

"Secondly, your ordination of priests is most intolerable, for according to Holy Church, this sacred action consisteth of two parts, answerable to the two principal functions of priesthood.

"The former is garnished with these seemly ceremonies :

First of all, the bishop with all the priests present 'layeth his hands upon the head of the person to be ordained . . .

then he investeth him in a sacred stole . . .

after this he anointeth his hands with holy oil . . .

and lastly he delivereth him the chalice with wine and the paten with the host saying, 'Accipe, etc.' . . .

This is the first part of the ordination, which graceth him with the principal function of priesthood, whereby he is made 'interpres et mediator Dei et hominum.' . . .

"Moreover, after Mass the Bishop imposeth hands, saying, 'Accipe spiritum Sanctum, quorum, etc.' This is the second part, wherein he receiveth the second function of priesthood, that is, the power of absolution. Such are the rites of Holy Church, wherein you are notoriously defective. To pass over with silence your contempt of the sacred ceremonies of crossing and anointing, which are but accidental, you want the very essential and sub-

<sup>1</sup> *Op. cit.*, p. 8.

stantial parts of priesthood. For your Church giveth no authority to offer the sovereign sacrifice of the Body and Blood of Christ, and though you have a kind of absolution, yet to small purpose. For you neither use auricular confession, nor sufficient enjoining of penance, nor satisfaction for sin, but have turned the true judicial absolution into a declaratory.

"Last of all, your deacons are no deacons, not only because your bishops have no authority to ordain, but also because they are defective in the main part of their function, for though the bishops say, 'Take thou authority to execute the office of a deacon,' yet he meaneth nothing less, for the chief office of a deacon is to assist the priest in saying of Mass, which you scorn and contemn. By this it appeareth that you have not one bishop, one priest, one deacon in all the Church of England that hath a lawful ordinary vocation, therefore your pretended ministers are merely laymen."<sup>1</sup>

After a long digression, the episcopal consecrations according to the Edwardine rite in the reign of Edward VI are discussed on page 92. The Catholic urges that these were invalid, because for the Catholic rite there had been substituted "certain Calvinical deprecations." To this the Anglican replies on page 93 that

"Those which Sanders calleth 'Calvinical deprecations' are godly and religious prayers, answerable to the Apostolic practice. . . . Sanders saith that King Edward took away the Ceremony. What ceremony? If he understand the ceremony of imposition of hands, he slandereth King Edward. If he mean their blessing of rings and crosiers, the gravity of that sacred action may well spare them; as for the solemn unction, yourselves confess it to be accidental."

The Catholic eventually says that "in episcopal consecration, not only imposition of hands but other ceremonies also belong to the essential matter," to which the Anglican replies, "We reject them, because they are only human inventions."

The discussion next deals with the *form*. The Catholic rightly says that "the words may be divers, yet the sense the same, and this diversity of words may severally signify the substance of the sacrament." But to the question as to what is the form in the Latin rite, the Catholic answers that it is "Receive the Holy Ghost." Naturally the Anglican points out that "If you call these words the form of Consecration, then you must acknowledge that not only the matter, but also the right form of Consecration was used in the days of King Edward."<sup>2</sup>

After more long digressions, the Catholic continues:

"Whatsoever you have as yet said is nothing, because to the very

<sup>1</sup> Page 12.

<sup>2</sup> Page 96.

being of a Bishop the order of priesthood is essentially required, which is not to be found in the Church of England. For there are two principal functions of priesthood : the first is the power of sacrificing, the second of absolution, but you have neither, as I will prove in order. To begin with the first, it is given in holy Church by these words, ' Accipe potestatem, etc.' But you use neither these words nor any equivalent in your ordination of priests, therefore you want the principal function of priesthood."<sup>1</sup>

Here we have the essence of the Catholic criticism of the Anglican ordinal. Note carefully the Anglican reply :

" If you mean no more by ' priest ' than the Holy Ghost doth by ' presbyter,' that is, a Minister of the New Testament, then we profess and are ready to prove that we are priests, as we are called in the Book of Common Prayers, and the form of ordering, because we receive in our ordination ' authority to preach the Word of God and to minister his Holy Sacraments.'

" Secondly, by priests you mean ' sacrificing priests ' and would expound yourselves of ' spiritual sacrifices,' then as this name belongeth to all Christians, so it may be applied by an excellency to the Ministers of the Gospel.

" Thirdly, although in this name you have a relation to bodily sacrifices, yet even so we may be called priests, by way of allusion. For as Deacons are not of the tribe of Levi, yet the ancient Fathers do commonly call them Levites, alluding to their office, because they come in place of Levites, so the ministers of the New Testament may be called ' Sacrificers ' because they succeed the sons of Aaron and come in place of sacrificers.

" Fourthly, forasmuch as we have authority to minister the sacraments, and consequently, the Eucharist, which is a representation of the sacrifice of Christ, therefore we may be said to offer Christ in a mystery, and to sacrifice Him by way of commemoration. Is not this sufficient? If it be not, what other sacrificing is required? "

To this the Catholic replies :

" There is required a sacrificing properly so called, which is ' an external oblation made only to God by a lawful Minister, whereby some sensible and permanent thing is consecrated and changed with mystical rite, for the acknowledgment of human infirmity, and for the profession of the Divine majesty.' "

And to the question " What is the sensible and permanent thing offered? " the Catholic replies : " It is the very Body and Blood of Christ. "

To this the Anglican replies by quoting Article 31 ! " Your masses for the quick and the dead " are " blasphemous fables and dangerous deceits. "

<sup>1</sup> Page 207.

<sup>2</sup> Pages 207-8.

<sup>3</sup> Page 208.

<sup>4</sup> *Ibid.*



The Anglican then calls upon the Catholic to prove his doctrine of the Sacrifice, and "first you must prove that the very Body and Blood of Christ are under the forms of bread and wine, or else you will come short of your sacrifice."<sup>1</sup>

The Catholic appeals to the words of institution, "This is my Body," "This is my Blood."

The Anglican replies :

"The words of Our Saviour are most true in that sense in which He meant them, but it was his Will that they should be taken sacramentally and not substantially. . . . The Lord's Supper consisteth of two courses, the bread representing his Body, and the wine representing his Blood. . . . When it is said, 'This is my Body,' the words must be taken figuratively and sacramentally, as though it were said, 'this bread and this wine is a sign and a seal of my Body and Blood.'"<sup>2</sup>

After much more to the same effect, denying the Real Objective Presence, the Anglican continues :

"And if for disputation's sake we should say (though indeed it be a mere fiction) that the Body of Christ were corporally and carnally in the Sacrament, yet for all this, you are never able to prove your Sacrifice, upon which your priesthood dependeth, because the Scripture acknowledgeth no other than that upon the Cross. . . . If Christ have shed, offered and sacrificed his Blood not often but once, and that upon the Cross, then can it not be really shed, offered and sacrificed in the Eucharist. . . . Your sacrificing of Him is vain and unprofitable, contrary to the Scripture, and injurious to the all-sufficient sacrifice of Jesus Christ. . . . Christ's oblation upon the Cross was a proper propitiatory sacrifice, but in the Eucharist there is no such sacrifice at all."<sup>3</sup>

The Catholic points out that "the meaning of the Scriptures was well known to the ancient Fathers, who all with one voice acknowledge both priest, altar, oblation and sacrifice."

The Anglican replies :

"They do so, but not such as you mean. For the oblation and sacrifice which they defend in the Eucharist is not properly propitiatory, nor properly a sacrifice, but only a commemoration and a representation of the sovereign sacrifice. . . .

"Wherefore, seeing your sacrificing neither can be proved by the Scriptures, nor by the Fathers rightly understood, but is contrary to both, we detest it to the bottom of hell, as a most blasphemous abomination, derogating from the sovereign and all-sufficient sacrifice offered once for all by that one Priest."<sup>4</sup>

In other words, *the Anglican Church claims no such power to offer*

<sup>1</sup> Page 222.

<sup>2</sup> Page 223

<sup>3</sup> Pages 232, 235.

<sup>4</sup> Pages 241, 244.  
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*the Sacrifice of the Mass, but expressly denies that any such Sacrifice can exist.*

The debate then passes on to the second function of priesthood, that of absolution. Here the Anglican explains that the Church of England does not really claim the power to absolve, but only authority to declare the forgiveness of sins by the Gospel :

" 'Receive ye the Holy Ghost. Whose sins, etc.' By 'Holy Ghost' is meant a ghostly ministerial grace or power to forgive sins. . . . God reconcileth the world properly, by not imputing their sins, the Apostles and other Ministers of the Gospel ministerially. . . . For what other thing is our forgiveness of sins, than a reconciling of men to God? But we reconcile men to God by preaching and declaring the word of the Gospel, therefore by preaching and declaring the word of the Gospel we forgive sins. . . . When we say that the Minister forgiveth sins by preaching, we do not exclude the sacraments but include them. . . . For . . . the ministry of reconciliation . . . is not a ministry of the word only . . . but of the sacraments also. . . . To this remission there is required faith and repentance, after which followeth ministerial absolution, by preaching and applying publicly and privately the sweet promises of grace to the penitent believer, and sealing them by the sacraments to the soul and conscience."<sup>1</sup>

Having dealt with the bishops and priests, the discussion turns to deacons. The Anglican remarks :

"That the deacon should assist the priest in the administration of holy things concerning his office is granted on all sides, but for your Popish massing and sacrificing, we have proved that it is a profaning of Christ's ordinance, and that it is neither lawful for you to do it, nor for the deacons to assist you."

And he sums up :

"Your sacrificing priesthood appeareth not only to be the invention of man, but also sacrilegious, and abominable in the sight of God."<sup>2</sup>

The Catholic has a last argument :

"I perceive that howsoever you speak against Popish priests, calling them sacrilegious and abominable, yet when your own calling is put to the trial, you are glad to derive it from such bishops as were popish priests, which you so disdainfully call sacrilegious and abominable."

The Anglican replies :

"A garden of roses may be overgrown with nettles. . . . The Romish priesthood became a monstrous birth, half rose, half nettle :

<sup>1</sup> Pages 245-6.

<sup>2</sup> Page 259.

<sup>3</sup> Page 260.

the Church of England in the beginning of reformation did borrow from the Church of Rome the rose, but left the nettle."<sup>1</sup>

The Catholic insists :

"What will you make of us? Are we Ministers or laymen?"

The Anglican replies :

"Your popish priests are neither the true ministers of the Gospel, nor merely laymen. For your ordination consisteth of two parts, the former in these words, 'Take thou power to offer sacrifice and to celebrate Mass for the quick and the dead,' which you account the principal function of Christian priesthood, but in truth it maketh you not the ministers of Christ but of Antichrist : the latter in these words, 'Receive the Holy Ghost, whose sins, etc.,' in which Evangelical words there is delivered a ghostly ministerial power to forgive sins . . . consisting as was before declared in the due administration of the Word and Sacraments."<sup>2</sup>

The Catholic urges :

"If it be so, then you must confess that the priesthood of the Church of Rome hath the ministerial function, because these words are used in our ordination."

The Anglican retorts that

"the gold is covered with dross. . . . Wherefore if we consider your priesthood as it is a *totum aggregatum*, consisting of sacrificing and absolving, it is unlawful and contrary to the Scripture. If we come to the parts thereof, your massing and sacrificing is simply abominable, the other part so far as it relieth upon the words of Christ, taken in their true sense and meaning, is holy and implieth a ministerial power, which notwithstanding by your construction and practice is greatly depraved."<sup>3</sup>

The Catholic then remarks that

"when any of our priests forsake the Catholic Church and join themselves with you, you do not give them new orders, but presently receive them into the bosom of your Church, suffering them to execute the ministerial function, by virtue of the orders which they received in the Church of Rome."

The Anglican makes this significant reply :

"None can be admitted with us to execute the office of a minister before he subscribe to the articles of religion . . . among which articles this is one : 'The offering of Christ once made is that perfect redemption, etc. . . . Wherefore the sacrifices of Masses . . . were blasphemous fables and dangerous deceits.' By this you may plainly perceive that no popish priest can possibly be admitted in the Church of England unless he utterly disclaim and renounce the first function of your priesthood, which consisteth in Massing and

<sup>1</sup> Pages 260-1.

<sup>2</sup> Page 261.

<sup>3</sup> *Ibid.*

Sacrificing, and the latter also so far as it is contrary to the doctrine of the Church of England."<sup>1</sup>

Such, then, is the defence of Anglican Orders set forth in this semi-official way forty-five years after Parker's consecration! It must be obvious to all that it proves beyond the slightest doubt that the Orders the Anglicans of that time claimed to possess were emphatically not *Catholic* orders. They repudiated the Real Objective Presence, they denied the Sacrifice of the Mass, and disclaimed any possession of a Sacrificing Priesthood in the Catholic sense, and even of any real power to absolve from sins. Thus Mason's *Defence* really constitutes a powerful argument against the validity of Anglican Orders from the Catholic point of view.

Mason's work is of additional interest because, in order to refute the "Nag's Head" story, he quotes from the Lambeth Register of Parker's consecration and, in addition, gives information as to the consecrations of the bishops who took part in that ceremony. Thus, he is forced to confess that there was no record of the consecration of Bishop Barlow,<sup>2</sup> though he argues that he must really have received episcopal consecration. From that time onwards the question of Barlow's episcopate occupies a large place in the Orders controversy.

3. Mason's book was answered three years later, i.e. in 1616, by DR. CHAMPNEY, in a work entitled *The Vocation of Bishops and other Ecclesiastical Ministers, proving the ministers of the pretended Reformed Churches in general to have no calling . . . and in particular the pretended Bishops in England to be no true Bishops.*

Champney adheres to the Nag's Head story, questions the genuineness of the Lambeth Register, and takes up the point of Barlow :

"Barlow was never consecrated . . . as appeareth by that his consecration is nowhere registered."<sup>3</sup>

He deals also with many other matters which are not of immediate interest to us.

But in chapter 12 he sets out to establish, against Mason, that "the Bishops made in King Edward's days were not true or lawful bishops." Here he says :

"If Mr. Mason would but confer their manner of ordering bishops and priests with that of the Roman Church . . . he will find it to transgress the ecclesiastical manner in so many things that it doth

<sup>1</sup> Pages 261-2.

<sup>2</sup> Page 127.

<sup>3</sup> *Op. cit.*, p. 191.

not agree therewith in any one, unless peradventure in a small shadow or semblance of words, not the same but diverse. This needeth no other proof than the confronting of their ritual with that of the Roman Church. . . . Or if he think not good to compare their manner of ordination with the Roman Church, let him bring forth some other if he can, more ancient than it, wherewith theirs doth agree . . .

"Their newly devised manner of consecrating bishops and priests . . . is a mere human devise and invention . . . neither authorised by Scripture nor approved by ecclesiastical tradition, a mere shadow without substance . . . authorised first by the temporal power of a child in nonage, and after confirmed by the like authority of a woman, contrary to the practice of the whole Christian world present, and without instance or example in any age for about fifteen hundred years. . . . Why doth M. Mason not here set down, by what authority the wisdom of their church doth shave and pare away such large portions of those holy rites which the wisdom of the universal church of Christ hath so long observed that the beginning thereof cannot be found, and in their stead hath established a new form of their own invention that is not so old as themselves?"<sup>1</sup>

Champney then proceeds to deal with the question of the sufficiency of the Anglican rite for the episcopate :

"Mr. Mason for all this . . . earnestly contendeth that the Church of England (notwithstanding the alteration made in the manner of ordination) still retaineth the essential matter of episcopal order, to wit, imposition of hands, and likewise the essential form of the same order, consisting (as he saith) in these words, 'Receive thou the Holy Ghost,' whence it will necessarily follow that they are true bishops. But he neither proveth that these two things here mentioned belong to the essential matter and form of episcopal order, nor yet that nothing else belongeth thereto. . . .

"The whole essential matter and form of episcopal order consist not in imposition of hands and these words 'Receive thou the Holy Ghost.' It is first to be observed that the precise matter and form of no one sacrament is so clearly expressed in Holy Scripture, but that without the authority of the Church and tradition there may be doubt and question made thereof. This is evident even in baptism itself. For the form . . . used in all the West church, or the form . . . used in the East church, is nowhere in these terms expressed in the Holy Scripture. The same I say of the matter, which all men hold to be elemental or natural water and no other, which notwithstanding is nowhere expressly prescribed in Holy Scripture. The precise matter and form likewise of the Holy Eucharist are not so expressly set down in Holy Scripture but (were it not for the Church's authority) there might, as also there have been, questions thereof. . . .

<sup>1</sup> Pages 155, 156.

"Secondly, it is to be observed that the precise matter and form of divers sacraments, and amongst others of Holy Orders . . . are not so expressed either in any council or the ancient fathers but that there are divers probable opinions in the same. . . . For the holy councils and fathers . . . do not prescribe in what precise things, actions or words the matter and form of all sacraments do consist, nor of this in particular which now is in question. Hence it cometh that those Catholic doctors that have had occasion to treat of this matter . . . have delivered their judgment thereupon diversely, according to the divers grounds which everyone thinketh most probable. And therefore if any should say that the essential matter of episcopal order is the only imposition of hands (which notwithstanding I find not affirmed by any but one only author) others will join thereunto the unction used in that action, and also the delivery of those things which are exhibited in consecration, as the book of Gospels, the Pastoral staff, and ring : Others excluding the imposition of hands from the order of priesthood, as not pertaining to the essence thereof and therefore seem also to exclude it from the essential matter of episcopal order : none of these opinions touching the matter should be certainly false, not yet any of them certainly true. And because the common judgment of the form of holy order is that it consisteth in those words which declare the power of the order given, and are uttered when the matter is delivered, the form likewise of episcopal order cometh to be in such sort uncertain, as it is not certainly known in which words precisely it doth consist. Neither doth the Church of God suffer any detriment hereby being assured that she hath the true matter and form which the Apostles delivered her from our Saviour Christ, though it be not known in what words or actions precisely they do consist . . . all diversity of opinions in this precise point doth bring no inconvenience at all to the Church or Christian commonwealth so long as nothing is omitted that by any opinion belongeth to the true matter and form. But if any one should be so peremptory in his private opinion as to exclude all other but that which he thinketh to be the true matter and form, he should . . . bring great inconvenience to the whole Christian world. . . . For if it should prove that their opinion should be true that hold imposition of hands and these words, 'Receive the Holy Ghost,' are not the true matter and form of this order, then would it necessarily follow that such as should be ordained therewith are no true bishops. . . . My conclusion is that the sole imposition of hands with these words, 'Receive the Holy Ghost,' is not the whole, true, and essential matter and form of episcopal order, and consequently, that those that are ordained with them alone, as our English superintendents are confessed to be, are not truly ordained. . . . This I prove first by this negative argument. Neither Scriptures, councils, fathers, nor divines, one only excepted, do teach that the sole imposition of hands, and these words, 'Receive the Holy Ghost,' are the whole essential matter and form of episcopal order. . . .<sup>1</sup>

"Secondly, the uniform doctrine of those that have written of holy orders tracteth that the matter thereof consisteth in the delivery of the instruments proper to every order . . . and that the form consisteth of those words which are uttered together with the delivery of the matter, and express the authority given by the same. . . . Therefore episcopal order ought in all reason to have like matter and form, which cannot be imposition of hands and these words 'Receive the Holy Ghost,' because neither the one nor the other apart, nor yet both together do express the power given in that order, but they rather express the giving of the Holy Ghost whereby the consecrated is disposed or made fit to exercise well and worthily the power and authority given by that order.

"Thirdly, seeing there want not in episcopal consecration the like sensible matter and signifying form which are of all divines confessed to be the essential matter and form of other orders. As for example the anointing of the head of him that is consecrated with holy chrism, with these words, 'Be thy head anointed, and consecrated with heavenly blessing, in Episcopal order.' Besides are delivered him the pastoral staff, the ring, the book of Gospels, all with several words aptly expressing the power given by that order, it is most probable that they pertain to the essential matter and form of this order. . . .<sup>1</sup>

"I know that a certain schoolman of these days holdeth for probable that the imposition of hands and these words, 'Accipe Spiritum Sanctum,' are the true matter and form of episcopal order. His grounds are these. First that at the least three bishops are by divine ordinance necessary to episcopal consecration. Secondly that it is necessary that the true minister of holy order apply the matter unto the order. Thirdly, that only the action of imposing hands is performed by all three bishops. . . . For M. Mason's advantage suppose the conclusion to be probable . . . what will he infer hereupon for his purpose?

"Though it be probable that imposition of hands and these words, 'Receive the Holy Ghost,' appertain to the essential matter and form of episcopal order, yet is it not probable that they are the whole essential matter and form thereof. . . .

"The lawful calling of the pastors of God's Church doth not hang upon probabilities but requireth infallible certainties for so much at least as appertaineth to their essential ordination. . . . He that in ministering or receiving holy order leaveth the known, certain and received matter and form and useth that which is only probable, doth not only commit sacrilege by his temerity, but is also bound to renew the same action, by the accustomed matter and form, at least under condition, or else to supply that which was omitted."<sup>2</sup>

Champney similarly says later on :

"Albeit the Catholic Church doth not command (as necessary to the sacrament) any ceremonies not pertaining to the substance of holy order, yet doth she justly condemn the rashness and presumption of those that of set purpose or contempt do omit in

<sup>1</sup> Page 162.

<sup>2</sup> Page 163.

ordination any of those holy rites which she hath received from her first Pastors, and hath religiously conserved unto our days, commanding us to use the same. And farther, because amongst divers words and actions which she hath always used in ordination, it is not declared in which of them precisely the substance or essence of holy order consisteth, especially that of episcopal order, therefore doth she upon good reason reject that ordination as none at all wherein are omitted either all or the greatest part of those solemn words and actions which are known to have ever been used, of which kind it is evident and confessed M. Parker's ordination to have been."<sup>1</sup>

Champney also vindicates the Sacrifice of the Mass, and the Sacrificing Priesthood which Mason had repudiated. From this he infers :

"The pretended Bishops that succeeded M. Parker and the rest promoted with him until this day . . . being no true priests, could be no true Bishops, as is before irreprovably shewed, and therefore have such an essential defect in their calling, more than the others had, that though their predecessors had been true Bishops, as they were not, yet these could be none."<sup>2</sup>

4. Champney was replied to by BISHOP FERNE (1602-1662) in *Certain Considerations*. Like Mason, Ferne repudiates the Catholic Sacrifice and the Catholic priesthood :

"But for his (Champneys) *veri sacerdotes*, we say as there are no such priests under Gospel . . . for priests in the Romish sense are such as, in their ordination, 'receive a power of sacrificing for the quick and the dead,' i.e. a real offering up again of the Son of God to his Father."

Ferne goes on to speak of "the high presumption of the Romanists in taking to themselves such a power of sacrificing, and their vanity in reproaching us for not assuming it."<sup>3</sup>

He continues :

"By all that hath been said, it appears how groundless, unwarrantable, and presumptuous this power is which the Romish priests pretend to, and how that power which our priests or presbyters receive in ordination, and use in celebrating the Eucharist, is warranted by the express Word. . . . We see how needless, unwarrantable and presumptuous a thing this, their Sacrifice of the Mass, and that such also is the power of sacrificing given to their Priests, and how vainly they reproach us for not assuming, and as vainly question the lawful calling of our Bishops."<sup>4</sup>

<sup>1</sup> Page 191.

<sup>2</sup> *Apud* Fuscay, *Tract 81*, p. 154.

<sup>3</sup> Page 307.

<sup>4</sup> Fuscay, *op. cit.*, pp. 158-9.



5. Archdeacon Mason wrote a second edition of his work, in Latin, and this was published posthumously in 1624, and an English translation later.

The Archdeacon says as follows in his Dedication to this second edition :

"As no man can be a bishop without first having been a priest, if Champney could prove that we were no priests, there were an end at once of the Church of England. To this purpose therefore, he has racked his intention and tried all his strength in order to prove the power of offering an external sacrifice, properly so called, to be essential to the priest's office. On the other side we do not acknowledge any such sacrifice of the New Testament, except that one only which Christ Himself once offered, in his own proper person, upon the altar of the Cross."<sup>1</sup>

Mason insists that the words "Take the Holy Ghost" are sufficient to make a bishop, and quotes Vasquez to this effect.<sup>2</sup>

The question of intention is next discussed. The Catholic disputant says :

"Hold a little. Henry FitzSimon says : 'When the matter, form or intention of doing what the Church doth, wherein its essence consisteth, is altered in a sacrament, it ceaseth to be a sacrament, according to the unanimous opinion of all orthodox men who lived before you or in your time, or ever shall live after you.'<sup>3</sup>

The Anglican replies :

"We do neither intend, neither do we solemnly profess, that we do abjure and detest the *true* priesthood, or the true sacrifice, but only the *Popish* priesthood, and the *sacrifice of the Mass*."

He adds that there can be no doubt that the Anglican Reformers "did intend to do what the Church doth : the Church (I say) of England, not of Rome."<sup>4</sup>

But in any case this admits that the Anglican Reformers did not intend to make sacrificing priests, as understood by the Church of Rome.

6. ARCHBISHOP LAUD has a very interesting defence of Anglican orders against Catholic objections :

"It is objected by the Romanists, that to the very being of a Bishop, the order of Priesthood is essentially required, which they say is not to be found in the Church of England, neither in the one function of the power of sacrificing, nor in the other of absolution.

"To which is answered, that by the Book of Common Prayer and ordinations, they are called and made Presbyters, Priests, as appears thereby. And as touching the function of sacrificing, whereby, they say, a true and proper Sacrifice is to be made for the

<sup>1</sup> Page 6.

<sup>2</sup> Page 194.

<sup>3</sup> *Britannomachia*, p. 306.

<sup>4</sup> Pages 196-7.

sins of the quick and the dead, and an oblation of the very Body and Blood of Christ, we say that, forasmuch as our priests have authority to minister the Sacraments, and consequently the Eucharist, which is a representation of the Sacrifice of Christ, therefore they may be said to offer Christ in a mystery, and to sacrifice Him by way of commemoration. And our Church by the Articles of 1562, Art. 31, teacheth that the offering of Christ once made is sufficient and perfect, and that there needs no other satisfaction for sins, and consequently condemns the Mass for the quick and the dead as blasphemous.”<sup>1</sup>

This makes it quite clear that Laud repudiates both the Catholic doctrine of the Sacrifice of the Mass, and the Catholic doctrine of a priesthood empowered to offer that sacrifice. There may be priests or “presbyters” but these only offer Christ “in a mystery,” or sacrifice Him “by way of commemoration.” Note also that Laud does not attempt to twist Article 31, but admits that it condemns the Mass for the quick and the dead as blasphemous. Could it be plainer that Laud did not claim to possess the priesthood as Catholics understand it?

7. In 1645 there was an exchange of controversial letters on Anglican orders between DEAN COSIN, afterwards Bishop, and FATHER ROBINSON, Prior of the English Benedictines in Paris. The latter attacked Anglican Orders because of the absence of the tradition of the instruments, which he regarded as the essential matter, and also because of the lack of an explicit conferring of the power to offer sacrifice for the living and the dead, which he held to be the form. Cosin denied all this, partly because Catholics “sought hereby to uphold such doctrines among them concerning the Sacrament and the power of their priests to offer a real and propitiatory sacrifice in it, as we must never allow.”<sup>2</sup>

Robinson asked Cosin :

(1) Whether Anglican priests or ministers had any power to consecrate the sacrament of the Altar, and by what words that power was given them in their form of ordination?

(2) Whether they had any power to offer the Sacrifice of the Altar, and by what words that power likewise was conferred upon them?

Cosin told him that

“excluding their pretended and vain sense of Transubstantiating the bread and wine, of a true and proper altar, and of a real sacri-

<sup>1</sup> *Apud Pusey, Tract 81, p. 104.*

<sup>2</sup> *Works, Oxford edn., Vol. IV, p. 245.*

ficing of the Body of Christ, all of which we reject as unsound and uncatholic doctrine, we had both the one and the other power given us, that is, a power to bless the elements, and of common bread and wine to make them become sacred symbols or the sacraments of the Body and Blood of Christ . . . and a power to offer the sacrifice of the Eucharist, which is a sacrifice of thanksgiving."<sup>1</sup>

Cosin, then, agrees with Mason and Laud in repudiating the possession of the essential powers of the Catholic and Roman priesthood. No claim is made that these are conferred by the Anglican ordination rite.

8. The next important event which we must chronicle is the publication in 1655 of MORINUS's epoch-making work *De sacris ordinationibus*. This made it clear that the tradition of instruments was a late introduction into the rite, and could not therefore be regarded as the essential matter of ordination, at least before the period of its introduction. On the other hand, he made it clear that all ordination rites, Eastern and Western, mention the office to be conferred in the prayer which constitutes the sacramental "form."

This work at once modified the controversy on Anglican Orders. Catholics no longer criticised these solely or mainly on the ground of the absence of a tradition of instruments. But they continued to argue, and rightly, that the sacramental form must convey the essential powers of the priesthood or episcopate. FATHER PETER TALBOT, afterwards Archbishop of Dublin, wrote in 1657 a *Treatise of the Nature of Catholic Faith and Heresie*. Father Talbot defended the Nag's Head story, but did not limit his attack upon Anglican Orders to this. He urged that

"in all the Catholic Rituals, not only of the West but of the East, there is not one form of consecrating Bishops that hath not the word Bishops in it, or some other words expressing the particular authority and power of a Bishop distinctly,"

and added that in the Anglican rite for bishops,

"there is not one word to express the difference and power of Episcopacy; for these words, 'Receive the Holy Ghost,' are indifferent to Priesthood and Episcopacy, and used in both ordinations."<sup>2</sup>

We have already urged that this objection, thus made by Catholics already in 1657, may well have been in the minds of

<sup>1</sup> *Works*, Vol. IV, p. 247.

<sup>2</sup> *Apud* Bramhall, *Works*, Vol. III, pp. 162-3.

the Anglican revisers of the Ordination rite in 1662.<sup>1</sup> Talbot argues similarly against the Anglican form for the priesthood :

“The form or words whereby men are made priests, must express authority and power to consecrate, or make present, Christ’s Body and Blood (whether with or without Transubstantiation is not the present controversy with Protestants). . . . In all forms of ordaining priests that ever were used in the Eastern or Western Church, is expressly set down the word Priest, or some other words expressing the proper function and authority of priesthood. . . . The Grecians, using the word Priest or Bishop in their forms, do sufficiently express the respective power of every order ; but our [Anglican] Reformers did not put into the form of ordaining Priests any words expressing authority to make Christ’s Body present.”

9. This work of Talbot’s was replied to by ARCHBISHOP BRAMHALL in his *Consecration and Succession of Protestant Bishops Justified*, printed in 1658. Bramhall argues that the words “Receive the Holy Ghost” in the Anglican form for bishops is sufficiently determined by the context. He argues that the Anglican form for priests is similarly determined, but that, in any case, it is itself sufficiently definite.

“First, ‘Receive the Holy Ghost,’ that is, the grace of the Holy Ghost, to exercise and discharge the office of Priesthood, to which thou hast been now presented. . . . Secondly, in these words, ‘Whose sins, etc.,’ that is, not only by Priestly absolution, but by preaching, by baptising, by administering the Holy Eucharist which is a means to apply the all-sufficient Sacrifice of Christ for the remission of sins. . . . Thirdly, this priestly power to consecrate is contained in these words : ‘Be thou a faithful dispenser of the Word of God, and Sacraments.’”<sup>2</sup>

Bramhall, as we see, is giving a “high” interpretation of the Ordination rite. But he was aware that Catholics denied that this was the true or the historic interpretation, and endeavoured to deny that the Low Church view had ever been held !

“They make the cause of these defects in our form of ordination to be, because ‘Zwinglianism and Puritanism did prevail in the English Church in those days.’— ‘They believed not the Real Presence ; therefore they put no word in their form expressing power to consecrate : they held Episcopacy and Priesthood to be one and the same thing ; therefore they put not in one word expressing the episcopal function.’”<sup>3</sup> . . .

“First prove our defects, if you can. . . . But to say the truth, the cause and the effect are well coupled together. The cause

<sup>1</sup> See pp. 420-2.

<sup>2</sup> *Works*, Vol. III, pp. 167-8

<sup>3</sup> In Bramhall, *Works*, Vol. III, pp. 165-6.

<sup>4</sup> This is a quotation from Talbot.

(that is, the Zwinglianism of our predecessors) never had any real existence in the nature of things, but only in these men's imaginations ; so the defects of our ordinals are not real but imaginary."<sup>1</sup>

The preceding chapters will suffice to show that in this matter Talbot was right and Bramhall was wrong. And it is surely right to interpret the forms in the Ordinal by the men who drew it up in the reign of Edward VI, and who reintroduced it in the reign of Elizabeth, rather than by an Irish Archbishop writing a hundred years later !

Bramhall wrote an earlier work, *Protestants' Ordination Defended*, between 1644 and 1654, i.e. before the work we have just dealt with. In this earlier work he defends the Anglican Ordinal, on the ground that the form for the priesthood gives both the power to consecrate and the power to offer sacrifice. But to prove this he has to misquote the Anglican rite, and to represent it as it was subsequently revised, i.e. in 1661 ! Thus, he says "To his two functions, of consecrating, and remitting sin, Protestants do intend to confer them both, so far as either Christ did confer them, or the blessed Apostles execute them. . . . He who saith, 'Take thou authority to exercise the office of a Priest in the Church of God' (as the Protestant consecrators do) [!], doth intend all things requisite to the priestly function, and amongst the rest, to offer a representative Sacrifice to commemorate and to apply the Sacrifice which Christ made upon the Cross." Bramhall immediately adds, however, "But for any other Sacrifice, distinct from that which is propitiatory, meritorious and satisfactory by its proper virtue and power, the Scriptures do not authorise, the Fathers did not believe, the Protestants do not receive, any such."<sup>2</sup>

Bramhall also dealt with the same subject in 1645, in *An Answer to Two Papers*. He sets forth and comments on the Catholic argument as follows :

"That form which gives not power to sacrifice nor consecrate the Body of Christ, is not sufficient."—This proposition is granted.

"But," saith he, "the Protestants' form gives no power to sacrifice nor to consecrate the Body of Christ."—This proposition is denied, which he endeavours to prove thus :

"This form, 'Receive power to administer the Sacraments, and to preach the Word,' doth give no power to sacrifice or consecrate the Body of the Lord, but this is the Protestants' form of Ordination. . . . Therefore."

"I answer, first to the minor, that these words do not contain

<sup>1</sup> Works, Vol. III, p. 168.

<sup>2</sup> Works, Vol. V, p. 213.

the whole form of the Protestants' Ordination, for there is likewise imposition of hands. . . . [!]

"Secondly, I answer to the major, these words do give sufficient power to consecrate; for how should he administer that cannot consecrate? and also to sacrifice, so far as an evangelical priest doth or can sacrifice, that is, a commemorating sacrifice, or a representative sacrifice, or to apply the Sacrifice of Christ by such means as God hath appointed. But for any sacrifice that is meritorious or propitiatory by its own power or virtue, distinct from the Sacrifice of Christ, I hope the author will not say it."<sup>1</sup>

Thus, even when giving the Anglican Ordinal a "sacrificial" interpretation which is by no means justified by the facts, Bramhall is careful to distinguish his doctrinal position from that of the Catholic Church. He says he believes in a "consecration" of the elements, but he explains that this merely means that there is a "sacramental" presence; "but whether it be corporally or spiritually . . . whether it be in the soul only or in the host also . . . we determine not."<sup>2</sup>

And similarly, though he believes in a Eucharistic Sacrifice, he carefully distinguishes between it and the Roman doctrine, which he expressly rejects: "Surely you cannot think that Christ did actually sacrifice Himself at his last supper? . . . Nor that the priest now doth more than Christ did then?" "The Romanists . . . pare off the pith of Christ's heavenly priesthood, who daily make as many distinct propitiatory Sacrifices as there are masses in the world."<sup>3</sup>

Bramhall is thus in full agreement with the Anglican tradition in repudiating the Catholic conception of the Sacrificing Priesthood, even though he thinks the Anglican ministry is, in a sense, a sacrificial one.<sup>4</sup>

10. Bramhall was answered by JOHN LEWGAR, in *Erastus Senior, Scholastically demonstrating this Conclusion, that (admitting the Lambeth Records for true) those called Bishops here in England are no Bishops, either in Order or Jurisdiction, or so much as legal*, London, 1662. In this work Lewgar bases his criticism of Anglican Orders entirely upon the defects of the rite, and passes over the "Nag's Head" story.

<sup>1</sup> *Works*, Vol. V, p. 188.

<sup>2</sup> *Apud* Dr. Pusey, *Tract 81*, pp. 130-2.

<sup>3</sup> *Works*, Vol. I, p. 22.

<sup>4</sup> On the historical aspect of the question, Bramhall maintains that Anglican Orders were recognised as valid both by Cardinal Pole and by Pope Paul IV (*Works*, Vol. III, p. 116). He does not, however, go so far as to maintain that no Anglican clerics were ever reordained in Mary's reign. This statement, attributed to Archbishop Bramhall in *Bishop Bonner and Anglican Orders* (C.T.S., p. 18), was really made by Haddan, Bramhall's editor (in Bramhall's *Works*, Vol. III, p. 114, note).

He says that :

" the Protestant form for ordaining bishops is essentially invalid," because in it " there is no word signifying Episcopal Order in the natural sense of the words " (pp. 2-4). Similarly, the form for the priesthood is invalid. " This word Priest . . . signifies one set apart or empowered to offer to God the Sacrifice of the Body and Blood of Christ. . . . Themselves disclaim the Priesthood in this sense, and claim it only as it signifies . . . a Minister of the Gospel having power to dispense the Word and Sacraments " (pp. 21-2).

11. The next defender of Anglican Orders was BISHOP GILBERT BURNET, who wrote a *Vindication of the Ordinations of the Church of England* in 1677, against a Catholic writer, whom he quotes as follows :

" First I prove that the ministers of the Church of England are no priests, through the defect of the form of ordination. . . . And my first reason is because this form wants one essential part of priesthood, which is, to consecrate the most holy Sacrament of Christ's Body and Blood, giving only power to administer this sacrament, which any deacon may do. . . .

" Secondly, because it wants another essential part, which is, to offer sacrifice.

" Thirdly, because those words, ' Whose sins, etc., ' at most give power to forgive sins, and not to consecrate and offer sacrifice, having nothing to signify that which is the chief office of priesthood.

" Fourthly, because none could institute the form of a sacrament to give grace and power to make present the Body and Blood of Christ, but the author of grace, and who had power over that sacred Body and Blood. But those that instituted this form were neither authors of grace, nor had power over the sacred Body and Blood. . . .

" Fifthly, they are no true priests, because the Bishops that made them were no true bishops, nor so much as priests. . . . First they are no priests, because made by the same form which other English ministers were. . . . They are no true bishops, first because they were no true priests. . . . Secondly, because their form of ordination is essentially invalid and null, seeing it cannot be valid unless it be in fit words which signify the order given. . . . "

To this Burnet answers that " If our form be the same in which Christ ordained his Apostles, we may be very well satisfied that it is good and sufficient." In other words, he thinks the Apostles were ordained by the words " Receive the Holy Ghost ; whose sins ye shall forgive," which is not the case. He adds that " In the primitive forms there were no express words of giving power to consecrate the sacraments." <sup>1</sup> Moreover, he expressly repudiates the Catholic conception of the Eucharist :

" If by consecrating, or making present Christ's Blessed Body,

they understand the incredible Mystery of Transubstantiation, we very freely confess there is no such power given to our priests by their orders."<sup>1</sup>

But in the Anglican sense, "there is given us . . . the power of consecrating the Eucharist," i.e. of blessing bread and wine.

Similarly he repudiates the Catholic sacrificing priesthood.

"There is but one Priest and one propitiatory sacrifice under the New Testament."<sup>2</sup>

"Our prayers and praises, a broken heart, and the dedicating our lives to the service of God, are sacrifices, and are so called in Scripture, so also is the giving of alms. And in this sense we deny not that the Holy Eucharist, is a Sacrifice of Praise and Thanksgiving. . . . It is also a Commemoration of that One Sacrifice which it represents. . . . The Oblation of the elements of bread and wine to be sanctified is also a kind of sacrifice . . . and in all these senses we acknowledge the sacrament to be a true Sacrifice, as the Primitive Church did. But we do not allow it to be a propitiatory sacrifice for the living, much less than we believe it such for the dead."<sup>3</sup>

12. PRIDEAUX, Bishop of Norwich, wrote a work defending the *Validity of the Orders of the Church of England*, in 1688. Like his predecessors, he repudiates the Catholic doctrine on the Eucharist, and therefore by implication repudiates the possession of the powers of the Catholic priesthood :

"You say that those who have authority only to dispense the elements, have not power to make present the Body and Blood of Christ in the Holy Eucharist, without which this sacrament cannot be administered. To this I answer that if by making present the Body and Blood of Christ, you mean a corporal presence by transubstantiation of the elements as the Church of Rome holds, it is a monstrous opinion which we can never receive."<sup>4</sup>

And again :

"Can you believe that they can turn a wafer into God, and eat Him too, with his Divinity, when they have done? Can you believe that they can offer it, and in a hundred thousand places at once offer up Christ, contrary to the express words of Scripture, to be a proper, true, and real sacrifice, in their Masses, when He died on the Cross for us?"<sup>5</sup>

Prideaux thus faithfully carries on the Anglican tradition of a non-Catholic priesthood.

13. Yet another defence of Anglican orders was published in 1690 by S. FULLER, Chancellor of Lincoln, under the title

<sup>1</sup> Page 38.

<sup>2</sup> Page 45.

<sup>3</sup> Page 46.

<sup>4</sup> Page 27.

<sup>5</sup> Page 125.



*Canonica Successio Ministerii Ecclesiæ Anglicanæ Reformatæ, tam contra Pontificios quam Schismaticos vindicata.* It has the additional interest of being a thesis for the doctorate of theology at Cambridge.

He remarks, on page 14, that

"hodiernam controversiam cum Pontificiis non esse de defectibus legalibus vel canonicis circa leviores circumstantias, sed de *nullitate* ordinum Ecclesiæ Anglicanæ ob defectus *essentiales* quam objicere solent Pontificiis."<sup>1</sup>

He wrongly argues—as did Bramhall—that Rome recognised orders conferred by the new Ordinal, and appeals to Cardinal Pole's dispensation.<sup>2</sup> He remarks that

"Pontificii præcipue impugnant nostram formam ordinandi presbyteros, eamque summa cum confidentia pronuntiant penitus invalidam, quia ne verbum quidem in ea de Sacrificio Evangelico, nec de potestate concessa sacerdotibus offerendi Corpus Domini Christi. . . ."<sup>3</sup>

He argues :

"Hujusmodi formæ necessitas male asseritur, quia abunde constat nec tale Sacerdotium, nec tale Sacrificium dari, quale Pontificii vellent, sub Evangelio.

"Primo, nullum tale Sacerdotium. Patres Tridentini suum Sacerdotium . . . videntur referre ad ordinem Melchisedech. Sed imperite et sacrilege.

"1. Enim, Sacerdotium Novi Testamenti secundum ordinem Melchisedech non convenit pluribus, sed uni Christo. . . .

"2. Unus ille Sacerdos nullas habet successores.

"Secundo, tale Sacrificium, quod quotidie et frequenter offeratur, repugnat sacræ paginæ. . . .

(After a reference to the Sacrifice of the Cross).—

"Post illam unicam oblationem semel peractam nullus est locus relictus ulli novæ sive hujus sive alterius cujusunque sacrificii oblatione pro peccatis."<sup>4</sup>

And he concludes as follows :

"Cum ergo adeo manifestum est, nullum esse proprie dictum Sacrificium sub Evangelio præterquam quod ipse Christus in cruce obtulerit, frustra disputatur de verbis significantibus potestatem sacrificandi in forma ordinandi sacerdotes evangelicos."<sup>5</sup>

Here again it is made quite plain that the Anglican Church does not possess, or claim to possess, any such sacrificial powers as those claimed by the Catholic priesthood.

<sup>1</sup> Author's italics.

<sup>2</sup> Page 43.

<sup>3</sup> Page 15.

<sup>4</sup> Page 41.

<sup>5</sup> Page 44.

Thus we have the remarkable and significant fact that, without exception, *all the defenders of Anglican Orders in the sixteenth and seventeenth centuries, expressly disclaim any power to consecrate and offer the Body and Blood of Christ in the Mass, understood in the Catholic sense.* Even Bramhall, as we have seen, is no exception. When Catholics say that Anglicans have no such power, the latter simply reply : " Indeed we have no such power." Could there be any plainer proof that *the real meaning and intention of the Anglican Ordinal, as used throughout this period, was precisely the same as that of those who drew it up in the first place, i.e. its intention was to make Protestant ministers, but not sacrificing priests, as Catholics understand that term ?*

## CHAPTER XVIII

### REUNION MOVEMENTS, AND REORDINATIONS

#### A. REUNION MOVEMENTS.

1. The foregoing chapters should make it quite clear that the Anglican Church, even during the reigns of the Stuart Kings, was in the main essentially Protestant in its theological outlook. At most there were a few individuals who tended rather towards Catholicism, and even these agreed in repudiating the decrees of Trent, and especially the doctrines of Transubstantiation, and the Propitiatory Sacrifice of the Mass.

This must be carefully borne in mind. And it enables us to view certain movements in favour of reunion with Rome during the reigns of Charles I and Charles II in their proper light. Such reunion was greatly favoured by CHRISTOPHER DAVENPORT, a Franciscan convert from Anglicanism, who returned to England as chaplain to Queen Henrietta Maria, and who in 1634 published a Commentary on the Thirty-nine Articles in which he endeavoured to reconcile the teaching of this essentially Protestant document with the authoritative teaching of the Catholic Church. "The result is startling. As many as nineteen, together with parts of five others, he fully approves of as Catholic, and consonant with Scripture and the tradition of the Fathers and Councils. To nine others and two halves of articles he allows a favourable interpretation. The residue (six articles and three parts of articles) he admits require more skilful dialectic than his to make acceptable."<sup>1</sup> Thus, he finds it difficult to reconcile Article 16 with the doctrine of the Immaculate Conception; he says that the statement in Article 19 that the Church of Rome has erred, not only in living and manner of ceremonies, but also in matters of faith, "requires explanation" [!]; he is obviously embarrassed by the statement in Article 21 that General Councils may and have erred; the words of Article 22, which condemns Purgatory, etc., "are at first sight most difficult"; it is difficult to reconcile the denial of the

<sup>1</sup> Albion, *Charles I and the Court of Rome*, p. 169.

Five Sacraments in Article 25 with Catholic doctrine, as defined at Florence ; he is reduced to miserable subterfuges when endeavouring to explain away the denial of Transubstantiation in Article 28 ; and the same is true of his treatment of Article 31, which denies the Sacrifice of the Mass, and of the denial of Papal Jurisdiction in Article 37.

In his remarks on Article 36, which deals with the Prayer Book and the Ordinal, he raises the question of the validity of Anglican Orders, and says of the form for priests : " It seems ( I do not assert it, still less do I hold to the opinion ) that, according to some," it might be sufficient. Similarly, the form for the episcopate might be regarded as sufficient, since it includes the words " Take the Holy Ghost." He does not here discuss the question of intention, or of the actual succession. For this reason it is necessary to supplement this Commentary on the Articles by his later work, *An Enchiridion of Faith*. In this he categorically states that Anglican Orders are absolutely null and void, because the Catholic forms of ordination had been changed by the Reformers *de industria* :

" Since they have changed the Church forms *de industria* . . . to declare that they do not intend to do what the Church intends, and in pursuit thereof have solemnly decreed against the power of sacrificing and consecrating, that is, in the sense of the old and present Catholic Church, of changing the elements of bread and wine into the Body and Blood of Christ, as appears in the 28th and 31st Articles, it evidently concludes that they never did or could validly ordain priests, and consequently bishops, having, as I say, expressed clearly the depravation of their intentions in order to the first and principal part of Ordination, which consisteth in the power *super corpus Christi verum*, of sacrificing his true Body, by them professedly denied, and the Sacrifice declared a *pernicious imposture*. . . . I deny not but that eminent persons and Protestant prelates have in later years endeavoured to induce a more easy sense of the Articles touching the point of sacrifice ; but that doth not at all change the state of the question touching the invalidity of their Ordination. For if once their Ordination was invalid by reason of their noncompliance with the Church's sense, which according to faith is required, and the first composers of the Articles had not ; it is now too late to revalidate what from the beginning was null . . . so that there is no way now of validation except by being anew ordained by Holy Church. Secondly, even they who are most temperate, unanimously deny, with the contrivers of the Articles, according to the 31st Article, *sacerdotem offerre Christum*, that the priest doth offer Christ, which destroys the very life of our Christian sacrifice."<sup>1</sup>

<sup>1</sup> *Enchiridion*, 2nd edn., Douay, 1655, quoted by Estcourt, *op. cit.*, pp. 235-40.

This makes it clear that in his Commentary on the Articles, Davenport is merely discussing the abstract question of the sufficiency of the Anglican form of ordination, taken in itself, apart from all other considerations.

His attempt to reconcile the Anglican Articles with Catholic teaching met with severe criticism from both sides. It was with difficulty prevented from being condemned and put on the Index. And on the Anglican side, "the Puritans were contemptuous of it, while the Laudian School (Laud, Cosin, Skedlington, and Pocklington) seemed unprepared to accept its line of argument or to admit its conclusions."<sup>1</sup>

2. Similarly, FATHER LEANDER, O.S.B., who was in England at the same time, sent a Report to Cardinal Barberini which is sometimes quoted as implying that he believed in Anglican Orders. But in this report he merely says that the Protestant Church in England has retained "*externam speciem hierarchiæ ecclesiasticæ*," and that the form of ordination is "*magna ex parte cum formis in Pontificali Romano præscriptis convenientem*."<sup>2</sup> And, in conversation with Windebank, the Secretary of State to Charles I, Leander explained in detail the requisites for a valid ordination, including this :

"The consecrator must be a true bishop, and have intention to perform what Holy Church intendeth by this rite, and use the matter and form which is received in the Church, otherwise he conferreth nothing valid. . . . He must intend to confer that power which the Catholic Church always understood to belong to the name and office of a bishop. . . . Both consecrator and he that is to be consecrated must first have received the power of the priesthood, that is, of sacrificing the sacrifice of the altar and of absolving penitents from their sins. . . ."

It was quite clear that Anglican ordinations would not stand this test.

Accordingly, PANZANI "hoped that in the event of reunion, many of the Bishops would secure themselves by reordination. As one among them had said to Father Leander some time before, '*profecto non æstimaret pacem ecclesiæ qui recusaret iterum ordinari*.'"<sup>3</sup>

But reunion was quite out of the question, for none of the Anglicans were really prepared to accept the whole of Catholic

<sup>1</sup> Albion, *op. cit.*, p. 170.

<sup>2</sup> Clarendon's State Papers, A.D. 1634, I, p. 197.

<sup>3</sup> Albion, *op. cit.*, p. 184.

doctrine. "Panzani was indeed told that many bishops and clergy prominent in learning, the two Archbishops and the Bishop of London among them, held all the dogmas of Rome *except Transubstantiation*, which they regarded as the invention of Innocent III and the Lateran Council. This was the real stumbling block."<sup>1</sup>

Even Bp. Richard Montague, one of those in favour of reunion, maintained "that none of the points maintained by Rome against the Church of England is the perpetual doctrine of the Catholic Church."<sup>2</sup>

Also, though Bishop Montague told Panzani he was ready at any time to kiss the feet of Peter, and acknowledge the Pope as head of the Church, he professed himself completely satisfied of the validity of Anglican Orders, and thought the Pope ought to allow Catholics to frequent Protestant Churches. Panzani remarks that the validity of Anglican Orders was a *petra scandali*.<sup>3</sup>

It is hardly surprising that Cardinal Barberini should have found it necessary to state that "No negotiations could be admitted in which there would be the slightest question of the truth of dogmas established even recently by the Church on the warranty of Scripture and the definitions of the Councils," and urged instead that the Anglicans should turn their attention to the origins of their schism.<sup>4</sup>

To all this we may add that in the interesting document in the Paris Archives entitled "Oblatio ex parte Caroli II Magn. Britanniae regis, pro optatissima trium suorum regnorum cum sede apostolica Romana unione," dated February, 1663, "the existing bishops and archbishops were to remain but they were to be reconsecrated by three apostolic legates specially appointed for this duty," and similarly the clergy were to receive Catholic ordination.<sup>5</sup>

## B. REORDINATIONS.

As might well be expected, the Catholic attitude towards Anglican Orders from 1559 onwards was precisely the same as that during the reign of Queen Mary: they were looked upon as absolutely null and void, and those who had received these orders were regarded as mere laymen.

This is shown in the first place by the fact that the reordinations

<sup>1</sup> *Ibid.*, p. 178, italics ours.

<sup>2</sup> *Ibid.*, p. 180.

<sup>3</sup> *Ibid.*, p. 182.

<sup>4</sup> *Ibid.*, p. 183.

<sup>5</sup> Ranke, *History of the Reformation*, III, pp. 398-9.

of Anglican ministers who were reconciled to the Catholic Church continued as before. Here are the records of some of these reordinations subsequent to 1559<sup>1</sup>:

<i>Name.</i>	<i>Before Conversion.</i>	<i>After Conversion.</i>
1. Edmund Campion.	Ordained deacon by Bishop Cheyney of Gloucester. Arrived at Douay in 1570 ( <i>Douay Diary</i> , R.E.C., p. 4).	Wrote a letter to Cheyney, reproaching him for the "spurious orders" given by him. Ordained Catholic priest by the Archbishop of Prague. (Bombini, in <i>Vita Campiani</i> , p. 61).
2. Cuthbert Mayne.	In priest's orders of the Anglican Church (Challoner, p. 2).	Ordained priest before 24th April, 1576 ( <i>Douay Diary</i> , R.E.C., pp. 24, 103).
3. Thomas Blewett (or Bluet).	A minister of the Church of England. Arrived at Douay, 19th March, 1577 ( <i>Douay Diary</i> , R.E.C., p. 26).	Subdeacon, 19th Sept., 1577. Deacon, 19th Dec., 1577. Priest, 24th Feb., 1578 ( <i>Douay Diary</i> , R.E.C., pp. 129, 131, 135).
4. Richard Sympson.	A minister of the Church of England (Challoner, p. 130). Arrived at Douay, 19th May, 1577 ( <i>Douay Diary</i> , R.E.C., p. 121).	Ordained priest in 1577 ( <i>Douay Diary</i> , R.E.C., p. 8).
5. John Lowe.	Protestant minister (Challoner, p. 116).	Subdeacon 14th March, 1579. Priest, 18th April, 1579 ( <i>Douay Diary</i> , R.E.C., pp. 151-2).
6. William Rainolds (or Reynolds).	Took holy orders about 1566 (Wood's <i>Athenæ</i> ). Arrived at	Minor orders and subdiaconate at Laon, 20th Sept.,

<sup>1</sup> I derive these names from Estcourt, *Question of Anglican Ordinations*, pp. 138 *et seq.* The references are to the First and Second *Douay Diaries*, published in Records of English Catholics, and the Third *Diary*, published by the Catholic Record Society, denoted as R.E.C. and C.R.S. respectively; Challoner's *Memoirs of Missionary Priests* (1924 edn.), etc.

<i>Name.</i>	<i>Before Conversion.</i>	<i>After Conversion.</i>
	Rheims, 9th April, 1578; described as a layman ( <i>Douay Diary</i> , R.E.C., p. 138).	1579. Deacon at Chalons, 24th Feb., 1580. Priest at Chalons, 31st March, 1580 ( <i>Douay Diary</i> , R.E.C., pp. 156, 162).
7. John Vivian.	"Beneficed preacher." Arrived at Rheims, 16th Feb., 1579 ( <i>Douay Diary</i> , R.E.C., p. 150).	Deacon, 18th April, 1579. Priest at Laon, 15th June, 1579 ( <i>Douay Diary</i> , R.E.C., pp. 152-3. Cf. also statement at his examination, Estcourt, p. lxvii).
8. Thomas Huberley.	"Beneficed minister of the Calvinistic sect." Arrived at Rheims, 29th Nov., 1579 ( <i>Douay Diary</i> , R.E.C., p. 158).	Subdeacon at Chalons, 24th Feb., 1580. Deacon at Rheims, 19th March, 1580. Priest at Chalons, 31st March, 1580 ( <i>Douay Diary</i> , R.E.C., p. 161-2).
9. John Adams.	Minister beneficed at Martinston, Dorset. Arrived at Rheims, 7th Dec., 1579 ( <i>Douay Diary</i> , R.E.C., p. 158. Cf. also his examination, Estcourt, App. xxv).	Subdeacon at Chalons, 31st March, 1580. Deacon at Soissons, 25th May, 1580. Priest at Soissons, 15th Dec., 1580 ( <i>Douay Diary</i> , R.E.C., p. 173).
10. John Chapman.	Minister made by Bp. of Wells; benefice at Langton Herring, Dorset. Arrived at Rheims, 7th Dec., 1579 ( <i>Douay Diary</i> , R.E.C., p. 158. Also his examination, Estcourt, App. xxv).	Subdeacon at Soissons, 15th Dec., 1580. Deacon, 21st Feb., 1581. Priest at Chalons, 4th March, 1581 ( <i>Douay Diary</i> , R.E.C., pp. 173, 6, 7).
11. Everard Hanse.	Beneficed minister. Arrived at Rheims, 11th June, 1580 ( <i>Douay Diary</i> , R.E.C., p. 167; Challoner, p. 13).	Ordained priest by Bp. of Chalons at Rheims, 25th March, 1581 ( <i>Douay Diary</i> , R.E.C., p. 178).



<i>Name.</i>	<i>Before Conversion.</i>	<i>After Conversion.</i>
12. Stephen Rousham.	Ordained by heretics. Minister of St. Mary's, Oxford. Arrived at Rheims, 23rd April, 1581 ( <i>Douay Diary</i> , R.E.C., p. 178; Challoner, p. 123).	Deacon at Soissons, 21st Sept., 1581. Priest at Soissons, 27th Sept., 1581 ( <i>Douay Diary</i> , R.E.C., p. 182).
13. John Sugar.	Minister at Cannock, Staffs. (Challoner, p. 275).	Priest, 1601 ( <i>Douay Diary</i> , C.R.S., Vol. I, p. 334).
14. Francis Walsingham.	Ordained deacon by Bp. of Ely, 1603. Received into English College, Rome, 27th Oct., 1606 (Archives).	Subdeacon at Rome, 30th March, 1608. Deacon at Rome, 5th April, 1608. Priest at Rome, 12th April, 1608 (Archives of English College. See Estcourt, App. xxviii).
15. Humphrey Leach.	Vicar of St. Alkmund's, Shrewsbury, and afterwards chaplain of Ch. Ch. Oxford (Wood's <i>Athenæ Oxon.</i> ). Received into English Coll., Rome, in 1609 (Archives).	Subdeacon at Rome, 17th March, 1612. Deacon at Rome, 6th April, 1612. Priest at Rome, 21st April, 1612. Archives of English Coll. See Estcourt, App. xxviii).
16. John Goodman.	Minister of the Church of England (Challoner, p. 378).	Tried and condemned as seminary Priest in 1640 (Challoner, p. 379).
17. Hugh Paulinus Cressy. <sup>1</sup>	Prebendary of Windsor and Dean of Loughlin in Ireland (Wood's <i>Athenæ Oxon.</i> )	O.S.B. at Paris. Missionary priest in England, and chaplain to Queen Catharine of Braganza (Dodd, Church History).

<sup>1</sup> Dr. Lee, in his *Validity of the Holy Orders of the Church of England*, says Cressy was never reordained (pp. 250-252), but though there is no actual record of his Catholic ordination, it is clear he was reordained, for in the title of a book he distinguishes between his Anglican status ("late Dean of Loughlin, etc.") and his present status as a "Religious Priest of the Holy Order of St. Benedict." See Estcourt, *op. cit.*, p. 142.

<i>Name.</i>	<i>Before Conversion.</i>	<i>After Conversion.</i>
18. Stephen Goffe. <sup>1</sup>	Anglican Clergyman, and chaplain to Abp. Laud (Prideaux; Le Quien).	Ordained at Paris (Le Quien).
19. John Massey. <sup>2</sup>	In deacon's orders of the C. of E., and Dean of Ch. Ch., Oxford (Wood's <i>Athenæ</i> ; Constable, p. 369).	Reordained by the Bp. of Arras. (Constable).
20. John Placidus Adelham.	Protestant minister (Challoner, p. 564).	O.S.B. at Paris. Tried and condemned as a Seminary Priest, 17th Jan., 1678-9 (Challoner, p. 564).
21. James Clifton.	Minister of the Gospel. Had a parochial benefice. Received at the English Coll., Rome, as a layman, 16th Oct., 1702 (Archives).	Died at Rome, 2nd Jan., 1704 (Archives of English Coll. See Estcourt, App. xxviii).

Against the above might be brought the names of certain Anglican clergymen converts, who, according to Dr. Lee, professed a belief in the validity of their orders. We deal with them as follows :

1. Sir Harry Trelawney.<sup>3</sup>

In any case he was reordained by Cardinal Odelscalchi, as Dr. Lee himself admits.

2. Dr. Benjamin Carrier.<sup>4</sup>

He is said to have petitioned the Pope to allow him to exercise his orders without further ordination. "What answer was made to his petition we know not, or whether it ever reached the authorities at Rome is doubtful; for Dr. Carrier . . . died in the following year."<sup>5</sup>

<sup>1</sup> Dr. Lee says that Goffe was not reordained. But Le Quien and Sancta Clara both say categorically that he was reordained like all the others. See Estcourt, *op. cit.*, pp. 142-3. Le Quien tells us that Goffe entered the Oratory, and was reordained under the eyes of P. Morinus, who had examined the question of the validity of Anglican Orders, and had rejected them. (*Nullité des Ordinations Anglicanes*, II, p. 317).

<sup>2</sup> Le Quien tells us that he knew Massey personally, and that the question of his Anglican Orders was examined at length and thoroughly before Archbishop Harlay, of Paris, and it was finally decided that his orders were invalid.

<sup>3</sup> Lee, *op. cit.*, p. 307; Estcourt, *op. cit.*, p. 143.

<sup>4</sup> Lee, p. 246; Estcourt, p. 144.

<sup>5</sup> Lee, p. 247.

3. Dr. Thomas Vane.<sup>1</sup>

But he specifically denied the validity of Anglican orders, as Estcourt shows by quotations from his works.

4. Abraham Woodhead.<sup>2</sup>

He may have retained a belief in Anglican Orders, but at any rate he never exercised any ministry in the Catholic Church, but lived as a layman.<sup>3</sup>

5. James Wadsworth.<sup>4</sup>6. Thomas Gawen.<sup>5</sup>7. James Shirley.<sup>6</sup>8. Timothy Nourse.<sup>7</sup>

These were all married either before or after their conversion, so that their opinions about ordination are irrelevant.

9. William Rowland.<sup>8</sup>

Estcourt remarks that he "seems to have been of a character little suited to a vocation to the priesthood; and refers to Wood's *Athenæ*."

10. Ambrose Wilson.<sup>9</sup>

Of him "no particulars can be met with."<sup>10</sup>

Thus we can conclude with Estcourt that "there is an unbroken tradition from the year 1554 to the present time, confirmed by constant practice in France and Rome, as well as in this country, in accordance with which Anglican Ordinations are looked upon as absolutely null and void; and Anglican ministers are treated simply as laymen."<sup>11</sup>

<sup>1</sup> Lee, p. 248; Estcourt, p. 144.

<sup>2</sup> Estcourt, p. 145.

<sup>3</sup> Lee, p. 248; Estcourt, p. 145.

<sup>4</sup> Lee, p. 249; Estcourt, p. 145.

<sup>5</sup> Lee, p. 248, note; Estcourt, p. 145.

<sup>6</sup> *Op. cit.*, p. 146.

<sup>7</sup> Lee, pp. 271-2; Estcourt, pp. 144-5.

<sup>8</sup> Lee, p. 248; Estcourt, p. 145.

<sup>9</sup> Lee, p. 248, note; Estcourt, p. 145.

<sup>10</sup> Lee, p. 249; Estcourt, p. 145.

<sup>11</sup> Estcourt.

## CHAPTER XIX

### GENERAL SUMMARY AND CONCLUSION OF PARTS FIVE AND SIX

We have now completed our historical account of the foundation and development of the new Anglican Church, and we will therefore sum up the main results of our study.

We saw in Volume I that the Protestant Reformation abroad was characterised by a denial of the Pope's supreme authority in the Church, a denial of the Catholic doctrine on the Eucharist, both as Sacrament and Sacrifice, and a denial of the Catholic *sacerdotium*. The doctrine of the one Catholic Church, united under one visible head, was replaced by the doctrine of separate National Churches; and the Protestant Churches abroad, though differing in details, agreed in maintaining that the Eucharist was not a Sacrifice but a Communion rite, in which the bread and wine remain substantially unchanged throughout. The ministry is not a sacrificial priesthood, but an evangelical ministry of the Word and the Sacraments, which may exist in three degrees—bishops, priests and deacons—but need not. In accordance with these new notions, new Communion rites had been introduced, and new Ordinals drawn up.

We also saw, in Volume I, how Henry VIII broke with the Pope, and substituted the new conception of National Churches for the old conception of the One Catholic Church. We saw that in his reign the Catholic standards of orthodoxy began to be abandoned, while plans were being made for a more drastic revision of the Church's rites. This revision took place in Edward VI's reign, when, by gradual stages, the Church of England was provided with a Protestant Communion Service in place of the old Mass, a Protestant Ordinal in place of the old Catholic rite of ordination, a Protestant doctrinal standard in the shape of the Forty-two Articles, etc. These new Protestant rites were based in part on new service books drawn up by foreign Protestants.

Taking up the story in this second volume, we have shown how Catholicism was restored in the reign of Queen Mary, by a complete and unequivocal repudiation of the doctrinal and liturgical formularies of the Edwardine Church, and by an equally clear and absolute rejection of the Edwardine ministry, in its three degrees.

But the Protestant Church established by Edward and repudiated by Mary, was restored once more by Elizabeth, in spite of the strenuous opposition of the Catholic bishops. Elizabeth indeed softened the extreme Zwinglianism of the later Edwardine liturgy, and was prepared to tolerate a somewhat higher doctrine on the Eucharist. But it was made perfectly clear that the full Catholic doctrine would not and could not be tolerated, and even the Lutheran doctrine of the Presence met with strong disapproval from the dominant party among the bishops and clergy. Articles of Religion were framed in such a way as to exclude even this Lutheran doctrine, and though the Queen and two bishops inclined towards this doctrine, and succeeded in holding up the Article which excluded it—Article 29—this Article was finally and officially adopted by the Anglican Church in 1571. In any case, from the very beginning, the Catholic doctrine of the Sacrifice of the Mass was repudiated in the plainest possible terms. A new episcopate was introduced, to take the place of the old Catholic bishops, who had been deprived of their sees. For this purpose, an altogether irregular and invalid consecration took place, by the Edwardine Protestant rite, which had been so unequivocally condemned in the reign of Mary. The bishops who officiated at the consecration of Archbishop Parker were not “bishops of the realm,” and the Ordinal itself had not been authorised by Parliament, and so the ceremony was against civil as well as against ecclesiastical law. For this reason Elizabeth found it necessary to make an extraordinary exercise of her royal dispensing power, remedying all possible defects in the ceremony. But in view of this, the details of the occurrence were not revealed to the general public. From the first, the Catholics refused to acknowledge either the legality or the validity of the new ministry, and its members were treated throughout as mere laymen, upon submission to the Catholic Church.

The Protestant doctrinal standard of the new Church so evident in its liturgy and Articles has been confirmed by a study of other contemporary documents, and especially by an examina-

tion of the doctrine on the Eucharist and the ministry put forward by Anglican bishops and divines. One striking feature also is the fact that throughout this first period of Anglicanism, though episcopacy was strenuously defended against the attacks of the extreme Puritans, the presbyterian orders of the foreign Protestant Churches were nevertheless regarded as valid, and these Churches, with their unquestioned Protestant teaching, were regarded as sister Churches to the Anglican Church, and it was agreed that there was no essential difference between the Church in this country, and those Churches abroad.

With the Stuarts, we have seen the growth of a doctrine on the Eucharist and the ministry somewhat higher than that dominant in Elizabeth's reign. But we have noted that even so, this doctrine never rose to the Catholic standard, from which it was always most carefully distinguished. And throughout, it was a cardinal principle accepted by all that the Anglican Church was just one Protestant Church, united in the closest bonds of sympathy and intercommunion with the Protestant Churches abroad.

The great Puritan Revolution under the Commonwealth took the form of the abolition of episcopacy, and the introduction of a new service book, Catechism, etc. But there was no great change in the official formulations of Eucharistic doctrine, for none was really necessary.

The restoration of Anglicanism in 1661 was characterised by a greater insistence upon the episcopal form of Church government, so that from henceforth without royal dispensation episcopal ordination was required for the holding of an Anglican benefice. But even so it was made clear that this did not involve any claim to unchurch the Protestant Churches abroad, or to deny the validity of their ministries. And it was still agreed that doctrinally there was no essential difference between these bodies and the Church of England. The Protestant character of the Eucharist remained unaffected by the changes made in the Communion Service. Alterations were made to the Ordinal, to exclude the Presbyterian interpretation, and doubtless also to meet in some degree the Catholic attack on the forms hitherto used.

Lastly, we have studied several defences and vindications of Anglican Orders put forward in this period by Anglican bishops and divines. These all made it clear that the ministry claimed for the Church of England is an evangelical ministry of the Word and the Sacraments—power to preach, baptise, bless

bread and wine, and declare to penitent sinners that their sins are forgiven. Some may claim a power not only to bless bread and wine, but even to offer these in symbolical representation of Christ's death on the Cross. But all agree that the Anglican "priesthood" does not include the power to transubstantiate bread and wine into Christ's Body and Blood, and to offer that Body and Blood to God the Father in the Sacrifice of the Mass. All Anglicans violently attack that doctrine, and protest that not even Roman priests have this power.

In accordance with this state of affairs, we have seen that in the various and somewhat chimerical proposals for Reunion which were put forth under the Stuarts, the reordination of Anglican bishops and clergy was included as a *conditio sine qua non*.





## **PART SEVEN**

### **THE THEOLOGICAL DISCUSSION AND FINAL CONDEMNATION OF ANGLICAN ORDERS**



## CHAPTER I

### THE HOLY OFFICE CASES OF 1684 AND 1704

1. In the previous parts of this work, we have traced the origin and development of the Anglican Church from the break with Rome in 1535 down to the Settlement of 1662. We have also shown, in Part Five, that Anglican Orders were regarded as invalid in Queen Mary's reign, by the Catholic authorities in this country, and by the Holy See itself. In this last part of our work, we deal in detail with the Catholic theological discussions and ecclesiastical decisions subsequent to 1662, culminating in the final condemnation of Anglican Orders by Pope Leo XIII in 1896. We supplement this by a consideration of the attitude towards Anglican Orders at the Conversations of Malines, and the recent recognition of those Orders by the Old Catholics and the Eastern Orthodox. Throughout this section of our work, we give a careful analysis of the theological discussions, rather than of historical events. This enables us to see how thoroughly the theological aspect was investigated during the last three hundred years. It also enables us to appreciate the theology which underlies Pope Leo's Bull. In a last chapter, we give a final theological discussion of the whole subject.

We begin with two important investigations into Anglican Orders by the Holy Office in Rome at the end of the seventeenth and the beginning of the eighteenth centuries.

2. On July 24th, 1684, a case involving the validity of Anglican Orders was submitted to the Holy Office, the Supreme Tribunal of the Holy See, by the Bishop of Fano, Apostolic Nuncio in Paris. It concerned a "young Calvinist, who, having gone from France to England was, according to the custom of that sect, ordained deacon and then priest by the pseudo-Bishop of London." The young man had returned to France, embraced the Catholic religion, and wished to marry. Accordingly, it was asked whether the Anglican orders he had received were

valid, and as such constituted an impediment to his proposed marriage.

By command of the Pope, Innocent XI, the question was submitted to several theologians, including Mgr. Genetti, D. Giuseppe Charlas, and the Archpriest Dorat.<sup>1</sup> In addition, Mgr. Neercassel, Bishop of Castoria and Vicar Apostolic of Holland, was asked for his opinion on the matter. The whole enquiry was put in charge of Cardinal Casanata, one of the most learned men of the time.<sup>2</sup> In addition to the others already consulted, the Cardinal sought for information through Mgr. Tanari, Papal Internuncio at Brussels. Mgr. Tanari had once visited England with a secret mission to James II<sup>3</sup> and was in close relation with English Catholics. Thus the Roman authorities took all possible steps to obtain accurate information on the subject.

Two points arose for discussion : (1) Was Dr. Parker consecrated by true bishops ? (2) Was the rite used sufficient ?

In order to ascertain the truth in these matters, Mgr. Tanari communicated with the Procurator of the English Jesuits, and also with the Prior of the English Benedictines at Douay. The Jesuit Procurator communicated with his Provincial in London, and the reply of the latter was duly transmitted to Cardinal Casanata.<sup>4</sup> The Prior of the Benedictines, Dom Jerome Hesketh, informed Mgr. Tanari that the question of Anglican Orders was treated exhaustively, on the Anglican side by Francis Mason in his *Vindication*, and on the Catholic side by Peter Talbot in his book on the *Nullity of the Anglican Ordinations*. He offered to obtain and send these two works to Mgr. Tanari. As to the story of the Nag's Head ordination, Dom Hesketh remarked that this originated with Neale, adding that the early Anglican apologists, such as Jewel, Fulke, etc., had nothing to say as to the question of fact, but contented themselves with a denial of the necessity of a true succession. Dom Hesketh also mentioned the controversy between Bishop Bonner and Bishop Horne, and the trial of the former.<sup>5</sup> All this informa-

<sup>1</sup> These are named in a letter from Mgr. Genetti to Cardinal Casanata, printed in Brandi, *Delle Ordinazioni Anglicane*, 4th edn., p. 194.

<sup>2</sup> His library contains 1,125 manuscript volumes of opinions, reports, and statements on various theological matters, and about 25,000 printed books. It is still one of the most valuable collections in Rome.

<sup>3</sup> Brandi, *op. cit.*, p. 119.

<sup>4</sup> See letter from Mgr. Tanari to Cardinal Casanata, February 2nd, 1685, in Brandi, *op. cit.*, pp. 181-2.

<sup>5</sup> By a lapse of memory, Dom Hesketh said that it was Bishop Gardiner who was tried.

tion was duly transmitted to Cardinal Casanata. But much more important is the fact that Mgr. Tanari obtained and sent on to the Cardinal a printed copy of the actual Anglican Ordinal in use at that time. This he sent on March 4th, 1685. It is still in the Archives of the Holy Office.<sup>1</sup> It is a complete copy of the Ordinal as revised in 1662, and includes the famous Preface. Together with the English text, Mgr. Tanari sent to the Cardinal a Latin translation of this Ordinal.<sup>2</sup> We cannot say for certain whether or not Mason's *Vindication* and Talbot's *Nullity* were sent on to the Cardinal, but at any rate the subsequent documents show that the Commission was fully aware of the differences between the Ordinal of 1550 and that of 1662. And moreover, the Cardinal himself, in his own *Votum*, refers to Bristow's *Motives*. Also, information was obtained from Cardinal Philip Howard, who informed Cardinal Casanata that reordination was the constant practice adopted by English Catholics in the case of convert Anglican clergy.

In addition, the Commission was supplied with translations of the essential parts of the ordination rites of the East, Catholic, Orthodox, and Heretical, i.e. of the Armenians, Maronites, Syrians, Jacobites, and Nestorians. The last four were translated into Latin for the Commission by "Joseph Bonasius, Lector et interpretes linguæ Siricæ et Arabicæ."<sup>3</sup> The Commission were also aware of the results of the liturgical researches of Morinus, whose monumental work *De sacris ordinationibus*, which had appeared in 1655, is mentioned expressly in some of the documents of the case.<sup>4</sup>

Particular trouble seems to have been taken in the matter by Mgr. Neercassel, the Dutch Bishop. He wrote in a letter dated December 21st, 1684 :

"That great Cardinal desires to know whether the ordinations of the English bishops are valid. He is afraid their ordination does not come from bishops duly ordained. I believe it is for very important reasons that he wishes to know from me what Catholics and Protestants think of these ordinations."<sup>5</sup>

<sup>1</sup> *De Ordinibus Sacris*, Fasc VI, Copertina, ff. 741-5.

<sup>2</sup> The preface and first page of this Ordinal are reproduced in facsimile from the Holy Office archives by Brandi, *op. cit.*, p. 188.

<sup>3</sup> Brandi, *op. cit.*, p. 118, note. By a strange mistake, Mgr. Moyes says (Snead Cox, *Life of Cardinal Vaughan*, II, p. 205) that the translations were made by Assemani. But this great Oriental scholar was not born until 1710, whereas the translations were made in 1685!

<sup>4</sup> In particular, it is referred to by Mgr. Neercassel, and by Cardinal Casanata. See pp. 468, 478.

<sup>5</sup> Letter quoted in Courayer, *Défense de la Dissertation*, I, p. 48.

Mgr. Neercassel sent in his opinion to Cardinal Casanata on December 29th, 1684.

His Votum evidently began by a discussion of the doubt concerning the reality of Parker's consecration by bishops. The Bishop then proceeded to discuss the Anglican rite of ordination itself :

"That (Anglican) consecration is more easily and more powerfully attacked through the lack of the *sacerdotium*, without which there can be no true bishop *quoad potestatem*. Hence also those Catholic writers I have been able to consult endeavour to show that the English bishops lack the priesthood from the new Ordinal or Ritual which the English now have to use. For these Catholic writers say that in that Ordinal there is found neither the porrection of the chalice with bread and wine, nor the form of words with which these are given to the ordinand to be touched ; indeed, these things were excluded from the Ordinal deliberately<sup>1</sup> in order that, in accordance with their heretical and wicked notion, the Sacrifice of the Mass should be abolished as a useless ceremony, nay more, as injurious to the Sacrifice of the Cross.

"But, most learned Cardinal, I fear that this reason may be displeasing to your judgment. For it is clear from the ordinations of the Greeks that the latter consecrate their priests without the exhibition of instruments. The same is clear from all that Morinus writes at length concerning this matter in his book *De sacris ordinationibus*. Hence the English bishops might be true bishops, although they were ordained without the touching of the priestly instruments.

"Accordingly you ask, most reverend patron, by what argument I can prove that they are not priests. I reply : because they have taken away from their ancient Pontifical, not only the tradition of instruments, that is, the chalice and paten, together with the form joined to this, but also they have taken away that imposition of hands by which the *sacerdotium* or power of offering is conferred and they have retained and prescribed in their Ordinal only that imposition of hands to which is joined these words : 'Take the Holy Ghost, whose sins you forgive, etc.'

"To this formula they have added these words : 'Be thou a faithful dispenser of the Word of God and of the sacraments, in the name of the Father and of the Son and of the Holy Ghost.' But this imposition of hands, and the first part of the formula joined to it was, as Morinus has proved, known and used only subsequently to the twelfth century. And if anyone should urge that many Catholic doctors of the School teach that this imposition of hands and the formula connected with it pertains to the ordination of priests, this will not establish the priesthood of the Anglicans, for that imposition of hands, and the form of words joined to it gives, if any power at all, none other than the power of remitting and of retaining sins. But this power presupposes the power of sacrificing, for our Saviour gave to the Apostles the power of remitting

<sup>1</sup> De industria sublata esse.

and retaining sins only after He had instituted them priests in the most holy Supper. Hence, where the power of sacrificing has not preceded, there cannot be given the power of forgiving sins.

"Nor, most eminent Cardinal, does it seem possible to say that the power of sacrificing is conferred in the words: 'Be thou a dispenser of the Word of God and of the Sacraments.' For it is one thing to dispense the sacraments to the faithful, and it is another thing to offer sacrifice to God. Hence when the Anglican Bishops removed from themselves the power of sacrificing, and of honouring God by the unbloody oblation of Christ (as must be absolutely clear to anyone examining their Ordinal), they also removed from themselves, against their own wish<sup>1</sup>, the episcopal, presbyteral, and also diaconal honour and power, so that their church is not really a Church—for a Church is, as Cyprian says, a people joined to its bishop—but a promiscuous crowd of layfolk, in which there are found neither deacons, priests, nor bishops, for there are amongst them no priests other than a few apostates who have departed thence from the Catholic Church in order that they may serve their bellies."<sup>2</sup>

Mgr. Neercassel was not content thus to express his own opinion, but he proceeded forthwith to correspond on the subject with Dr. Snellaerts, a professor of History at Antwerp, and with Arnauld. The correspondence evidently centred round the two aspects of the question, the historic fact of Parker's consecration by bishops, as distinct from simple priests or laymen; and the question of the validity of the Anglican ordination rite itself. It seems to have been recognised by all that the Anglican ordination rite for the priesthood was insufficient, but a doubt apparently arose as to whether the rite for the episcopate might not suffice to make true bishops, provided one could be really consecrated bishop without first being ordained priest. The whole correspondence has not so far been discovered<sup>3</sup> but extracts from certain letters were published in the eighteenth century by Courayer. Thus, he gives the following from a letter written by Arnauld to Mgr. Neercassel on February 4th, 1685:

"I have seen, Monseigneur, your last letter to M. Snellaerts.<sup>4</sup> But allow me to say that the fact that the bishops of the time of Elizabeth were consecrated by true bishops seems to me to be clear, although Sanders and some other controversialists say the contrary. I find it impossible to imagine that the Presbyterians would not have reproached the Episcopalians with this want of

<sup>1</sup> *Contra suam mentem.*

<sup>2</sup> Latin text in Brandi, *op. cit.*, pp. 179-81.

<sup>3</sup> Some of it may be in the archives of the Holy Office, or in the Casanatese Library in Rome.

<sup>4</sup> The contents of this letter are unknown.

succession if they had had any ground for doing so. But, you may say, the question between them (Presbyterians and Episcopalians) was one of right, and not of fact. Rather, it was a question both of right and of fact. For how could the Episcopalians have maintained that no one is really a priest if he has not been ordained by a bishop who was in turn ordained by other bishops, if through this lack of succession, the very persons who maintained this, Hammond, Pearson and the rest, were only false priests?

"I find more difficulty in the question of the validity of ordination according to the rite of the Anglican Church. But I am persuaded that a person can be validly ordained bishop without being ordained priest beforehand, although that could not be done licitly, because it would be against the order of the Church. Nevertheless I confess that it would be rather on grounds of this sort that one would doubt the succession of the Bishops of England."<sup>1</sup>

Courayer also prints a long letter written to Mgr. Neercassel by Dr. Snellaerts, under date March 2nd, 1685, as follows:

"As for your first point, I think that in my preceding letter<sup>2</sup> I showed by certain arguments that at the beginning of the reign of Elizabeth, Parker was ordained Archbishop of Canterbury by the imposition of hands of bishops (for by this name I call even those who were consecrated according to the rite prescribed in the Anglican Ordinal under Edward). To prove this, the document of Elizabeth addressed to five or seven Bishops, whose names and churches are specified, would suffice. . . . Nor can it be said with any likelihood that that document is a forgery or a Protestant figment, especially in view of the final clause, in which Elizabeth declares that she supplies by her own authority any defects whatsoever in that future ordination, for Protestants would not have inserted such a clause if they had forged it themselves.

"I do not think, most illustrious Lord, that you would fail to regard the foregoing as evidently proved, were it not for a scruple based on the authority of Sanders and Bristow, whom you would not easily allow to have been deceivers or deceived in this matter. Hence, if I show you that their authority is of no value in the present question, you will see, I think, that the matter is proved. Now to show this, it suffices, passing over other points, to point out that those writers were bound to hold, in accordance with views then everywhere received, and, as it were, canonised, that the ordainers of Parker were not true bishops because they had not been lawfully consecrated.<sup>3</sup> For since Anthony Kitchin, Bishop of

<sup>1</sup>"Je trouve plus de difficulté pour la validité de l'Ordination selon le rit de l'Eglise Anglicane. Mais je suis persuadé qu'on peut être validement ordonné évêque, sans qu'on ait été ordonné prêtre auparavant, quoique cela ne se pût pas faire licitement, et à cause que ce serait contre l'ordre de l'Eglise. J'avoue néanmoins que ce pouvait être plutôt de ce côté là qu'on douterait de la succession des Evêques d'Angleterre."—Complete French text in Courayer, *Défense de la Dissertation*, Vol. IV, p. vi.

<sup>2</sup>This has not so far been found.

<sup>3</sup>"Defectu legitimæ consecrationis." The sequel shows that "legitimæ" here means "validæ."



Llandaff, who alone had fallen from the Catholic faith and joined the heterodox, and who had been consecrated according to the Catholic rite under Mary,<sup>1</sup> did not ordain Parker, but this was done by four others, who had been ordained presbyters and then bishops according to the Anglican Ordinal in the time of Edward,<sup>2</sup> Bristow and Sanders held absolutely that Parker had received the imposition of hands only from laymen.

"Now, if your Lordship at present thinks that Anglican Bishops are mere laymen, much more must Sanders, etc., have regarded this as indubitable. For as yet, Morinus and others had not dissipated the darknesses and prejudices of the Scholastics by their writings. It was then thought very probable that the imposition of the Book of the Gospels on the head of the bishop-elect, which English Protestants do not use, was at least part of the matter for the episcopate, inasmuch as all ritual books, Latin, Greek, Syrian St. Clement, St. Dionysius, and the fourth Council of Carthage mention it, as may be seen in Morinus. . . . And it was regarded as practically indubitable by all the Scholastics that the tradition of instruments, etc., is the matter for the priesthood, which even to-day is the most common view. And so it is evident that Sanders, Bristow, etc., thought that those four who laid hands upon Parker, and who had been ordained in the time of Edward, according to the Anglican rite, without these essentials, were neither priests nor bishops, but mere laymen, and thus their historic account is in no way contrary to the constant assertion of Camden, King James, Baxter and others.<sup>3</sup>

"I based another argument for the truth of my assertion on the way in which English Episcopalians and Presbyterians argue against each other. You think, indeed, that these quarrel concerning the right and institution of the episcopal order, and not concerning the fact of the ordination of Parker and others. But I do not see that the force of my argument is in any way weakened by this objection, for in vain would they discuss this question of right at such length if the discussion could be easily settled by the appeal to facts. . . .

"I come to another question, namely, whether those who are consecrated bishops without ordination to the priesthood, receive the priesthood in the giving of the episcopate. I have proved the affirmative view in my preceding letter, and I prove it again, not indeed precisely from the fact that the supreme power of ecclesiastical mission and of the administration of sacraments was given to the Apostles, whose successors are the Bishops, but from the fact that the Episcopate is the perfect and consummated priesthood, and because the form of episcopal ordination contains in itself *eminenter* the whole substance of priestly ordination, for there is a most solemn imposition of hands, and that by many bishops, and

<sup>1</sup> A mistake. Kitchin had been consecrated in the reign of *Henry VIII.*

<sup>2</sup> Another mistake. All four had been consecrated priests by the Pontifical rite. Two of them (Hodgkin and probably Barlow) were made bishops by the Pontifical rite, and the other two (Coverdale and Scory) by the Edwardine Ordinal. See above p. 240.

<sup>3</sup> Against this interpretation of Sanders, Bristow, etc., see above, p. 373.

a formula of words is used by which it is signified that the perfect and consummated priesthood is being given. . . ."

After a long digression on this point, which we omit, Dr. Snellaerts passes on to another point which more immediately concerns us :

"There remains another question, namely, whether the Anglican priestly ordination is valid. I must allow, Monseigneur, that the difficulties you urge are most grave, and especially that which says that *de industria et odio sacerdotii*, the English changed the rites used in the Roman Church. Yet, notwithstanding your most learned arguments, I consider, and regard as practically certain, that if such a rite had been used in the Catholic Church, or even in the Greek, or some Schismatic Church which held the same opinion concerning the priesthood as the Catholic Church, and which had not changed anything *de industria* or against the Church's commandment, then the Ordination would be valid.<sup>1</sup> For I do not think that amongst the essentials instituted by Christ are to be included more than the three things referred to above, namely, that it should be by a bishop, that there should be an imposition of hands, and that a formula of words should be used which suitably expresses what is being done. I think that all other things are of ecclesiastical institution, and I do not doubt that a deprecativ formula can be changed into another, as has happened to the Sacrament of Penance in the Latin Church. Now whether the perverse intention of the Protestants, and the change which has resulted from it, but which is not repugnant to the essential elements of matter and form, as instituted by Christ, suffice to render such ordinations invalid, although there has been no decree of the Church invalidating completely ordinations thus performed, is a difficult question, and many things could easily be said for either side."<sup>2</sup>

Thus, while defending the historicity of Parker's consecration at Lambeth, both Arnould and Snellaerts find difficulties in the question of the sufficiency of the Anglican rite. Snellaerts, indeed, thinks the Anglican rite would have sufficed if it had been used in a Church which accepted the Catholic conception of the priesthood, and had not changed anything "*de industria*" or against the Church's commandment. That is the whole point, and Snellaerts seems to suggest that if the Anglican rite is invalid, it is not so much because of defect in the form itself,

<sup>1</sup>"Plane existimo et pene pro certo habeo quod si in Ecclesia Catholica talis ordinandi ritus foret usitatus, imo etiam in Græca vel quacunque Schismatica, quæ eandem cum Catholica de Sacerdotio foveret sententiam, et non de industria aut contra præceptum Ecclesiæ aliquid mutasset, ordinatio revera subsisteret."

<sup>2</sup>"An jam perversa intentio Protestantium et mutatio quæ inde proflexit, sed tamen essentialibus, ut a Christo instituta sunt, quoad materiam et formam non repugnant, sufficient ad invaliditatem, attento quod non fuerit ullum decretum Ecclesiæ quo ordinationes sic factæ penitus irritantur, quæstio difficilis est, et facile multa pro utraque parte adferri possent." (Courayer, *op. cit.*, Vol. IV, pp. vii-xvi.)

but rather of this defect taken in conjunction with the intention of those who drew it up. Both Arnauld and Snellaerts turn aside to discuss the abstract question whether the episcopate can be validly received without previous ordination to the priesthood. But in reality this question has little to do with the validity of Anglican Orders. For, in any case, consecration to the episcopate *per saltum* could only be valid if the episcopal form made it clear that it was the complete and perfect priesthood (*sacerdotium*) that was being conferred. But it is obvious that what the Anglican rite for the episcopate intends to make, is not a "high priest" but a "chief pastor." The Anglican episcopate is set forth as the chief grade of the pastoral ministry as described in the ordination rite for priests. Thus, the defective conception set forth in the rite for priests of necessity affects the validity of the rite for bishops.

All this was evidently realised by Mgr. Neercassel, who, as we have seen, expressly said in his first Votum that "since the Anglican bishops removed the power of sacrificing and of honouring God by the unbloody oblation of Christ . . . they also removed from themselves the episcopal, presbyteral and diaconal honour." We shall see that the same view was taken by the Papal Commission, as is shown by the report of the Cardinal in charge of the enquiry.

It is to be presumed that Mgr. Neercassel, who had been expressly asked by Cardinal Casanata to ascertain the views of Catholics and Protestants on Anglican Orders<sup>1</sup> duly transmitted the communications from Arnauld and Dr. Snellaerts, or their substance, to Rome. Only a search in the Archives of the Holy Office could determine whether these documents are to be found there. We learn, from a report made in 1896 by Mgr. Moyes, Dom Gasquet, and Fr. David Fleming, that there is in the Archives of the Holy Office a second letter from Mgr. Neercassel, dated February 2nd, 1685, but this has not so far been published. There may have been other letters sent subsequently. But it seems clear that, whatever Arnauld and Snellaerts may have thought, Mgr. Neercassel himself remained of the opinion that Anglican Orders are invalid, because of the insufficiency of the form and intention.

The Papal Commission was thus in possession of quite sufficient material to enable them to arrive at a decision on the point raised, i.e. whether the priesthood of the French Calvinist

<sup>1</sup> See p. 467.

was valid. They had reports from theologians, and they were fully acquainted with the Anglican Ordinal in its various forms, and with the relevant parts of Eastern and Western ordination rites for purposes of comparison. They were also acquainted with the liturgical researches of Morinus and others, and with the conclusions based on these concerning the tradition of the instruments. Strangely enough, however, the Commission does not seem to have made any use of the Bulls and Briefs of Julius III and Paul IV, by which Cardinal Pole's action in the matter of Anglican Orders had been regulated and approved. But it must be remembered that the Holy Office was not properly organised till some time after these Pole documents were issued, and hence they would not be in its Archives. They were, it is true, in the Secret Archives of the Vatican itself, and the Julius III documents were probably known, for they are mentioned in the Courayer controversy shortly afterwards. But these Julius III documents, taken by themselves, do not explicitly decide the matter, and the much more definite documents of Paul IV had long been forgotten, and were not rediscovered till two centuries later. This, however, had the advantage that, in the absence of knowledge of a previous Papal decision, the matter was determined independently and objectively, upon its merits, by the Holy Office on this occasion.

The Papal Commission duly met,<sup>1</sup> and discussed the subject in all its bearings. The question was first studied separately by the individual members, who then put their opinions into writing. Finally, several joint meetings were held, in order to reply the better to the question at issue.<sup>2</sup>

It is important to note that a member of the Commission urged that an adequate decision would have to be based, not on the question of the fact of an unbroken succession, "which depended on the rather involved history of the various successive changes which had taken place in England in the matter of religion, but on the defect of intention and of the words which are used by the Anglican heretics in the ordination of priests. They had not, and could not have the intention of making true priests who should have authority over the natural Body of Christ, because they do not believe that this is really present

<sup>1</sup> In Rome, not in Paris as stated by Père Michel in the *Dictionnaire de Théologie*, and by Fr. S. Smith, S.J., in the *Dictionnaire Apologétique*.

<sup>2</sup> We derive this information from a letter by Mgr. Genetti, a member of the Commission, written to Mgr. Casoni in 1704, and printed by Brandi, *op. cit.*, pp. 194-5.

in the Eucharist ; and equally they could not intend to make sacrificing priests, inasmuch as they do not think that there is in the Church a true and visible Sacrifice. Hence the words in the ordination of Anglican priests do not signify the said power of consecrating and offering the Body of Christ, nor can they signify it, for the above reasons."<sup>1</sup> Note that here once more we have a clear statement that the Anglican rite of Ordination is defective both in form and in intention—the traditional grounds on which the Anglican Ordinal has been condemned both before and since. The rite for ordination to the priesthood is directly envisaged, because if this rite is insufficient, then obviously the Calvinistic minister was no true priest, whether ordained by a real bishop or not. There was no real necessity for the Commission to consider whether or not the Anglican rite for consecrating a bishop is sufficient. However, as we shall see, this other point was also dealt with.

One of the most important documents in the case is the "Relazione" of Cardinal Casanata, who was in charge of the Enquiry.

In this Report, he sets forth the arguments for and against the reality of Parker's Consecration at Lambeth, and the Nag's Head story. He remarks that the latter is accepted by Catholic writers, but rejected by Protestants, and then continues :

"In this contradiction between Catholics and heretics, although one ought to give greater credence to the former than to the latter, nevertheless, in so grave a matter, it is difficult to base a decision of such great importance" upon a debated point.<sup>2</sup>

Accordingly, he passes on the question of the rite itself, taking as his basis the *Votum* of Mgr. Neercassel :

"Another motive leads the Vicar Apostolic of Holland to declare null the ordination of the English priest in connection with whom this question has been raised, and in truth, in my judgment, it deserves to be reflected upon. This point is that the accustomed form of the Roman Church having been changed in England for the ordination of priests and bishops, and the new rite not containing the form necessary for the sacrament, all the ordinations of priests and of bishops are null. On this point it must be remembered, in the first place, not only that in the time of Edward and of Elizabeth there was drawn up a formula differing from that of the Roman Pontifical . . . but also that in the time of King Charles II

<sup>1</sup> This statement of a member of the Commission is quoted in the letter written by Mgr. Genetti to Mgr. Casoni. (Brandi, *op. cit.*, pp. 194-5.)

<sup>2</sup> Archives of the Holy Office, *De ordinibus sacris*, VI, fol. 688, quoted by Brandi, *op. cit.*, p. 116.

the brother of the present King James, another was drawn up. These I have decided to describe, so that they may be the chief subject of the present discussion."<sup>1</sup>

The question centred, of course, mainly round the validity of the forms in the Edwardine Ordinal of 1552. The Cardinal writes as follows on these :

"That these formulæ are not sufficient for the ordination of priests and bishops may be proved from the principle that the sacraments operate only that which they signify expressly, or at any rate implicitly. Hence, as the words of the said formulæ do not signify in any way<sup>2</sup> the most essential power of the priest and the bishop, namely, the power to offer the Sacrifice, and to consecrate the Body of Christ, they cannot operate or confer such power, nor constitute a true priest ; all the more because there is no tradition of the instruments of the sacrifice, in conformity with the use of the Latin Church. And although the Greeks and other Orientals have no tradition of instruments, nevertheless, in the prayer which they call the sacramental prayer, the power of consecrating the Body of Christ is always clearly conferred, as is shown by the evidence I have obtained, by having translations made of the forms of ordination of the Armenians, Maronites, Syrians, Jacobites and Nestorians, both Catholics and heretics, which forms are here annexed. But the English have not the tradition of the vessels, and do not confer in the sacramental prayer the power to consecrate. It is equally clear that the imposition of hands alone does not suffice if not determined to the conferring of a particular sacrament, for it might be the sign not only of the sacrament of order, but also of penance, and of confirmation, as has been pointed out by theologians who comment on Holy Scripture.

"Nor does it suffice, in my opinion, to say that in these formulæ there is made mention of preaching, and of remitting sins, for these powers concern the mystical Body of Christ, and certainly not the natural Body, the which power (concerning the natural Body) is the principle and root of the other, and ought necessarily to precede, at least by a few moments, the power of forgiving sins. Hence it is that the Roman Church previous to the year 1200 did not confer in the ordination of priests the power to forgive sins, but only that of consecrating the Body of Christ, as has been pointed out by many Catholic doctors, and as I have noticed in ancient manuscript Rituals.

"Nor does it seem that the power to consecrate could be signified by these words of the formula : 'Be thou a faithful dispenser of the Holy Sacraments,' for the word 'sacrament' does not signify strictly the Sacrifice, and the word 'dispense' does not mean 'do' or 'offer.' And if it should appear to anyone that these words might be accommodated to signify the power of offering the Sacrifice, he ought, in my view, to consider that this signification would not be in conformity with the use of the Catholic Church, which has not

<sup>1</sup> Brandi, *op. cit.*, pp. 116-7.

<sup>2</sup> In nessuna maniera.

approved the English forms of ordination, and moreover it would be contrary to the intention of the heretics, who, in accordance with their error, have taken away from the formula those parts and words which denote the power to sacrifice, because they do not believe that the Sacrament of the Altar is a true sacrifice.

"This is evident from the above mentioned letters and writings sent by the Vicar Apostolic of Holland and by the Internuncio of Flanders, as also from what I have been able to find out myself in this matter.

"I must not omit to say, lastly, that it is the common opinion of learned Catholics in England, as is attested by the Cardinal Norfolk, that the bishops and priests ordained by heretic bishops of that kingdom not only have no character or order of any kind, but also that when they are converted to the Catholic religion, they are held and treated as mere laymen.

"Hence it appears that we can conclude with sufficient probability that the priest whose case is under discussion is not a true priest, because of the defect of the episcopal character in his ordainer, inasmuch as the Apostolic Succession has collapsed, by reason of the formulæ, both of Queen Elizabeth and of Charles II."<sup>1</sup>

A second statement by the same Cardinal Casanata is included in the Holy Office archives. We translate it as follows :

"As to the validity or invalidity of these forms, it seems that there ought to be and can be a certain decision of the question whether they in England are true bishops and priests. For the said formulæ were always used under Elizabeth, who reigned more than forty-four years, also under James, who reigned twenty-two, and under Charles I, who reigned twenty-four years, and remained unchanged until the time of Charles II, who was not in peaceful possession of the kingdom until ten years after the death of Charles I. It is not possible that when the change was made (in the Ordinal) there should have remained any of those bishops who were already ordained when the use of this formula was re-established<sup>2</sup> inasmuch as more than a century had elapsed. Still less possible was it that there should remain any of those already ordained when King Edward changed the form in the same way as Elizabeth did. Hence, even though the form as reformed under Charles II might be valid, as it might be possible to maintain,<sup>3</sup> this will in no wise help the bishops and priests made by it, seeing that they were ordained only by bishops at whose ordination was observed only the form in use from the time of Elizabeth and since.

"That these forms are not sufficient for the validity of ordination of bishops and priests is proved efficaciously by this fundamental argument. The sacraments operate only that which they signify expressly, or at least *implicitly*. Now the words of these formulæ

<sup>1</sup> Italian text in Brandi, *op. cit.*, pp. 192-3.

<sup>2</sup> i.e. by Elizabeth.

<sup>3</sup> "Adunque ancorchè la forma nella maniera che fu riformata sotto Carlo II fosse valida, come forse si potrebbe difendere."

do not signify in *any way* the most essential power of priests and bishops, that is, the power to offer the Sacrifice and to consecrate the Body of Christ. Hence they do not operate or confer such a power; the more so because there is no tradition of the instruments of sacrifice, which is used in the Latin Church to signify such power. In these formulæ there is mention only of the power to preach and to remit sins. But this office concerns the mystical Body of Christ, not indeed the natural Body. Now the power concerning the natural Body is the principal, and the root of the power concerning the mystical Body, and must necessarily precede, at least by a few moments, the power of remitting sins. And so Christ conferred on his Apostles the power to consecrate his natural Body at the time of his Passion, namely, on Holy Thursday, and the power to forgive sins only after the Resurrection. Morinus says, in *De sacris ordinationibus*, pars. 3, exerc. 7, cap. 2, that through twelve centuries the Catholic Church did not express in ordination the power to remit sins—an argument which demonstrates with certitude that the essence of ordination does not consist in the words in which this power is signified.

"Nor can it be said that the power to consecrate is signified by these words of the formula, 'Be thou a faithful dispenser of the Holy Sacraments.' For the word 'sacrament' does not properly signify the Sacrifice, and the word 'dispense' does not say 'do' or 'offer.'<sup>1</sup> And if it should seem to anyone that these words could be accommodated to signify the power to offer the sacrifice, he should reflect that this signification would not be in conformity with the use of the Catholic Church, which has not approved the formulæ of ordination in which they are used. Nor would it be in conformity with the intention of those who composed the said formulæ, still less of those who use it, for in the English Ordinal there has been taken wholly away the part which denoted the power to sacrifice, because the English do not believe in the true Sacrifice, as is supposed (in the view under consideration).

"It is indeed true that in the ordination there is the imposition of hands, and that many theologians, basing themselves on the use of the Greeks, and on other reasons, maintain that the imposition of hands is sufficient without the tradition of instruments. But, besides the fact that this cannot be said with safety, when the Church, or a notable part of it, has determined such a tradition as matter in her ordinations, and has, so to speak, attached the signification of the power of sacrificing to it, which determination, according to many, Christ has left the Church free to make: besides this, I say, the imposition of hands is an equivocal sign, which must be determined either by the adjoined words, or by other circumstances, to signify a particular power. Now, in the ordination of the English, the imposition of hands is determined to the power of forgiving sins, and not to that of offering the Sacrifice, indeed it excludes this, at least in intention.

<sup>1</sup> "Sis fidelis dispensator sanctorum sacramentorum. . . . La parola 'sacramentum' non significa propriamente il sacrificio, nè la parola 'dispensare' vuol dire 'facere' vel 'offerre.'"



"All this is confirmed by the custom according to which the Catholics of England receive bishops and priests who are converted to the true religion, as mere laymen. Thus Bristow<sup>1</sup> attests this for his own time, that is, under the reign of Elizabeth, and it is still the practice to-day, as is attested by the Cardinal of Norfolk. This is indeed a very strong argument, for there have always been in England many learned and prudent Catholic theologians, who have in all likelihood been consulted much by the Holy See.

"Hence it seems that we can conclude that the priest about whom this question has been raised is not a true priest, because of the lack of the episcopal character in his ordainer, the Apostolic Succession having collapsed through the above mentioned formula, although his ordination may nevertheless be upheld (i.e. the fact). Whence it follows that he is not bound to chastity *ratione status sacerdotalis*. Nevertheless, because, in view of the present state of England, the resolution of this case might have notable consequences, it might perhaps be good to wait a while, if this is possible, until we get fuller information on the position in England, which will enable us to proceed with all certitude and without danger of scandal, etc."<sup>2</sup>

These documents make it quite clear that Anglican Orders were condemned by Cardinal Casanata in 1685 not on any historic grounds such as the supposed Nag's Head story, but on the firm dogmatic ground of the defect of form and intention. The Anglican rite examined was primarily that for the priesthood, and it was shown that the form accompanying the laying on of hands was insufficient, inasmuch as it does not signify or imply the priesthood as Catholics understand it. There is no conferring of the power to offer sacrifice, and, in view of the known doctrines of the Anglicans, this exclusion must be regarded as deliberate, and hence there is not the intention to confer the Catholic priesthood. As the rite for the priesthood is thus inadequate, it follows that the episcopate, i.e. the high priesthood in the Catholic conception, is not conferred by the corresponding rite for Anglican bishops. And it is to be noted that not only does this judgment exclude historical considerations, but it is in itself independent of the question of the tradition of instruments. The Anglican omission of this ceremony is mentioned merely as a confirmation of the fact that there is nothing in the Anglican rite which confers the power to offer sacrifice.

We have seen that at the end of his Votum, the Cardinal expressed some misgivings as to whether it would be wise to promulgate a decision on Anglican orders, in view of the state of England. James II was in the midst of his unfortunate and

<sup>1</sup> *Antihæreticorum motivorum*, Tom. II, motiv. 24, no. 7.

<sup>2</sup> Italian text in Brandi, *op. cit.*, pp. 189-91.

difficult reign, and had aroused much anti-Catholic feeling by his impolitic measures. The publication of a condemnation of Anglican Orders might well have added to the difficulties of the situation.

Accordingly, when the findings of the Commission of Enquiry were duly communicated to and considered by the Cardinals of the Holy Office—the real judges in the matter, for the Commission itself could act only in an advisory capacity—their Eminences, while condemning Anglican Orders, left it for the Pope to decide whether the decision should be published. The “resolution” was as follows :

“Feria ii, die 13 augusti 1685. DD. CC., maturo discussio dubio, unanimi voto responderunt pro invaliditate prædictæ ordinationis. An autem expediat ad hanc declarationem in præsentī casu devenire, Eminentissimi Patres oraculo reliquerunt.”<sup>1</sup>

Accordingly, the matter is described in the records of the Holy Office as “dilatata.”<sup>2</sup>

It is interesting to note that shortly after the Holy Office enquiry, there was an enquiry also here in England. Mgr. Genetti, one of the Consultors of the Holy Office and a member of the Roman Commission, was sent to England, and in a letter written in 1704 to Mgr. Casoni, Assessor of the Holy Office, he wrote as follows :

“I found that the same question (of Anglican Orders) was a subject of much discussion amongst the Catholics in London, and my opinion on it was asked by Mgr. Leyburn, at that time Vicar Apostolic in London. To him I recounted the above events.<sup>3</sup> Nevertheless, at the orders of Cardinal d’Adda, then designated Nuncio, the question being one of the greatest importance and one which arose frequently in practice, several conferences were held, at which the said Mgr. Leyburn presided, and which were attended by seven or eight of the most learned theologians amongst the English Catholic clergy, including Dr. Giffard, afterwards Bishop and Vicar Apostolic ; Dr. Bettan,<sup>4</sup> then preacher to the King of

<sup>1</sup> Brandi, *op. cit.*, p. 48, note.

<sup>2</sup> “Tandem quidem, ratione habita opportunitatis, placuit Cardinalibus respondere ‘dilatata.’” (Leo XIII, in *Apostolicæ Curæ*.)

<sup>3</sup> These events were the Roman Commission of Enquiry, and its view that the decision should be based, not on uncertain historical questions, but “on the defect of intention and of the words which the Anglican heretics use in priestly ordination, not having, and being unable to have the intention to make true priests with authority over the natural Body of Christ, because they do not believe that this is really in the Eucharist ; much less to make sacrificing priests, as they do not believe that there is in the Church a true visible sacrifice. Hence the words in the ordination of Anglican priests do not signify the said power to consecrate and offer the Body of Christ, and cannot signify it, for the same reasons.”

<sup>4</sup> Evidently Dr. John Betham.

England, and other doctors of the Sorbonne and of Douay, all of them very learned men. I set forth the above mentioned reasons, and although almost all were in agreement after a certain amount of discussion, and wished to formulate a decision in a formal manner, it was decided that it would be well to postpone the matter for fifteen days or thereabouts, so that we might the better study and formulate such a decision. I remember that I devoted much attention to the matter, to verify the fact of the failure of the succession of the Bishops, and I therefore obtained the opinion of Sir John Belson, a most learned man amongst the English Catholic laity, and author of various books in defence of the true Religion. But seeing that the said fact must always remain doubtful, in the end it was decided, by the unanimous opinion of all, and *for the above-mentioned reasons*, that English and Scottish Bishops who are converted to the Catholic Faith are to be received and treated as simple layfolk. And this has been put into practice, without difficulty."<sup>1</sup>

Thus, the English Catholic Commission also held that Anglican Orders are invalid, on dogmatic grounds, and not because of the supposed break in the succession.

3. The question of Anglican Orders came once more before the Holy Office in 1704. John Gordon, Anglican Bishop of Galloway, was converted to Catholicism as a result of several conferences with Bishop Bossuet. He went to Rome, and made his formal abjuration of heresy to Cardinal Sacripante. Pope Clement XI wished to give him a benefice, and the question arose as to whether Gordon's orders were valid. Accordingly, a petition was drawn up, either by Gordon himself, or possibly by a priest of the Scots College on his behalf,<sup>2</sup> and presented to the Holy See.

This, the original petition of Gordon states that "he obtained the rank of a Bishop in his own country, but was consecrated thereto by the rite of the heretics. Whereas, however, he believes this mode of consecration to be null, for the reasons annexed to this his petition . . . the petitioner makes reverent request that your Holiness will vouchsafe to declare ordination of this kind to be illegitimate and null, and to dispense with him that he may be able to receive Holy Orders according to the Catholic rite."<sup>3</sup> The document then sets forth "Motives on

<sup>1</sup> Italian text in Brandi, *op. cit.*, p. 194. It is unfortunate that there seems to be no record of the meetings of this Commission. At least no documents on the matter are in the Westminster Archives.

<sup>2</sup> Cf. Le Quien, *Nullité des Ordinations Anglicanes démontrée de nouveau*, Vol. II, p. 278

<sup>3</sup> Barnes, *Popes and the Ordinal*, p. 134; Latin text in Le Quien, *Nullité des Ordinations Anglicanes*, 1725, Vol. II, pp. lxxx-lxxvi.

account of which the petitioner, in common with most Catholics, and even most of the heterodox too, deems that the Ordinations of the heterodox English can in no wise be called valid."

Contrary to what is usually said, the petition does not confine itself to the Nag's Head fable, as the following extracts will show :

"In order that these ordinations could be called valid, it ought to be quite certain, and not merely doubtful, that the true character of the episcopate is found among the pretended English Bishops ; that they have received some legitimate ordination and consecration by succession from the Catholic Church ; and lastly, that the essential form, matter and intention has been, and now is, found among these pseudo-Bishops in their consecrations. For if of these three, namely, character, legitimate consecration, and form and intention, any be wanting, their consecration must be pronounced null and invalid, according to all theologians."

The document then considers these points in turn :

"As regards the first, the most learned of the heretics of that region confess . . . that the power of ordination only exists among them so far as it may have been derived to them from the Roman Catholic Church. This is frankly confessed, for example, by Bridges, pseudo-Bishop of Oxford, in his *Defensio regiminis*, etc., p. 278. . . . (But) he brings no proof of any succession. . . . If no legitimate ordination and consecration to the priesthood and episcopate has flowed to them from the orthodox Catholic and Roman Bishops, then it follows that they have no 'character,' and no consecration among them, and that they cannot validly confer these on others. But lest in this matter, which is the very chief point of the doubt, the petitioner should seem to depend upon the assertions of heretics, he proves the invalidity of their consecrations by the following arguments taken from history."

There follows an account of the supposed consecration of Parker by Scory, "an apostate religious, and not a Bishop," at the Nag's Head. The document allows that Francis Mason "pretended he had found in some archive a succession of bishops, ordained by Catholics," but claims that he gave "no proof of his assertion." Hence "it is clear that they have received no true ordination from the true Church, and therefore no character, and therefore that their ordinations are null and void." So far, then, the petition is indeed based upon the Nag's Head fable. But now other grounds are set forth :

"And that, even if a heretic had received any ordination and episcopal consecration by a legitimate succession—which, however, there is no evidence to show—their ordinations would still have to be pronounced invalid, because of the lack of the true 'matter,' 'form,' and 'intention.' For there is no 'matter' used, except,

perhaps, the giving of the Bible, and no proper 'form,' for they have cast away the Catholic form and changed it into this : 'Take thou authority to preach the word of God and to minister his Holy Sacraments,' which differs essentially from the orthodox forms. Then, too, what intention can possibly be formed by those who deny that Christ, or the early Church, ever instituted the Unbloody Sacrifice? If the Sacrifice be taken away, the priest is taken too ; if the priest be taken away, so is the bishop, and when these are gone, there is an end, as St. Jerome says (*Dial. contra Lucif.*) of Church, Faith, and Gospel."

Finally, the petition appeals to the practice of the Church :

"Lastly, the practice in England has been constant, that if any heretic minister returns to the bosom of the Church, he is regarded as a layman. If he be married, he remains so, otherwise he is free, and if he desires to enter the ecclesiastical state, he is ordained after the manner of other Catholics. On the other hand, if he prefer to do so, he may marry. Wherefore, etc."

Thus, the central part of the petition urges that the Anglican rite for the priesthood is defective in matter, form, and intention. For some strange reason, it overlooks the laying on of hands with its accompanying formula, and mentions only the giving of the Bible, with the accompanying words. It is to be noted that the date of Gordon's consecration is not mentioned in the petition. Documents in the Holy Office, however, display a knowledge of this date, and of other points not mentioned in the petition, so supplementary information must have been obtained, probably from Gordon himself. Thus, the Summary prefixed to the statement of the case in the Holy Office archives begins as follows :

"1704. Roma. Joannes Clemens Gordon de Scotia hæreticus conversus ad fidem Catholicam, exponit quod in septembri anni 1688 in cathedrali Glascoensi in Scotia ab illo pseudo-Archiepiscopo et tribus episcopis fuit ordinatus episcopus juxta eorum usitatum ritum. Probat autem ordinationem invalidam fuisse ex eo quod defecerit in Anglia Sacerdotium, supplicat denuo ordinari ad Sacerdotium, ut in aliquo gradu inserviat Ecclesiæ."<sup>1</sup>

We gather from this that some other statement was presented by Gordon himself, or by someone else on his behalf. Its contents are unknown, but it evidently gave particulars about the date of his consecration, and possibly some details about the rite used. Strangely enough, there is in the Holy Office archives a note which states that he was consecrated bishop on September 19th, 1688, adding :

<sup>1</sup> Brandi, *op. cit.*, p. 178. He prints a facsimile of the entry in the Archives.

"Actio sic fere peragebatur. Primo, fiebant preces secundum liturgiam anglicanam. Secundo, habebatur concio ad populum de dignitate et officio episcopi. Tertio, supradicto Joanni genibus provoluto omnes supradicti pseudo-episcopi imposuerunt manus capiti et humeris, dicendo 'Accipe Spiritum Sanctum, et memento ut suscites gratiam quæ in te est per manuum impositionem, non enim acceperimus spiritum timoris, sed virtutis, dilectionis, et sobrietatis.' Quarto, peractis pauculis precibus pro gratiarum actione, terminata fuit actio."<sup>1</sup>

It would seem that this must be a note made by one of the officials, or by one of the consultors, who wrongly assumed that Gordon must have been consecrated by the Ordinal of 1552, forgetting that the revised form of 1662 was actually used. It is quite unthinkable that Gordon himself could have made this mistake.

In any case, Gordon's petition was referred by the Pope to the Holy Office on February 9th, 1704, and it was duly put in the hands of consultors, who were told to report.

Now it is of the greatest importance to note that the consultors were evidently acquainted with the documents prepared in the previous case of 1685. Two, or perhaps three, new vota were prepared and presented. We are informed that some of the consultors, "inter causas nullitatis vindicandæ, etiam adduxissent illam prout putabatur ordinationem Parkerii," i.e. invoked the Nag's Head story as one of the reasons for invalidity (but not the sole reason). But, at any rate, one consultor took a very different line. He pointed out that the invalidity of Gordon's consecration could not and ought not to be inferred from the Nag's Head story, because "etiãsi pro vera admittatur historia quæ circumfertur de ordinatione memorata Parkerii in Londoniensi taberna cujus erat insigne Equi seu mannuli Caput, peracta ; constat quatuor prædictos Episcopos hæreticos illi ordinationi adfuisse, ubicumque facta fuerit, et cum precibus serio celebratam fuisse, non ludicre et joculariter."<sup>2</sup>

Having thus deliberately set aside the historical aspect of Parker's consecration, the same Consultor runs through the theological arguments contained in the case of 1684-5, and continues :

"This is in harmony with the decree promulgated under Queen Mary, and referred to by the heretic Foxe in his *Acts and Monuments*, p. 1295. Here are the words of this decree :

<sup>1</sup> Estcourt, *Question of Anglican Ordinations*, cxv ; Barnes, *The Popes and the Ordinal*, p. 138.

<sup>2</sup> Quoted from Archives by Brandi, *op. cit.*, p. 117.

'Touching such persons as were heretofore promoted to any orders after the new sort and fashion of orders, considering they were not ordered in very deed, the bishop of the diocese finding otherwise sufficiency and ability in those men, may supply that thing which wanted in them before, and then according to his discretion, admit them to minister.'

"Now, in this decree, mention is made of those who had been ordained in the reign of Edward VI, and it is declared that these were not ordained in very deed. There is all the more reason for doubting the ordination of those ordained from Elizabeth's time, as has already been said. Now, those who are acquainted with the history of the time of Queen Mary know well that nothing whatever of great moment was carried through in matters of religion without consultation of the Apostolic See, or at any rate without the authority and consent of Reginald Pole, Cardinal Archbishop of Canterbury and legate of the Holy Apostolic See, on whose advice the Queen wholly depended.

"Again, in France, those who had received orders from heretical bishops were re-ordained by Catholic prelates, as is proved by the fact, mentioned by a certain writer, that a certain Englishman who had been ordained presbyter by heretical English bishops and afterwards embraced the Catholic faith, was again ordained by a Catholic bishop, though this particular Englishman privately considered that his first ordination was valid.<sup>1</sup>

"There is hardly a Catholic in England or Scotland who does not consider the ordinations of these heretical bishops to be null and void; nor from the beginning of the Anglican Schism until now has there been a single example of an heretical English bishop or priest who, upon conversion to the Catholic Faith, has been received into the Church in his orders, as has always been and still is the case with those bishops or other clerics who come from the Greek Schism, or from the Nestorians, Eutychians, Armenians, Russians, and other heretics, who are received in their orders.

"What has been said about the English applies also to the Scottish heretical bishops, for as heresy was introduced into Scotland by strict Calvinists who abominate the episcopal order and power, it was only after more than half a century, viz. in 1610, that Scotland received its first heretical bishops from James VI of Scotland, a few years after he received also the kingdom of England by legitimate succession, and the first Scottish heretical bishops were consecrated by the English. Hence orders given by Scottish heretical bishops cannot be more valid than those given by English bishops."<sup>2</sup>

The Consultors gave their final opinion two weeks later, namely, on March 24th, 1704:

"Quod prædictus Joannes Clemens Gordon ex integro ad sacerdotium promoveri debeat."<sup>3</sup>

<sup>1</sup> The reference is presumably to Stephen Goffe, a convert clergyman, reordained in Paris. See p. 456.

<sup>2</sup> Latin text in Brandi, *op. cit.*, pp. 196-7.

<sup>3</sup> See the facsimile from the Archives reproduced by Brandi, *op. cit.*, p. 198.

This opinion had then to be considered by the Cardinals of the Holy Office. These met on Wednesday, March 26th, and decided that certain "*inclusæ scripturæ*" should be considered further by themselves. These "enclosed papers" comprise the *vota* and acts of the Holy Office in the case of 1684-5.<sup>1</sup>

The final decision was taken on April 17th, in the Feria V Session of the Holy Office. The day before, i.e. on April 16th, Mgr. Genetti sent in to Mgr. Casoni, the Assessor of the Holy Office, a letter giving particulars of the discussions of the consultants of 1685 and of the English Commission of a few years later.<sup>2</sup>

This letter is in the Holy Office archives, and there is every reason to suppose that its contents were communicated to the Cardinals before they decided the matter on the following day.

At this solemn session, on Thursday, April 17th, 1704, in the presence of the Pope himself, the petition of Gordon was once more read—possibly in summary form—together with the "*quibusdam scripturis seu juribus alias collectis pro simili casu*," i.e. the 1685 documents, and also the "*voto DD. Consultorum*." The record continues :

"*Sanctissimus, auditis votis Eminentissimorum Cardinalium, decrevit quod Joannes Clemens Gordon ex integro et absolute ordinetur ad omnes ordines, etiam sacros, et præcipue presbyteratus, et quatenus non fuerit confirmatus, prius sacramentum Confirmationis suscipiat.*"<sup>3</sup>

In accordance with the custom of the Holy Office, in this, the final decision, the motives are not specified, but it is obvious from the foregoing that the motives which really governed the decision were precisely those which had led to the suspended decision of 1685, i.e. not the historical question of Parker's consecration, but the defect of form and intention. As Pope Leo XIII says, "in sententia ferenda, omnino seposita est ea causa [the Nag's Head fable], ut documenta produnt integræ fidei, neque alia ratio est reputata nisi defectus formæ et intentionis."<sup>4</sup> We shall see in a later chapter, that the Archbishops of Canterbury and York were rash enough to question this statement of Pope Leo. The result was the publication by Brandi of the records we have utilised in this chapter. Anglican apologists confessed that Pope Leo was right and their own

<sup>1</sup> See Brandi, *op. cit.*, p. 47.

<sup>2</sup> See letter in Brandi, *op. cit.*, pp. 194-5.

<sup>3</sup> Brandi, *op. cit.*, p. 47; facsimile from Archives, *ibid.*, p. 708. Cf. also p. 198.

<sup>4</sup> *Apostolicæ Curæ*. C.H.S. edn., p. 9.



Archbishops mistaken, but this has not prevented a modern Anglican writer from actually maintaining that no documents have been published to support Pope Leo's statement !<sup>1</sup>

It is also clear that, as Pope Leo says, the "sententia ne a defectu quidem traditionis instrumentorum quidquam momenti duxit."<sup>2</sup> Thus, in reality, the question of the validity of Anglican Orders was decided by the Holy See in 1704, on theological grounds which still retain their full force. It is unfortunate that the decision and its grounds were not given full publicity at the time. The decision itself was not published until Le Quien gave it to the world in 1725, at the time of the Courayer controversy, with which we deal in the next chapter.

<sup>1</sup> We refer to Canon Wilfred Knox. See later, p. 599, n.

<sup>2</sup> *Apostolica Curæ*, p. 9.

## CHAPTER II

### THE COURAYER CONTROVERSY

1. In the early eighteenth century, when the French Church was almost torn asunder by the controversies on Gallicanism and Jansenism, a movement was set on foot by Archbishop Wake of Canterbury to bring about a union between the Church of England and a "Gallican Church" separated from Rome.<sup>1</sup> The Archbishop got into touch, amongst others, with a certain Père le Courayer, then a Canon Regular of St. Geneviève, at Paris. This priest had already distinguished himself by his defence of Jansenistic and Gallican views, and now he undertook to advocate the validity of Anglican Orders, for which purpose he was supplied with much material by the Archbishops of Canterbury.<sup>2</sup>

The immediate occasion for his first book on the subject was an unsigned essay on Anglican Orders inserted into a work by the Abbé Gould entitled *La véritable croyance de l'Eglise Catholique*. Courayer at first claimed that this essay had been written by the Abbé Renaudot.<sup>3</sup> But this was disproved by one of Courayer's opponents, Père le Quien, O.P.,<sup>4</sup> and in the end Courayer admitted that it had in reality been written by the Abbé Gould himself, though he still claimed that it had been revised by the Abbé Renaudot.<sup>5</sup> This essay had adopted the usual line of Catholics: it maintained that Anglican Orders were invalid because of the defective character of the rite employed. In addition, it pointed out that the consecration of Barlow had never been proved. But this was evidently a secondary consideration, in comparison with the defects of the rite itself. The essay also

<sup>1</sup> "Wake's hopes rested on detaching the French Church from the Papacy, with the object of drawing national Churches together into a unity based on the primitive and purified Catholicism which Bramhall had expounded."—A. S. Duncan Jones, Dean of Chichester, in *Northern Catholicism*, 1933, p. 455.

<sup>2</sup> A. S. Duncan Jones, *loc. cit.*, p. 455; cf. Hutton, *Anglican Ministry*, p. 276.

<sup>3</sup> See Courayer's *Dissertation*, 1723, I, Preface.

<sup>4</sup> See Le Quien, *Nullité des Ordinations Anglicanes démontrée de nouveau*, II, p. 222.

<sup>5</sup> Courayer, *Supplément*, 1732, p. 33.

mentioned the Nag's Head story, but did not attach much weight to it.

Courayer, however, devoted the first part of his own *Dissertation sur la Validité des Ordinations des Anglais* to a refutation of the Nag's Head story, and to the defence of the reality of Barlow's consecration. In a second part, he discussed the Anglican Ordination rite itself. His book met with severe criticism, and a lengthy controversy followed. The following dates give the historical sequence of events :

- 1723. *Dissertation sur la Validité des Ordinations des Anglais*, published by Courayer.
- 1725. *Nullité des Ordinations Anglicanes*, published by Père Le Quien, O.P.
- 1725. *Dissertation Refutée*, published by Père Hardouin, S.J.
- 1726. *Défense de la Dissertation*, published by Courayer.
- 1726. *Mémoires ou Dissertation*, published by the Abbé Fennell.
- 1727. *Défense Refutée*, published by Père Hardouin, S.J.
- 1728. *Justification de l'Eglise Romaine, ou Réponse à la Dissertation et à la Défense*, by Theodoric de S. René.
- 1729. Courayer's *Rélation Historique*.
- 1730. *Nullité démontrée de nouveau*, by Père Le Quien, O.P.
- 1730. *Remarks upon Le Courayer's Book*, by Fr. Constable, S.J.
- 1732. Courayer's *Supplément aux deux ouvrages faits pour la défense*.

It is important to note from the outset that Courayer's theological defence of Anglican Orders was based partly upon a defective presentation of Catholic theology on Holy Orders, the Real Presence, and the Sacrifice of the Mass, and other matters. The following events are therefore significant :

- March, 1727. Courayer wrote to Cardinal de Nouailles, Archbishop of Paris, in defence of his work.
- August 18th, 1727. Cardinal de Nouailles condemned Courayer's work in his *Mandement*.<sup>1</sup>
- August 22nd, 1727. Thirty-seven propositions from Courayer's work censured by twenty Cardinals, Archbishops, and Bishops of France. Fifteen propositions concerned the Sacrifice of the Mass, two the priesthood, five the Real Presence, one the form of the sacraments, three the character and reiteration of the sacraments, two the ceremonies of the Church, five ecclesiastical jurisdiction, and four the primacy of the Pope.
- The Bishops remark that "The error of the writer on the Sacrifice necessarily leads to error on the Priesthood."<sup>2</sup>
- October 31st, 1727. Pastoral instruction on Courayer's errors.<sup>3</sup>
- January 30th, 1728. Courayer sentenced to the Major Excommunication by the Superior General of the Canons Regular.

<sup>1</sup> See Estcourt, *Question of Anglican Ordinations*, lxxv.

<sup>2</sup> See Estcourt, *op. cit.*, lxxvii.

<sup>3</sup> Estcourt, lxxxv.

June 25th, 1728. *Dissertation and Défense de la Dissertation* by Courayer condemned by Pope Benedict XIII.<sup>1</sup>

Courayer's subsequent history is, as we shall see, still more significant, but we will deal with that at the end of this chapter.

The greater part of Courayer's work, and those of his critics, are taken up with historical questions, such as Barlow, the Nag's Head, etc. As these are of practically no importance now, we omit them, and confine ourselves to summarising the theological discussion.

2. In his first *Dissertation*, COURAYER, after rejecting the Nag's Head story, and maintaining that Barlow was duly consecrated, passes on to consider the theological requirements for a valid episcopal consecration.

This he does in chapter six by setting forth the thesis that "There was no essential defect, either as to matter or form, in the consecration of Archbishop Parker." In proof of this, he urges, first, that Morinus has shown that the essential matter of episcopal consecration consists solely in the imposition of hands. Courayer then passes on to consider the sacramental form of episcopal consecration. This has been held to consist, either (a) in a certain form of words, such as "Receive the Holy Ghost," or (b) in certain stated prayers used uniformly in all Churches, or else (c) in prayer in general, such as every church shall think fit to choose.<sup>2</sup>

As to the first view, Courayer remarks that, "However widespread may have been the opinion of the Scholastics, who maintained that these words, 'Receive the Holy Ghost,' were the form of ordination,"<sup>3</sup> Morinus and Martène bring convincing reasons to refute it, the chief being that these words were never used in the East, and only latterly in the West.<sup>4</sup>

As to the second view, Courayer says it is equally easy to show that the "essence of the form of Ordination is not annexed to a certain fixed and uniform prayer," inasmuch as the prayers differ in the various rites. "There is no proof to warrant an inference that the prayer in the Roman Pontifical is more essential than any other, provided it be the same in substance, i.e. that it contain an invocation of the Holy Ghost, to obtain for the bishop-elect all the graces necessary for a worthy discharge of the functions of his ministry."

Accordingly, Courayer accepts the third view: "the invocation of the Holy Ghost upon the bishop-elect makes the form of ordination."<sup>5</sup>

<sup>1</sup> Estcourt, xciv.

<sup>2</sup> Page 106. The references are to the first French edition.

<sup>3</sup> The reference here is to the form for the consecration of a bishop. No scholastic maintained that the words "Receive the Holy Ghost" are the adequate form for the priesthood. See Vol. I, p. 92.

<sup>4</sup> Page 107.

<sup>5</sup> Page 109.

Courayer then turns to the Anglican rite, and says that it has both the imposition of hands and prayer, i.e. the invocation of the Holy Ghost to obtain for the bishop-elect all the graces he needs.<sup>1</sup> The Anglican rite even mentions the power of the keys, and the authority given to the bishop.<sup>2</sup> The words "Receive the Holy Ghost" may be regarded as a second invocation of the Holy Spirit.<sup>3</sup>

In chapter nine, Courayer argues that "the heretical opinions of some of those employed to draw up the Ordinal do not invalidate the consecrations performed according to it."

Even though there were some members of the Commission for the Ordinal who held heretical tenets on ordination, such as Cranmer and Barlow, yet the majority were of a contrary opinion.<sup>4</sup>

Besides, the Commission aimed at satisfying both Catholic and Protestant parties.<sup>5</sup>

But in any case, the validity of an Ordinal which retains and preserves all that is essential does not depend upon the private opinions of those who draw it up,<sup>6</sup> first because the inward intention of the minister contributes in no wise to the validity or invalidity of a sacrament.<sup>7</sup> Secondly, the intention is to be judged only by the outward behaviour which manifests it, and in the composition of the new Ordinal there is nothing to show that its authors had any private idea either of abolishing the episcopate, or of establishing the non-necessity of consecration, or of reducing all things to presbyterianism.<sup>8</sup> Thirdly, provided the changes made do not alter the substance of the *form*, the Ordinal still does that which the Church does, in spite of the alterations introduced in the ceremonies.<sup>9</sup>

Courayer supports this by an appeal to theologians, who allow that the errors of the Reformed Churches on the efficacy of Baptism does not prevent these from administering it validly.<sup>10</sup> Even the adding of terms indicating error does not invalidate it, according to Alexander<sup>11</sup>: "Si adjungeret verba, non quasi partem formæ sacramentalis esse vellet, sed ut errorem suum indicaret, aut alios in eandem hæresim pertraheret, vera esset ac rata consecratio, modo intenderet facere quod facit Ecclesia."<sup>12</sup>

Courayer adds that particular churches have the power and right to make unessential modifications in sacramental rites, and that even a schismatical or heretical church does not lose this power.<sup>13</sup>

He continues the discussion in his second volume. Here he says, on p. 34, that "It is false that episcopal consecration presupposes sacerdotal ordination. . . . It is false that the sacerdotal power is conferred by the words that declare the power to sacrifice. It is false that the English do not acknowledge the sacrifice in the sense

<sup>1</sup> Page 118.

<sup>2</sup> Page 119.

<sup>3</sup> Page 120.

<sup>4</sup> Page 184. We have seen that this is quite false. See Vol. I, pp. 450-1.

<sup>5</sup> Page 187. This is also untrue. See Vol. I, pp. 451 *et seq.*

<sup>6</sup> Page 190.

<sup>7</sup> Page 191. Courayer says this is "almost generally received in the schools," but he is wrong there, as his critics did not fail to point out.

<sup>8</sup> Page 192.

<sup>9</sup> Page 193.

<sup>10</sup> Page 194.

<sup>11</sup> *Theol. Dogma et Mor.*, lib. 2, cap. 3, reg. 6.

<sup>12</sup> Page 197.

<sup>13</sup> Pages 239-240.

of our best divines, that is to say, a representative and commemorative sacrifice. . . ."<sup>1</sup> He develops this by giving an entirely inadequate doctrine on the Sacrifice of the Mass. We shall quote later his views on this.

### 3. LE QUIEN discusses Courayer's theological treatment in the second volume of his *Nullité des Ordinations Anglicanes*.

He explains : " what the Faith teaches us on the priesthood and the sacrifice of the New Law."<sup>2</sup> Then he discusses the essence of ordination,<sup>3</sup> and concludes that " the essence of the ordination of a priest and bishop consists in the twofold power given, to offer the Sacrifice of the Eucharist, and to govern the faithful. In ordination we ask from God for the graces necessary to exercise the different functions of this twofold power. Ordination is conferred by external ceremonies and prayers, which constitute its matter and form. The essential form consists in the prayer joined to the imposition of hands. It is an invocation of the Holy Spirit on the ordinand, to obtain for him the power of the order received, and the graces necessary that he may worthily fulfil his ministry. The form must determine the imposition of hands, and to do this it must express, in some way, the effect of the Sacrament of Order. It is of faith that the primary and principal effect of the Sacrament of Order is to make sacrificers, and ministers whose principal function is to serve at the Sacrifice of the New Law. The prayer must therefore express what the Faith teaches us about the Sacrament of Order ; it must mention the Priesthood in relation to the Sacrifice which is its main function, and this is what we find in the prayers of the Roman Pontifical."<sup>4</sup>

Next, Le Quien explains the errors of the Anglican Reformers on the Sacrifice and the Priesthood,<sup>5</sup> and then examines the form of order in the Anglican rite. He remarks that the form is the imperative formula attached to the imposition of hands, and not the prayer which precedes it, as Courayer had suggested.<sup>6</sup> In any case these preceding prayers are insufficient.<sup>7</sup> The essence of the form of ordination is not " prayer in general " as Courayer had said, but prayer which " represents perfectly the end, the effect, and the nature of this sacrament." The end and effect expressed must be, at least, the chief end, and the first and principal effect upon which all the others depend and from which they flow.<sup>8</sup> Hence the prayer which is the essential form must express, in some way or other, the Sacrifice, or the power and quality of sacrificing priest, and " any prayer which makes no mention of this at all, and in which we find no trace of it, is without that which constitutes the essence and substance of the form of ordination, and is therefore absolutely invalid and null."<sup>9</sup>

Le Quien goes on to maintain that all Ordinals make " express mention of the priesthood, the altar, the victim, and the sacrifice, although in different ways."

<sup>1</sup> Page 36.

<sup>2</sup> Pages 14-17.

<sup>3</sup> Pages 105 et seq.

<sup>4</sup> Pages 5 et seq.

<sup>5</sup> Pages 34 et seq.

<sup>6</sup> Page 108.

<sup>7</sup> Pages 13 et seq.

<sup>8</sup> Pages 80 et seq.

<sup>9</sup> Page 110.

He concludes that the form must mention the priesthood, or the sacrifice (1) because it is of the substance of the form, to express the end and effect of ordination, at least virtually ; (2) because one must regard as belonging to the substance of the form that which is consecrated by the perpetual and invariable usage of the churches.<sup>1</sup>

The prayers of the Anglican Ordinal are insufficient, (1) because from them was taken away all that could give an idea of the sacrificial Priesthood (*sacerdoce*) and of the Sacrifice ; (2) because this withdrawal removes from it all conformity with the substance of the prayers used perpetually and invariably in all the Churches. The Anglican rite asks from God the graces necessary for the worthy fulfilment of the functions of the ministry, but it makes these consist uniquely in preaching, teaching, governing the people of God. There is mention of a power to forgive and retain sins, but this is understood in the sense of Calvin, Luther, and Zwingli. No idea of the sacrifice or of the sacrificing Priesthood is allowed to appear, and in all the ceremonies and prayers borrowed from the Roman Pontifical, or modelled upon it, all the terms and expressions which might suggest the sacrificing priesthood or the Sacrifice, or were related to these, were carefully removed, precisely because they expressed the sacrificing Priesthood and Pontificate, which the Anglican Reformers had rejected on the ground that Jesus Christ, the only sovereign Priest and Pontiff of the New Testament, has not imparted his own priesthood to men.<sup>2</sup>

Although these Anglican rites do not, indeed, express and enunciate a formal exclusion of the sacrificial Priesthood, they must nevertheless be held to exclude this formally, because they were substituted for the Catholic forms which expressed this Priesthood formally.<sup>3</sup>

The intention of the Anglican Church is not at all secret or hidden : it is manifested in its conduct, its doctrine, its confessions of faith, the suppression of the old Pontifical, the establishment of the new forms, the abolition of the Mass. Can it be said after this that it has the same intention as the Catholic Church, and wishes to do what the Church does ?<sup>4</sup>

It might, however, be objected : " The Anglican Church certainly has the general intention to do what the Church has always done, and the fact that she understands by the words ' priest ' and ' bishop ' something other than what the Church understands no more annuls Anglican ordinations than the error of a Pelagian, who understands by Baptism something other than what the Church understands, invalidates his administration of Baptism in the name of the Father, Son, and Holy Ghost. The Church says that the first and principal effect of Baptism is the removal of original sin ; the quality of membership of the Church is only a secondary effect. The Pelagian solemnly abjures the primary effect, and says that Baptism merely makes us members of the Church. But in spite of his notorious opinions, and his public declaration of his errors concerning the principal and primary

<sup>1</sup> Page 121.<sup>2</sup> Page 121.<sup>3</sup> Page 124.<sup>4</sup> Page 128.

effect of Baptism, the Church nevertheless recognises as valid the sacrament he confers, because she recognises that the Pelagian has the intention to do what she herself does. The same ought surely to be said of a Protestant ordination. Although the Anglican bishop understands by the words 'priest' and 'bishop' something other than what Catholics understand, and declares solemnly that he does not believe in the Sacrifice or the sacrificial Priesthood, or that the first and principal effect of ordination is to confer the power of offering the Sacrifice, or to make the ordinand a sacrificing Priest, but rather holds that ordination only makes him an elder, and an administrator of the sacraments of Baptism and the Lord's Supper—in spite of all this, the action of the Anglican bishop ought to be regarded as valid, for he does what the Church does. He uses the imposition of hands, he joins to this a prayer in which he asks for the ordinand the grace necessary that he may worthily fulfil the functions of his ministry. And that is all that belongs to the essence of ordination, just as water and the words 'I baptise thee, etc.,' are the only essence of the rite of baptism."<sup>1</sup>

To this objection, so well set forth, Le Quien replies conclusively as follows :

"We do not deny the validity of Anglican ordinations because they hold erroneous opinions on the Sacrament of Order. We do not attack the forms in the Edwardine rite precisely because they were drawn up by bishops and doctors who had embraced the doctrine of Calvin and Zwingli. All Catholic theologians agree that the validity of sacraments does not depend on the faith of the ministers conferring them. But the reason why we refuse to acknowledge Anglican ordinations as valid is that they have changed the ancient forms, and have taken from them that which marks the substance of the sacrament, and that which constituted the substance of those forms, and have composed new ones, for the making of priests and bishops of a kind differing from those of the Catholic Church. The Pelagian, in spite of his errors on Baptism, conserved all that belonged to the substance of this sacrament : he did not change a single word in its essential form. Hence he is deemed to have the intention of doing what the Church does, for he does externally all that the Church itself does. But this is not the case in Anglican ordinations. The authors of the Anglican Reformation began by denying and abjuring the sacrificial Priesthood and the Sacrifice. If they had stopped there, we should not question the validity of their ordinations, and we should still regard their bishops as true ministers of the Church in ordination, because they would have continued to do externally what the Church does in ordination. But they did not stop there : they went further. They drew up a new form of ordination, and composed it in the light of the error which they publicly professed : they suppressed everything which seemed to be opposed to their view, everything which might indicate the Sacrifice and the sacrificial Priesthood. By this rite they ceased to make sacrificing priests and pontiffs, because they did *not* intend

<sup>1</sup> Pages 138-40.



to do what the Church does, or to pronounce what she pronounces, for they pronounced over their ordinands a prayer which in its contents has no conformity at all with any of those which the Church has used at any time or in any place."<sup>1</sup>

Courayer had maintained that the English have kept in the prayer preceding the imposition of hands, the substance and essence of the form of ordination. The essence of the form of ordination consists, then, in a prayer which concerns only preaching, government, and ecclesiastical jurisdiction? Is it true that the only end and object of ordination is preaching and ecclesiastical government? The only way out is for Courayer to say that it suffices that the prayer should ask from God the graces necessary for the ordinand to fulfil his ministry, without mentioning the functions of this, and that in these general terms, the functions of the sacrificing priest or pontiff are virtually included. But Courayer can hardly mean this, because he allows that the substance of the form or prayer must express the end and nature of the sacrament, i.e. it must mark the functions which are the end and effect of the sacrament. Again, such a vague form would not signify any one order rather than another. Thirdly, the perpetual and invariable usage of the churches has specified these functions, inasmuch as all Ordinals have indicated the *sacerdotium* for the priesthood, and the pontificate for the episcopal order, i.e. the functions which have a necessary and essential relation to the Sacrifice. Moreover, the Anglican rite does not leave us in any uncertainty: it does not ask from God graces to exercise in general the functions of the ministry, but it details these functions and sets them forth with precision.<sup>2</sup>

These functions are preaching and government.<sup>3</sup> Hence the prayer in the Anglican rite is insufficient as a form of ordination.

If, instead of the prayer, we regard the imperative words, "Receive the Holy Ghost, etc.," as the form, then we must say that we have the functions of preaching and the administering of Baptism and the Lord's Supper in the case of the priesthood, and of governing a diocese in the case of a bishop.<sup>4</sup> But there is no reference in either case to the power of offering sacrifice.<sup>5</sup>

There is nothing else of special interest to us in this first work of Le Quien. But as an indication of his interest in the historical, as well as in the theological side of the question, we may mention that he refers to the extracts from the Anglican Ordinal sent to Rome in Queen Mary's reign.<sup>6</sup> We have ourselves described this document.<sup>7</sup> It was rediscovered by Gasquet in 1895.<sup>8</sup> But it is rather interesting that it was known in 1725 to Le Quien, who quotes it from a manuscript in a collection of "Actes de la Legation du Card. Pole" in the Library of Saint Germain-des-Prés.

<sup>1</sup> Pages 141-4.

<sup>2</sup> Pages 146-9.

<sup>3</sup> Page 150.

<sup>4</sup> Pages 51-70.

<sup>5</sup> *Ibid.*

<sup>6</sup> II, p. 83.

<sup>7</sup> See pp. 19, 25, 525.

<sup>8</sup> See Gasquet, *Question of Anglican Ordinations, in England under the Old Religion*, p. 150; Lacey, *Roman Diary*, p. 176; etc.

4. Courayer was criticised also by Père Hardouin, S.J., in his *Dissertation Réfutée*. Père Hardouin was a great scholar, but he had a very unbalanced mind, and entertained some very singular opinions. Thus he questioned the authenticity of nearly all the classics, doubted the authenticity of the Septuagint and the Hebrew text of the Old Testament, etc. In his reply to Courayer, he unwisely maintained that the Latin form of ordination is the imperative formula, and that this must be ascribed to St. Peter, while the Greek ordination prayer was composed by St. Paul! He answered the objection that the ancient Pontificals examined by Morinus do not contain the imperative formula by saying that these were faulty Pontificals, rejected by the Church precisely because they had omitted the "form" of ordination! We therefore abstain from quoting his work.<sup>1</sup>

5. Courayer wrote a "Defence" of his *Dissertation* in 1726, in four volumes. The theological aspect is dealt with in Volume III. Here he attacks the principle, which he ascribes to Le Quien, that a form is insufficient when the effect or principal end of the Sacrament, is not expressed, and points out that there is no mention of the Sacrifice in some ancient ordination rites.<sup>2</sup>

He repeats that the form of ordination cannot consist in the formula "Receive the Holy Ghost," for this is neither ancient nor universal. Still less can it consist in the formula "Receive the power to offer sacrifice," and for the same reasons. The form must therefore necessarily consist in a prayer. The only question is, what kind of prayer suffices. He himself had maintained that it suffices to ask from God the graces necessary to fulfil the duties of the office, without specifying these in particular. Père Le Quien says the form must express the effect and end of the Sacrament, but he adds that the expression may be only "virtual," so that there is not much difference. In any case, as Père Hardouin allows, the prayer which precedes the imposition of hands in the Anglican rite is equivalent to the Preface in the Roman ordination rite.<sup>3</sup>

Courayer then endeavours to prove his point from the forms of other sacraments. The form of Baptism does not express the end or effect of the sacrament, even virtually. The same is true of the

<sup>1</sup> The *Dictionnaire de Théologie Catholique* says that "l'originalité de la critique ne répond toujours à la solidité du savoir," and speaks of Hardouin's "conclusions paradoxales." (Art. *Hardouin*, VI, col. 2043.)

<sup>2</sup> Vol. III, ch. 1.

<sup>3</sup> Pages 4-8. Courayer naturally profited by this extraordinary statement by Père Hardouin, which is, however, quite untrue. See our comparison of the two prayers in Vol. I, pp. 484-6.

form of Confirmation, which designates simply the action of the minister, and of those of Extreme Unction and Matrimony.<sup>1</sup>

It is, of course, an abuse to think that the form of the sacrament consists of certain words exclusive of the rest of the rite, but these other prayers are useful by asking for graces, and not by designating the effect.<sup>2</sup>

As to the Anglican Ordinal, the "administration of the sacraments" includes the Eucharist, and thus the function of consecrating the Eucharist is quite clearly indicated in the Ordinal. Again, in the rite for ordaining deacons, these are charged to assist priests in the celebration and distribution of the Holy Eucharist. Hence it is the Eucharist which is specially in view when the power to minister sacraments is given to the Anglican priest. This power is peculiar to priests, whereas not only priests but deacons also may baptise. Thus, the function of offering the Eucharist is not forgotten in the form of priestly ordination.<sup>3</sup>

Père Le Quien requires in an Ordinal an express mention of the power to offer the Sacrifice. But in the ordination rite in the Eighth Book of the *Apostolic Constitutions*, the earliest ordination rite known to us, there is not one word about the power to offer the Sacrifice in the case of priests: the Bishop merely asks God to fill the ordinand with the spirit of grace and counsel, that he may govern and edify the people by his works, instruct them in the knowledge of Salvation, and address to God on their behalf a holy and spotless worship. Similarly, in the Ethiopian ordination rite described by Ludolf, we find the same thoughts, expressions, and petitions as in the *Apostolic Constitutions*, but not a word about Sacrifice. Yet no one has doubted as to the validity of these ordinations.<sup>4</sup> The same is true of other ordination rites.<sup>5</sup>

Père Le Quien says that the Anglicans do not, as Catholics do, recognise the Eucharist as a Sacrifice, yet the power to offer sacrifice is essential to the Christian priesthood; that it is impossible to attribute to Anglicans a power which they reject; and as what they have suppressed from the form of ordination relates to their error on this point, the alteration they have made in the form is a fundamental one. Thus, even if it were true that there has not always been mention of the Sacrifice in ordination forms for priests, it would still be true that its omission by the English, for the purpose of suppressing the Priesthood and the Sacrifice, makes null a form which in other circumstances might have been allowed.<sup>6</sup>

In answer to this, Courayer maintains that the question between Catholics and Anglicans on the Sacrifice and the *Sacerdotium* is a mere question of words. If the Anglicans, in taking away the word "Sacrifice" had altered the *thing*, or had completely suppressed it, the difficulty might have some weight, but even then, error does not destroy the validity of a Sacrament. In any case, the English have conserved the Eucharist as instituted by our Lord, in its

<sup>1</sup> Pages 9-11.

<sup>2</sup> Page 14.

<sup>3</sup> Pages 18-19. Notice that Courayer has suddenly passed from "celebrating the Eucharist" to "offering" it!

<sup>4</sup> Pages 19-25.

<sup>5</sup> Pages 25-27.

<sup>6</sup> Page 41.

entirety.<sup>1</sup> They, like Catholics, celebrate this mystery in obedience to the command to "do this in memory of Him." What other sacrifice has Jesus Christ left to us? It matters little whether they think that the bread and wine remain or disappear after consecration; whether they think the Body of Christ is present corporally or spiritually; after all, it is not the physical presence or absence of the bread and wine, or the existence or absence of natural properties, that makes the Eucharist a sacrifice, but simply the offering of the Passion of Jesus Christ, performed under the prescribed symbols. Hence the excisions the Anglicans have made in the Ordinal do not concern the Faith, and therefore do not affect the validity of their form.<sup>2</sup> In point of fact, the Anglicans recognise the Sacrifice as we do, even though they reject the *word*, and accordingly the power to offer is as really conferred in their ordination as it is in ours. For when they ordain a priest, do they not give him power to administer the Eucharist? This administration is simply the power to consecrate the symbols, and, in the sight of Jesus Christ present truly, though spiritually, to recall the memory of his death, and, offering it to God, to ask Him to apply to us its fruits. What greater power do we Catholics give to our own priests?<sup>3</sup>

It is hardly surprising that the ecclesiastical authorities should have condemned this entirely inadequate and incorrect statement of the Catholic doctrine on the Eucharistic Presence and Sacrifice.

Later on, Courayer discusses the subject of Intention, in the form of two questions:

(1) Provided all that is essential in the form is retained, does any other alteration denote a change of intention? (2) From the fact that the Anglicans have separated themselves from the Catholic Church, does it follow that they have an intention other than that of the Church?<sup>4</sup>

As to the first, he says all theologians agree that it is only an essential alteration in the form that destroys the validity of a sacrament. The real question is, whether the Anglicans have altered essentially the form of ordination. The answer must be in the negative, for Père Le Quien agrees that the form is a prayer, and Père Hardouin agrees that the prayer in the Anglican rite is equivalent to that in the Pontifical.<sup>5</sup>

As to the second question, Bellarmine has shown that it is not necessary to have the intention of doing what the *Roman* Church does, but what the true Church, whichever it may be, does.<sup>6</sup>

In Chapter IV, Courayer repeats that the validity of ordination is independent of errors on the Sacrifice. It is certain that errors which do not affect a particular sacrament do not affect its validity, and it is equally certain that errors concerning a particular sacrament are compatible with its validity, as is shown by the Church's

<sup>1</sup> Page 44.  
<sup>2</sup> Page 80.

<sup>3</sup> Pages 46-47.  
<sup>4</sup> Page 81.

<sup>5</sup> Page 48.  
<sup>6</sup> Page 82.

recognition of the baptism of Pelagians and Zwinglians. Hence, supposing that the Anglicans are in error on the Sacrifice, this error does not prevent them from offering it, and from ordaining validly, unless the validity of a sacrament depends on the belief of the minister, and a denial of the Corporeal Presence in the Eucharist involves the invalidity of orders conferred. But, after all, the Church did not reject the ordinations performed by the Berengarians.<sup>1</sup>

However, it is said that the English opinion on the Sacrifice is important because it shows us why they altered their form. This is the only reasonable form the objection can take. But even so it is a mere illusion, because it still means that one is rejecting the Anglican form because of the error on the Sacrifice. The change of form is only a pretext, and their supposed error is the real reason for saying their form is null and void. In any case, we should be condemning Anglicans only because they do not mention the Sacrifice, and we have already seen that a similar omission is true also of ancient rites, which are nevertheless recognised as valid. And this shows that it is not really the alteration of the form which is the basis of the rejection of the Anglican rite, but the error attributed to them.<sup>2</sup> All that is essential has been retained by the Anglicans in their form.<sup>3</sup>

On page 162 Courayer once more gives an erroneous presentation of Catholic doctrine :

"If the recognition of the Sacrifice of Jesus Christ is founded only on the offering of his death, represented by the consecration of the symbols, it follows that the Anglicans, who, like us, admit this offering and this representation, and have always admitted them, could recognise the same Sacrifice as we do in the celebration of the Eucharist, even if they were to reject the reality of the Presence. In point of fact, they do not at all reject every kind of Presence, and that which they admit would suffice for the Sacrifice of the Christian Church, even if the nature of the Sacrifice should require that Jesus Christ is really present."<sup>4</sup>

"The nature of the Sacrifice of the Church seems to require only a spiritual Presence, because the Sacrifice itself is wholly spiritual."<sup>5</sup>

Such statements are manifestly opposed to Catholic doctrine, and it is small wonder that they were condemned by the ecclesiastical authorities.

6. In 1728, a work was published in reply to Courayer by Père Theodoric de S. René, who, as "General Commissioner" of the Carmelites, had spent many years in England, and was well acquainted with the actual situation. In his first volume, he devotes some attention to the question as to whether the

<sup>1</sup> Pages 133-8.

<sup>2</sup> Page 162.

<sup>3</sup> Pages 139-40.

<sup>4</sup> Page 140.

<sup>5</sup> Page 220.

Church can attach certain conditions to the validity of holy orders, either by determining the matter and form (instituted only generically by Christ), or otherwise. He decides this question in the affirmative. This enables him to defend the reordinations which took place in the case of simoniacal consecrations, in the early Middle Ages. He applies this principle also to the Decree of Eugenius IV as to the tradition of the instruments, and says that the Council of Trent similarly made unction also a condition for ordination.<sup>1</sup>

In Volume II, he discusses the question on the basis of Courayer's own theories, i.e. that the essential form of order is a prayer, and that the sacrament becomes invalid only if the sense of the prayer is destroyed.<sup>2</sup> He then argues as follows: "The very numerous heresies in the Edwardine rite corrupt its supposed form of ordination, and the invocation of the Holy Spirit upon the bishop-elect is not capable of drawing down upon him the graces of the Holy Spirit, because the rite contains a great number of blasphemies against the Holy Spirit."<sup>3</sup> He then details the heresies in the rite, specifying the affirmation of the Royal Supremacy in the Oath, the denial of Papal authority, the affirmation of the sufficiency of the Bible only, etc. Next he argues that: "A pretended form of ordination, or prayers for the consecration of a bishop, which ask from the Holy Ghost grace to preach error and heresy, and doctrines opposed to the true Faith, are corrupt prayers, and a form essentially opposed to that instituted by Jesus Christ."<sup>4</sup> Later on he shows that the Church of England denies the Real Presence and the true Sacrifice, and argues that its ordination rite is in consequence essentially opposed to the Catholic ordination rite.<sup>5</sup>

7. Le Quien replied to Courayer's *Défense* in 1730, in his *Nullité des ordinations anglicanes démontrée de nouveau*.

In his theological section, he deals with Courayer's contention that early ordination forms do not explicitly mention the sacrifice :

"The name of the order duly mentioned is a virtual expression of its principal function. . . . But inasmuch as the Anglican sect does not intend to signify the sacrificial function of the *sacerdotium* or of the pontificate, it has introduced a quite different idea into the words 'priest' and 'bishop.' . . . If the forms of ordination of even a schismatical church which retains the sacraments and the faith of the Catholic Church concerning these holy mysteries

<sup>1</sup> S. Réné, *Justification de l'Eglise Romaine*, Vol. I, pp. 237-90.

<sup>2</sup> Page 2.

<sup>3</sup> Page 5.

<sup>4</sup> Page 22.

<sup>5</sup> Page 44.

express only the mere names of 'priest' and 'bishop,' they will nevertheless be regarded as sufficient, because the ideas attached to these terms have not changed, and are the same with them as with us, as are also the functions which they express. Thus, they have kept the intention of the Church, and wholly conform themselves to it in everything. But this is not the case with the Anglicans, who have changed the ideas of the words 'priest' and 'bishop,' for these signify with them something other than what they signify with us, and thereby the Anglicans have formally renounced the intention of the Church expressed in these terms."<sup>1</sup>

As to the Ethiopian form quoted by Courayer, Le Quien remarks :

"However imperfect may be the extracts published by Ludolf, the prayer which he gives us for the consecration of a bishop is the same as that of the Copts, and this leads one to think that he has not really given us the true Ethiopian prayer for the priesthood, or else that that race, which is extremely ignorant, must have altered it. Those Latins who have been amongst them, and have examined their ecclesiastical customs, testify that Abuna or the Metropolitan creates priests in a very casual manner, calculated to raise doubts about their priesthood."

Then he discusses the prayers in the Anglican rite :

"It is true that in the preparatory prayer the term 'priest' is found, but what follows shows us what the sect understands by that word, and that it does not mean it to be taken in the sense of the ancient Churches, i.e. as a true and external *sacerdotium*, the function of which consists in offering to God the sacrifice of the New Law, but that it is to be taken to signify only the power to preach and to administer their sacraments, and to govern a congregation. It is on this footing that the bishop declares to the ordinand that he is going to make him a priest."<sup>3</sup>

"In the same way, while all Christian Churches have always regarded a Bishop as a Pontiff or High Priest, who has received the fulness of the sacerdotal order, there is not a single word in the Anglican Ordinal which indicates this high priesthood, and it was banished from the usage of the kingdom. It is in the new sense, which absolutely excludes the high priesthood, that the word 'bishop' is used in the ordination of an Anglican prelate. The consecrator requires of the bishop-elect that he show himself ready to fulfil his ministry, 'according to the will of our Saviour Jesus Christ and the order established in this realm.' Hence the word 'bishop' is employed in the prayers only in the sense authorised by the laws of the realm, i.e. to signify an overseer, or a superintendent."<sup>4</sup>

Le Quien next explains what he had meant by "virtual intention" :

<sup>1</sup> Pages 65-67.

<sup>3</sup> Page 94.

<sup>5</sup> Page 102.

<sup>4</sup> Page 104.

"I repeat what I said about the 'virtual intention of the Church,' which, I maintain, is formally excluded in the Anglican rite, and I hold to this reasoning. Virtual intention is but a consequence of actual and formal intention; it necessarily presupposes this. If one has renounced the formal intention, the virtual intention no longer subsists. Now, the Anglican Reformers solemnly renounced the formal intention of the Church, expressed in the ancient forms, and rejected these precisely because they expressed that intention; hence we can no longer allow that the virtual intention of the Church is conserved in the new forms."<sup>1</sup>

At the end of his second volume, *Le Quien* prints a genuine essay by the Abbé Renaudot on Anglican Orders, which is very different from that ascribed to him by Courayer. From this essay we extract the following, which is of interest:

"It might perhaps be objected that the words of the form of Parker's ordination, although general and indeterminate in themselves, could have been determined to episcopal ordination by the intention of the consecrator. But the consecrator was Barlow!<sup>2</sup>

"Secondly, it is objected that, although the words of the form of ordination of a bishop in the rite of Edward VI are not sufficiently precise and determined in themselves, and do not even make mention of a bishop, nevertheless the whole ceremony, the Litany, and prayers which precede it, sufficiently indicate that it is a bishop who is to be ordained, and accordingly, one must not take the words of the form by themselves, but as preceded by these other prayers. . . . But in the form in which this Ordinal came from the hands of Cranmer, the prayers and ceremonies which precede the actual ordination are clearly distinguished from the imposition of hands and the form of words which constitutes the essence of the rite. It follows, therefore, that the ordination, according to the intention of Cranmer, the author of the rite, consists entirely and solely in the imposition of hands, with the form 'Take the Holy Ghost, etc.,' and hence if this is insufficient, the ceremonies and prayers which precede it will not make it sufficient. Similarly in Baptism and the other sacraments, the ceremonies and prayers which precede will never make up for an essential defect in the form. And even if we were to accept these prayers and ceremonies which precede the imposition of hands, in order to supply the defect of the form itself, the difficulty would still remain, for the meaning of these prayers and of the word 'bishop,' would depend upon what Cranmer, who instituted this rite, attached to the word and understood by it."<sup>3</sup>

"Now, a bishop, in his idea, was an ecclesiastical officer or minister, possessing neither character nor power, nor anything by divine institution above other Protestant ministers, and whose powers and authority, at any rate in so far as they were superior to those of a simple minister or priest, emanated from the temporal Prince—a precarious office, just like that of civil officers and magis-

<sup>1</sup> Page 108.<sup>2</sup> Page 291.<sup>3</sup> Page 296.



trates. Hence he held that consecration or ordination was merely optional, and in no wise necessary for the valid exercise of episcopal functions."<sup>1</sup>

8. Courayer published a *Supplément aux deux Ouvrages faits pour la défense des ordinations Anglicanes* in 1732, devoting himself mainly to the contentions of Père Le Quien. He argued as follows :

"The difference which Père Le Quien claims to find between the Edwardine Ordinal and the ancient forms of Ordination can consist only in two or three things : either in the fact that there is no mention of the Sacrifice in the Anglican rite, or else that the ideas of the *Sacerdotium* are different, or again that the efficacy of a sacrament is attached to fixed and determined prayers. The last point need not delay us. As to the second, it is not at all true that the veritable notion of the *Sacerdotium* was changed, and as to the first, it is not at all necessary that there should be mention of the Sacrifice."<sup>2</sup>

He then elaborates the second point :

"In what does the *Sacerdotium* of the Christian Church consist ? I have already answered this in the *Defence of the Dissertation*. It consists in the exercise of all the functions which concern external worship and the government of souls, in the instruction of the people, the administration of the sacraments, the celebration or offering and the dispensation of the Eucharist, the power to bind and loose—in a word, in all that belongs to the spiritual functions as well as to the exercise of ecclesiastical worship. That the oblation of the Christian Sacrifice is part of these functions, no one denies. But that this function more than the others constitutes the notion of the *Sacerdotium*, I have denied in my *Defence*, and I continue to hold that it is a scholastic subtlety founded neither on reason nor on authority. But we are not concerned with that here. The only question is whether the Anglicans have altered the *Sacerdotium*, or have changed the notion of it. This is not difficult to determine. To alter a thing one must make some essential change in it, either by adding or taking away something important. Now all the functions exercised by priests in other churches are attributed to them in England as elsewhere. Where, then, is the alteration or change ? Certainly not in the things themselves, since these have been conserved. Hence it could only be in the ideas entertained of the things. Now these ideas do not change anything in the nature of these things, nor even in the idea of the *Sacerdotium*. If they had suppressed the dispensation or the oblation of the Eucharist, perhaps there would be some specious pretext for the accusation made against them, though even then one ought to accuse them of having suppressed some one of the functions of the *Sacerdotium* rather than the *Sacerdotium* itself. But even this did

<sup>1</sup> Page 297.

<sup>2</sup> Page 350.

not take place. Everything has been conserved, and the only accusation made against the Anglicans is that they do not regard the Eucharist as a Sacrifice. But this accusation is a frivolous one, for they have never refused the name of 'Sacrifice' to the Eucharist, and with regard to the thing itself, they have never wished to exclude from the Eucharist the idea of Sacrifice, except in the sense of a real immolation. The whole difference between us and them is concerned only with expressions, or some doctrinal consequences, which do not affect the substance of the thing itself.<sup>1</sup>

"In the Anglican Ordination rite, it is indicated in several places that the ordinand is being promoted either to the episcopate or to the priesthood. Against this it is urged that these terms might perhaps suffice to designate the *Sacerdotium* in any other Catholic Church, but not in the Anglican Church, where the episcopate and priesthood are regarded only as a kind of magistracy, and in which there is no pretence either of giving or of receiving the power to offer the Sacrifice of Jesus Christ, because there is no recognition there of any such Sacrifice, and hence, the ideas of the *Sacerdotium* being altogether different from those of other Christian Churches, the terms 'Bishop' and 'Priest' do not suffice, and have nothing in common with the words 'Bishop' and 'Priest' as used in the Catholic Church. But in point of fact, what has ever been understood, and is still understood in the Catholic Church, by 'priest' and 'bishop'? Ministers separated from the people by a particular vocation, and consecrated by other ministers, in order to instruct those confided to their care in the truths of salvation, to offer prayers for them, administer the sacraments to them, direct the external form of public worship, preside at religious functions, bind and loose sinners in conformity with the power which Jesus Christ has given them, offer the memorial of the death of Jesus Christ by consecrating the Eucharist, and beg Him to apply the fruit of that death to his Church: in a word, they are persons whose sole object ought to be the salvation of those entrusted to their care. . . .<sup>2</sup>

"Now, like the ministers of all the Churches of East and West, those of the Anglican Church are separated from the rest of the people by a particular vocation, ordained by their bishops, and charged with the ministry of the word. . . . They must offer their prayers, they are authorised by their ordination to administer the sacraments to the people, to preside at religious functions, and to direct public worship. . . . The power to bind and loose is confided to them with the same amplitude and under the same conditions . . . to them alone is given the power to consecrate the Eucharist, and since the offering of the death of Jesus Christ is inseparable from this action, both by the nature of the institution and by the very arrangement of the prayers in their new Liturgy, it is evident that the power of offering this Sacrifice is reserved to them, and that on this point as on the others the *Sacerdotium* is everywhere equal, and that the notions of it are absolutely uniform.

<sup>1</sup> Pages 351-4.

<sup>2</sup> Page 366.

"The only way to escape the force of this comparison would be to say that Anglicans do not at all recognise this offering as a Sacrifice, and that in consequence, having no Sacrifice at all to offer, they cannot have any Priesthood. But the Anglicans do not refuse to allow a Sacrifice in the Eucharist, except in the sense of a real immolation, or one having a proper virtue independently of the Sacrifice of the Cross.<sup>1</sup>

"True, in their Catechism and their Articles, where they aim especially at combating the errors they attribute to the Roman Church, and do not elaborate their own doctrine, they seem to condemn what is taught in our Church. But it is evident from the expressions accompanying this condemnation that they are aiming only at the abuse of that doctrine, and at errors which they accuse us of teaching—errors which are indeed worthy of condemnation, but which can, at most, be attributed to certain theologians, and not at all to the Roman Church.<sup>2</sup>

"But let us suppose even that the Anglicans are in error on this matter. What consequence would follow as to the sufficiency of their form, or the validity of their ordination? It is not denied that they have conserved the very action to which we give the name of Sacrifice, although they do not believe it to be a Sacrifice properly so called. . . . In the matter of the sacraments, the only essential thing is to practise what is prescribed, and the private intentions of those who administer them do not at all prevent the effects from being produced, if they are received with the necessary dispositions. Baptism is no less Baptism in the sects where it is regarded as of no efficacy. Marriage is validly contracted, even where it is not regarded as a sacrament. Hence if the Eucharist is a Sacrifice, if Ordination confers the Priesthood, whether the Anglicans believe this or not, the Sacrifice and the Priesthood remain among them, just as Baptism and Matrimony are valid in the sects which are in error as to their nature, or who deny their effects.<sup>3</sup>

"The sufficiency of the Edwardine Ordinal, and the validity of Anglican Ordinations, is independent of the quarrels on the nature of the Eucharistic Sacrifice. The Church has never defined in what the notion of this Sacrifice consists.<sup>4</sup>

"It cannot be maintained that one lacks the necessary power to exercise a function because one holds erroneous opinions on the subject, or that orthodoxy alone assures to ministers the power to exercise their ministry; otherwise we should be led back to the principles of the Donatists, who made the validity of the ministry and the efficacy of the sacraments depend on the dispositions or on the faith of those administering them.<sup>5</sup>

"Nothing is more simple or brief than what the Church teaches us on the Sacrifice. Jesus Christ, willing not to leave us without some token of his tender love, gave his Body and his Blood to his disciples under the symbols of bread and wine, and, announcing to them the death which He was going to undergo for them, He commanded them, and to us in their person, to do in memory of

<sup>1</sup> Page 369.<sup>2</sup> Page 370.<sup>3</sup> Page 375.<sup>4</sup> Page 439.<sup>5</sup> Page 441.

Him that which He told us to do. It is this action only, and these words alone, that contain all that we have to believe on this matter. But that is too simple for our theologians. The new system, which they want to erect into a new Article of Faith, binding us to believe it, is that the idea of the Eucharistic Sacrifice ought to be based on the Presence of Jesus Christ.<sup>1</sup>

"Nothing obliges us to believe that in a Sacrifice which is figurative in its main idea, the idea of the presence of a victim is necessary. Rather we feel that a figurative immolation requires by its nature only a figurative presence. . . . This is not to exclude the presence from the Sacrifice, but simply to say that the idea of the Sacrifice is not based upon it."<sup>2</sup>

Thus, in this last work, Courayer makes it quite clear that he departs from the accepted Catholic doctrine on the Sacrifice of the Mass. It is, not an offering of the Body and Blood of Christ, but merely an offering or pleading of his death, represented under symbols. Small wonder that Courayer found it easy to maintain that Anglicans believe the "Sacrifice" in this sense !

9. We have already pointed out that Courayer was condemned by the Major Excommunication, and that his books were censured, not only in France, but in Rome also. It only remains for us to record that he came to England, was received with great joy by his Anglican friends, given a pension by the Queen, and a honorary doctorate at Oxford, and that he began to attend Anglican services. The Anglican Editor of his first work on Anglican Orders confesses that "It is melancholy to be obliged to add . . . that towards the close at least of the long period of his earthly existence, he had fallen into unsound views even on the fundamental doctrines of the Trinity and the Incarnation. As to the former . . . he fell apparently into a kind of modified Sabellianism. . . . As regards the doctrine of the Incarnation, he appears to have adopted a kind of Nestorian idea. . . . On the doctrine, too, of original sin, his views were very unsound. . . . With respect, too, to the Atonement, there is in both these (posthumous) treatises a silence which, particularly when taken in connection with the Pelagian views just mentioned, is by no means satisfactory. *He defends, however, the doctrine of a commemorative sacrifice in the Mass.*"<sup>3</sup>

Thus this "wandering star," who ended in denying most of the Articles of the Christian Creed, nevertheless retained to

<sup>1</sup> Page 448.

<sup>2</sup> Pages 448-53, 559.

<sup>3</sup> Haddan's edition of Courayer, Oxford, 1844, Introduction, p. lix, italics ours.

the end that belief in a merely "commemorative sacrifice" which had enabled him to regard Anglican Orders as valid ! This latter feature evidently atoned for much, in the eyes of his Anglican patrons, and on his death in 1776 he was buried with honour in the Cloisters of Westminster Abbey !

## CHAPTER III

### THE DISCUSSIONS ON ANGLICAN ORDERS IN

1894-1896

1. The theological discussions concerning Anglican Orders were revived towards the end of the nineteenth century. They originated in a personal friendship between Lord Halifax and the Abbé Portal, whom the English Peer met in Madeira early in 1890. According to Lord Halifax, he found the Abbé "as ignorant of the history and teaching of the English Church as the generality of foreigners"<sup>1</sup> and proceeded to enlighten him—from, of course, the Anglo-Catholic standpoint. The conversations led to a general discussion of the problem of Reunion and finally to the question of the validity of Anglican Orders. "If an examination of the question could lead to a reconsideration of the existing Roman practice of treating Anglican Orders as invalid, a great step in the direction of peace would have been taken."<sup>2</sup>

In 1892, Halifax spent a few days with the Abbé Portal at Cahors, where he met several other French priests, and was presented to the bishop.<sup>3</sup> Portal urged Halifax to write something on the Anglican Ordinal, for circulation abroad. And he wrote as follows to Halifax in the same year, 1892 :

"Why not lay the matter before the Roman authorities? It has the advantage of involving merely questions of fact, not of doctrine [!], and only to enter into a discussion would mean the beginning of negotiations. . . ."

Halifax accordingly started to prepare a paper on Anglican Orders. On July 4th, 1892, he called on Cardinal Vaughan, and told him that the attitude of the Roman authorities on Anglican Orders was a great source of irritation, and suggested that an investigation of the facts might lead Rome to reconsider her attitude. He urged that "in regard to Holy Orders, there was no doctrinal difference between England and Rome," and

<sup>1</sup> *Leo XIII and Anglican Orders*, p. 9.

<sup>2</sup> *Ibid.*, p. 10.

<sup>3</sup> *Ibid.*, p. 11.

the question was merely whether the Church of England had preserved the succession and also what both sides admitted to be necessary for the transmission of a valid priesthood. Cardinal Vaughan replied that the question of the authority of the Holy See itself was the crucial one, which ought to be faced first.<sup>1</sup>

Throughout the years 1892-1894, Portal and Halifax continued to correspond. In the end, Halifax abandoned the idea of writing the paper on Anglican Orders and, instead, Portal published a treatise on the subject, under the pseudonym of "Dalbus." This work, *Les Ordinations Anglicanes*, appeared first in *La Science Catholique* in December, 1893, and January and April, 1894, and it was then published in book form. We proceed to give an analysis of it.

The Abbé Portal first gives a Latin translation of the Anglican rite for the consecration of a bishop, beginning with the Examination of the bishop-elect which follows the Litany, and ending with the form accompanying the imposition of hands, as found in the Second Prayer Book of Edward VI.<sup>2</sup>

This done, he passes in review the various parts of the rite, beginning with the Examination. He remarks that, though found in all rites, the Examination is nowhere regarded as essential, and therefore, even if the Anglican Examination is heretical, this will not affect the validity of the consecration ceremony. Accordingly he rejects the view of Billuart, who, strangely enough, regarded certain words at the end of the Anglican Examination as the sacramental form, and rejected Anglican Orders because these words are inadequate.<sup>3</sup>

Next, the Abbé considers the imperative formula, "Receive the Holy Ghost." He remarks that its introduction into the Catholic rite was very late, but adds that this did not prevent the majority of Scholastic writers from holding that these words constitute the sacramental form for the episcopate, on the ground that the form must be imperative. Modern theologians, on the other hand, hold almost without exception that the essential form is a prayer. Now, if the words "Receive the Holy Ghost" are the sacramental form, there is no reason why the Anglican rite should not suffice, for it contains these words. But this theory is not favoured nowadays, and accordingly the Abbé turns to the second theory, that the form must be a prayer. He rejects the opinion that the prayer must mention the sacrifice and/or sacerdotal powers. He says that the consecratory prayer in the Pontifical is quite vague in its terminology, and maintains that "in the episcopal consecration of the Anglican Church, the nature of the form, established by the Universal Church, is respected. Moreover, the general ideas in the Anglican prayer have been taken from

<sup>1</sup> *Op. cit.*, pp. 11-13.

<sup>2</sup> Pages 4-8. The references are to the edition in book form, published in 1894.

<sup>3</sup> Pages 8-10.

the corresponding prayer in the Sarum Pontifical." The Anglican prayer here referred to is the one preceding the imposition of hands. Portal concludes that, "taken in itself, the Anglican rite for a bishop could suffice."<sup>1</sup>

He then discusses the question of historic fact, and decides in favour of the reality of Parker's consecration at Lambeth, and is equally satisfied that Barlow had been really consecrated bishop.<sup>2</sup>

He then passes on to the question of Intention. The minister of a sacrament must have the "*intentio faciendi quod facit Ecclesia*." What was the intention of Barlow in consecrating Parker? Here the Abbé sets forth the usual Catholic view, and the Anglican view. Many Catholics say that Barlow, being a minister of the Anglican Church which believes neither in a real distinction between the orders of the episcopate and priesthood, nor in the sacramental character of Order, could not have intended to confer a sacrament, inasmuch as he must be presumed to have acted in virtue of the general intention of his Church. Further, even if it were proved that the general intention of the Anglican Church was orthodox, Barlow personally did not believe in the Sacrament of Order, and therefore cannot have intended to confer a sacrament.

Anglicans, on the other hand, endeavour to vindicate the orthodoxy of the general intention of their Church, and add that the private intention of a minister disappears before that of the Church.

The Abbé then sets forth the arguments adduced by Catholic writers, together with the Anglican replies :

(1) It is urged that the imperative formula, "Receive the Holy Ghost, for God has not given us, etc.," speaks of a grace already received, and not one which is being given precisely at that moment.

To this the Anglicans reply that the text of St. Paul here quoted was thought at the time of the Reformation to refer to the grace of the episcopate.

(2) It was thought necessary to add words to the form in 1662, to make the distinction between the two orders clearer.

Anglicans reply that this did not mean that the preceding formula was held to be insufficient. The Reformers had made their mind clear by adopting separate rites for the three orders, instead of one rite, as in Bucer.

(3) The Reformers suppressed the tradition of the instruments, at that time regarded as essential, which implies that they rejected the Sacrament of Order.

Anglicans reply that the Reformers rejected the tradition of instruments simply because it was not primitive.

(4) The Anglican doctrine on the Real Presence is, to say the least, doubtful, as is shown by the Black Rubric. But if Our Lord is not really present on the altar, there is no Sacrifice, and no Priest.

To this Anglicans reply that the "Black Rubric" was unofficial, was suppressed by Elizabeth, and when reinserted in 1662, it was profoundly modified, in order not to exclude the Real Presence.

<sup>1</sup> Pages 10-15.

<sup>2</sup> Pages 15-18.



(5) The Anglican Church rejects all idea of sacrifice in the Eucharist, as is shown especially by Article 31.

Anglicans reply that what their Church repudiates is, not the authentic doctrine of the Sacrifice, but certain extraordinary and incorrect opinions upheld by some theologians such as Albert the Great and Catharinus.

(6) Cranmer, the most influential member of the Commission which composed the Ordinal, and also the consecrator of Barlow, did not accept the Sacrament of Order.

To this the Anglicans reply that Cranmer was only one member of the Commission, and his views are not necessarily expressed in the Prayer Book. The Commission also included some who ardently defended the old doctrines. Moreover, Cranmer, by signing the declaration on Order in 1543, retracted the heretical views he had previously held.

(7) Barlow himself held that consecration was not necessary. The intention of Cranmer and Barlow must have been in harmony with their beliefs.

To this Anglicans reply that orthodoxy in faith is not requisite for a right intention. As to the intention of the Anglican Church itself, Anglicans urge that this is manifested clearly in the Preface to the Ordinal, which intends to continue the orders previously existing. Again, in the rite itself, the Archdeacon presents the bishop-elect to the archbishop "ut in episcopum ordinetur et consecratur."

Having thus set forth the *pros* and *cons*, Portal says: "The question would be settled if we had certain proof that Parker's consecrator had not the required internal intention in the very act of consecration. But we have not this proof. However, the doctrine of Barlow on the Sacrament of Order suffices to make his intention really doubtful, and therefore, to render the sacramental act uncertain. Hence the consecration of Parker would be doubtful, by a defect of intention." In a footnote he quotes Gasparri as follows:

"Ex dictis sequitur ordinationem valere, si minister intendit quidem facere quod facit Ecclesia Christi, sed simul putat illum ritum non esse sacramentum, non esse ritum sacrum, nullam conferre potestatem, Ecclesiam Romanam non esse veram Ecclesiam Christi, etc., dummodo actu positivo voluntatis non dicat, 'Nolo facere sacramentum, conficere ritum sacrum, conferre potestatem, facere quod facit Ecclesia Romana, etc.' Sane, in casu, unicus est actus voluntatis, nempe, faciendi quod facit Ecclesia Christi, quem non destruit error concomitans. . . . At e contrario, ordinatio foret nulla prorsus, si minister intendit quidem facere quod facit Ecclesia Christi, sed simul actu positivo et explicito voluntatis, non vult conficere sacramentum aut ritum sacrum, aut facere quod facit Ecclesia Romana, aut conferre potestatem ordinis, aut imprimere characterem, etc. Nam in casu forent duo voluntatis actus

positivi et contrarii, quorum posterior priorem destruit, vel qui mutuo eliduntur, et ideo minister revera non vult facere quod facit Ecclesia Christi."<sup>1</sup>

Lastly, Portal discusses the matter and form of Order. He quotes several theologians in favour of the view that our Lord instituted the matter and form of Order only *in genere*, leaving the Church to determine them *in specie*. The Church can determine them differently from time to time. Originally the matter was the imposition of hands. Now it is, in the case of the priesthood, the tradition of instruments. Hence, although the Anglicans wished to return to the primitive rite, their rite is invalid because it suppresses what has subsequently been determined by the Church to be the matter. A local Church has no power to act against the determination of the Church as a whole.

Portal concludes as follows :

(1) The Anglican form of episcopal consecration, taken in itself, could be sufficient.

(2) Parker's consecration must be regarded as certain as to the fact, but a doubt remains as to the intention of his consecrator.

(3) Anglican ordinations are null by reason of the alterations introduced into the rite for ordaining priests.

2. The book by the Abbé Portal, which we have just analysed, was discussed at length by other Catholic theologians. Some of these works are of importance, in view of subsequent events, and we therefore proceed to give an account of them also.

"Dalbus's" work was reviewed in the *Bulletin Critique* for July 15th, 1894, by the Abbé DUCHESNE. He said that "while the premisses [of Portal's argument] seem to me to be quite certain, I consider that they lead to conclusions altogether opposed to those he himself draws. He establishes that Parker and Barlow were really consecrated. Moreover, the Anglican rite is in substance similar to that of the Greek Church, and even to that of the Latin Church down to the 12th century. The conclusion ought to be that Anglican clergy are as much ordained as were Gregory of Tours, etc. But Dalbus abstains from drawing this conclusion, because there are difficulties, first as to the intention of the consecrators at certain moments in the historic succession, and secondly, because the Roman Church has added certain appendices to the ordination rite, which are omitted in England.

"To the first difficulty I reply that the presence of the 'intention

<sup>1</sup> *De sacra ordinatione*, II, 968.

faciendi quod facit Ecclesia' must be presumed until there is proof to the contrary. The fact that the Anglican Church, or its prelates, hold different doctrines to those of the Roman Church on the subject of the sacrament and its effects has little effect on the intention and value of the rite. Baptism can be conferred validly by one who knows only that it is a sacred rite by which one becomes a Christian. Similarly, Anglican ordinations have always been administered by persons who desired to make bishops, priests, etc. One must not ask for more.

"As to the objection based on the modification in the rite, this affects only the Anglican rite for priests. The Scholastics taught that the essence of the rite consisted in the tradition of the instruments, and the words then pronounced by the bishop. This is now given up. I am aware that people get out of the difficulty by saying that the Church has power over the essential rites of the sacraments, and that she made use of this power by modifying the matter and form of ordination. But where is the official, public and explicit act in which the Church claims this right, and the corresponding act in which she says she has exercised this right in the matter of ordination? In any case this would not affect Anglican episcopal consecrations, for a tradition of instruments never was an essential feature of the rite for bishops. And let it not be said that, to be consecrated bishop validly, one must first have received valid priestly ordination.

"The result of all this is that Anglican ordinations may be regarded as valid. I know that at Rome the contrary opinion is, not indeed imposed in theory, but adopted in practice. But the Roman Church has the right and the duty to take into account the scruples of the faithful. Moreover, if from the present practice and opinion, we go back to the time when these were introduced, we have to recognise that in the sixteenth century the amount of knowledge possessed about the liturgies of antiquity was not sufficient to make it prudent to contest the theories of the scholastics. And judged in the light of these theories, universally held at that time in the orthodox world, Anglican ordinations had to be regarded as invalid or as suspect. Add to this the legends on Parker and Barlow, so soon spread abroad, and we have more than enough to explain the origin of the Roman usage of reordination, and of Catholic opinion on Anglican Orders. There is no reason why this opinion should not be modified in the course of time, and why ecclesiastical authority should not similarly modify its attitude."<sup>1</sup>

3. Another important treatment of the subject was given by the Abbé BOUDINHON, Professor of Canon Law at the Institut Catholique of Paris. He first wrote an *Etude théologique sur les Ordinations Anglicanes, à propos d'une brochure récente*,<sup>2</sup> i.e. à propos of Dalbus.

<sup>1</sup> This is not a complete translation, but a précis of Duchesne's statement. For complete text, see Headlam, *Doctrine of the Church and Reunion*, 1930, p. 283.

<sup>2</sup> First published in the *Canoniste Contemporain* for June and July, 1894.

In this work, he discusses the following points : (1) the question of the sufficiency of the Anglican rite ; (2) the question of Intention, and the subsidiary questions of (3) the tradition of the instruments, and (4) episcopal consecration without ordination to the priesthood.

On the first point he remarks that the Catholic Church allows that orders conferred by heretics or schismatics are certainly valid, provided the essential requirements are observed. But the Church reserves the right to pass judgment in concrete cases. In the case of Anglican orders, the Church has not given a doctrinal decision, and there is therefore no *a priori* obligation on a Catholic to believe Anglican orders to be null. At the same time, it must be admitted that the practice of the Church constitutes a powerful argument in favour of the nullity of these ordinations, for the Church teaches that it is sacrilegious to repeat an ordination, and in a doubtful case she only repeats it *sub conditione* or *ad cautelam*. But she re-ordains Anglican clergy unconditionally. Hence if Anglicans wish to avoid conditional re-ordination, they must prove that their orders are absolutely valid, and this seems quite impossible, as we shall see. If Anglicans can succeed in showing that their orders are only "probable," they will still have to be reordained conditionally.<sup>1</sup>

However, this argument based on the Church's practice does not prevent the study of the reasons which justify it. This is all the more desirable, because it is not clear how far the "Nag's Head" fable influenced the Church's practice. Accordingly, Boudinhon now proceeds to discuss the main issue, and first, the Anglican ordination rite itself.

He adopts the hypothesis that the essential matter and form of the three higher orders are the imposition of hands, and the consecratory prayers. A number of diverse ordination prayers have come down to us from Antiquity. Some theologians explain the diversity by saying that our Lord did not determine the matter and form of order *in specie*. Others, and M. Boudinhon in particular, think that the matter of order has always been the imposition of hands, and that this essential matter was fixed by our Lord. But all admit that our Lord left the Church to choose a suitable prayer for the form. This must of course fulfil certain requirements, if it is to be efficacious. It must indicate, in a sufficiently explicit manner, the functions of the order to be conferred.<sup>2</sup>

It has to be remembered that these various ancient prayers were all the work of the Catholic episcopate, i.e. bishops in union with the Holy See. The Anglican prayers, on the other hand, were composed otherwise, and therefore in any case lack the necessary authority. "All determination made without authority, or by an authority other than that of the true Church, seems therefore contrary to divine right, and accordingly deprived of sacramental efficacy."<sup>3</sup>

Secondly, the Church has never used the power ascribed to her by the majority of theologians, of modifying the formulæ of the consecratory prayers of ordination, at any rate since the fifth century. The changes since then have consisted of additions.

<sup>1</sup> Pages 9-11.

<sup>2</sup> Pages 11-12.

<sup>3</sup> Page 13.

This leads us to think that the Church has not in fact displaced the essential efficacy of the sacramental rites of ordination. The use of another formula by an individual or heretic might perhaps be insufficient, and it certainly would be insufficient if it differed greatly from the traditional form.<sup>1</sup>

It might, however, be urged that, as the Church has no power over the essential elements of the sacraments, she cannot deprive of sacramental efficacy a formula of ordination drawn up by heretics, provided this contains the essential ideas and words of the Catholic formula. To this Boudinhon replies that we are concerned here precisely with matters which our Lord has left to the determination of the Church. If the Church chooses one formula among those which would be sufficient *a priori*, does she not thereby exclude others which differ notably from it? And accordingly, would not a notably different form, drawn up without authority by heretics or schismatics, be without efficacy, because unlawful?<sup>2</sup>

Hence, it would have to be shown that the Anglican rite does not differ in any important respect from the Pontifical.

True, Innocent IV says that "*sis sacerdos*" would suffice, "*nisi essent formæ postea inventæ*," but he adds, "*subsequentibus temporibus formas quæ servantur Ecclesia ordinavit, et sunt tantæ necessitatis dictæ formæ, quod si iis non servatis aliquis fuerit ordinatus, supplendum est quod omisum est.*"<sup>3</sup>

Thus, the question is not, whether the Anglican prayers would have sufficed in the time of the Apostles, or again, whether the Church could substitute them for those in the Pontifical, but rather, whether the orders conferred by them can be accepted, seeing that other formulæ have been laid down by the Church.<sup>4</sup>

The question thus reduces itself to the nature of the differences between the Anglican rite and the Pontifical. These are certainly substantial, and not merely accidental. Thus, if we take the prayer preceding the laying on of hands for a new bishop, and the formula which follows, the difference from the Pontifical rite is manifest. The word "*bishop*" is absent from the Anglican rite, and there is no mention of any episcopal function, except that of preaching; there is no allusion to the Sacrifice, the power to ordain, or the authority and jurisdiction which make the bishop the judge and head of his diocese.

Thus, the presence in the Anglican form of isolated phrases taken from the Catholic rite is immaterial: it is not the Catholic form.<sup>5</sup>

Nor will it help to accept for the moment the old view that the form for the episcopate is "*Accipe Spiritum Sanctum.*" These words are vague, and need determination, not merely by the intention of the person using them, but also by the ceremonies and prayers fixed by competent authority, i.e. those of the Pontifical.<sup>6</sup>

There are similar grave differences between the two rites for the ordination of a priest. The prayer preceding and the formula following the laying on of hands are indeterminate. There is no

<sup>1</sup> Page 14.  
<sup>4</sup> Page 17.

<sup>2</sup> Pages 14-15.  
<sup>5</sup> Pages 17-19.

<sup>3</sup> Page 16.  
<sup>6</sup> Pages 20-21.

reference to the chief power conferred on a priest in ordination, i.e. the power to offer sacrifice.<sup>1</sup>

Boudinhon then passes on to the question of the intention of the minister, and especially of Barlow's intention in consecrating Parker. Of course, if the rite itself is insufficient, the intention of the consecrator is beside the point. Nevertheless, it will be useful to examine the intention of Barlow in consecrating Parker. We may consider two points: (1) Was the intention of Barlow, a heretic, insufficient, abstracting from the rite he employed? (2) Was his use of the Anglican Ordinal a sufficient indication that his intention was defective? One cannot give an affirmative answer to the first question, but one can to the second. As Lehmkühl says, "*sola hæresis vel infidelitas per se nunquam est sufficiens ratio de intentione requisita dubitandi.*"<sup>2</sup> But if the heresy ceases to be merely concomitant, and affects the will and therefore the intention, then the matter becomes vital. Now, the will not to do what the Church does, must be judged, like every other human act, by its manifestations. Barlow's intention was manifested by his use of a rite which differs in important respects from the Roman Pontifical. He cannot have had the intention to do what the Catholic Church does. This of course really involves the first point considered, i.e. the insufficiency of the rite, and accordingly it applies not only to the consecration of Parker, but to all Anglican episcopal consecrations.<sup>3</sup>

Boudinhon next considers the question whether episcopal consecration is invalid without priestly ordination, which Dalbus had taken for granted. But it is at least probable that the episcopate is valid without the priesthood.<sup>4</sup>

Then comes the question of the tradition of the instruments, which Dalbus says has now become the essential matter for the priesthood. Boudinhon says that, on the contrary, it is much more probable, if not almost certain, that the essential element is now, as always, the imposition of hands with the consecratory prayer. It is admitted that the tradition of instruments is obligatory in practice, for the Church always follows the safest view in practice, but she has not determined the question of what is the essential matter.<sup>5</sup>

Boudinhon accordingly sums up as follows:

(1) The Anglican Ordinal is insufficient, both for the priesthood and the episcopate.

(2) In view of this insufficiency, its use is incompatible with the necessary intention to do what the Church does.<sup>6</sup>

(3) Hence Anglican Orders must be regarded as invalid.

4. The Abbé Portal's articles did not pass unnoticed in England, and they were the subject of two articles by FATHER

<sup>1</sup> Pages 21-25.

<sup>2</sup> *Theol. Moral.*, II, n. 20. Cf. passage quoted from Gasparri by Dalbus.

<sup>3</sup> Pages 25-35.

<sup>4</sup> Pages 35-36.

<sup>5</sup> Pages 37-41.

<sup>6</sup> Page 42.

SYDNEY SMITH, S.J., in the *Month* for October and November, 1894.

He comments upon the unsatisfactory nature of the grounds upon which the Abbé had condemned Anglican Orders. "It may be that the intention of Barlow was so defective that, even if conjoined with a sufficient rite, it would have failed to impart to it the sacramental character. It may also be that the Church has power so to prescribe a new ceremony as to render its employment essential, and that she has used this power in reference to tradition of the instruments. . . . Still, the more common opinion of our theologians regards these as of small probability." Accordingly it is not surprising that certain writers, such as Duchesne, should have come to a conclusion opposite to that of Portal.

Fr. Smith comments upon the fact that the Abbé Portal and Duchesne seem to be unacquainted with such classic English works as Canon Estcourt's *Question of Anglican Ordinations*.<sup>1</sup>

He then addresses himself to the questions "whether Cranmer's Ordinal should be treated, both in theory and in practice, as fitted to convey valid orders," whether Duchesne is right in regarding it as "substantially the same as the ritual of the Greek Church, and even of the Latin Church of the twelfth century," and whether Portal is right in saying that the Anglican prayer for a bishop shows "respect for the nature of the form established by the Universal Church." He contrasts the Catholic prayer and the Anglican rite, and remarks rightly that "unless evisceration is a mode of respect, the true lesson learnt from comparison with the Pontificals is that an utter want of respect for the precedents of the past was shown." "Not merely is the tradition of the instruments, not merely is the touching ceremony of unction discarded, not merely is every expression which savours of sacerdotalism taken out of the old rite, even out of the Eucharistic Prayer . . . but this prayer itself, or rather the scanty remnant of it, is removed from its ancient place as the accompaniment and determinant of the imposition of hands, and converted into a mere introductory supplication."<sup>2</sup>

In judging Ordinals other than her own, the Church "has been ever careful to observe a procedure which is absolutely safe. . . . The Holy See has under such circumstances allowed itself to be so far guided by theological speculations, as to insist on conditional reordination whenever they cast a reasonable doubt on the validity of putative Orders brought under her notice, and on an absolute reordination where they offer reasons against validity amounting to moral certainty."

As to the Anglican rite, "the Roman Church cannot but regard with the gravest mistrust a ritual characterized by so unprecedented and temerarious a departure from the consistent types set by so many previous centuries of Catholic observance."<sup>3</sup> Fr. Smith concludes this first article by remarking that "perhaps if there were

<sup>1</sup> Duchesne, at any rate, read Estcourt subsequently. See p. 524.

<sup>2</sup> Page 198.

<sup>3</sup> Page 204.

no further defect in the Anglican Ordinal than that discussed in this article, the absolute possibility of its being sufficient could not be denied," and reordination might be only conditional. But there are further deficiencies, with which he deals in his second article.

He points out here that Anglican clerics have always been re-ordained absolutely. "If we listen to Anglican writers, our ecclesiastical authorities were originally moved to reject absolutely orders conveyed by these forms through the persuasion, prevalent in those days, that Tradition of the Chalice and Paten is of divine institution." On this he remarks: "It is quite likely that, among the considerations which determined the rejection, the discontinuance of Tradition of the Instruments may have held a prominent place. Still, on the whole, it is not likely that the absence of these ceremonies was deemed by itself absolutely decisive. . . . It could not have escaped notice that Oriental usage . . . had not at any time employed them. And yet it had been the invariable custom of the Church to recognise the Orders of the Eastern clergy."<sup>1</sup>

Fr. Smith then once more turns to the Anglican rite itself, and considers it in the light of authentic Catholic teaching. A sacrament is a sign of the grace it conveys, and "unless the specific character of the sacramental grace given is determinately indicated in the external rite, the latter does not realise the fundamental idea of a sacrament. . . . The Roman Preface . . . is stamped throughout with what is popularly called sacerdotalism. . . . It is clearly indicated that the candidate is to be promoted by the ceremony to the episcopate, and the episcopate is called a high priesthood, a term which implies sacrificial power. . . . The same remarks apply, and perhaps more strongly, to the form for the priesthood . . . and the form for the diaconate is cast in the same mould." But the Anglican forms accompanying the laying on of hands are quite different. As to the form for the episcopate, "Lingard's observation that it is as suitable for a ceremony appointing a parish clerk does not misdescribe" it. "The form for the priesthood might seem more satisfactory, did we not know from the writings of the period . . . that the power to forgive sins was understood to be a mere power to preach . . . the encouraging truth that God does forgive sins to the penitent. The clause, 'And be thou a faithful dispenser' etc., is, in fact, added interpretatively, to show that this is the sense intended. The form for the diaconate is a little more suitable, but that is a point of comparatively little consequence. May we not then conclude at once that such forms cannot even be probably deemed sufficient 'outward signs,' and that orders imparted by them must unhesitatingly be reputed as of no value at all? Certainly not, say the Anglicans," who plead that these indeterminate forms "become definite and suitable when account is taken of the context in which they are placed" and of the Preface to the Ordinal.

This argument, says Fr. Smith, "rests on a sound principle," for



the appeal is to the "intention of the framers as determining the meaning of their rite. . . . It is perfectly sound to argue that, since there are in the Preface and the earlier portions of their Ordinal, expressions showing that the 'intent' was to preserve the triple ministry which from Apostolic times had prevailed in the Church, the true and authoritative meaning of the indeterminate expression, 'Receive the Holy Ghost,' is 'Take the Holy Ghost for the office and work of the Episcopate,' and so likewise with the other Orders." Fr. Smith allows that "the context does decide to a certain extent the ambiguities of the forms. . . . The Preface . . . makes it certain that the Anglican Church proposed to adhere to past precedents so far as these involved a triple order of ministers bearing these names." But "there is still a very considerable ambiguity left outstanding," and even the Abbé Portal allows that the passages from the Preface to the Ordinal "prove very little, for they are conceived in vague terms which might have been accepted by the adherents of the most opposite doctrines. Everyone, at that time, was desirous of returning to primitive times, to the beliefs of the Apostles. . . . But in fact the intention of these Reformers was diametrically opposed to that alike of the primitive and of the contemporary Church."

Fr. Smith explains that there are two conceptions of the ministry. One regards a Christian minister as possessing not only a power of jurisdiction, but also a power of order, by which he is endowed with a specific supernatural power "in virtue of which he can through the instrumentality of sacramental rites, offer the Body of Christ in sacrifice, and communicate *ex opere operato* to the souls of the recipient, specific sacramental and supernatural grace." That is the Catholic conception. The Protestant conception, on the other hand ascribes to a minister a power of jurisdiction, and "functions analogous in their external aspects to those ascribed to the power of order," but not any mystic or supernatural power not possessed by laymen.

In both conceptions, we may have "a hierarchy of bishops, priests, and deacons," and "each can talk of its ordinations, consecrations, and sacramental administrations. Yet underlying the similarity of names, the essential difference between the types persists: that mystic and supernatural gift which is the specific distinction of the first is wholly wanting in the second." The Anglican form does not signify the supernatural power of Order. "This indeterminateness of the form is only imperfectly determined by the language of the Preface, and the remainder of the rite. . . . Can we remove this residual ambiguity by a further application of the same principle of interpretation?" There are two further sources of information: (1) a comparison between Cranmer's Ordinal and the Catholic Pontifical; (2) the writings and known views of Cranmer and his party. Now, what Cranmer discarded was "just the sacerdotalism of the Pontifical, those phrases and ceremonies which clearly indicate the mystic, sacramental and sacrificial power to be conveyed by the rite." The effect of all these changes is that "instead of a rite redolent from end to end

of the conveyance of sacramental power, we get one from which all traces of such a signification have been carefully eliminated. Can there be any doubt that the changes were motivated by a disbelief in sacerdotal power ; in other words, that the intention in the mind of the framers was not to signify the conveyance of the power they disliked, but rather to exclude this sense ? If this was the intention they had in mind in framing the Ordinal, "it must likewise be the intention stamped on the language, and so the ambiguous words 'Take the Holy Ghost, etc.,' are determined by the context to a sense quite unfit to convey sacerdotal power in the Catholic sense of the term."<sup>1</sup> The same applies to the rites for the priesthood and the diaconate. Nothing is left to indicate sacerdotal power, "nothing inconsistent with the conception of a purely Protestant minister of the second order in a three-fold decorative ministry." If we go on to study the intention of the framers of the Ordinal, as manifested in their written works, the evidence is unmistakable and overwhelming.

Against this it might be urged that "the opinion of an individual person or persons, such as Cranmer and others, does not bind a member of the Anglican Communion, but only the authoritative language of their Church." But Cranmer was, after all, "both the principal author of the Ordinal, and also the highest and most representative ecclesiastic of the communion which received it at his hands," and there is not a "shadow of foundation for thinking that either at that time or for long after, the authorities of the Anglican Church dissented in any way from Cranmer's interpretation."

Thus, there is sufficient evidence to show that the Anglican Ordinal is certainly invalid, because "devoid of the elements which every Catholic theologian recognises as essential to a sacrament."

5. Another important English treatment of the subject took the form of a series of thirty-one articles in the *Tablet* during 1895, from the pen of Mgr. CANON MOYES. They contained a masterly survey of the English Reformation, especially from the point of view of the doctrinal significance of the liturgical reforms, as shown by a comparison between the new and the ancient rites, and by the expressed views of the liturgical Reformers. In addition, a careful treatment was given to the newly discovered Bull and Brief of Pope Paul IV, and lastly, there was a long discussion of Bishop Barlow, whose consecration Mgr. Moyes regarded as, to say the least, doubtful. The purely theological question of the requirements for the validity of a rite was not touched in this first series of articles.

6. The interest taken in the Abbé Portal's book, and its favour-

able discussion by Catholic theologians in France, was very gratifying to Lord Halifax, and his French friends. It was determined to take a further step. With some reluctance, as he tells us in his *Roman Diary*, the Rev. T. A. LACEY, a High Church clergyman, undertook the task of "writing a Latin dissertation dealing with the question of English Ordinations, as discussed from the Roman point of view." That is to say, he endeavoured to show that, on the principles of Catholic theology, Anglican Orders ought to be accepted as valid. For this purpose he utilised a previous work written in English by the Rev. E. DENNY entitled *Anglican Orders and Jurisdiction*. The Latin work duly appeared in January, 1895, under the joint names of Denny and Lacey, with the title *De Hierarchia Anglicana*. It can hardly be regarded as objectively honest and sincere, for the authors did not themselves believe in Catholic theological standards. Canon Lacey himself subsequently wrote :

"To throw oneself into a hostile position, to argue upon the assumptions there treated as indisputable, and to wrest from them an affirmative conclusion, was a new employment from which one might naturally shrink. But the work seemed to be needed. . . . We must place ourselves at the standpoint of those from whom we were separated, and see whether we could not compel them, on their own principles, to abridge the differences between us and them."<sup>1</sup>

After reading some parts of the work in manuscript, Bishop Wordsworth, of Salisbury, supplied a preface.<sup>2</sup>

Denny and Lacey first deal with the historical points of the Lambeth Consecration of Parker, and the question of Barlow's consecration. They of course conclude that both these events are historically certain. Next they deal with the rite used in Parker's consecration, first discussing the matter and form of holy order. The sufficient matter is the imposition of hands. The words of the form may vary : "hoc tantum requiri videtur, ut verba quæ adhibentur vel ipsa sola collationem ordinis qui intenditur satis expriment, vel etsi in se sint indeterminata, tamen sive orationibus concomitantibus, sive ipsius ritus circumstantiis et cærimoniis eo diserte determinentur ut per ea potestas ordinis conferatur."<sup>3</sup> They base this upon the statement of Gasparri in his treatise on Holy Orders, that "Accipe Spiritum Sanctum," without the consecratory prayer, is sufficient to consecrate a bishop, "quia licet illa sola verba in se inspecta sint indeterminata, et non satis

<sup>1</sup> Page 3.

<sup>2</sup> It is, however, to be noted that, as Canon Lacey stated in a letter to the *Church Times* on October 14th, 1910, the Bishop subsequently expressed his dissent from certain doctrinal passages in the work.

<sup>3</sup> Page 67.

exprimant collationem ordinis episcopalis,<sup>1</sup> tamen satis determinantur non solum præfatione, sed ipsamet cæremonia sine præfatione."

The authors add that the Anglican Reformers, motivated by a desire to return to Antiquity, and their knowledge of Greek Ordination rites, decided that the imposition of hands was the sole matter. As to the form, they took the words "Accipe Spiritum Sanctum," commonly regarded as the episcopal form, and determined them by the addition of the text from St. Paul's Epistle to Timothy which refer to the latter's episcopal consecration. Hence, "apparet formam consecratoriam in ritu Anglicano adhibitam, verbis in ipsa prolatione additis liquido determinatam esse."<sup>2</sup> In addition, the sense is made clear by the Preface to the Ordinal, and by ten other references in the rite itself. Morinus and Martène think the form of ordination in the Catholic rite is the consecratory prayer. Denny and Lacey do not favour this idea, because this prayer is "dissociata ab essentiali materia juxta usum Ecclesiæ," i.e. hands are not laid on while this prayer is being said. Also, in the case of Pontificals in use in England at the time of the Reformation, "vim consecrativam ægre retinuit oratio; intentio consecrandi tota ad formam recentiore actu conversa est, quam verbis imperativis ad conficiendum sacramentum praxis Ecclesiæ determinaverat." However, the Anglican Reformers did not altogether reject the old prayer, but merely abbreviated it: "brevis recensione in linguam vernaculam transtulerunt." Hence, if the form of ordination really consists in the consecratory prayer, this is also found in the Anglican rite, so that in either hypothesis, the Anglican rite is sufficient.<sup>3</sup>

Next, Denny and Lacey consider the subject of Intention. The intention of the Ordinal is sufficiently shown by the Preface, which says that the preceding orders, which have existed from the Apostles' time, are to be continued.<sup>4</sup> The intention of the minister using this rite is to be presumed to be in accordance with this manifest intention of the rite itself.<sup>5</sup> And after all, as Tournely says,<sup>6</sup> it is not necessary to intend what the Church *intends*, but only what the Church *does*. It is not necessary to intend what the *Roman* Church does, but only what the *true* Church does. Also, Catholic theologians agree that error or heresy is consistent with a sufficient intention.<sup>7</sup>

Denny and Lacey then consider the Anglican rite for the priesthood. The Anglican rite cannot be rejected because of the absence of the porrection of instruments, for this is not essential.<sup>8</sup> Nor for its omission of the power to offer, for this is not mentioned in some early Ordination rites.<sup>9</sup> Nor on account of Anglican Eucharistic teaching, for "Ecclesiam Anglicanam nec Realem Præsentiam ignorare, nec quidem vel Transubstantiationem, eo sensu quo eam definierunt Concilia, reiicisse."<sup>10</sup> [!] Anglican priests are expressly given "potestas administrandi sancta Sacramenta," which includes

<sup>1</sup> Lehmkuhl, *Theol. Mor.*, II, n. 589.

<sup>2</sup> Pages 85-6.

<sup>3</sup> Pages 87-96.

<sup>4</sup> Page 86.

<sup>5</sup> Pages 107-14.

<sup>6</sup> Page 73.

<sup>7</sup> *De Sacramentis*, q. vii, art. 1.

<sup>8</sup> Pages 115-7.

<sup>9</sup> Pages 78-80.

<sup>10</sup> Pages 117-26.

the celebration of the Eucharist. "Atqui, ex confesso, solius sacerdotis est Corpus Christi in Eucharistia conficere. Ergo Ecclesia Anglicana ordinari intendit sacerdotes. . . ." As to the Sacrifice of the Mass, the Anglican Church merely rejects certain extravagant theories advanced in the Middle Ages. "Doctrinam igitur catholicam de sacrificio Missæ tantum abest ut Ecclesia Anglicana repudiaverit, ut eam contra perniciosum quemdam errorem defenderit."<sup>1</sup> [!] As to the ordination rite for priests, this retains the imposition of hands, which is the only essential matter.<sup>2</sup> If the form be a prayer, this is found in the Anglican rite, preceding the imposition of hands.<sup>3</sup> But Denny and Lacey prefer to regard as the form the words "Accipe Spiritum Sanctum, etc." "In his verbis, potestatem sacerdotalem per intentionem et implicationem respici."<sup>4</sup>

As to the practice of the Church in the matter of Anglican Orders, Denny and Lacey maintain that Queen Mary instructed the bishops not to reordain Anglican clerics, even conditionally, but to supply some omitted ceremony. Bonner's Visitation Articles have the same sense.<sup>5</sup> As to bishops, Scory, an Edwardine bishop, was reconciled by Bonner without reconsecration.<sup>6</sup> [!] Pope Julius authorised Pole to reconcile Anglican bishops and clergy without reordination.<sup>7</sup> [!] Denny and Lacey do not deal with the Bull *Præclara* and the Brief *Regimini* of Pope Paul IV, as these were not known when they wrote. They go on to say that Anglican Orders were recognised at the Council of Trent, as is shown by Bishop O'Harte's speech.<sup>8</sup> [!] The practice of reordination arose through the false impression, carefully fostered by English Romanist writers, that Elizabethan bishops were really only laymen. This was connected with the denial of the truth of Parker's consecration,<sup>9</sup> and the view was confirmed by the prevalence of the theory that the essential matter of the priesthood is the tradition of instruments.<sup>10</sup> Reordination was approved by the Holy See expressly in the Gordon case, but the decision was based on the Nag's Head fable.<sup>11</sup>

7. It is hardly exaggerating to call this a travesty of the real historic facts. But unfortunately it made a great impression upon Continental Catholic theologians,<sup>12</sup> who were themselves naturally unacquainted with the detailed history of the English Reformation, and it confirmed the favourable view which had already been taken on the Anglican Orders question by Duchesne,

<sup>1</sup> Pages 126-34. We have shown that this is simply untrue. See Vol. I, pp. 549-51; Vol. II, pp. 292-3.

<sup>2</sup> Page 137.

<sup>3</sup> Page 138.

<sup>4</sup> Page 138.

<sup>5</sup> Page 148. We have shown, pp. 53-55, that this is quite untenable.

<sup>6</sup> Pages 149-51. We have exploded this myth on pp. 68-72.

<sup>7</sup> Page 156.

<sup>8</sup> Page 169. We have shown the falsity of these statements elsewhere in this work. Denny and Lacey later withdrew their statement about Bishop O'Harte. See pp. 258, 558.

<sup>9</sup> Page 173.

<sup>10</sup> Page 176.

<sup>11</sup> Page 180. These statements are all erroneous, as we have seen.

<sup>12</sup> Later on it had an equally unfortunate influence upon theologians of the Eastern Orthodox Churches. See pp. 629, 658.

Gasparri, and others, largely as a result of similar *ex parte* views communicated by Lord Halifax and his friends. Gasparri's own opinion will be expounded later in this chapter. Duchesne wrote to Lacey concerning his own view as follows, on February 25th, 1895 :

"The thesis that you defend seems to be incontestable. I had already pronounced myself in this sense in the *Bulletin Critique* ; since then, having had the occasion to study the subject more closely, and particularly to examine Estcourt's book thoroughly, I have only been confirmed in my first impression. The cavils of your opponents strangely resemble those made by the Donatists to defend themselves against the Catholics. I have had the opportunity of expressing my opinion in high quarters,<sup>1</sup> and I have reason to think that the opinion I entertained has not been met with disfavour. . . . I may tell you that my colleague, Mgr. Gasparri, has completely abandoned his opinion expressed in his treatise on Ordination. . . . He has made himself acquainted with the documents, and also with your proofs. In consequence he has made it known in a useful quarter that he shares your opinions, and has given reasons for his change of mind."<sup>2</sup>

8. This animated discussion could hardly fail to come to the knowledge of the Holy See. Already on September 11th, 1894, the Abbé Portal was summoned to Rome by Cardinal Rampolla.<sup>3</sup> The Cardinal told the Abbé that the Pope would request Duchesne to send in a report on the Anglican Orders question. Certain other theologians and historians were also asked to send in reports on this subject, amongst them being Dom Gasquet,<sup>4</sup> Padre De Augustinis, then Professor at the Gregorian University in Rome,<sup>5</sup> and Fr. Calasanzio de Lleveras, a well known theologian in the Capuchin Order.<sup>6</sup> These were "commissioned by the Pope to prepare a memorandum upon the traditional way in which Anglican Orders had been regarded by the Holy See, and as to the reasons for that attitude."<sup>7</sup> Gasquet arrived in Rome for this purpose at the end of January, 1895, and immediately set to work. In the course of his researches in the Vatican Archives, he discovered several historic documents which had an important bearing on the question. Amongst these were the Bull and Brief of Pope Paul IV, *Præclara*

<sup>1</sup> The reference is presumably to a report on the Anglican Orders question, asked for by the Pope. See below.

<sup>2</sup> Printed in Lord Halifax's *Further Considerations on behalf of Reunion*, 1923, p. 55.

<sup>3</sup> Snead-Cox, *Life of Cardinal Vaughan*, p. 152.

<sup>4</sup> Snead-Cox, *op. cit.*, p. 179.

<sup>5</sup> Lacey, *Roman Diary*, p. 6.

<sup>6</sup> Gasquet, *Leaves from my Diary*, p. 51.

<sup>7</sup> Gasquet, *loc. cit.*

and *Regimini*, which made it quite clear that the Holy See had rejected Anglican Orders in the sixteenth century, and completely destroyed one of the contentions put forward by Denny and Lacey and their French sympathisers. Gasquet also discovered amongst the Vatican manuscripts two Summaries of Pole's activities in England, which were utilised in the preparation of the Bull *Præclara*. He also rediscovered<sup>1</sup> some extracts from the Edwardine Ordinal which had been sent to Rome in Mary's reign, and which made it clear that the Roman decision was based upon a knowledge of the facts of the case. On his way back to England in 1895, Gasquet went to Douay, and discovered in Pole's Register preserved there, the record of the reception of the Bull *Præclara* by the Cardinal Legate in England.<sup>2</sup>

In March, 1895, Halifax went to Rome, and saw Pope Leo. He presented to the Holy Father Denny and Lacey's work, *De Hierarchia Anglicana*, and also a memorandum to the effect that any direct proposals from Rome for conferences between Catholic and Anglican theologians on Orders and other disputed questions would be favourably received in England.<sup>3</sup>

About this time, rumours began to spread abroad that Portal's pamphlet, and Duchesne's review of it, were to be referred to the Holy Office, with a *dubium* as to whether it was safe to hold that Anglican Orders were valid. This action was apparently taken by "a certain Monsignore living in Rome."<sup>4</sup> Gasquet had heard of this on February 12th, and passed on the information to Cardinal Vaughan, who was then in Rome. The Cardinal said he would "move heaven and earth to prevent any notice of the denunciation" to the Holy Office, and his efforts were evidently successful, for when Halifax mentioned the rumour to Pope Leo, the latter intimated that no action would be taken in the matter.<sup>5</sup> As we have said, this was evidently due to the intervention of Cardinal Vaughan, and yet, at the end of March, Portal stated in Rome that the Cardinal and the English Bishops had urged the Holy Office to condemn himself and Duchesne.<sup>6</sup>

Cardinal Vaughan's attitude throughout was most correct.

<sup>1</sup> We use this word advisedly. See p. 495.

<sup>2</sup> Halifax, *Pope Leo and Anglican Orders*, p. 18.

<sup>3</sup> Gasquet, *Leaves from my Diary*, p. 16. This may have been Mgr. Merry del Val, who was already very active in the Anglican Orders question, as Mgr. Cenci's biography shows.

<sup>4</sup> Halifax, *op. cit.*, p. 19.

<sup>5</sup> See p. 145.

<sup>6</sup> Gasquet, *op. cit.*, p. 24.

He personally disbelieved in Anglican Orders, but deprecated the raising of the question at that time, adding, however, that "if it were raised, he would do his best to insist upon its being sifted to the bottom, and a formal decision given either one way or another."<sup>1</sup> Similarly, Cardinal Mazzella had "urged the Pope to take no step without consultation, and that, if any change in the practice dealing with the Orders was to be made, this should be as the result of a serious examination of the question."<sup>2</sup>

At one time the Pope had "quite made up his mind to appoint a Commission of Cardinals to consider whether any change in the traditional attitude of the Church to these Orders was desirable. Cardinal Mazzella said that, in his opinion, the question should not be raised, but if it were raised, it must undoubtedly be settled on its merits."<sup>3</sup>

To this we may add that in a letter written in August, 1895, to Mgr. Angeli, Private Secretary to Leo XIII, Mgr. Merry del Val, after deploring the *leggerezza* with which the French writers were suggesting that the Holy See had been mistakenly repeating two sacraments during three hundred years, went on to say: "I am more than persuaded that when the whole question is seriously studied, and all the documents are known, it will be seen that the Holy See has acted as it ought to have done. If the Holy See was mistaken, as some would have it, it must acknowledge this in the presence of all, for as the matter concerns the reiteration of a sacrament, there can be no question of not publishing a decision unfavourable to ourselves. But I am convinced that it will not turn out so."<sup>4</sup>

This letter shows clearly that if the investigation had really shown that the Holy See had been mistaken, it was realised that this would have to be acknowledged.

By March 17th, 1895, the Pope had received most of the memoranda on Anglican Orders from those he had appointed to study the question. Gasquet's report, however, was delayed by difficulties of access to the Holy Office documents. In any case, the Pope told Cardinal Vaughan in March that he had satisfied himself that there would be grave difficulties in the way of any change in the practice of the Church as regards reordination.<sup>5</sup>

<sup>1</sup> Gasquet, *op. cit.*, under date December 7th, 1894.

<sup>2</sup> Gasquet, *op. cit.*, under date February 1st, 1895.

<sup>3</sup> Italian text in Cenci, *Il Cardinale Merry del Val*, p. 61.

<sup>4</sup> Gasquet, *op. cit.*, p. 23.

<sup>5</sup> *Ibid.*, p. 16.



By March 31st there was talk of a secret Commission to consider the question, upon which there was to be no Cardinal, and which was to report directly to the Pope.<sup>1</sup> Cardinal Vaughan thereupon spoke strongly to Cardinal Rampolla against such a method of procedure, and said that if any examination of the question were made, it should be made by a properly constituted Commission of experts.<sup>2</sup>

On April 3rd, the Pope told Cardinal Vaughan that he had at that time no intention of appointing a Commission of any kind, but that if any Commission were appointed, it should be open, not secret, and representative, and that of course there should be Englishmen on it.<sup>3</sup>

All this time Gasquet had been waiting to get access to the Holy Office archives, which he was not able to consult until the latter part of April. He handed in his report on May 1st.

Early in August, Cardinal Vaughan told Gasquet that he had urged the Pope not to change the practice of the Church for three hundred years without the fullest investigation and without the co-operation of the representatives of the Catholic Church in England, adding, "I ask only for the fullest investigation before any decision is come to on so important a matter, *no matter what the decision may be.*"<sup>4</sup>

Cardinal Vaughan had, in fact, written to the Pope in the following terms :

"The extreme importance to the Church in England of the way in which the Anglican question is treated in Rome is my apology for writing direct to your Holiness.

"Letters received from Paris inform me that every effort is being made in Rome by a small French party to obtain decisions in favour of Anglican Orders without delay. In confirmation of this, a report has reached me from Rome that this question is not only being actively discussed by Cardinals and others, but that decisions are being arrived at, and that a Commission is either actually formed or about to be formed, to report to your Holiness thereon.

"It would be impossible to exaggerate what would be the effect in England if any decision on Anglican Orders were come to in Rome reversing the practice of the Church from the very beginning of the Anglican heresy, without having, previous to such decision, fully heard the theologians and historians of the Catholic Church in England.

"I have no objection to French ecclesiastics identifying themselves with Lord Halifax : they do so, no doubt, with excellent intentions ; and they will plead his cause more effectively than Anglicans

<sup>1</sup> Gasquet, *op. cit.*, p. 26.

<sup>2</sup> Gasquet, *op. cit.*, p. 28.

<sup>3</sup> Gasquet, *op. cit.*, p. 27.

<sup>4</sup> Gasquet, *op. cit.*, p. 37. Italics ours.

could plead for themselves, because, among other reasons, they are less restrained and more positive than they would be had they personally adequate knowledge of English affairs. I am sure your Holiness will not allow their influence to prevail in Rome without allowing us to see their statements and their arguments, thus giving to us a fair opportunity either to refute, modify, or corroborate them, as the case may be.

"We fear lest matters closely concerning the Church in England should be discussed and carried on towards a decision without our knowledge, and behind our back. It would be painful to think that others are being more trusted than ourselves, as though strangers could possibly have more accurate knowledge of English affairs or have a keener desire for the conversion of our countrymen than we ourselves have.

"I have always advocated a thorough examination of the question of Anglican Orders. Nothing but good could come of a full, open, and exhaustive examination, in which *all* who have a right to be heard, should be heard. Any decision come to in this way by common counsel, whether declaring Anglican Orders to be valid, doubtful, or invalid, would carry convincing weight. But if the representatives of the Catholic Church in England are excluded, while foreigners who are partisans obtain a place and a dominant influence in certain quarters, the discontent and mischief in England will be of the gravest kind.

"Perhaps your Holiness will permit me to remind you of an intimation you graciously gave me just before I left Rome in April last, viz. that if any Commission on the subject of Anglican Orders should be created, you would inform me of it, and would name two or three English experts to be attached to such a Commission, so that the discussion should be carried on with full knowledge, and with general approval. I have been counting on this, and making preparations, supposing that the matter would not come up for discussion before next winter. I ask pardon of your Holiness for venturing to address you personally. I do so because the fate of the Church is in your august hands, and because I know that you are always ready to listen, even to the least of your sons."<sup>1</sup>

We gather from a letter written by Mgr. Merry del Val to Mgr. Angeli, the Pope's Secretary, on August 29th<sup>2</sup> that the Pope reassured Cardinal Vaughan, and repeated his promise.

In September, 1895, Cardinal Vaughan announced publicly in England that the Holy See was about to appoint a Commission of scholars in Rome, to consider the whole question of Anglican Orders,<sup>3</sup> and an English Committee was formed in London about the same time, under the presidency of Cardinal Vaughan, to collect and consider all available evidence on the

<sup>1</sup> English draft in Westminster Archives.

<sup>2</sup> Printed in Mgr. Cenci's *Il Cardinale Merry del Val*, pp. 60-1.

<sup>3</sup> Sneed-Cox, *op. cit.*, p. 194.

subject. It was composed of a number of English Catholic theologians, secular and regular.<sup>1</sup> From their number a sub-committee of three was appointed, to prepare a small treatise which would embody the results of the deliberations of the whole committee. This sub-committee consisted of Dom Gasquet, Mgr. Canon Moyes, and Father David Fleming, O.F.M. In due course they produced a masterly survey of the whole subject in Latin, entitled *Ordines Anglicani: Expositio Historica et Theologica*, of which we give an analysis in the next chapter.<sup>2</sup>

9. Meantime, all through this year, 1895, the discussion had continued, especially in France and England. The publication of Denny and Lacey's work early in the year prompted the Abbé Boudinhon to write a second book, *De la Validité des Ordinations Anglicanes*. This appeared first in the *Canoniste Contemporain*, and was then published separately.

Boudinhon remarked that the fact that the Holy See "fait étudier la question par une commission cardinalice"<sup>3</sup> rendered a decision favourable to Anglican Orders at least possible, for the toleration of a theological discussion on the subject amounts to an implicit recognition that hitherto the problem had not been fully elucidated, and that the practice of reordination rested on foundations some of which are not incontestable.

Boudinhon then goes on to distinguish between the theoretical and the practical aspect of the problem. The former could be set

<sup>1</sup> Unfortunately we have not been able to ascertain the names of all the members of this Committee, and no record of its deliberations seems to be in existence. But we are able to say that the Committee included Dom Gasquet, Canon Moyes, Fr. David Fleming, a Jesuit father (probably Fr. Sydney Smith), and a Redemptorist (perhaps Fr. Titus Livius). According to a letter written by Mgr. Merry del Val to Mgr. Angeli, printed in Mgr. Cenci's *Il Cardinale Merry del Val* (p. 64), the Committee also comprised "a very learned priest, who was a convert from Anglicanism, and had been a member of the Privy Council of the Queen." There must be some misunderstanding here, as there was certainly no convert clergyman who had been a "member of the Privy Council."

<sup>2</sup> We learn from letters written by Mgr. Merry del Val and printed in Mgr. Cenci's Italian biography (pp. 60-2) that the English Committee asked for a copy of the Report on Anglican Orders which Duchesne had presented to the Pope. The existence of this had been made known by Lord Halifax. The Pope declined to send it, on the ground that the foreign reports had been drawn up without English assistance.

<sup>3</sup> This was at first proposed, but the idea was not carried out. See above, p. 526. In any case if, as Boudinhon thought, the Pope had decided to appoint such a Commission of Cardinals, was it wise to write this second work, in which he goes so far as to say that the Church would not pronounce on the theoretical question, but would content itself with a practical direction? Under the circumstances it is hardly surprising that Boudinhon was not chosen to be a member of the Commission which was actually appointed in the following year, 1896. We shall see that he wrote a third work on the subject, after the Commission had concluded its work, at the very time when the Cardinals of the Holy Office were deliberating upon the whole matter!

forth as follows : " In view of the theological teaching on the essential conditions for presbyteral and episcopal ordination, can one and ought one to regard as valid these ordinations in the Church of England ? " The practical question would be : " Given the practice of the Church, and the minute precautions she takes to assure the absolute validity of her ordinations, can she content herself, in practice, with the assurances of validity presented by Anglican ordinations ? " <sup>1</sup>

Boudinhon continues : " L'on peut tenir pour certain que l'Eglise, évitant de se prononcer explicitement sur la question théorique, se bornera à donner une solution pratique," and that the most Anglicans could hope for would be that the Church would authorise in future only a conditional reordination to the priesthood and the episcopate, the other orders being all conferred absolutely. <sup>2</sup>

Boudinhon goes on to say that " les membres de la Commission romaine devront examiner de près les arguments théoriques," even to arrive at a practical decision, for the Church's practice is always based on facts. Hence if she should allow conditional ordination to the priesthood and episcopate, it would be legitimate to infer that these are not certainly null in the Church of England. <sup>3</sup>

He goes on to say that the studies necessitated by the enquiry will serve to make still more clear the Catholic teaching on the essential conditions for ordination. For the theology of the Sacrament of Order, although certain in its main lines, is far from being clear and definite in some important points, such as the matter of priestly ordination. It is not indeed likely that Rome will define what are the strictly necessary and sufficient elements of ordination, but she would have to do so if she were to pass a theoretical judgment on Anglican orders. And even a practical judgment would have certain theoretical implications. Thus, if she prescribed conditional reordination, we could infer that the porrection of instruments is not certainly necessary. Meanwhile, each one is free to hold his own view on the essence of priestly ordination. <sup>4</sup>

Boudinhon then turns to the question of fact, and the consecration of Parker. He considers that this point, and that of the consecration of Barlow, are definitely elucidated by the work of Denny and Lacey. <sup>5</sup>

Then he passes on to the theological question, prefacing it by the remark that, in his opinion, English Catholics err in confining themselves to motives of nullity based on defective intention and on the heresies on the Eucharist and the Sacrifice professed by the consecrators. In Boudinhon's view, the main point is the essential part of the rite itself. <sup>6</sup>

Accordingly he proceeds to study this. But first he discusses the question of the essential form of Order. In the absence of a definition by the Church, we must consult the theological schools, and these do not agree. Some regard " Accipe Spiritum Sanctum " as the form for the episcopate, and these can hardly deny the

<sup>1</sup> Page 9.

<sup>4</sup> Pages 10-12.

<sup>2</sup> Page 9.

<sup>5</sup> Pages 12-17.

<sup>3</sup> Page 10.

<sup>6</sup> Pages 17-18.

sufficiency of these same words in the Anglican Ordinal. If it be urged—as Boudinhon himself had urged in his first work—that these words are indeterminate, and need to be determined by other parts of the rite, it is well answered, by Denny and Lacey, that the other parts of the Anglican Ordinal fulfil precisely this end. And why should not the same words be efficacious in the ordination rite for the priesthood, provided they are in their turn determined to this meaning by accompanying ceremonies?<sup>1</sup> Moreover, the sufficiency of this form, “Accipe Spiritum Sanctum,” seems to have been allowed by the Holy Office in 1704.<sup>2</sup>

If instead we accept the view of those theologians who require some prayer as the form, we must say that the Anglican rite also contains prayers, closely related to those of the Pontifical.<sup>3</sup> But the most probable opinion, and the only one historically true, is that which regards the *consecratory* prayer as the sacramental form.<sup>4</sup> Accordingly we have to ask whether the prayer “Almighty God” which precedes the imposition of hands in the Anglican rite really corresponds to the consecratory prayer in the Pontifical.<sup>5</sup>

Boudinhon remarks that in any case the Anglican rite was drawn up by bishops out of communion with Rome, and therefore destitute of any real liturgical authority. This makes it all the more important to see if the Anglican prayers really correspond to the Catholic prayers, for they can have no other validity. Unfortunately, we have no authentic decision to guide us as to what such prayers must necessarily contain. Evidently one cannot say that any prayer—the *Our Father*, for instance—would suffice. It would, at first sight, seem reasonable to suppose that the prayer must mention more or less explicitly the powers conferred, or at any rate the chief powers, and that the form for the episcopate should accordingly mention episcopal powers, including that of sacrifice, and the form for the priesthood that of consecrating the Eucharist. Viewed from this standpoint, the Anglican rite would have to be regarded as insufficient, and has in fact been rejected as insufficient by a commission of Dutch Old Catholics.<sup>6</sup> But this theory will not do, for though the enumeration of priestly powers is found in accessory ceremonies in the Catholic rite, it is not explicitly contained in the consecratory prayer. Moreover, the principle itself is assumed without proof.<sup>7</sup>

Boudinhon then turns from these doubtful theological principles and adopts instead the criterion of the rites used or approved by the Church, and suggests that the minimum necessary is what is common to all these. He then examines the ancient Roman rite, the Gallican, Greek, Coptic, Maronite, Nestorian, and Armenian rites, and the liturgy of the *Apostolic Constitutions*. He remarks on the similarity of structure of the consecratory prayers in all these rites. The central feature of each is the prayer

<sup>1</sup> Pages 18, 19.

<sup>2</sup> Page 20. The reference here is to the supposed decision in the Abyssinian case, which, however, does not admit of the interpretation which Boudinhon gives. See Appendix ii.

<sup>3</sup> Page 20.

<sup>4</sup> Page 20.

<sup>5</sup> Page 21.

<sup>6</sup> On this point see a later chapter.

<sup>7</sup> Pages 22-26.

for the divine grace, and the determination of this grace according to each order, which is thus distinctly mentioned. In addition, all these formulæ ask from God the powers, graces and virtues which will enable the candidate to accomplish worthily the functions of his order. Sometimes the functions are mentioned, at other times the virtues necessary are mentioned. But not one of the prayers for the diaconate mentions the functions of the office, except as "*ministerium Ecclesiæ*," "*ministerium altaris*." In the case of the priesthood, only two formulæ mention explicitly the Eucharistic power; others mention it vaguely, and two contain no mention at all of the power to sacrifice. Hence this cannot be necessary.<sup>1</sup>

The same conclusion follows from an examination of the forms for the episcopate. Hence to be valid, the ordination prayer must certainly contain a generic mention of the order to be conferred, but none of its powers need be mentioned explicitly. This in itself destroys the contention of the Old Catholic commission.<sup>2</sup>

If we now examine the prayers in the Anglican Ordinal, we find that there is no consecratory prayer preceding the laying on of hands for the diaconate. As to the two other orders, we remark to begin with that the prayer preceding the imposition of hands was not regarded as the form by the composers of the Anglican rite, who instead regarded the imperative formula as the form, as do Denny and Lacey. Next, considering the prayer in the Anglican rite for priests, Boudinhon says he cannot find in it any request for special ordination graces. But there is some such request in the prayer for bishops, therefore "*on peut soutenir l'efficacité de cette formule*." True, it does not contain the mention of the office, nor an enumeration of its functions, but this may be supplied or determined by other parts of the rite, just as in the Catholic rite the words "*Accipe Spiritum Sanctum*" are determined by the other parts of the rite. Thus, Boudinhon withdraws the view he had expressed in his former work, so far as the rite for the episcopate is concerned.<sup>3</sup>

Next he deals with the question of Intention, and the errors of Barlow and of the Anglican Church. Boudinhon here repeats what he had said in his previous work, namely, that the mere proof of heresy in Barlow would not in itself prove the invalidity of his consecration of Parker: the main point is the sufficiency of the rite employed. Denny and Lacey assert that the intention of the rite itself is orthodox, for the Anglican teaching on the priesthood and the Eucharist is orthodox. Boudinhon says he will allow that certain documents signed by Cranmer and Barlow in the reign of Henry affirm the existence of the Sacrament of Order, but he insists that there is a remarkable absence of any reference to the Real Presence or the Sacrifice in Edwardine works. He doubts whether the endeavours of Denny and Lacey to give an acceptable sense to the 39 Articles where they repudiate Transubstantiation and the Sacrifice of the Mass are really in accordance with the common interpretation in the Anglican Church, either in the

<sup>1</sup> Pages 26-49.<sup>2</sup> Pages 49-50.<sup>3</sup> Pages 51-58.

sixteenth century or now. But all this is beside the point, as neither the heresies of Barlow nor those of the Anglican Church prevent the minister of ordination from having the general intention to do what the Church does.<sup>1</sup>

Boudinhon then proceeds to discuss this required intention. It is the intention to do what the Church *does*, not what the Church *intends*. Also, what the *true* Church, whichever it may be, does, not necessarily what the *Roman* Church does. It is not necessary to intend the *effect* of the sacrament. Hence the Church recognises Baptism by heretics or unbelievers, "*quamvis illi effectum sacramenti negarent, aut id tantum intenderet facere quod sua, non quod Romana facit Ecclesia.*" Again, Franzelin cites Innocent IV: "*Non est necesse quod baptizans sciat quid sit Ecclesia, quid baptismus, vel unde sit, nec quod gerat in mente facere quod facit Ecclesia, imo si contrarium gereret in mente, scilicet, non facere quod Ecclesia, sed tamen facit, quia formam servat, nihilominus baptizatus est, dummodo baptizare intendat.*" And again, the Holy Office, when consulted in 1872 as follows: "*In quibusdam locis nonnulli hæretici baptizant cum materia et forma debitis simultanee applicatis, sed expresse monent baptizandos ne credant Baptismum habere ullum effectum in animam; dicunt enim ipsum esse signum mere externum aggregationis illorum sectæ. . . . Quæritur utrum baptismus ab illis hæreticis administratus sit dubius propter defectum intentionis faciendi quod voluit Christus, si expresse declaratum fuerit a ministro, antequam baptizet, Baptismum nullum effectum habere in animam?*"—R. Negative, quia non obstante errore quoad effectus Baptismi, non excluditur intentio faciendi quod facit Ecclesia."<sup>2</sup>

Boudinhon accordingly urges, against Cardinal Vaughan,<sup>3</sup> that the declaration of an Anglican bishop before ordaining, that he did not intend to make sacrificing priests, would not necessarily invalidate the ordination, for this declaration was concerned, not with ordination as such, but with its *effects*. We ought to say, paraphrasing the declaration of the Holy Office, that "non obstante errore quoad effectus ordinationis, non excluditur intentio faciendi quod facit Ecclesia."<sup>4</sup>

Cardinal Vaughan, however, went further, and urged that the Anglican rite of ordination was drawn up by men who disbelieved in the Sacrifice and the Priesthood, and therefore this rite is incapable of conveying the Priesthood. Boudinhon replies that this depends on whether in point of fact the Anglican rite has, in spite of the errors of its compilers, retained the essentials of the Catholic rite. In this matter, we must distinguish between the essential and the subordinate parts of the rite. Heresy expressed in accessory ceremonies would not compromise the validity of the rite. Heresy

<sup>1</sup> Pages 59-62.

<sup>2</sup> Pages 62-63. We give this important document in full on pp. 567-9.

<sup>3</sup> Referring to a letter written by Cardinal Vaughan on October 2nd, 1894, and published in the *Canoniste Contemporain* for December, 1894, p. 712. The Anglican Bishop the Cardinal had in mind was Bishop Ryle, the Low Church Bishop of Liverpool.

<sup>4</sup> Pages 62-64.

formally expressed in the essential part of the rite would indeed invalidate the sacrament. Also, if by reason of their heresy the compilers omitted an idea or dogmatic truth the presence of which is necessary in a Catholic rite, then also their rite would be invalid. But if their heresy led merely to the omission of an idea which a Catholic rite need not necessarily express, then one might say that the heresy is merely concomitant, and therefore without effect on the validity of the formula. Now, the Anglican prayers certainly do not express any formal heresy: if they are faulty, it is by omission. They omit all reference to the Eucharistic Sacrifice, and the sacrificing Priesthood. But these are not found in certain Catholic ordination rites, and hence cannot be regarded as necessary. Thus, once more we come back to the question of the sufficiency of the Anglican rite viewed in itself.<sup>1</sup>

Boudinhon goes on to remark that in none of the documents of the reign of Queen Mary is there any statement that Anglican Orders are invalid because of defective intention in the minister.<sup>2</sup> This leads him to a special section, in which he deals with the practice of the Roman Church.

Here he begins by asserting that "the Roman Church has never delivered a deliberate, theoretical judgment on the nullity of Anglican Orders, based on a previous thorough discussion of the theological arguments for or against. Or at least, no one has ever spoken of such a judgment. The Church has contented herself with practical decisions."<sup>3</sup>

He adds that the practice in recent times seems to depend on the Gordon decision of 1704, which he wrongly thinks to have been based on the Nag's Head fable. But there still remains the attitude of Julius III and Paul IV, as set forth in the Pole documents. Boudinhon quotes Denny and Lacey as saying that in the reign of Mary, "*nihil invenimus quod nullitatem ordinationum Anglicanorum recte inducat, multa quæ eas pro validis tunc habitas saltem interpretative ostendant.*" He says he cannot go so far as that: the conduct of the Queen and the Legate were unfavourable to the value of Anglican Orders in practice, though there was no theoretical decision. As to the Scory case, invoked by Denny and Lacey, Boudinhon argues that this was an individual act, before Bonner's own reconciliation, which did not commit the Legate or the Roman Court.<sup>4</sup> Boudinhon next urges against Denny and Lacey the Queen's statement that Edwardine clergy were "not ordained in very deed."<sup>5</sup> But he takes for granted, with Denny and Lacey, that we know of no actual reordinations at that time!<sup>6</sup>

Next, Boudinhon considers the faculties of Cardinal Pole. He says that these do not mention either the Ordinal, or ordinations conferred according to the new rite. But Boudinhon rightly says that this was because the validity or nullity of Anglican Orders was a purely theological question, and that the Pope would not deal with it when giving Pole faculties.<sup>7</sup> The March Brief tells Pole

<sup>1</sup> Pages 68-72.

<sup>2</sup> Page 67.

<sup>3</sup> Page 69.

<sup>4</sup> We have seen that in reality there was no "Scory case." See pp. 68-72.

<sup>5</sup> Page 73.

<sup>6</sup> *Op. cit.*

<sup>7</sup> Page 74.



he can use his faculties for those who consult him about orders received "non servata forma Ecclesiæ consueta," but Boudinhon says that this does not necessarily mean that Edwardine orders are being referred to.

When Pole landed in England, he gave a General Dispensation, in which, again, there is no reference to Anglican Orders. In his delegation of faculties to the bishops, however, Pole limits the recognition of orders to those in which the form and intention of the Church were observed. This, in Boudinhon's view, excludes the Edwardine clergy.<sup>1</sup>

Boudinhon then comments on the Bull and Brief of Paul IV, then recently discovered by Dom Gasquet in the Vatican Archives. He agrees that these seem to confirm Pole's rejection of Anglican Orders, but on the other hand, he wrongly thinks that they imply the validity of the Anglican rite for the diaconate and the priesthood, when used by a validly consecrated bishop. He suggests that this may have been due to the Pope's acceptance of the current theory which regarded the tradition of the Bible as the essential matter for the diaconate, and that of the chalice and paten as the matter for the priesthood. These ceremonies had been included in the first Edwardine Ordinal. Thus, the Brief of Paul IV would be favourable to Anglican Orders of that time, rather than against them. But as the tradition of instruments was absent from the rite for the priesthood after 1552, and also as the Pope evidently rejects the Anglican rite for the episcopate, his decision would involve the invalidity of present Anglican orders.<sup>2</sup>

Lastly, Boudinhon asks to what extent the practice of the Roman Church involves the theoretical invalidity of Anglican Orders. He remarks that practice depends not only upon the theory it presupposes, but also upon the authority which imposes it. Indeed, one is not bound by the motives which prompt a particular decision: *ratio legis non cadit sub lege*. Thus, the practice of reordination at Rome in the case of the successors of Formosus does not bind us to the theory that simony invalidates orders. Practice creates a presumption in favour of its theory, but no more. Thus, so far, the theoretical question of the validity of Anglican Orders has not been definitively settled.<sup>3</sup>

Thus, on the assumption that the form of ordination is the prayer preceding the imposition of hands, Boudinhon regards the Anglican form for the episcopate as probably valid, but the form for the priesthood as invalid.

10. Another important work on Anglican Orders was published in 1895, by Mgr. GASPARRI, afterwards Cardinal Secretary of State to Pope Pius XI. Gasparri had previously written a

<sup>1</sup> Page 77.

<sup>2</sup> Pages 77-87. All this is based upon a misunderstanding of the meaning of Paul IV's statements. See our treatment on pp. 142-3.

<sup>3</sup> Pages 87-89.

treatise, *De Sacra Ordinatione*, in which he had, as he tells us in this new work, followed blindly the teaching given in the Roman schools; he had accepted the Nag's Head fable, and for this reason he had concluded that Anglican Orders are null. But when "Dalbus" published his book, Gasparri realised that the Nag's Head story was but a legend, and that the question required much more careful treatment. This he now proceeds to give, in *La Valeur des Ordinations Anglicanes*.

In this work, Gasparri takes occasion to point out that "if the baptism of Anglicans were null at any period of their history, their ordinations would also be evidently null," for baptism is necessary for the valid reception of orders. However, he prescinds from this particular source of invalidity in the present treatise.

Next, Gasparri discusses whether the theoretical question of Anglican Orders is still free for Catholics, and answers in the affirmative. It is clear that these ordinations were from the first regarded as null, but "the few documents we possess on this subject are not so clear and peremptory as to forbid all discussion." He then proceeds to examine these documents.

The Injunctions of Queen Mary clearly show that Anglican Orders were then regarded as invalid. But a royal ordinance cannot settle a theological controversy.<sup>1</sup>

The terminology used in Pole's Faculties is not altogether clear, but at any rate it does not necessarily imply the recognition of Anglican Orders, as maintained by Denny and Lacey. These faculties do not clearly affirm, either the validity or the nullity of Anglican Orders. As to the document in which Pole subdelegates his faculties, Gasparri holds that here Pole clearly excludes Edwardine clerics from those who are to be rehabilitated, but he adds that this does not necessarily mean that Pole regards such orders as certainly null: the matter might have been reserved, for other reasons.<sup>2</sup>

The Bull and Brief of Pope Paul IV obviously regard Edwardine bishops as invalid, because they were not "ordinati in forma Ecclesiæ." But Gasparri thinks that the Pope authorises Pole to recognise the orders of those ordained to the diaconate or priesthood by the Edwardine rite, provided this was administered by a bishop consecrated according to the Pontifical. This might imply that the Pope recognised the sufficiency of the rite for the diaconate and the priesthood, while rejecting that for the episcopate. Gasparri agrees that this does not seem very likely, and so we had better regard the reply of the Pope as a "practical rule for the moment."<sup>3</sup>

Gasparri then discusses the Gordon case. He supposes that the decision of the Holy Office was motivated by Gordon's original petition, which was based partly on the Nag's Head fable. The fact that this legend is now abandoned "takes away all authority from the decision, or at least renders it doubtful."<sup>4</sup> Thus, the practice

<sup>1</sup> Pages 9-10.<sup>2</sup> Pages 10-13.<sup>3</sup> Pages 13-15.<sup>4</sup> Page 18.

and previous decisions of the Holy See cannot be said altogether to settle the question.<sup>1</sup>

In his third chapter, Gasparri discusses Barlow. He notes that, even if Barlow were not a bishop, the fact that Hodgkin had been validly consecrated would suffice for Parker's consecration, provided the form "Receive the Holy Ghost, etc.," is sufficient. But this is very much open to question. In any case, Gasparri says that, after studying the treatment of the Barlow case given in Denny and Lacey, he cannot doubt that Barlow was really a consecrated bishop.

This leaves us with the question of the intention of the minister, and of the sufficiency of the rite. Gasparri deals with intention in chapter four. It is Catholic doctrine, defined at Trent, that the minister must have at least the *intentio faciendi quod facit Ecclesia*. In addition, it is theologically certain that internal intention is required in the minister, and that a purely external intention would not suffice. Hence, if it were proved that Anglican bishops, in ordaining or consecrating another bishop, have not this intention, or were without it at some time in the past, the invalidity of Anglican Orders would follow as a matter of course. But is this absence of due intention really proved?

To decide this, Gasparri first passes in review the arguments advanced on either side.

Those in favour of the validity of Anglican orders appeal first to the language of the Preface to the Ordinal, and the references to the office of a bishop in the consecration rite itself.

Secondly, Queen Mary and Pope Paul IV seem to quarrel with Anglican orders solely because of the rite, and not because of the intention.

Those opposed to the validity of Anglican orders argue that Anglican bishops use an Ordinal drawn up by heretics with heretical intentions, and one very different from Catholic pontificals: therefore they do not intend to do what the Catholic Church does. Gasparri says that he does not consider this altogether conclusive. A person might intend to do by his own particular rite what the Catholic Church does by its rite, and such intention would be sufficient. Is the fact that a different rite is introduced a sufficient reason for inferring that the minister does not intend to do what the Catholic Church does?

In these matters we must be guided by the doctrine and practice of the Church. Now, in the case of Baptism, many separated churches have introduced new rites, conserving the central matter and form, but adding or suppressing other parts of the rite, and always with heretical intent. But the Church, in judging the validity of these baptisms, has always decided in favour of them, provided the matter and form were exactly observed, and has passed over the other differences. The use of the Catholic matter and form in the central part of the rite, is an indication that the minister really intends to do by his rite what the Catholic Church does by the Catholic rite. Thus Cardinal Pitra, speaking of heretics, says,

"Si materiam et formam adhibeant, præsumentum est habere intentionem baptizandi; alias non baptizarent; quod etiam satis est ut baptismus collatum a Calvinistis sit validum, quamvis illi nullam efficaciam baptismi tribuant."<sup>1</sup>

Applying this to the Anglican Ordinal, the introduction of a new rite involves a presumption against the intention of the minister, but if the matter and form are retained in the rite, then there is a stronger presumption in favour of his intention.

Another argument invoked against Anglican intention is that "Anglican bishops act as the representatives of the Anglican Church, which does not admit the Real Presence, or at any rate the Sacrifice of the Mass, the Sacrament of Order, etc. From this we must infer that the Anglican bishops do not hold these truths. And intention is determined by belief. Therefore the Anglican bishops do not intend to confer the power to ordain, to consecrate, to offer the sacrifice, or to act as deacon at the altar." The argument is urged in particular in Barlow's case, for he did not accept the doctrines referred to.

On this, Gasparri comments that it is not easy to say exactly what is or has been the doctrine of the Anglican Church on these matters. Some Anglicans now hold that the Sacrifice is taught by the Anglican Church, while others deny this. But if we go back to the time of Edward VI or Elizabeth, it seems that the Church of England, or the majority of its bishops, certainly did deny the doctrines in question. Article 31, the destruction of altars, and the suppression of the Mass, are plainly significant. But if so, to what extent did these heresies vitiate the intention of the minister?

Everyone must admit that in general, heresy and schism in the minister do not necessarily involve the nullity of ordination or of other sacraments: therefore they do not necessarily involve defective intention. But is it the same if the heresy is contrary to the essence of the sacrament? A decision of the Holy Office has declared that Protestants who deny all internal effects of Baptism such as grace, and its sacramental character, nevertheless validly baptise, "quia non obstante errore quoad effectus baptismi, non excluditur intentio faciendi quod facit ecclesia." Similarly, Innocent III says that a marriage may be valid although one party thinks it can be broken by a divorce, or again that the bond ceases in case of adultery, or again that marriage is not a sacrament, or again that polygamy is permitted. And Benedict XIV similarly says that Calvinists who do not admit the indissolubility of marriage, nevertheless contract a valid marriage.

The reason underlying all this is that intention is an act of the will, while error is in the intellect. A person may intend to do what the Church does, although he does not believe as the Church believes. As Benedict XIV says: "Credendum est eos generali voluntate contrahere voluisse matrimonium validum juxta Christi legem, ideoque etiam adulterii causa non dissolvendum. Privatus enim error nec anteponi debet nec præjudicium afferre potest generali,

<sup>1</sup> Commentary on Second Constitution of Gregory XI, n. 10.

quam diximus, voluntati, ex qua contracti matrimonii validitas et perpetuitas pendet." But if the act of the will is affected and modified by the heresy or error in the intellect, then the "*intentio faciendi quod facit Ecclesia*" does not exist.

Gasparri refers in a footnote to his own treatises, and to De Lugo. He adds that the doctrine of Franzelin on the subject in *De sacramentis in genere*, thesis xvii, cannot be accepted without reserve, for it is not altogether in harmony with decisions of the Holy See.

Applying these principles, Gasparri says that the heresies of Anglican bishops on the Sacrifice of the Mass, the Real Presence, and the Sacrament of Order, etc., do not necessarily exclude the *intentio faciendi quod facit Ecclesia*. It must first be proved that in ordaining, Anglican bishops restrict their intention positively by the heretical doctrines they hold. Thus, Cardinal Vaughan mentions an Anglican bishop who said before ordaining, "I am not going to ordain you to be a sacrificing priest." If this is to be interpreted as a true limitation of his intention, or as a true condition, the ordination would be null, on this ground. If the point is doubtful, we should suppose that it is a case of simple error and not a condition. After all, Protestants, if asked, would probably say they did not intend to give grace, etc., and yet we hold that they did confer the sacrament of Baptism.

Cardinal Vaughan, however, adds that the elimination from the Ordinal of all that savoured of sacrifice, the destruction of altars, and the suppression of the Mass, etc., indicate in Anglican bishops a positive intention not to confer in ordination any power to sacrifice. Is this presumption really justified by the facts indicated? Perhaps not altogether. The facts mentioned belong, at any rate in part, to the reign of Edward, and nevertheless neither Mary nor Pope Paul IV doubted Anglican orders on the ground of intention. Again, this presumption would not exist in the case of bishops who did not take part in these sacrileges. And even in the case of the bishops who were responsible for them, we cannot say with certainty that when ordaining in later years they intended positively to exclude all power of sacrifice.

Even so, these replies do not eliminate all doubt. It would rather seem likely that the intention would be defective, because of the facts referred to. This doubt is increased when we examine the rite for making deacons and priests, for in their Examination, all power to offer sacrifice seems deliberately excluded, and it is reasonable to suppose that the intention of the consecrating bishop was and is in conformity with this exclusion.

In the fifth chapter, Gasparri discusses the adequacy of the Anglican rite in itself. He begins by discussing various theories held by Catholics on the matter and form of ordination. Many theologians in the past have held that our Lord left to the Church the determination of the particular matter and form of Order. But, adds Gasparri, this theory was invented merely to explain how it is that the porrection of the instruments and the imperative formula can be the sole matter and form of ordination for the

Western Church, according to these authors, while in the Eastern Church these are absent.

Gasparri adds that it is much more reasonable to suppose that the matter and form of Order have not changed in the West, but are precisely the same now as in the early Roman rite, i.e. that they consist now, as then, in imposition of hands and a suitable prayer. According to this view, which Gasparri adopts, the imperative formulæ in the Roman Pontifical, "Accipe potestatem . . ." "Accipe Spiritum Sanctum," are not sufficient as ordination forms, because they are not prayers. Gasparri agrees with Boudinhon that the best way to ascertain the essential features of an ordination prayer is to take the common features found in all ordination prayers approved by the Church. He adds that all ordination prayers (1) relate to ordination, (2) impetrate for the ordinand the graces necessary for his state, (3) mention, in some way or other, the order to which the candidate is being raised.

Gasparri then turns to the Anglican rite. That for the diaconate would be valid if an ordination form could be imperative, for the Anglican form is more or less the same as the imperative formula in the Catholic rite. But if the ordination form must be a prayer, then the Anglican rite for the diaconate is invalid, for there is no prayer associated with the laying on of hands.

Turning to the rite for the priesthood, if the essential matter and form of this order are the porrection of instruments and the form "Accipe potestatem," then evidently the Anglican rite is invalid. Gasparri does not seem certain whether "Accipe Spiritum Sanctum, etc.," would be a valid form—he seems to suggest that it might be, if schismatical and heretical bishops had the right to choose the form of ordination. He adds, however, that in the Pontifical they are not used for the giving of the power to consecrate and to offer sacrifice. In any case they can be ruled out if we accept the view that the form of ordination must be a prayer. An examination of the prayer in the Anglican rite preceding the imposition of hands shows that this is not certainly sufficient, for it is not a prayer for the ordinand, but rather a prayer of thanksgiving. Moreover, it does not mention specially the priestly order.

As to the rite for the episcopate, those theologians who have held that "Accipe Spiritum Sanctum" is the form for bishops, must allow that the Anglican rite is valid, for it contains these words. But if instead we adopt the view that the form must be a prayer, then we must say that the prayer preceding the laying on of hands in the Anglican rite for bishops contains no mention whatever of the episcopate. It might be urged that this indeterminateness is remedied by the rest of the rite, as is the case with the form of confirmation, etc. Gasparri says he will not contest the gravity of this reply, but in the question of the validity of the episcopate, one must follow the safest course. He adds to this the authority of Pope Paul IV, who evidently regarded the Anglican rite for the episcopate as insufficient.

Gasparri also discusses the question whether the Anglican rite can be rejected *a priori* on the ground that it has not been drawn up or authorised by legitimate ecclesiastical authority. He mentions

that, according to Courayer, the Church has subsequently approved of rites drawn up in schism, and remarks that in any case, when judging the validity of a rite, Rome does not usually ask whether it was drawn up before or after a schism. Hence, a form might be sufficient even though drawn up by heretical or schismatical bishops. It would be sufficient, if it were the same *quoad substantiam* as that used by the Church. And thus we are obliged to compare the rite with the Church's rite, as has been done above.

Gasparri concludes that the lack of intention is probable but not certain. The rite for the diaconate is probably valid if the old Scholastic view of its matter and form is probable, but the absence of a consecratory prayer is a more probable source of nullity. The validity of the rite for priests is scarcely probable, either because there is no porrection of instruments, or else because the prayer is defective; the validity of the rite for bishops is decidedly probable, because of the weight of opinion in favour of the view that the episcopal form is "Accipe Spiritum Sanctum." In accordance with these conclusions, Gasparri suggests that the practice of the Church might well be changed from absolute reordination to conditional reordination.

Mgr. Gasparri visited Rome in April, 1895, and brought the work of Denny and Lacey to the notice of certain Cardinals who were intending to study the question of Anglican Orders.<sup>1</sup> Evidently he sent later on his own work to Rome, and towards the end of 1895, or early in 1896, the Pope asked him for ten copies of it.<sup>2</sup>

In October, 1895, there was formed in Paris an "Association for Promoting the Purpose of Reunion," with a weekly journal, the *Revue Anglo-Romaine*, the first number of which appeared in December of that year. Its editor was the Abbé Portal, and it published a number of documents, and articles by both Catholic and Anglican writers on points of interest.

In the issues for February, 1896, Gasparri republished his study on Anglican Ordinations, with important modifications.

It had evidently been pointed out to him in the meantime that Cardinal de Lugo's theory on the nature of the moral union between the matter and form of the sacrament might be helpful, and accordingly, in his articles in the *Revue*, he discusses this theory.

According to De Lugo, it suffices for a moral union that the matter and form should be found in one and the same liturgical action. De Lugo also holds that the matter of ordination to the priesthood consists in the imposition of hands and in the porrection of instruments, while the form consists in the *Accipe potestatem*, accompanying

<sup>1</sup> Lacey, *Roman Diary*, p. 6.

<sup>2</sup> Halifax, *Leo XIII and Anglican Orders*, p. 240.

the latter. To the objection that in this case the first part of the matter, namely, the imposition of hands, is far removed from the form, he replies : " Non ita distat ut non censeatur habere propinquitatem moralem sufficientem. . . . Postquam imponuntur manus sacerdotibus usque ad illa verba, *Accipe potestatem*, etc., eadem actio moralis continuatur, unguendo illos et præparando ut magis congrue recipiant gratiam Sancti Spiritus. Postea vero explicatur magis materia, et apponitur alia pars ejusdem materiæ, simul cum forma ; quare distantia illa, quæcumque illa sit, non tam est inter materiam et formam quam inter partem et partem materiæ, quas certe non oportet sibi invicem coexistere physice. . . . Sufficit ergo moralis unio. . . . Quare cum de creando sacerdote agitur, tota illa actio qua ei insignia, vestes, instrumenta et alia solemniter dantur, censetur esse una et eadem actio."<sup>1</sup>

Gasparri remarks that this opinion is not certain, being in opposition to that of numerous grave theologians, but it is probable, and was regarded as such by the Sacred Congregation of the Council, which ordered the repetition *sub conditione* of the whole ordination rite in the case of a candidate for the priesthood who had received the imposition of hands but not the porrection of the instruments.

Gasparri adds that it is immaterial whether the form follows or precedes the matter. And lastly, he remarks that in the ancient Roman rite, between the imposition of hands (the matter) and the *consecratio* (the form) there was another complete prayer.

He then applies these principles to the Anglican rite, and suggests, contrary to what he had stated in his original brochure, that the two prayers in the Anglican rite for the diaconate, " Almighty God, which by Thy divine providence " (the second prayer following the Litany, at the beginning of the service), and " Almighty God, giver of all good things," said at the end of the Communion Service which follows the ordination, both of which mention the office of the diaconate, may, in accordance with De Lugo's theory, be said to be probably in moral union with each other, and with the imposition of hands (the matter) in the middle of the rite. In this view, the Anglican rite for the diaconate is probably sufficient.

Next, Gasparri considers the Anglican rite for the priesthood. " Accipe Spiritum Sanctum, etc.," might be a sufficient form, if the form could be imperative, instead of a prayer, and if even heretical and schismatical bishops have a right to determine the form of ordination. He adds that, as used in the Roman rite, the words do not signify the power to consecrate and offer. Accordingly he asks whether there is a prayer in the Anglican rite which could be regarded as a suitable form. The prayer preceding the imposition of hands is too general. The same must be said of the Collect at the end of the Communion service which follows the ordination. But on the other hand, the prayer " Almighty God, giver of all good things," which follows the Litany, is substantially similar to the consecration prayers approved by the Church, and its probable moral union with the imposition of hands makes the Anglican rite for the priesthood probably sufficient.

<sup>1</sup> *De Sacramentis in genere*, disp. II, sect. 5.



Lastly, he discusses the Anglican rite for bishops. If "Accipe Spiritum Sanctum" is the form for the episcopate, as maintained by so many theologians, then the Anglican rite is valid. But the more probable theory is that the form must be a prayer. The Anglican prayers are all unsatisfactory, save the prayer "Almighty God, giver of all good things," which follows the Litany. This resembles forms approved by the Church, and on De Lugo's view is united morally to the imposition of hands, and hence Anglican episcopal consecration is probably valid—valid, that is, with the probability which is to be attached to De Lugo's theory.

Gasparri's general conclusion, however, remains the same: Anglican Orders are only probably valid, and are therefore doubtful: they cannot be accepted purely and simply, but should be reiterated *sub conditione*.

11. Gasparri's work was the subject of an important article in the *Revue Anglo-Romaine* for February 29th, 1896, which was unsigned, but which was written by no less an authority than Cardinal SEGNA.

As to the Bull and Brief of Paul IV, the Cardinal says that the Pope is dealing merely with the question of the minister of ordination, i.e. what bishops were validly ordained, and that his decision affords no basis for any conclusion for or against the Anglican rite for the diaconate and the priesthood.

The Cardinal agrees with the rules Mgr. Gasparri lays down concerning intention, but says he would have to make certain reservations as to the particular applications made by him.

He agrees with Mgr. Gasparri that the matter and form of the three higher orders are the laying on of hands and prayer. He adds that this is the only theory which can now be regarded as true.

He then remarks that the form of all the sacraments save matrimony aims at producing a change in the subject, or else at giving to a particular rite or act a sacramental signification. Thus, immersion in water might have various ends. The form "Ego te baptizo" determines its significance. Similarly, we see in the Scriptures that hands may be laid on for various purposes, but when done with a sufficiently explicit formula, it becomes the matter of ordination. The forms of the sacraments, if determined by our Lord, were determined only *quantum ad sensum*. Hence if a form is to be valid, it suffices, but is necessary, that it should express the sense intended by our Lord, i.e. it must have the "sacramental significance." Now forms possess this sacramental significance only *quatenus sunt in usu et fide Ecclesiæ*. The form must, in its use, imply that "I accomplish the rite which, in the Catholic Church, is called Baptism, etc."

The Cardinal then considers the result of a change in the form. If the change is merely accidental, and the *sensus Ecclesiæ* remains,

the sacrament will still be valid. But if the *sensus* is altered, the sacrament will not be valid.

The Cardinal will not agree that a form which is in itself undetermined can be determined by the intention of the minister and the rest of the rite. If the form established by our Lord has been said, the sacrament is valid ; if it has not been said, then the lack cannot be supplied either by the intention of the minister or by the rest of the ceremony.

Thus one cannot say that the indetermination of the prayer preceding the laying on of hands in the Anglican rite for bishops is remedied by the rest of the rite. The Cardinal gives as an illustration the marriage rite. The form of this sacrament is the words and/or signs expressing mutual consent. The parties *must* answer affirmatively, by words or signs, the question put by the priest : "Wilt thou take this man or this woman, etc." If no answer is given there is no marriage, and the intention of the parties and the solemnity of the ceremony cannot make up for its absence.

Hence, we must decide whether the Anglican form for the episcopate is sufficient in itself. If not, the rite is invalid. The only way to decide is to consult the tradition and practice of the Church, and to compare the new form with the former ones, and to see if it resembles them, at least *quoad substantiam*. Now, as Mgr. Gasparri says, all forms authorised by the Church (1) relate to ordination, (2) impetrate graces necessary for the ordinand in his new state, (3) mention in some way the order conferred. Now, all the episcopal forms authorised by the Church without exception, designate the episcopate formally. The sense of them all is : "Lord, make this elect one a bishop." This must accordingly be regarded as an essential feature of an episcopal consecration. In other words, in an episcopal consecration, as in all other sacraments, the form must express what it confers or does. But the Anglican prayer for bishops, which precedes the imposition of hands, contains not the slightest designation of the episcopal dignity. Everything in it would apply equally well to the office of a priest or a deacon. Indeed, it seems deliberately to avoid any allusion to the episcopate. And therefore, if this prayer is the Anglican form, the rite is invalid. Thus the Anglican rite for the episcopate has kept all the superfluous elements, and left out the essential. It is just as if the couple to be married went through all the previous part of the rite, and then when asked the question, relapsed into an absolute silence.

There remains the formula "Take the Holy Ghost, and remember, etc.," which, as Denny and Lacey say, was intended by the compilers of the Ordinal to be the form. Here, then, we have an entirely new form, which, taken as a whole, has no equivalent in any Catholic rite. The first words, "Take the Holy Ghost," are merely an invocation of the Holy Spirit. Even if it be maintained that they signify the conferring of an order, what order is it? The rest of the "form," "remember to stir up, etc.," is simply an exhortation. Denny and Lacey say that the rest of the rite determines this form. But this is an introversion of functions, for it is the function of the form to determine the rite, and not *vice versa*. Denny and Lacey do indeed go on to maintain that the second part of the form suffices

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to determine the first, because it is a quotation from St. Paul's Epistle to Timothy, and according to the paraphrase of Erasmus referred to grace received by Timothy when he was ordained a bishop. But Cardinal Segna does not consider this conclusive. For this would mean that the form in itself does not signify definitely the conferring of the episcopal order, but only signifies it through a text of Scripture as interpreted by Erasmus, i.e. not *ex sese* but *veluti ex consequenti*. Moreover, it is by no means certain that the compilers of the Ordinal took the word "grace" in the text to signify the episcopal order, for the Protestants used the word "grace" rather in the sense of *gratia gratis data* such as prophecy, etc. or else in the sense of a certain "fortitudo animi," as Rosenmüller puts it. It is therefore not surprising that the Anglicans should have thought it necessary to add to this form in 1562. As thus improved, the form would present much greater probability as to validity, for one might say that it then conserved the ancient *sensus*. But the addition came a century too late. Denny and Lacey indeed say that the addition was made because of the Puritans, who confounded the episcopate with the presbyterate, and who appealed to the lack of an essential distinction between the two forms. The Cardinal says he will not question this fact, but adds that in any case the objection made by the Puritans was evidently a very strong one, seeing that it led the Anglicans to change the forms! This was tantamount to an admission that the previous form did not sufficiently stress the difference between the two orders.

Accordingly, Cardinal Segna concludes that Anglican Orders are invalid by reason of the defect of their form.

## CHAPTER IV

### THE PAPAL COMMISSION OF 1896 AND THE BULL *APOSTOLICÆ CURÆ*

1. In March, 1896, the Roman Commission announced in the previous September by Cardinal Vaughan was appointed by Pope Leo. The first members were Mgr. Gasparri, the Abbé Duchesne, Mgr. Canon Moyes, Dom Gasquet, Father David Fleming, and Padre de Augustinis, of the Gregorian University. These were to meet under the presidency of Cardinal Mazzella, with Mgr. Merry del Val as Secretary. Of the six members, three, Gasparri, Duchesne, and de Augustinis were known to take a more favourable view of Anglican Orders, while the three English representatives were obviously convinced that Anglican Orders were null and void.

Gasquet tells us in his *Diary* that some English Catholics sent in a Memorial to the Holy Father to the effect that "their party" (one not convinced of the absolute invalidity of Anglican Orders) was not represented on the Commission.<sup>1</sup> He adds: "I suppose them to mean that Father Scannell, who is believed to be in favour of the validity of the Orders, is not a member. It certainly would be a good thing if this can be arranged, so that the whole question may be threshed out from every point of view." The upshot was that, as Gasquet tells us in his *Diary* for April 1st, Cardinal Vaughan was asked by the Pope to send out Father Scannell, or someone holding the same views, to take part in the work of the Commission. Snead-Cox tells us that Cardinal Vaughan "not only assented at once, but volunteered to pay all Father Scannell's expenses."<sup>2</sup> The appointment of this seventh member made the Commission unevenly divided, and the balance was redressed by the appointment of a person whom Lacey described in his *Diary* as "an unknown Spaniard," but whom Snead-Cox describes as "a well-known Spanish Capuchin theologian," Fr. José Calasanzio de Llevaneras.<sup>3</sup>

<sup>1</sup> Gasquet, *op. cit.*, p. 42, under date March 20th, 1896.

<sup>2</sup> Snead-Cox, *Life of Cardinal Vaughan*, II, p. 196.

<sup>3</sup> *Op. cit.*, p. 196.

He was the author of a course of Dogmatic Theology, who had already been asked by the Pope to report on the Anglican Orders question,<sup>1</sup> subsequently became a Cardinal, under the name of Vives y Tuto, and is generally supposed to have been responsible for the composition and contents of Pius X's great Encyclical against Modernism, *Pascendi Dominici Gregis*.<sup>2</sup>

It can hardly be denied that the Pope had taken all possible means to make the Commission as representative and as competent as possible. Its President, Cardinal Mazzella, had been Professor of Dogmatic Theology at Georgetown University, Woodstock College in Maryland, and the Gregorian University of Rome. He had published four great treatises, *De Religione et Ecclesia*, *De Deo Creante*, *De Gratia Christi*, and *De Virtutibus Infusis*. The Secretary of the Commission, Mgr. Merry del Val, subsequently became Cardinal Secretary of State under Pius X. He had already taken a keen interest in the question. Of Dom, afterwards Cardinal Gasquet, we need only say that his works on English pre-Reformation history, and his study, written in conjunction with Mr. Edmund Bishop, on the origins of the Edwardine Prayer Book, made him eminently suitable for the Commission. Mgr. Canon Moyes had contributed many learned articles on pre-Reformation history to the *Tablet*, and was the author of a long series of articles on the Protestant Reformation in the same journal. Father David Fleming had been for a long time the Provincial of the English Franciscans, and was well known as a sound theologian. Mgr. Gasparri, the future Cardinal Secretary of State to Pope Pius XI, was an expert Canonist, responsible subsequently for the great codification of Canon Law. The Abbé Duchesne enjoyed a European reputation for his knowledge of early Church history, and particularly for his studies of liturgical origins. It is, however, true that, as Lord Halifax wrote, "Mgr. Gasparri was a canonist and theologian rather than a historian, and the Abbé Duchesne more conversant with the history of the first eight centuries than with that of the sixteenth."<sup>3</sup>

To this we may add that Gasparri confessed that his knowledge of the question was derived mainly from the Abbé Portal's pamphlet, and the *De Hierarchia Anglicana* of Denny and Lacey.<sup>4</sup> Gasparri was the only member of the Commission unable even to read

<sup>1</sup> Gasquet, *Leaves from my Diary*, p. 51.

<sup>2</sup> See *Catholic Encyclopædia*, Supplement.

<sup>3</sup> Halifax, *Leo XIII and Anglican Orders*, p. 26.

<sup>4</sup> Gasquet, *op. cit.*, p. 48.

English.<sup>1</sup> Duchesne was certainly unacquainted with the details of English Reformation history. Perhaps that is why he is said to have endeavoured to have the question of Anglican Orders settled apart from the historical setting of facts.<sup>2</sup> In any case, he expressed his dislike of the whole matter, said he had no wish to have anything to do with the case, and that practically all he knew he had got from the pamphlet of the Abbé Portal.<sup>3</sup>

Padre de Augustinis, a Professor at the Roman College, had already drawn up a private report on the Anglican Orders question for Pope Leo.<sup>4</sup> Lacey<sup>5</sup> gives an analysis of a *Votum* of de Augustinis, which may be this preliminary report. The most important points are as follows :

Padre de Augustinis maintains that the Anglican form for the Episcopate is the *Accipe Spiritum Sanctum* conjoined with the preceding prayer. This prayer, when viewed together with the rest of the rite, sufficiently determines the *Accipe Spiritum Sanctum* as a sacramental form. Similarly, the form for the priesthood is sufficiently determined by the concluding words of the imperative formula, the preceding prayer, and the general drift of the rite. Hence, as an ordination rite, the Anglican Ordinal is valid. To the objection that it was drawn up with heretical intent, he answers that if it contains a sufficient matter and form, the intention of the compilers does not matter. Also, to the objection that the rite was corrupted, he answers that accidentals only were altered, and the essentials retained. As to intention, the Anglican intention, as manifested in the Preface to the Ordinal, suffices. It is not necessary that the minister should intend to produce the effect or end of the sacrament. It is not necessary to do what the Church *intends*, but only what the Church *does*. If an Anglican bishop says, "I do not intend to ordain you a *sacrificing* priest," he nevertheless does in fact ordain such a priest, because in any case he intends to ordain a *priest*.

Hence, he concludes : "English Ordinations, on which the Holy See has not yet given a doctrinal judgment, are valid, by reason of their being effected by a competent minister, with a valid rite, and with the intention of doing what the Church does."

Mgr. Gasparri's "Votum" presumably consisted of his work on Anglican Orders, of which we have already given a summary.<sup>6</sup>

The contents of Mgr. Duchesne's *Votum* are not known, but we gather from Lacey's *Roman Diary* that it included a treatment of the Barlow and Nag's Head questions.<sup>7</sup>

<sup>1</sup> Lacey, *Roman Diary*, p. 55.

<sup>5</sup> Gasquet, *op. cit.*, p. 39.

<sup>2</sup> Gasquet, *op. cit.*, p. 45. This, however, was an exaggeration, for he had also read Denny and Lacey, and Estcourt. See letter quoted on p. 524.

<sup>4</sup> Lacey, *Roman Diary*, p. 6.

<sup>6</sup> *Ibid.*, pp. 42-46.

<sup>7</sup> See pp. 536-43.

<sup>7</sup> Lacey, *op. cit.*, p. 46.

It is to be presumed that it also gave a theological treatment of the subject, and in this connection Duchesne's real views were set forth in a letter he wrote to the Baron Von Hugel in September, 1896. In this he says :

"Vous savez que je n'avais jamais admis la suffisance du rituel pour le diaconat ; pour la prêtrise, plus j'étudiais la formule, et moins elle m'inspirait de confiance. Quant à l'épiscopat, j'espérais qu'on pourrait admettre le doute, bien qu'il y ait, là aussi, une objection assez grave."<sup>1</sup>

This shows that Duchesne was in reality much less favourable to Anglican Orders than he was generally supposed to be. He never regarded Anglican Orders as certainly valid, and his doubts increased as time went on.

The three English representatives, Gasquet, Moyes and Fleming, presented a joint *Votum*, which, at least from the historical point of view, was of much greater value than any other document put before the Commission.

A prologue pointed out that the Holy See had declared Anglican Orders invalid on no less than eight occasions.

The First Part of the *Votum* was mainly historical, and aimed at showing that the Reformers denied the Real Objective Presence, the Sacrifice, and the Priesthood, and that this denial was the motive behind the revision of the liturgy. The Second Part maintained that the Anglican rite is insufficient, because the form does not signify and specify definitely the order conferred. Moreover, the form was drawn up specially in order to express the heretical opinions of the Reformers. Nor can it be said that the adjuncts determine the form, for, "dato non concesso, formam aliquam in se indeterminatam reddi posse per adjuncta sufficientem in materia Ordinis . . . constat, talia fuisse adjuncta ut, non obstante tenuissima quadam analogia quoad verba (quæ vix evitari potuisset), nullum fundatum suppetat dubium de intentione auctorum Ritus Ritumque adhibentium Ordines Sacros in sensu Catholico penitus excludendi." There were a number of appendices. The first dealt with "Influxus Cranmeri, ac aliorum Reformatorum, in Liturgiam Anglicanam." Appendix II was "De mente Reformatorum in Liturgia Anglicana Componenda." Appendices III and IV gave the text, in parallel columns, of the Mass and the Anglican Communion Service, and the Ordination rite in the Pontifical and in the Anglican book. Appendix V dealt with a "Tentamen Cranmerum et Reformatores a negatione doctrinæ Catholicæ circa Eucharistiam vindicandi." Appendix VI explained the "Ratio tractandi presbyteros qui ab episcopis ordinati fuerunt durante schismate quam secutus est Cardinalis Polus." Appendix VII dealt with the "Vera Sententia Francisci de S.

<sup>1</sup> Extract in letter from Baron Von Hugel to Cardinal Vaughan, in Westminster Archives.

Clara de Validitate Ordinum Anglicanorum." Appendix VIII discussed the "Opinio Lugonis," and its application to Anglican Orders by Gasparri and others. The English theologians contend that not even the prayer at the end of the Litany is sufficiently definite, for it speaks only of those who are "called to the office of priesthood," and does not confer the office. Secondly, it is evident that Anglicans cannot accept De Lugo's theory as such, for he regards the "Accipe potestatem" as the essential form of the priesthood, and the tradition of instruments as an essential part of the matter. In any case, De Lugo's opinion "probabilem dici non posse." Appendix IX deals with Barlow's consecration. Appendix X gives "testimonia de usu profano Eucharistiæ" in the Anglican Church. Appendix XI discusses a "Dubium de validitate baptismi Anglicanorum."

The Vota of the two subsequent members of the Commission, Father Scannell and Fr. de Llevaneras, have not been published. But it seems clear that Fr. Scannell's conclusion was that there was sufficient doubt to justify the change of the practice from absolute to conditional reordination. Fr. de Llevaneras, on the other hand, was clearly in favour of the continuance of the traditional practice.

All the Vota written were distributed to each member of the Commission. In addition, other documents were printed and circulated, such as "Documenta ad Poli legationem spectantia," etc. On a table in the room in which the Commission met were also copies of Denny's *English Orders and Jurisdiction*, Denny and Lacey's *De Hierarchia Anglicana*, the *Book of Common Prayer*, the Works of Cranmer, Estcourt's book on *Anglican Ordinations*, and others.<sup>1</sup> Further documents were circulated to the members from time to time. In addition, all the documents from the Holy Office bearing on the Gordon Case of 1704 were placed at the disposal of the members.<sup>2</sup>

2. The Commission met for the first time in the Vatican on March 24th. After prayers, Cardinal Mazzella, the President, "exhorted all to speak frankly and fully on the matters that were to be discussed."<sup>3</sup> Or, as Mgr. Moyes subsequently wrote, the President informed the members that

"the Sovereign Pontiff had authoritatively and fully reopened to them the whole question of Anglican Orders, and that it would be their duty to examine it *ab initio*, and to discuss it freely, thoroughly and exhaustively, in all its bearings, especially taking into careful

<sup>1</sup> See *Tablet*, Feb. 20th, 1897.

<sup>2</sup> See letter from Lacey to Frere, in Lacey's *Roman Diary*, p. 135.

<sup>3</sup> Gasquet, *Leaves from my Diary*, p. 46.



consideration all the results of recent research, and any fresh evidence of a historical or theological kind which might be forthcoming upon the subject. . . . It would be for them to choose the order in which the several issues should be discussed, but it would be open to any member to bring forward freely any point which might seem to bear upon the question. In conclusion, he impressed upon all the importance of the work which the Holy Father had committed to them, and reminded them that, in dealing with the evidence, it was a sacred duty to put aside all personal feelings or prepossessions on one side or the other, and having before their eyes only God and their conscience, to seek nothing but the full and clear manifestation of the truth."<sup>1</sup>

It was made clear from the start that the Commission was to function more or less as a body of Consultors to the Holy Office, the Supreme Tribunal of the Holy See, which consists essentially of a certain number of Cardinals, who alone are the judges. The subject matter is discussed beforehand by "Consultors," specially chosen for their competence in the matter in question, and these draw up their "Vota," which are read out to the Cardinals, who then pronounce their decision. This meeting of the Cardinals takes place on a Wednesday, unless the matter is considered one of great gravity, in which case it is reserved for a meeting on a Thursday, at which the Pope himself presides. Each Cardinal gives his judgment, which is simply "*affirmative, negative, dilatanda*, or what not, no reasons being assigned."<sup>2</sup>

Thus it was understood from the first that, as Cardinal Mazzella informed Gasquet on March 20th, after as many meetings as might be thought necessary, the result of the discussions, with the minutes of the meetings, would go, together with all documents and papers on the subject, to the Cardinals of the Holy Office. "When they are ready to report, there will be a full congregation, at which the Pope himself will preside. After hearing all opinions, he will take the matter into his own hands, and after a delay for prayer and consideration, will decide the question, or, if he thinks fit, as some are strongly urging upon him, if he cannot pronounce for a change of practice to the *sub conditione* re-ordination, he will declare the question *dilata*, that is, will give no decision at all."<sup>3</sup>

The procedure to be adopted was, then, to be "similar to that observed in the Roman Congregations. Each member or group

<sup>1</sup> *Tablet*, Feb. 20th, 1897. "The Commission from the Inside."

<sup>2</sup> Lacey, *Roman Diary*, p. 129.

<sup>3</sup> Gasquet, *Leaves from my Diary*, p. 42.

of members presented a printed statement of their opinion, and the grounds upon which their conclusions rested. Copies of these vota were communicated to all other members, and copies of theirs received in return. Each one could further issue a reply to each, and thus a repeated exchange of written arguments constituted what we may call the documentary part of the discussion. The study and preparation of these documents occupied a considerable part of the intervals between the sessions. The sessions were devoted to the oral part of the discussion."<sup>1</sup>

At the first meeting of the Commission, as Gasquet tells us, "some question was raised as to the propriety of allowing Anglican representatives to attend our meetings, and to take part in our discussions." But Cardinal Mazzella pointed out that that was quite impossible, in a domestic discussion of a domestic matter.<sup>2</sup>

It is clear that this request emanated from Mgr. Gasparri and the Abbé Duchesne, for they both felt the need for expert coaching on the Anglican side which they were more or less championing. Gasparri had already written to Lacey on March 20th, i.e. before the first meeting of the Commission, for information on certain points.<sup>3</sup> Duchesne, in turn, was in close touch with Father Puller.<sup>4</sup> The result was that Fr. Puller and Lacey went out to Rome, to give the help desired.<sup>5</sup> Lord Halifax had something to do with their going.<sup>6</sup> The Archbishop of York "blessed" Puller, and the Bishop of Ely consented to Lacey's going. But they did not obtain "letters testimonial" from their diocesans, for these "might be misrepresented as commissioning" them "to represent the English episcopate."<sup>7</sup> They arrived in Rome on April 9th, and by April 15th Gasparri had obtained permission from Cardinal Rampolla to consult them, and to show them any documents.<sup>8</sup> This is rather surprising, in view of the fact that, as Gasquet tells us, the members were all bound by an oath of secrecy.<sup>9</sup> Gasquet himself, however, while recording the fact that Puller and Lacey were being kept *au courant* with everything said and done at the confidential meetings of the Commission, and had seen all the private documents,<sup>10</sup> remarks: "So far as we are concerned, we think it a

<sup>1</sup> Moyes, in *Tablet*, Feb. 13th, 1897.

<sup>2</sup> Lacey, *Roman Diary*, p. 29.

<sup>3</sup> *Ibid.*, p. 8.

<sup>4</sup> Lacey, *Roman Diary*, pp. 89-91.

<sup>5</sup> Gasquet, *op. cit.*, p. 46.

<sup>6</sup> Gasquet, *op. cit.*, p. 47.

<sup>7</sup> *Ibid.*, p. 8.

<sup>8</sup> Lacey, *op. cit.*, p. 29.

<sup>9</sup> Lacey, *op. cit.*, p. 35.

<sup>10</sup> Gasquet, *op. cit.*, p. 57.

good thing that they should be able to educate some members of the Commission to their views."<sup>1</sup> But on Monday, April 27th, Gasquet asked at the Vatican, and was informed "on the highest authority" that "no permission had been asked, and no leave granted, to break the *Secretum Pontificium*."<sup>2</sup> It would seem from this that Gasparri and Duchesne had obtained leave to consult Puller and Lacey, and that they had interpreted this permission in a very wide sense. It is significant that on March 23rd the Pope had told Gasquet that they would be all under the *Secretum Pontificium*, and added that this might not be necessary for Englishmen, who can hold their tongues, but others perhaps are more *légers*."<sup>3</sup>

In any case, the result was that, as Mgr. Moyes has written :

"The Anglican clergymen sent to Rome possessed very ample facilities for the fullest presentment and promotion of their claims.

"First, it was perfectly open to them to bring to the consideration of all concerned any and every argument which could be used in favour of Anglican Orders. . . .

"Secondly, when during the sessions new points arose from the discussion of their arguments, they were equally free to publish their answer as supplements to enforce this work, and circulate them in like manner. The supplements actually published bear witness to the zeal with which these opportunities were utilised.

"Third, at all times during the Commission it was open to them to draw up fresh statements of their arguments upon the whole question, or any particular issue, and put them in the hands of every member of the Commission, and of every Cardinal or official in Rome who was likely to have a say in the enquiry.

"Fourth, they had able and zealous friends in the Commission with whom, as their letters testify, they were in close and constant and cordial communication, and upon these they could confidently rely to present all such arguments or statements to the Commission, to press them for all that they might be worth, and to have them duly entered in its official evidence and *Acta*. Their confidence in these friends was amply justified, and no argument in favour of Anglican Orders could have suffered from being entrusted to their care.

"Personally we doubt whether the Anglican Community could have found, either within its own ranks, or outside of them, any exponents more able or qualified for the presentment and handling of their case than those members of the Commission upon whom they relied for its advocacy. These Catholics were not only eloquent and earnest, but possessed that expert knowledge of theology and Canon Law which enabled them to give to every argument its most accurate and effective presentment and application, unmarred by misconception of Catholic principles, and by non-Catholic obliquity."<sup>4</sup>

<sup>1</sup> *Op. cit.*

<sup>2</sup> Gasquet, *op. cit.*, p. 45.

<sup>3</sup> Gasquet, *op. cit.*, p. 61.

<sup>4</sup> *Tablet*, Feb. 13th, 1897.

Accordingly, Mgr. Moyes is surely justified in writing :

"With full freedom of discussion within the Commission, and full freedom of presentment of every statement from without, it is difficult to see what more could have been done to ensure the enquiry and thoroughness of the enquiry."<sup>1</sup>

He also reproves an article in the *Church Quarterly Review*, which reproduced an assertion by Professor Swete, that "the enquiry was neither impartial nor free."<sup>2</sup>

It was agreed by the Commission that the discussions should centre round the following points :

(1) The character of previous Papal decisions on Anglican Orders, and an examination of the grounds of those decisions. This involved a discussion of the documents relating to the mission of Cardinal Pole, and the Holy Office cases of 1684 and 1704. Lacey says that "in the Commission Cardinal Mazzella refused to let the consultors go behind the Gordon decision [of 1704]."<sup>3</sup> But he himself adds that the members were free to discuss "whether there were grounds for revising the decision" of 1704.<sup>4</sup> Gasquet observes :

"From the very beginning it was clearly understood that we were perfectly free to adduce any arguments or bring forth any *factum novum* which might alter or modify the previous practice of the Holy See. In point of fact, the whole ground-work of the Gordon decision was fully discussed and re-examined."<sup>5</sup>

And Mgr. Moyes wrote :

"Certain writers . . . have endeavoured to convey the strange belief that the Commission had for its scope nothing more than to verify the fact that the Holy See had already given certain decisions upon Anglican Orders, and this once ascertained, its investigations were not allowed to go behind these decisions. It must be obvious to all that if only that were the object of the inquiry, no Commission would have been wanted. The whole supposition is utterly false and unfounded. The work of the Commission was not only to ascertain what the past decisions were, but whether the reasons on which they were grounded were still valid in view of actual theological and historical evidence. Thus, for example, if it could have been shown that the past decisions, and the consequent practice of reordaining Anglican clergymen absolutely, were founded on nothing more than the lack of the *porrectio instrumentorum*, the Commission, so far as I can judge, would have unhesitatingly recommended a modification of the present practice. In fact, the

<sup>1</sup> *Tablet*, Feb. 13th, 1897.

<sup>2</sup> *Roman Diary*, p. 135.

<sup>3</sup> *Leaves from my Diary*, p. 52.

<sup>4</sup> *Tablet*, Feb. 20th, 1897.

<sup>5</sup> *Ibid.*

chief object of the Holy Office archives being produced, was for the very purpose of enabling the Commissioners to thoroughly understand the reasons which underlay the former decisions."<sup>1</sup>

This first subject of discussion occupied no less than six meetings of the Commission. The first meeting on March 24th had settled procedure. The second, on April 7th, discussed previous decisions in general. The third, on April 9th, dealt with the Bull and Brief of Paul IV.<sup>2</sup> The fourth, on April 11th, was devoted mostly to the cases of 1684 and 1704.<sup>3</sup> The fifth, on April 13th, considered the practice of reordaining Anglican clerics, and the evidence that in Cardinal Pole's time Anglican Orders were disregarded.<sup>4</sup> In this connection, it is interesting to note that according to Lacey, Mgr. Moyes claimed that in forty cases, Pole or those acting under him rejected Anglican Orders, but Duchesne was satisfied that Pole treated alike those ordained by the Pontifical and those ordained by the Edwardine rite, and demolished thirty-eight and a half out of Moyes' forty cases, which "much impressed de Augustinis."<sup>5</sup> Gasquet remarks that "this wholesale destruction was certainly not accomplished in any session of the Commission."<sup>6</sup> Actually only twenty-one of the forty cases were claimed as Edwardine ordinations: the other twenty-one were Pontifical clergy. Mgr. Moyes' object was to show the difference in the treatment of the two categories. (See *Ordines Anglicani*, pp. 173-7). It is really impossible that Duchesne should have "demolished thirty-eight and a half" of these cases. And the evidence we have ourselves quoted shows that in point of fact Pole did reject Anglican Orders, and to this extent Duchesne was certainly wrong.

In point of fact, for some time Dr. Frere in England had been examining the episcopal registers to see if there was any evidence of reordinations of Anglican clerics in Mary's time. He discovered several cases of undoubted reordinations. Rumours of this reached Puller in Rome, and he wrote on April 27th asking Frere about the facts, adding, "If you have discovered facts which prove that Bonner did repudiate Edwardine Orders, we should feel bound to communicate such facts to our friends on the Commission. They have acted so very loyally towards us that, besides the general obligation of perfect openness in such matters, we are specially bound to be open with them."<sup>7</sup>

<sup>1</sup> *Tablet*, Feb. 20th, 1897.

<sup>2</sup> Gasquet, *op. cit.*, p. 52.

<sup>3</sup> Lacey, *Roman Diary*, pp. 33, 35.

<sup>4</sup> Lacey, *Roman Diary*, p. 57, footnote.

<sup>5</sup> Gasquet, *op. cit.*, p. 52.

<sup>6</sup> Gasquet, *op. cit.*, p. 52.

<sup>7</sup> *Leaves from my Diary*, p. 53.

On May 3rd, Puller received a letter from Frere, with particulars of the reordinations he had discovered, and a letter from the Bishop of Stepney containing this information was published in *The Times* for May 6th. Small wonder that, as Lacey tells us, Duchesne took this information very seriously.<sup>1</sup> One thing is clear: it fully confirmed the contention of Moyes, Gasquet and Fleming, that Anglican Orders had been rejected absolutely from the outset.

At the fifth meeting, on April 13th, Cardinal Mazzella asked the Commissioners to formulate individual answers as to whether, granting the practice of the Church, there could be shown to exist any "gravissima ratio" why that practice should be changed.<sup>2</sup> The replies were handed in, in writing, at the next meeting, the sixth, on April 18th.

The second subject of discussion was the validity of Anglican Orders considered apart from any decision or practice of the Holy See, and centred round three main points: (1) Have Anglican Orders a succession from a valid minister? (2) Have they a valid form? (3) Have they been conferred with a valid intention? The first point, of course, involved the vexed question of Barlow's consecration, and the evidence for and against this was carefully considered at the seventh session, on April 21st, and part of the eighth session, on April 25th,<sup>3</sup> that is, one whole session, and part of another. And yet Lacey could write:

"Two things strike me as remarkable. The first is the disproportionate attention paid by the Commission to unimportant points. It seems to be all about Barlow."<sup>4</sup>

Gasquet comments:

"From the first, I think I may say, we had looked upon even this brief discussion as needless, and at the moment as possessing a mere academic interest."<sup>5</sup>

And it is also to be noted that, as Gasquet tells us, the question of co-consecrators was also treated,<sup>6</sup> which would cover the case of Hodgkin, who assisted at Parker's consecration, and who was certainly himself a validly consecrated bishop.

The second question was that of the Anglican form, and the whole of the eighth session on April 25th, except the first hour, was devoted to this subject, and the whole of the ninth session,

<sup>1</sup> Lacey, *op. cit.*, p. 58.

<sup>2</sup> Gasquet, *op. cit.*, pp. 55, 58.

<sup>3</sup> *Op. cit.*, p. 58.

<sup>4</sup> Gasquet, *op. cit.*, p. 53.

<sup>5</sup> *Roman Diary*, p. 21.

<sup>6</sup> Page 55.

on April 29th. Mgr. Moyes says that the Commission felt that this was the main and decisive issue.<sup>1</sup>

The third question was that of intention, i.e. the intention of the Reformers in drawing up the rite, and hence the intention of the rite itself. This was examined at the tenth session, on May 2nd. At this session, Cardinal Mazzella once more formulated certain questions, to be answered in writing. The written answers were read at the eleventh session, on May 5th. Gasquet tells us that "after the *responsa* to these had been read, the Cardinal made an address, summing up the discussions we had been engaged upon. He concluded by saying that the opinions we had been asked for by the Holy Father had been sufficiently made known and debated, and that he would only request us to meet once more on Thursday, to pass the *acta*."<sup>2</sup> Mgr. Moyes informs us that "after three weeks (of discussions), these three *capita* had been fully threshed out, and all the arguments *pro* and *con* fully stated," and "the Commission itself agreed, by its own vote, that nothing more remained to be added, and that its work was complete."<sup>3</sup>

The last session took place on May 7th, when the *acta* were read and signed.

3. By this time it was clear to Puller and Lacey that "all graver considerations" were "reserved for another Commission of Cardinals."<sup>4</sup>

Lacey's comments on the Sacred College are interesting and significant :

"They are nearly all of the old school. They will ask, what is the intention of the English Ordinal? What was the meaning of its compilers? Either heretical opinions, or the change of the rite alone, would not present much difficulty, but the combination is awkward."<sup>5</sup>

Cardinal Rampolla suggested, through the Abbé Duchesne, on May 8th, that Puller and Lacey should stay in Rome for the time being, and hold themselves in readiness to give information to the Commission of Cardinals then appointed.<sup>6</sup> In view of this, two days later, Lacey "sketched out . . . the plan of a Supplement to the *De Hierarchia*, dealing with the points in which

<sup>1</sup> *Tablet*, Feb. 20, 1897, p. 284.

<sup>2</sup> Gasquet, *op. cit.*, p. 62.

<sup>3</sup> *Tablet*, Feb. 20, 1897, p. 284.

<sup>4</sup> Lacey, *op. cit.*, p. 59.

<sup>5</sup> Page 60. The "combination" is indeed "awkward," for it provides the decisive argument against the validity of Anglican Orders. See our last chapter.

<sup>6</sup> Lacey, *op. cit.*, p. 63.

the Cardinals are interested."<sup>1</sup> He began this on May 11th, and finished it on May 15th. It was published before the end of the month,<sup>2</sup> and copies of it were delivered personally by Puller and Lacey to all the Cardinals present in Rome, together with another brochure, entitled *De Re Anglicana*,<sup>3</sup> and the original work *De Hierarchia*.

In this *Supplementum*, Lacey withdraws the claim that Anglican Orders were recognised at the Council of Trent. He will not allow that Anglican Orders were condemned by Paul IV in the documents recently discovered by Gasquet, and actually maintains that, by "episcopi non in forma ecclesia ordinati et consecrati," the Pope means, not Edwardine bishops, but Lutheran superintendents! Hence, "tantum abfuit ut Pontifex his litteris ritum Anglicanum reprobaret, ut eum saltem tacito toleraret."<sup>4</sup>

As to the Marian reordinations recently made known by Frere, Lacey says these were probably merely the conferring of a supplementary ceremony, and in any case he claims that "nonnulli beneficiati . . . beneficia sua absque nova ordinatione procul dubio retinuerunt."<sup>5</sup> [We have seen in an earlier chapter that these two assertions are quite untrue.] There is a further section concerning Barlow, and then Lacey deals once more with the rite. He himself still holds that the Anglican form is the imperative "Receive the Holy Ghost, etc.," but in view of the widespread opinion that the form should be a prayer, he claims that the Anglican prayer preceding the imposition of hands is quite sufficient. The omission of a mention of the power to sacrifice is no objection, seeing that the power is not mentioned in various early Ordination rites. Similarly for the explicit mention of the order may be substituted some other determination, as in the Anglican rite. Or again, it may be maintained that the Collect following the Litany is the form, and this prayer at any rate is quite definite. The objection that it is far removed from the imposition of hands is answered by an application of De Lugo's theory. True, the prayer is followed by an examination of the candidate, but this is a mere ceremony. Or finally, Lacey suggests that the form is, not any single prayer, but the whole series of prayers, including the hymn *Veni Creator*.

Lacey then passes on to the question of intention. He claims that the intention of the Anglican Reformers was not really different from the intention of the Catholic Church, and therefore they may be said to have intended to do what the Church does. He denies that all mention of the sacrifice was omitted from the rite *ex industria*, and in any case, this concerns only an effect of the sacrament of Order, and not its substance. "Potest autem aliquis substantiam ordinis credere, qui unum aliumve ejus effectum negat."<sup>6</sup> As to

<sup>1</sup> Page 64. We gather from a letter written by Mgr. Moyes to Cardinal Vaughan on June 3rd, 1896, that this *Supplement* "repeats in brief most of the arguments used by the friends of Puller and Lacey during the Commission."

<sup>2</sup> Lacey, *op. cit.*, p. 130.

<sup>3</sup> Gasquet, *op. cit.*, pp. 67, 68; Lacey, *op. cit.*, pp. 64, 74.

<sup>4</sup> Page 11.

<sup>5</sup> Page 12.

<sup>6</sup> Page 30.



the intention of those using the rite, and especially in the reign of Elizabeth, the fact that Elizabeth claimed that her bishops should sit in the Council of Trent shows that the Anglicans claimed to possess a ministry equivalent to the old, and not merely a new one.

The other work distributed to the Cardinals, *De Re Anglicana*, was an extremely one-sided and inaccurate presentation of the Anglican Reformation, followed by a rather rosy account of the actual state of Anglicanism. It was written by Lacey at the suggestion of Portal.<sup>1</sup> At the request of Cardinal Mazzella, Gasquet and Moyes drew up a *Risposta*, countering the assertions in Lacey's pamphlet. This was distributed to the Cardinals on June 20th. As to the justice of the criticisms of Lacey by Gasquet and Moyes, we will only remark that Lacey himself wrote subsequently: "The pamphlet was, on the face of it, a partial statement, and it was open to legitimate criticism"<sup>2</sup> and that in our opinion the criticisms in the *Risposta* were fully justified. In any case the two documents have been printed in full by Lacey in his *Roman Diary*,<sup>3</sup> where they may be studied by all.

There is, however, one point in the *De Re Anglicana* and the *Risposta* which must not be passed over. Lacey, in the former work, had made it quite clear that what he and his party contemplated was the restoration of unity to the Catholic Church, unfortunately broken by schism. In other words, the Church is no longer visibly and externally one, though of course it ought to be. "Unica Christi Ecclesia visibili caritatis vinculo contineatur oportere, quis dubitat. . . . Hoc vinculum caritatis temporibus funestis dissolutum reficere cujusque boni Christiani esse semper nobis est traditum."<sup>4</sup> Note that what is contemplated is, not the return of Anglicans to the unity of the Catholic Church, but the restoration of unity to the Church itself, now unfortunately divided up into different communions.

For this restoration of unity, the recognition of Anglican Orders is necessary, for how could Anglicans communicate with one (the Pope) who doubts of their orders? ("Qui de his dubitaverit quomodo cum eo communionis vel voluntatem concipere poterunt nostri?")<sup>5</sup>

In their reply, Gasquet and Moyes give a perfectly fair and just picture of the real situation:

"One may ask if really in the Anglican Church there is a move-

<sup>1</sup> Lacey, *op. cit.*, p. 66.

<sup>4</sup> *Roman Diary*, p. 203.

<sup>3</sup> *Roman Diary*, p. 20.

<sup>2</sup> Pages 195-239.

<sup>5</sup> Page 206.

ment or a disposition of minds for union with the Roman See. We answer : If the Roman Pontiff would consent to the abrogation of the decrees of the Councils of Trent and of the Vatican, or to explain them in a new and non-Catholic sense, or should declare that the simple primacy of honour, or one founded *De jure ecclesiastico*, sufficed for his ministry, or, in other words, if the Pontiff were to become Anglican, there is no doubt that many amongst the New Anglicans would unite themselves to the Church of Rome. But if the Roman Pontiff, as infallible custodian of the Catholic truth, refuses to make similar concessions, with the exception of those sincere souls, every day more numerous, who enter the bosom of the Church, none amongst the Anglican bishops, few of the clergy, and very few of the laity would seek union in the Catholic sense."<sup>1</sup>

Also, they quote from *The Times*, to the effect that "It is sufficiently probable that a section of the High Church party would be disposed to accept fully the proposals of the Pope. But a larger and more judicious party would not do so at all. At the most a recognition by the Pope of Anglican Orders would serve to confirm them in the persuasion of the truth and security of their position. . . ." "The recognition of Anglican Orders will serve to weaken rather than to fortify the position of the Pope and of his Church."<sup>2</sup> Accordingly, Gasquet and Moyes express their opinion that to promote real unity in England, "without sacrificing truth and justice, it is absolutely necessary to abstain from everything which may, even apparently, give approval and force to the pseudo-Catholic sect, or which may confirm in any way its authority. Otherwise, not only will historic and dogmatic truth be obscured, but the people of England will be deceived in regard to the Catholic Church, and the return of England to the faith will become impossible, or will be indefinitely retarded."<sup>3</sup>

Lacey's *Supplementum* formed the subject of three articles in the *Revue Anglo-Romaine* for July, 1896. These were written by the Abbé Boudinhon, whom Lacey had met in Paris in June, on his way back to England.<sup>4</sup>

He says the documents produced by Lacey confirm his previous conclusion, that the only important objection against Anglican Orders is that based upon the supposed insufficiency of the rite itself. He discusses three points raised by Lacey :

(1) Can the Collect after the Litany be regarded as the form, or part of the form ? He says he is unconvinced by the reasoning

<sup>1</sup> Translation in Halifax, *Leo XIII and Anglican Orders*, p. 364.

<sup>2</sup> *Times*, 1st June, 1896, *apud* Halifax, *op. cit.*, p. 366.

<sup>3</sup> Halifax, *op. cit.*, p. 366.

<sup>4</sup> Lacey, *Roman Diary*, p. 83.

of De Lugo and Gasparri, and that the moral union is lacking between this prayer and the imposition of hands.

(2) Is the prayer immediately preceding the imposition of hands sufficient? Boudinhon adheres to his previously expressed opinion, that the prayer for an Anglican bishop could suffice, but that the prayer for a priest is insufficient.

(3) Can we regard the *ensemble* of prayers as constituting the sacramental form? Boudinhon says he finds it difficult to believe that Lacey puts forward this hypothesis seriously, as it fails to distinguish between the essential and the accessory parts of the ordination rite. In any case the multiplication of accessory rites will not assure the efficacy of the whole, if no one of the prayers fulfils the required condition.

Lastly, Boudinhon discusses the remarkable interpretation of the Paul IV documents given by Lacey, and, strange to say, accepts it. He similarly agrees that there is no reference to Anglican Orders in the Julius III faculties, and even holds that Pole authorises the reinstatement of Edwardine clerics without reordination! He concludes: "il est permis de conclure que tous les documents officiels émanés de Jules III, de Paul IV et du Cardinal Pole, sont beaucoup plus favorables que contraires à la valeur des ordres anglicans; aucun n'en dénie expressément la valeur; plusieurs la supposent clairement."<sup>1</sup>

It is difficult to understand how Boudinhon could possibly have arrived at a conclusion so manifestly contrary to the real facts. We can only suggest that, for the time being, he was blinded to the real significance of such facts as he knew, by the clever argumentation of Lacey. In any case, Boudinhon made ample amends by translating later into French an Italian work in which the real facts and their significance were made abundantly clear.<sup>2</sup>

We must now return to Rome. The distribution of the *De Hierarchia*, the *Supplementum*, and the *De Re Anglicana* to the Cardinals in Rome did not exhaust the activities of Puller and Lacey. Throughout their stay in Rome, they had adopted a somewhat truculent attitude. Lacey himself writes:

"Memory, and the written records alike tell me that Fr. Puller and I adopted an attitude in Rome that must have seemed arrogant to those accustomed to another manner. We certainly had not the air of suppliants. . . . Both . . . spoke very plainly of the effect which an adverse decision would have. It was useless, we said again and again, to talk to the English Church about reconciliation with Rome until the question of the ordinations was settled in a favourable sense. That might be a very short step towards recon-

<sup>1</sup> Page 791.

<sup>2</sup> Brandi, *Rome et Cantorbéry*, transl. par Boudinhon. Paris, 1897.

ciliation, but it was the indispensable first step. This was specially noticeable in the latter part of our visit."<sup>1</sup>

And again :

"Our only object . . . was to leave no room for mistakes about the way in which an unfavourable decision would be received."<sup>2</sup>

The utmost that Lacey would consent to is explained in a letter he wrote on April 25th :

"I have suggested a *proprio motu* . . . so that he [the Pope] might recognise the validity [of Anglican orders] as a theological fact, while ordering for practical reasons either the supply of the porrection, or conditional reordination, for any who may seek permission to exercise their ministry in the Roman Church."<sup>3</sup>

But Lacey would not really be prepared to agree to conditional reordination :

"I am pressing everywhere the point, that a definite ruling for conditional reordination, though it would not really close the door, would make it impossible for us to do much for reunion."<sup>4</sup>

And he was fortified in this attitude by a letter sent him by an Anglican clergyman, who wrote :

"Conditional reordination, they must understand, is a thing we cannot even consent to discuss."<sup>5</sup>

Puller and Lacey thus must have made it clear to the Cardinals that nothing short of the absolute recognition of Anglican Orders would satisfy them.

Other Anglicans were apparently making representations in a similar sense. Thus Gasquet writes, under date March 27th, 1896 :

"We heard to-day on what is apparently good authority, that Lord Halifax had communicated to the Pope through one of the Commission, his opinion that if any decision adverse to the validity of their Orders was arrived at and published, there would be an end to reunion for ever. In this view, the Pope was informed, the Archbishops of Canterbury and York, and the Anglican bishops generally, agreed."<sup>6</sup>

That this rumour was not without foundation is shown by the following extracts from a letter which Lord Halifax wrote to Cardinal Rampolla, on 20th March, 1896 :

<sup>1</sup> *Op. cit.*, pp. 18-19.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, p. 20.

<sup>4</sup> *Ibid.*, p. 131.

<sup>5</sup> *Ibid.*, p. 101.

<sup>6</sup> *Leaves from my Diary*, p. 48.

"J'ai pu parler aux archevêques de Canterbury et d'York, aussi bien qu'à plusieurs de nos évêques. . . . L'archevêque d'York me dit dans une lettre que je reçois de lui ce matin : ' . . . Je crains que nous n'estimions pas assez les forces de ceux qui voudraient obtenir la condamnation de nos Ordres. Si cela se fait, ça mettrait fin à tout espoir d'union.'

"M. Gladstone me dit aussi : 'J'espère ardemment qu'au point où nous en sommes, le Saint Père se gardera bien de se laisser mener, par de mauvais conseils, à une condamnation des Ordres anglicans.'

"Et l'Evêque de Gloucester exprime les mêmes sentiments, disant : 'Ce que je crains le plus, pour l'effet que cela produirait sur les esprits ici, serait que l'influence de la hiérarchie romaine en Angleterre si peu favorable à la paix, et si hostile à tout projet d'union, obtint une déclaration niant la validité de nos Ordres.'

"J'ose, Monsieur le Cardinal, vous mettre au fait de ces sentiments, qui, je puis vous l'affirmer avec la plus grande certitude, n'expriment que la vérité absolue. . . .

"Votre Eminence me demandera peut-être ce qui a provoqué ma lettre : C'est qu'on annonce ici de la part des personnes qui devraient être les mieux renseignées, que la condamnation des Ordres anglicans doit être prononcée prochainement à Rome."<sup>1</sup>

Lord Halifax carried this matter further, by asking Gladstone, on April 18th, to write a letter, which might be published in the *Revue Anglo-Romaine*, "insisting on all that might be hoped from conferences and explanations." This would "assist the Pope in carrying out what we know to be his wishes."<sup>2</sup> Later on it was suggested that Gladstone should write direct to the Pope, or to Cardinal Rampolla.

Gladstone hesitated to write such a letter, "lest such a communication from him should not be agreeable to the Pope, and he should seem to be intruding in business which was not directly his own."<sup>3</sup>

Halifax obtained, through Portal, an assurance from Rampolla that Gladstone might send some sort of communication, but not in the form of a letter to the Pope.<sup>4</sup> Accordingly, Gladstone drew up a *Soliloquium*, which was presented to Cardinal Rampolla on May 27th, and published in the London newspapers a day or two later. It contained the following statement :

"It is to the last degree improbable that a ruler of known wisdom would at this time put in motion the machinery of the Curia for the purpose of widening the breach which severs the Roman Catholic Church" from the Anglican Communion.

<sup>1</sup> *Leo XIII and Anglican Orders*, p. 277.

<sup>2</sup> Halifax, *op. cit.*, p. 291.

<sup>3</sup> Page 296.

<sup>4</sup> *Leo XIII and Anglican Orders*, pp. 298-9, to be compared with Lacey, *op. cit.*, pp. 52-3.

"A condemnation of Anglican Orders would . . . stand as a practical affirmation of the principle that it is wise to make religious differences between the Churches of Christendom more conspicuous to the world . . . so as to enhance the difficulty of approaching them at any future time in the spirit of reconciliation. From such a point of view an inquiry resulting in a proscription of Anglican orders would be no less important than deplorable. But the information which I have been allowed . . . to share, altogether dispels from my mind every apprehension of this end, and convinces me that if the investigations of the Curia did not lead to a favourable result, wisdom and charity would in any case arrest them at such a point as to prevent their becoming an occasion and a means of embittering religious controversy."

And later on he urges :

"It is surely better for the Roman and also the Oriental Church to find the Churches of the Anglican succession standing side by side with them in the assertion of what they deem an important Christian principle, than to be obliged to regard them as mere pretenders in this behalf. . . . These considerations of advantage must of course be subordinated to historic truth, but for the moment advantage is the point with which I deal."<sup>1</sup>

Gasquet comments as follows on Gladstone's letter :

"The object of the letter is obvious, and Mr. Gladstone must have been pressed to write it by those who do not desire any decision, if it be unfavourable to their views, for it is meant clearly to deprecate any decision whatever, unless it be in favour of the Validity."<sup>2</sup>

4. Thus very great pressure was continually being brought to bear upon the Pope by the High Anglicans and their friends inside the Church. It would have been surprising if none of these things had come to the knowledge of Cardinal Vaughan, and if he had remained inactive. In point of fact, the *Secretum Pontificium* prevented the English Catholic members of the Commission from communicating to the Cardinal any details as to what was transpiring in the meetings of the Commission itself. As Gasquet remarks in his *Diary*, under date April 24th, 1896 :

"It would perhaps be useful if we had permission to communicate what is going on to Cardinal Vaughan, but our mouths are shut."<sup>3</sup>

And again under date May 27th :

"We had been unable to let even Cardinal Vaughan and the English Catholic Bishops have any information about the Commission."<sup>4</sup>

<sup>1</sup> The complete text will be found in Halifax, *Leo XIII and Anglican Orders*, pp. 312-318.

<sup>2</sup> *Leaves from my Diary*, p. 69.

<sup>3</sup> *Ibid.*, pp. 57-8.

<sup>4</sup> *Ibid.*, p. 66.

But some general information, such as was not covered by the Pontifical secret, was sent to Cardinal Vaughan, especially by Mgr. Moyes. Thus, the latter wrote to the Cardinal on March 31st :

" Mgr. Merry del Val told us on Saturday that Gasparri and other people were bringing to bear a great deal of influence on the Pope, and that the Holy Father had received letters from many quarters—presumably also from Lord Halifax—impressing upon him that, if he gave any decision against Anglican Orders, he would effectually close the door upon all hope of reunion, not only now but for ever in the future. Mgr. Merry del Val thinks that the Holy Father is more or less ' upset ' by these threats, and hesitates, thinking that we in England only see one side of the question. . . . It is but natural that the Holy Father should pass through a series of impressions on the subject, but there is no doubt that the Halifax party will do all that can be done to frighten the Pope out of his resolution to decide, or to induce him to decide for the *sub conditione*, which is Gasparri's favourite contention. Mgr. Merry del Val thinks, as we all think, that a firm and outspoken manifesto and representation of the English Bishops (associated, if possible, *ad hoc*, with some of the Scottish and Irish), will be essential if we are to succeed. Your Eminence might, if it shall seem good to you, avail yourself of the Low Week meeting to secure this representation. The moment for submitting it to the Holy See could be chosen later on, and at the time when such pressure would be most likely to carry its purpose.

" Gasparri called upon us and stayed for nearly an hour, discussing several of the issues. He is very frank and genial, but one who will evidently do his uttermost in the cause he has undertaken. He says that there are two ways in which the Holy Office can now deal with the question—*viz.* scientifically, and on the principles of theology, or prudentially, *viz.* taking into account the situation of the moment, and taking cognisance of the views expressed by persons of distinction on the question. If, he says, the Holy See goes upon the first tack—the principles of theology—it will decide for the invalidity of Anglican Orders. But if it goes upon the second, and pays deference to the fact that some theologians hold the contrary, and that the situation of the time counsels a modification of the existing rule, it will decide for the *sub conditione*. Your Eminence will judge from this how likely it is that the opposite party, while disputing every inch of the theological ground, will probably throw their whole strength into the diplomatic or prudential influences. . . .

" Our case becomes more and more unanswerable. Fr. Gasquet has found in the Archives several points which make it still clearer and stronger. Theologically, we have no doubt, God granting it, of the victory."<sup>1</sup>

<sup>1</sup> Westminster Archives. Gasquet also gives an account of this interview with Gasparri (*Leaves from my Diary*, pp. 47-8), but it is not so full as that given by Mgr. Moyes.

At the same time, Dom Gasquet sent some suggestions to the Cardinal for the drafting of the proposed letter of the English Bishops. We shall see that Cardinal Vaughan decided to act in accordance with the suggestion made to him.

Mgr. Moyes wrote again on April 1st :

" Mgr. Merry del Val has just come from the Pope. . . . The Holy Father constantly asks, ' What would be the effect if I make a decision?—Will there be an outcry by the Anglican Church?—What would be the effect on the Government?—Would it tend to hasten disestablishment?—Would it be well to do anything which would help disestablishment? ' Mgr. Merry del Val dwelt upon the advantages to be gained from a frank decision, and the Pope seemed to agree with what he said. He asked the Holy Father, moreover, to read the work of Cranmer which was presented to him, and spoke of its blasphemies against the Mass, which seemed to impress the Holy Father. Thus, for the moment our side of the wheel seems uppermost, but the hostile influences will be still at work, and there will be yet many turns before the end."<sup>1</sup>

On April 4th, Mgr. Moyes wrote :

" This morning, when I went to the Vatican, Mgr. Merry del Val told me that his interview with the Pope last night was very satisfactory. The Holy Father said that he had been reading more of our case, and that he was quite resolved that an end must be put to all this obscurity by a decision."

Cardinal Vaughan wrote to say that he would place the matter of the suggested letter before the Bishops in Low Week. Mgr. Moyes replied on April 11th :

" I am very glad that your Eminence will bring the matter before your suffragans at Low Week. We all feel that our theological position can be held against all attacks, and that the main danger lies in the delusion—fomented by the French and Anglicans—that a decision *sub conditione* would be a ' noble and magnanimous ' act of the Church which would go to conciliate Anglicans and smooth the way to Reunion."<sup>2</sup>

On April 24th, Dom Gasquet wrote to the Cardinal :

" So far as we have got, in spite of much that one does not like in the way the discussion has been conducted, I, and I think Canon Moyes and Fr. David, may be quite satisfied, and unless diplomacy comes in, as it may at any time, to prevent the Pope bringing the matter to a conclusion, I expect a decree against the validity is a certainty. Luckily it does not depend on the result of our meetings, and I have a much higher idea of the utility of the Holy Office than I had, and I have no doubt that the consideration of the

<sup>1</sup> Westminster Archives.

<sup>2</sup> *Ibid.*



question will be put in the hands of some good man. As far as we can learn, the general theological opinion of Rome is on our side."

In view of all these representations, a joint letter was drawn up and sent to the Pope in May, 1896, in the name of all the English bishops. It was as follows :

"The Bishops Suffragan of this See of Westminster in their Low Week meeting this year desired me to thank Your Holiness in their name for having appointed a Commission to examine once more the claim of the Anglican Protestants to possess valid orders. They consider that the appointment of this Commission has been expedient ; first because the Anglicans have put forward of late a claim to valid Orders and to the power of offering sacrifice ; secondly because many of them are apparently in good faith ; thirdly because they believe that the Holy See has acted without sufficient knowledge during the last three hundred years, and they imagine that they have now adduced new facts and arguments.

"The Bishops unanimously pray Your Holiness to pronounce upon this question a final decision, which shall remove any possibility of doubt or cavil from the minds of those non-Catholics who affect to believe that the Holy See of to-day is in disagreement with the Holy See of the past centuries.

"The Bishops feel that any departure from the tradition of three hundred years, during which the people have been taught by the Church that Anglican Orders are invalid, would be a great shock and scandal to the faithful Catholic people in this country.

"It seems to us important that the Holy See should pronounce a judgment against the validity of Anglican Orders for the following reasons :

"Firstly, the honour due to Our Lord in the Blessed Eucharist demands it. Men are presuming to consecrate and to represent themselves as sacrificing priests without due ordination. . . .

"2nd. The institution of Penance demands it. Men without power and jurisdiction are usurping the power of the keys, and the people are being taught that they possess the power to forgive sins. All this is more or less sanctioned in their eyes by silence on the part of the Holy See.

"3rd. Many Anglicans are in good faith, and believe that the Holy See is changing its judgment upon Anglican Orders. Doubts as to the validity of the Orders are being calmed by assurances that Rome will probably eventually pronounce them to be valid. The result of this is to keep Anglicans in their heresy, and to prevent conversions.

"4th. It is important to bear in mind the Anglican aim. It is, in reality, the formation of a Catholic Church which shall be independent of Rome and in rivalry with it. It is hoped that Canterbury may become the head of the Anglo-Saxon or English-speaking races throughout the world, as Rome is of the Latin races. They desire to obtain the name of Catholic and the advantage of professing those Catholic doctrines and practices which are identified

with the Catholic Church. It is hoped that the Anglican Church may not only in time outrival Rome, but become the meeting ground for reuniting other sects. To assume and carry on this rôle with success, it is essential that some recognition of Anglican Orders should be obtained from the Roman and Greek Churches. Hitherto all attempts have failed to win any such recognition from the Greeks. . . . It has latterly been the hope of a small body of Anglicans to obtain some kind of recognition, were it only a conditional one, from the Holy See. In order to win such recognition, they are willing to hold out an inducement of a possible corporate reunion.

" 5th. Both the Catholic Church in England and the mass of Protestants and the general public are unanimous that there is no prospect or possibility of a corporate reunion. The Archbishop of Canterbury has publicly declared that so long as Rome adheres to the doctrines of Trent and of the Vatican, any such reunion is impossible. The Archbishop of York has written in the same sense, declaring that while the Anglican Church is becoming daily more and more Catholic, it is also becoming daily more and more anti-Roman or anti-papal.

" 6th. But while this is the attitude or state of mind of the Archbishops and of the mass of Protestants, they are willing to encourage Lord Halifax and others in their overtures to Rome, in the hope that the Anglican Establishment may gain some kind of recognition of Anglican Orders, which the Holy See has hitherto always treated as absolutely invalid. Or, if they cannot gain an absolute recognition, they would be glad to see the Court of Rome retreat from its old position and confess that it had been in error during three hundred years, by modifying its conduct and re-ordaining *sub conditione*. Were this gained, nothing is more certain than that they would never cease to boast that they had forced Rome to acknowledge that in the matter of Orders it had been wrong for three centuries and that there were therefore hopes that in course of time Rome might make some further acknowledgment. They would also continue to protest that reunion with Rome was impossible on account of doctrinal differences. Thus they would gain several advantages from Rome and strengthen their position before the world, while the inducement of a possible reunion would disappear.

" 7th. The effect that a condemnation of the validity of Anglican Orders would produce may also be considered.

" (i) It would be nothing more than what Catholics universally in these countries, and Protestants, and the general public, expect. The astonishment would be extreme were the decision otherwise, and it would be rejected by a large number of the Low Church party with indignation.

" (ii) It would disappoint and displease the High Church party, who claim to be (a) Catholic and (b) independent of Rome.

" (iii) It would bring about a number of conversions. . . .

" For these reasons, to prevent scandal among the faithful, to hinder the spread of heresy and schism, to open the eyes of those who

are in good faith, and to bring about conversion, the Bishops unanimously petition Your Holiness to pronounce a definite and final decision upon the question of Anglican Orders."<sup>1</sup>

The letter of the English Catholic Bishops was supported by Irish and Scottish Archbishops.

Thus, Cardinal Logue wrote :

"Personally I cannot speak with any authority on the subject of Anglican Orders, but I believe there is a general persuasion of their invalidity in the Irish Church. I believe, moreover, that it would shock the faithful if there were any recognition of the validity of these orders. I have not the least doubt that any such recognition would be injurious to the Anglicans themselves, especially to the Ritualists. It would give them some colourable grounds to bolster up their false theories and prevent many of them from joining the Church. Hence Your Eminence is quite free to quote me as joining with the English Bishops in deprecating any acknowledgment whatever of even the probable validity of these orders. Indeed, I have very little fear of any such acknowledgment. Whatever may be said of abstruse historical questions, I think on theological grounds alone there should be very little room left for doubt."<sup>2</sup>

The Archbishop of Tuam (Dr. MacEvilly) wrote :

"I thoroughly concur in the views expressed by Your Eminence on the part of the English Bishops on the important subject of the validity of Anglican Ordinations. I always regarded them as utterly invalid. Apart from other reasons, I consider the substantial change in the essential form of ordination, as contained in the Ordinal of Edward VI, quite conclusive on the subject. Indeed, for over half a century I did not devote much attention to the subject. But I then thoroughly studied the subject from a theological and historical point of view, and in the convictions then wrought in my mind I never in the least wavered.

"If Rome pronounces a contrary decision, it will be all over. *Causa finita erit*, and we will have only to accept it dutifully and reverently. But I cannot believe it possible that she will do so. It would be a great misfortune if she did, and would be a shock to Catholic feeling in the country. I feel convinced that far from promoting the wished for cause of union and of paving the way for return to the Catholic Church, it would have precisely the opposite effect. It would embolden those who would fain be considered as members of the Catholic Church to adhere more firmly to heresy and schism. . . ."<sup>3</sup>

The Archbishop of Glasgow (Dr. Eyre) wrote :

"I quite agree that any departure from the tradition of three hundred years, during which the Church has treated Anglican

<sup>1</sup> English draft in Westminster Archives.

<sup>2</sup> Letter in Westminster Archives.

<sup>3</sup> *Ibid.*

Orders as invalid, would be a scandal to the Catholic public. We have always felt that Anglican Orders are not valid, and we hope that the Holy See would declare them invalid, if such be its judgment."<sup>1</sup>

And the Archbishop of Edinburgh (Dr. Macdonald) :

"I am ready to support the proposed petition to the Holy Father for a decision reaffirming the invalidity of Anglican Orders, *toto corde*. . . .

"It has seemed to me all along cruel to hold out to Anglicans hopes which must prove abortive, and the truest charity to them is to disabuse them as speedily and as completely as possible. Nothing could effect this better than a decision by the present Pontiff, after a full hearing of both sides."<sup>2</sup>

These letters were sent in the first place to Cardinal Mazzella, the President of the Anglican Orders Commission, for transmission to the Holy Father.<sup>3</sup>

The opportuneness of these representations from England must be judged in the light of the information already transmitted to Cardinal Vaughan by the English Catholic representatives in Rome. It had become fairly clear that, if the matter was to be decided solely from the theological point of view, Anglican Orders would almost certainly be condemned, but on the other hand, strenuous attempts were being made to have the decision suppressed or modified, on grounds of diplomacy and expediency. The only way to counter this campaign was to urge other considerations of expediency, in favour of the publication of a decision condemning Anglican Orders—supposing, of course, that the Enquiry was naturally leading to such a condemnation. It will be noted that the Scottish and Irish bishops, who were not so well informed of the trend of events as was Cardinal Vaughan, more clearly distinguished between the theological and prudential aspects of the question, and expressly made their own representations subject to the theological decision being really against Anglican Orders.

The English representatives in Rome were delighted with Cardinal Vaughan's action. Thus Mgr. Moyes wrote to the Cardinal on May 4th :

"We are delighted to hear that Your Eminence has secured the

<sup>1</sup> *Ibid.*

<sup>2</sup> *Ibid.*

<sup>3</sup> See letter from Mgr. Merry del Val to Mgr. Angeli, in Mgr. Cenci's biography, *Il Cardinale Merry del Val*, p. 71. Mgr. Cenci wrongly thinks this letter refers to the "adhesion of the English Episcopate to the Papal Bull condemning Anglican Orders." A long letter of thanks was indeed sent subsequently by the English Catholic Bishops to the Pope, but that was some months later.

adhesion of all the Bishops to the letter to the Pope. Our experience here daily proves it to be more and more necessary. . . . As far as our part is concerned, we are well satisfied, and we are full of hope of the best results. But that the opposition will leave nothing untried or undone is quite certain."

On June 3rd, Mgr. Moyes wrote thus to the Cardinal :

"The Holy Father is having the letter of Your Eminence and the English bishops printed for distribution amongst the Cardinals of the Holy Office. Portal, Puller and Lacey have been doing their uttermost. . . . They continue to speak with great confidence and say that they are assured that the existing practice will certainly be changed, and that an adverse decision is out of the question. On the other hand, Mgr. Merry del Val assures us that the Pope's mind is unchanged, and is certain to remain so."

5. At the conclusion of the Commission, the relevant documents were all placed in the hands of the Pope, together with the report drawn up by Cardinal Mazzella and the letters of the English, Scottish and Irish Catholic bishops.<sup>1</sup> His Holiness transmitted the documents to the Cardinals of the Holy Office and their Eminences were specially dispensed from all other work, so that they might be able to give their full time and undivided attention to the study of the question. The Pope had the same documents, and also began to study them.

The Cardinals of the Holy Office held several meetings on the subject, the first being early in June.<sup>2</sup> It had already been determined that the final decision should take place at a Thursday meeting of the Holy Office, in presence of the Pope himself, and not on a Wednesday.<sup>3</sup> Gasquet remarks that "the procedure is so rare that it has not been used since the days of Pope Benedict XIV."<sup>4</sup>

The Cardinals had nearly six weeks to study the documents. The final meeting took place in the Throne Room of the Vatican on Thursday, July 16th, in the presence of the Pope. Each Cardinal was called upon to give his judgment before God, without fear or favour, according to the truth, as his conscience should dictate.

All the Cardinals of the Holy Office were present on this occasion, with the exception of Cardinal Rampolla, the Secretary of State. Cardinal Mertel, who was ill, had to be carried to the meeting.

<sup>1</sup> Lacey, *Roman Diary*, p. 76, and Westminster Archives.

<sup>2</sup> Lacey, *Roman Diary*, p. 80.

<sup>3</sup> See p. 551 for an explanation of the significance of this.

<sup>4</sup> *Leaves from my Diary*, p. 70.

The judgment of the Cardinals was expressed in the form of answers to two questions. (1) Had the question of the validity of Anglican Orders been previously submitted properly to the Holy See, and fully determined?<sup>1</sup> (2) Whether the recent enquiry had shown that the previous decision was just and wise, or whether it called for revision.

The answer was, that the matter had been properly judged by the Holy See previously, and that the recent enquiry had proved that the previous decision was both just and wise, and therefore fully justified.

These answers were unanimous, and the judgment of the Cardinals was thus equivalent to a unanimous decision that Anglican Orders are absolutely invalid.<sup>2</sup>

To this we must add that the Pope had himself arrived at the same conclusion, after studying the documents.<sup>3</sup>

Two days after the final decision of the Holy Office, Mgr. Moyes and Dom Gasquet were given a farewell audience by the Pope, on their departure for England. He told them of his forthcoming Encyclical on the Papacy (*Satis Cognitum*), saying:

"This will, we hope, put light into their minds [i.e. those of the Anglicans] and then after an interval, this act will be followed by another, against—as far as I know (*quoi que j'en sache*)—the validity of the Orders, perhaps by more than a decree or by a letter, or encyclical like this, giving reasons.

"He asked if, from the point of diplomacy, it would cause annoyance to the Government. Might the Anglican Bishops not urge on the Queen and the Government to resent a condemnation of their Church and their Orders? We assured him that neither her Majesty nor her Government would dream of taking any steps in the matter, and that the Anglican Archbishops had no such influence. . . .

"Then he spoke of Gladstone, and asked if we did not think that the Encyclical<sup>4</sup> might not bring him to a knowledge of the truth. We replied that to the Divine Grace all things are possible, but that humanly speaking, the mind of Gladstone was such a mixture of religious liberalism and Anglicanism that his conversion was, at least, not probable.

"The Holy Father then spoke about the conversion of England, and we said that, while corporate conversion was impossible, we had every reason to hope that there would be a steadily increasing influx of converts, and that when the English people gradually grasped the true meaning and beauty of Catholic doctrines now

<sup>1</sup> "Propositam causam jam pridem ab Apostolica Sede plene fuisse et cognitam et judicatam."—*Apostolice Curæ*, C.H.S. edn., p. 13.

<sup>2</sup> Gasquet, *Leaves from my Diary*, p. 75.

<sup>3</sup> Mgr. Moyes, in *Tablet*, Feb. 20th, 1897, p. 285.

<sup>4</sup> *Satis Cognitum*, on the Papacy.

taught them by the Ritualists, they would not rest in the bonds of mere Anglican compromises, but would seek true Catholicity in union with the Chair of Peter.—But for that result it is essential that we should make it absolutely clear that Anglicanism has no vestige of title to call itself Catholic.”<sup>1</sup>

There remained the question whether and in what way this judgment against Anglican Orders should be embodied in a public pronouncement. The Pope said he would take time to consider this matter, and implore the Divine guidance, before coming to a decision.

6. In the end, the Pope decided to promulgate the decision in the form of a special Bull. He has himself told us the reasons which led him to take this decision :

“Considering that this matter of discipline, although already decided, had been by certain persons, for whatever reason, recalled into discussion, and that thence it might follow that a pernicious error would be fostered in the minds of many, who might suppose that they possessed the Sacrament and effects of Orders, where these are nowise to be found, it has seemed good to Us in the Lord to pronounce Our judgment.”<sup>2</sup>

Or, as the Pope himself explained in his subsequent letter to the Archbishops of Canterbury and York :

“We could not possibly swerve from the duty incumbent upon us towards God and the souls redeemed by the Blood of Christ, which arises out of the custody of the Faith and the Sacraments committed to us, though unworthy, and hence, having reflected repeatedly and for a long time upon the matter, we decided that we could no longer delay to pronounce that ordinations carried out according to your rite are altogether null and void.”<sup>3</sup>

It must have been only a stern sense of duty which thus led the Pope to issue the public and final condemnation of Anglican Orders. There must have been a great temptation to withhold a decision. For many years the Pope had dreamt of the Reunion of Christendom, and he had manifested especially his desire for the return of English Protestants to the See of Peter. He had been warned by Lord Halifax that a condemnation of Anglican Orders meant the end of his hopes. And Gladstone had depicted in glowing language the advantages to be gained by silence.

<sup>1</sup> Letter to Cardinal Vaughan, June 19th, in Westminster Archives.

<sup>2</sup> *Apostolicæ Curæ*, C.H.S. edn., p. 14. We substitute “discipline” for “practice” in the first line. The Latin is “caput disciplinæ.”

<sup>3</sup> Letter from Leo XIII to the Anglican Archbishops, English translation in *Rome and Reunion*, p. 129. Latin text in Lacey, *op. cit.*, pp. 395-7.

Gladstone's letter offered, in effect, as Mr. Snead-Cox says,<sup>1</sup> "a magnificent bribe, and it was a bribe that presented itself to Pope Leo in the guise that of all others it was fairest to him."

Or again, as Mgr. Moyes wrote in the *Tablet* :

"Dogmatically the Pope had nothing to lose by a recognition of Anglican Orders. . . . Diplomatically, he would have much to gain. . . . He would have given deep gratification to by far the most large and influential section of the English nation. He would have conciliated the favour of the most powerful of Empires, whose temporal influence touches his spiritual interests in all quarters of the globe. He would have drawn into closer relationship that part of the Anglican Church which gravitates towards Rome. He would have won popularity in the estimate of the English-speaking world, and a species of canonisation by the Anglican press and people. Above all he would have done much to conciliate souls, and to break down prejudice. As a set off to these gains, the Catholics of England could offer him nothing."<sup>2</sup>

And on the other hand, the Pope realised, as he tells us himself, that in deciding to condemn Anglican Orders publicly,

"this our decision would be badly received by many who, thinking as they do differently from us, in good faith, could not easily be brought to accept the truth,"<sup>3</sup>

and that

"those who hitherto entertained no doubts upon the matter in question would receive our adverse judgment somewhat badly,"

and he confessed that he was "saddened by the thought."<sup>4</sup>

But the Pope's solemn sense of duty won the day, and the Bull *Apostolicæ Curæ* which had been prepared, under his immediate and personal supervision, and subjected to careful examination and revision, passed under the seal of the Apostles, and was published to the world on September 13th, 1896.

The Bull *Apostolicæ Curæ* begins by explaining why the Pope had allowed the question to be reopened. The *communis sententia*, approved by acts of the Church and her constant practice, had been that true Orders had ceased to exist in the Anglican Church. But recently it had been asserted, not only by some Anglicans but also by a few continental Catholics, that Anglican Orders were certainly or else doubtfully valid. Both parties were persuaded that a re-trial of the case was called for, both by reason of the progress of knowledge, and also by the discovery of forgotten documents.

<sup>1</sup> *Life of Cardinal Vaughan*, II, p. 211.

<sup>2</sup> *Tablet*, Feb. 20th, 1897, p. 285.

<sup>3</sup> *Ibid.*

<sup>4</sup> Letter to Anglican Archbishops.



The Pope had accordingly permitted the case to be reopened, so that by means of a most careful investigation, even the appearance of doubt should be removed for the future. For this purpose, he had assembled a certain number of learned scholars, known to differ in their opinions on the subject, and ordered them to commit to writing the reasons for their views, giving them all facilities for studying the records in the Vatican and Holy Office. The Commission had duly met, and discussed the whole matter freely. First they had examined the origin and reason for the practice of reordination prescribed by the Apostolic See, and had considered the documents connected with Pole's Legation.<sup>1</sup>

The Bull does not say what the Commission itself thought of these documents, but proceeds to say authoritatively that the documents of Julius III and Paul IV involve the invalidity of Anglican Orders, and thus provide us with the origin of the practice of reordination.<sup>2</sup> Indeed, this practice of reordination removes any possibility of doubt as to the real meaning of the Pontifical documents, for "custom is the best interpreter of a law." It had always been held in the Church that the Sacrament of Order may not be repeated, but the Holy See not only tolerated, but approved and sanctioned this policy of reordination. The Bull mentions two examples of this, the cases of 1684 and 1704. Documents of unquestionable authenticity show that the decisions were based, not on the question of Parker's consecration, but on the defect of form and intention in the Anglican rite. Care was taken to have a copy of the Anglican Ordinal, and this was compared with various Eastern and Western forms. The decision was not motivated by the absence of the tradition of instruments in the Anglican rite.

Thus, it is clear that the question recently reopened had really been settled by the Holy See long before, and its recent discussion by Catholics was due to their ignorance of the documents in question. But in any case the Pope had ordered a fresh examination to be made of the Anglican Ordinal.<sup>3</sup>

This brings us to the second and perhaps the most important part of the Bull, the theological portion.

The Pope begins this by distinguishing between the essential part of a sacramental rite, and the ceremonial or accessory part. The essential part consists of what are called the "matter" and "form." All are aware that the sacraments of the New Law, being sensible and efficient signs of invisible grace, must signify the grace which they effect, and effect that which they signify. Now this signification, although found in the whole essential rite, i.e. the matter and form, belongs especially to the form, for the matter of the sacrament is of itself indeterminate, and is determined by the form. This is especially clear in the Sacrament of Order, the matter of which, so far as we are here concerned, is the imposition of hands. This does not signify of itself anything definite, and is used for the conferring of various Orders, and also in Confirmation. Hence we must seek for the determination of this matter in the sacramental

<sup>1</sup> Latin text in C.H.S. edn., pp. 3-5.

<sup>2</sup> Pages 8, 9.

<sup>3</sup> Pages 5-8.

form. Accordingly the Pope proceeds to examine the Anglican form for orders, first for the priesthood, and next for the episcopate.<sup>1</sup>

He says that "the words which until recently were commonly held by Anglicans to be the proper form of priestly ordination, i.e. 'Receive the Holy Ghost,' etc.,<sup>2</sup> do not in the least signify definitely the order of priesthood, or, alternatively, its grace and power, which is principally the power of consecrating and offering the true Body and Blood of the Lord in that sacrifice which is not a nude commemoration of the sacrifice offered on the Cross.<sup>3</sup>

[The Bull does not elaborate this point, or explain why the power to forgive sins, or the exhortation to be a faithful dispenser of the Word and Sacraments, cannot be regarded as signifying definitely the Catholic priesthood, or the power of consecrating and offering the Body of Christ in the Mass. We will deal with this point later<sup>4</sup>].

The Pope remarks that this form was subsequently improved by the addition of the words "for the office and work of a priest," but this late addition rather shows that Anglicans themselves realised that the earlier form was imperfect and inadequate. But in any case this addition was made too late: the succession had already been lost.<sup>5</sup>

Next, the Pope discusses the question whether this lack of determination in the Anglican form could be supplied by the other prayers in the rite, and answers in the negative, for "from them was deliberately removed whatever in the Catholic rite clearly designates the dignity and duties of the sacerdotium." It will be noticed that the Pope does not deny the hypothesis that an indeterminate form could be determined by its surrounding prayers, but he denies its application to this particular case. He concludes: "A form cannot be apt and sufficient for a sacrament, which is silent (*reticet*) precisely upon what it ought properly to signify." [That is to say, the form must, if not explicitly at least implicitly, signify the dignity of the Catholic priesthood, or its grace and power, which is chiefly that of consecrating and offering the Body and Blood of Christ in the Mass. But the Anglican form does not signify the dignity or power of the priesthood, whether explicitly or implicitly.<sup>6</sup>]

The Pope then passes on to the form for the episcopate, and says that the same applies to this. "Receive the Holy Ghost," etc., is inadequate as a form, and the preceding prayer, "Almighty God," will not supply the deficiency, for from it were removed the words which in the Catholic rite speak of the summum sacerdotium. Moreover, the episcopate admittedly pertains to the Sacrament of Order, and is the highest grade in the priesthood. Hence, in view of the fact that the Sacrament of Order, and also

<sup>1</sup> Pages 9, 10.

<sup>2</sup> The Bull merely says, "Accipe Spiritum Sanctum," but it does not mean that that is the whole of the Anglican form for the priesthood. Similarly it quotes only the beginning of the form for the episcopate, as "Accipe Spiritum Sanctum." The Bull clearly implies that the form for the priesthood is different from that of the episcopate, and therefore supposes that the words in question do not constitute the whole of either form.

<sup>3</sup> Page 10.

<sup>4</sup> See Chapter IX.

<sup>5</sup> Page 10.

<sup>6</sup> *Ibid.*

the true Christian priesthood, were altogether removed from the Anglican rite, in no way can it be said that the priesthood is conferred by the Anglican rite for bishops. Hence it is needless to discuss whether consecration to the episcopate without previous sacerdotal ordination would be valid.<sup>1</sup>

Having thus dealt with the Anglican rite taken in itself, the Pope passes on to consider the circumstances of its origin. These fully confirm the opinion as to its nature which has been derived from the preceding examination. For it is a simple fact that the authors of the Ordinal were animated by a hatred of the Catholic Church, and that they were assisted by the followers of heterodox sects. Realising only too well the bond between the *lex credendi* and the *lex supplicandi*, they deformed the Liturgy in accordance with the errors of the Reformers, in many ways, under the pretext of returning to primitive forms. Thus it comes about that in the whole Ordinal not only is there no open reference to the sacrifice, consecration, sacerdotium, and the power of consecrating and offering the sacrifice, but indeed all vestiges of these things which remained in those prayers of the Catholic rite which had not been completely rejected, were deliberately cut out and removed. This makes plain the real spirit and character of the Ordinal. Obviously an Ordinal thus insufficient by reason of its defects could not become sufficient later on, and hence it is of no avail to say that from the time of Charles I some Anglicans admitted some kind of sacrifice and priesthood, and that additions were made to the Ordinal, and it is useless to argue that the Ordinal in its present form might be understood in an acceptable sense. In any case we have to deal merely with some ambiguous words which really cannot be understood in the Catholic sense. For inasmuch as the Sacrament of Order has been denied or adulterated, and all idea of consecration and sacrifice repudiated, the formula "Accipe Spiritum Sanctum," etc., no longer signifies the sacramental grace, and the words "priest" and "bishop" in the rite are not used in the Catholic sense, but remain names without the reality which Christ instituted. This also shows that the prayer after the Litany cannot be regarded as a sufficient form, apart from other considerations, even though such a prayer might be regarded as sufficient if it occurred in some rite approved by the Catholic Church.<sup>2</sup>

In the above section, the Pope has discussed the purpose or intention of the rite itself, as shown by the ideas and intentions of the Reformers and those who used it. "Thus, to the inherent defect of form there is conjoined the defect of the intention necessary for a sacrament." The Church does not judge as to the merely internal intention, for this is obviously secret, but it can and must judge of an intention which is manifested outwardly.

"Now if a person seriously and rightly uses the proper matter and form in ministering a sacrament, he is deemed by that very fact to intend to do what the Church does. It is on this principle that the doctrine is based according to which a sacrament is truly conferred even by a minister who is a heretic or an unbaptised

<sup>1</sup> Pages 10, 11.

<sup>2</sup> Pages 11, 12.

person, provided he uses the Catholic rite. But on the other hand, if the rite (a) is altered, (b) with the clear purpose that another, not received by the Church, may be introduced, and (c) in order that something which belongs by the institution of Christ to the nature of the sacrament may be cast away, then it is evident not only that the intention necessary for the conferring of the sacrament is absent, but indeed that there is present an intention adverse to and repugnant to the sacrament."<sup>1</sup>

It is important to note that this section of the Bull is concerned with "*intentio quatenus extra proditur*," and it says that this intention, manifested externally by the authors and users of the Anglican rite, cannot be said to be the "intention of doing what the Church does," and therefore is insufficient. Thus, the Pope is not deciding here the controversy in the theological schools as to whether an internal intention contrary to the sacrament will destroy the effect of the internal intention which wills to perform the sacramental rite.<sup>2</sup>

Having thus explained the twofold defect of the Anglican Ordinal in form and intention, the Pope authoritatively declares Anglican Orders to be absolutely invalid :

"Accordingly, strictly adhering in this matter to all the decrees of the Pontiffs who have preceded us, and most fully confirming and renewing them by our own Authority, of Our own motion and certain knowledge, we pronounce and declare that ordinations carried out according to the Anglican rite have been and are altogether void and absolutely null."<sup>3</sup>

But after this stern sentence, the Pope ends with a touching and fatherly appeal to his erring Anglican children :

"It remains for us to say that, as we have undertaken to determine the most certain truth in this grave matter in the name and spirit of the Great Shepherd, so in the same we appeal to those who with a sincere will desire and seek the benefits of Orders and of a Hierarchy. Perchance until now, ardently striving after Christian virtue, and very devoutly searching the Sacred Scriptures, and redoubling their pious prayers, they have hesitated as uncertain and anxious, at the voice of Christ already warning them from within. Now they see clearly whither He the Good Shepherd invites them and desires them to come. If they return to his one fold, then indeed they will surely obtain the desired benefits, and the consequent helps for salvation, of which He Himself made the Church the administrator and, as it were, the perpetual guardian and promotor of his Redemption amongst the nations. Then indeed will they draw waters in joy from the Fountains of the Saviour, that is, from his wondrous sacraments, whereby faithful souls, their sins being truly forgiven, are restored to the friendship of God, and are fed and strengthened with heavenly bread, and abound with most

<sup>1</sup> Pages 13, 14. The English translation is our own.

<sup>2</sup> See p. 678n.

<sup>3</sup> Page 13.

powerful aids for the attaining of eternal life. May the God of peace, the God of all consolation, in his infinite kindness cause those who seek these blessings to enjoy them and be filled with them.

"We wish to address our exhortation and wishes in a special way to those who rank as ministers of religion in their respective communities. They are men who by their very office take precedence in teaching and authority, and have especially at heart the divine glory and the salvation of souls : may they be the first and the most ready to obey the call of God, and thus constitute in themselves a splendid example. Holy Mother Church will certainly receive them with a singular joy, and will cherish with all goodness and loving care those whom the more generous strength of soul shall lead back to her bosom, through difficulties and trials. It is hard to express what praise will be theirs amongst the brethren throughout the Catholic world for their courageous step, what hope and confidence it will win for them from Christ the Judge, and what rewards they will receive from Him in the heavenly kingdom ! We indeed will not cease to foster their reconciliation with the Church by all means which lie in our power, in which reconciliation both individuals and groups, as we greatly desire, will be able to find so much for imitation. In the meantime, through the tender mercy of the Lord our God we ask and beseech all to strive faithfully to follow the open path of Divine grace and truth."<sup>1</sup>

This touching appeal, unfortunately, fell mainly upon deaf ears.

<sup>1</sup> Pages 14-15.

## CHAPTER V

### THE AFTERMATH OF THE POPE'S BULL

1. The publication of Pope Leo's Bull was a great blow to the Reunion party in the Church of England. But instead of receiving it in the spirit in which it was written, Anglicans openly said that the Bull was the outcome of a sham enquiry, that it was dictated by considerations of policy and not of theological or historical truth, and that the reasons contained in it were worthless. In particular, the Bull was attributed almost wholly to the nefarious influence of English Catholics. Here are some citations on the subject :

"An enquiry undertaken in the interests of historical truth has been made to minister to the needs of practical policy. The aspect, as we cannot but believe, which the question ultimately assumed, was not so much, 'Are Anglican Orders valid?' as 'What will be the effect in England of pronouncing them valid?'"<sup>1</sup>

The *Church Times* said that the *Risposta* of Dom Gasquet and Mgr. Moyes

"supplies the reasons offered to the Pope in support of the contention that a condemnation of Anglican Orders was desirable and expedient, and a study of these reasons will both show the motives which seem largely to have influenced the issue of the Bull, and also the inadequate nature of the arguments upon which the condemnation of our Ordinal is based."<sup>2</sup>

We may remark here that it has been constantly repeated,

<sup>1</sup> The *Guardian*, quoted by Fr. Sydney Smith, S.J., in *Month*, November, 1896. Even Dr. Swete said that the Pope's Bull had "once more shut the door on free enquiry," and speaking of the Pope's statement that he waited eight weeks before publishing it, remarked : "It is difficult not to read between the lines of this avowal the unwillingness of the Venerable Pontiff to frustrate his own policy of conciliation, and the strength of the pressure, or the subtlety of the intrigues, by which his reluctance was overcome." (*On the Bull Apostolicæ Curæ*, a Lecture by H. B. Swete at the Divinity School, Cambridge, Nov. 6th, 1896.) And in the Holy City itself, an Anglican clergyman said in a sermon on November 15th, 1896, that the Papal letter had been "manifestly written by someone who either wilfully, or in ignorance, misstates and misrepresents the facts with which he undertakes to deal," adding that the arguments of the letter were based on premisses, many of which are seriously inaccurate, and others wholly untrue, and that the conclusion was "essentially untrustworthy." And another Anglican writer, A. H. T. Benson, spoke of the Pope's "shameless falsifications" of Bulls, etc. (*The Pope's Bull and Anglican Orders*, 1896.)

<sup>2</sup> *Month*, November, 1896.

down to our own day, that it was English Catholic influence which inspired the Pope's Bull. As lately as 1930, Bishop Headlam, of Gloucester, wrote :

"There are reasons for thinking that it was only strong pressure directed by the Roman Hierarchy in England that secured the condemnation of Anglican Orders in 1896."<sup>1</sup>

And again :

"The condemnation of Anglican Orders was probably largely dictated by political motives. It is well known that the Roman Catholic hierarchy in England had worked hard to secure it."<sup>2</sup>

The information given in our previous chapter will have shown that this is a gross calumny, and that in point of fact it was the pro-Anglican party which first brought diplomatic pressure to bear on the Holy Father, in order to prevent the enquiry from issuing in a Papal condemnation, its natural result. But the most astonishing statement of all was that made in 1897 by W. E. Collins, Professor of Ecclesiastical History at King's College, London. He actually maintained that the central and essential portion of the Bull was written originally in English, by English Catholic theologians not too well acquainted with Latin !<sup>3</sup>

It is regrettable that Lord Halifax should also have expressed his belief in the English Catholic influence supposed to have prompted the Bull. Thus, he told the English Church Union on October 5th, 1896 :

"The motives which lie behind the Bull are apparent. The Memorandum submitted by Dom Gasquet and Canon Moyes to the Pope . . . the speeches of Cardinal Vaughan . . . speak for themselves."<sup>4</sup>

In a letter to the *Guardian* on September 28th, 1896, Lord Halifax affirmed that, in spite of the Bull, there could be no reunion between England and Rome except upon the basis of the Roman recognition of Anglican Orders. In a later work, *Leo XIII and Anglican Orders*,<sup>5</sup> he suggested that the Bull was not an infallible utterance, and that it would doubtless eventually be "explained" in such a way as to avoid its apparent conclusions. Other Anglicans have categorically insisted that Rome

<sup>1</sup> *Doctrine of the Church*, p. 248.

<sup>2</sup> *Ibid.*, p. 253.

<sup>3</sup> *The Internal Evidence of the Letter "Apostolica Cura" as to its own Origin and Value*. S.P.C.K., 1897. The "English Catholic theologians" referred to were presumably Mgr. Moyes, Dom Gasquet, and Father David Fleming.

<sup>4</sup> *Church Times*, Oct. 9th, 1896.

<sup>5</sup> Page 396.

must withdraw the Bull before they will consent to negotiate with the Holy See ! Thus, the Rev. L. V. G. Lean, A.K.C. :

"We, as the Catholic Church of this country [!], demand the unconditional withdrawal of the Bull *Apostolicæ Cursæ*, together with the schismatic hierarchy whose intrusion the Bull was written to justify."<sup>1</sup>

And again :

"It is within the competence of the Holy Father to revoke the Bull of Leo XIII and declare our Church Catholic and our ministry and sacraments valid. There can be no reunion of Rome and Canterbury until this is done."<sup>2</sup>

The Evangelical party in the Anglican Church on the other hand welcomed the Pope's Bull and agreed with its theological conclusions as to the invalidity of Anglican Orders, viewed from the Catholic standpoint. We have already quoted a remarkable statement by the Anglican Bishop of Edinburgh, Dr. Dowden, in our first volume, admitting that the Bull was not vulnerable in so far as it maintained that all trace of the Catholic *sacerdotium* was deliberately struck out from the new Anglican Ordinal.<sup>3</sup> Another significant testimony to the same effect was given by Archdeacon Taylor, of Liverpool, who wrote as follows shortly after the issue of the Bull :

"The argument of the Bull is simple, intelligible, and, on the premisses laid down, conclusive. These are :

"(1) That the Christian ministry is a sacrificing priesthood, having the power of consecrating and offering the true Body and Blood of Christ.

"(2) That the Reformers did deliberately strike out of the Ordinal, not only the exact formula of ordination, 'Accipe potestatem offerre sacrificium Deo, etc.,' but also every trace they could find of the sacrificial idea, in any part of it, and, in fact, put forth a new Ordinal, absolutely stripped of every shred of the Roman doctrine, retaining only the ambiguous words 'priest' and 'priesthood.' This is the simple fact.

"(3) That therefore the Church of England has no valid Christian Orders.

"The argument is conclusive, on the Pope's principles. . . . How should the argument be met? . . . By denying the Roman doctrine of the Mass, and frankly admitting and defending the changes made by the Reformers."<sup>4</sup>

2. In France, the *Revue Anglo-Romaine* published the Bull in full, and professed its submission to its findings. But it maintained that the Bull did not destroy all hope of corporate reunion,

<sup>1</sup> *The Voice of Undivided Christendom*, 1933, p. 71.

<sup>2</sup> See Vol. I, p. 492.

<sup>3</sup> *Ibid.*, p. 72.

<sup>4</sup> *Tablet*, March 27th, 1897.



and that Catholics could continue to work together with Anglicans for this end. In a special article, it expressly stated its expectation that the majority of Anglicans would remain outside the Roman Church, including even those who most desired to return to the centre of Unity, and it seemed to imply that they would remain outside the Church with a good conscience. In addition, the *Revue* published in full some Anglican speeches denouncing the Bull, and also an article on Bishop Andrewes, the writer of which maintained that the Anglican Ordinal had no intention of eliminating any formula of ordination essential for the conferring of the *sacerdotium*—which was of course a direct contradiction of one of the Pope's statements.<sup>1</sup> All this gave a very bad impression at Rome, and the Pope wrote to the Archbishop of Paris suggesting that the *Revue* should cease and be silent rather than bring up difficulties against the decision of the Holy See. In consequence of this letter, the *Revue* ceased publication.

The letter from Pope Leo to Cardinal Richard is important because in it the Pope says that it was his intention in the Bull to "judge absolutely, and to settle finally, that most grave question of Anglican ordinations,"<sup>2</sup> and that, accordingly, "no prudent or right minded person can call the decision in question, but all ought to embrace it with complete submission, as for ever settled, determined, and irrevocable."<sup>3</sup>

The French protagonists of Anglican Orders do not seem to have written anything further on the subject after the publication of the Bull. Gasparri remained silent. Boudinhon made amends by translating into French an important work by Padre Brandi, S.J. As to Duchesne, Lord Halifax wrote that "he did not, I believe, insist on the opinion he had previously expressed."<sup>4</sup> But this is hardly just to Duchesne. The Abbe's real attitude was set forth in the letter to Von Hugel written in September, 1896, immediately after the issue of the Papal Bull :

" . . . Vous voyez que je n'avais pas à faire un grand sacrifice d'opinion pour accepter la solution de Saint Père. Du reste, il ne pouvait me venir à l'idée d'hésiter dans la soumission. Dans ces choses religieuses, le Pape, même en dehors de toute consideration surnaturelle, a des lumières que n'ont pas les simples mortels. S'il me fallait admettre que Parker a été consacré dans une auberge, ou que Barlow n'avait pas été consacré du tout, ce serait pour moi

<sup>1</sup> *Revue Anglo-Romaine*, III, pp. 339, 480, 504, 687-8.

<sup>2</sup> "Absolute judicare penitusque dirimere."

<sup>3</sup> "Perpetuo firmam, ratam, irrevocabilem."

<sup>4</sup> *Further Notes on behalf of Reunion*, 1923, p. 56, note.

un très grand sacrifice. Mais il ne s'agit pas de cela. D'autre part, je ne puis, comme historien, refuser d'admettre ce fait très grave, découvert par les Anglicans eux-mêmes au cours du débat, que des réordinations nombreuses ont eu lieu sous la reine Marie."<sup>1</sup>

3. Steps were soon taken by Anglicans to reply to the Pope's Bull. A number of unofficial criticisms appeared quite early, amongst them being *The Bull Apostolicæ Curæ*, by F. W. Puller (S.P.C.K., 1896); *Anglican Orders*, by Bishop G. Forrest Browne (S.P.C.K., 1896); *The Interpretation of the Anglican Ordinal*, by T. A. Lacey (S.P.C.K., 1898); *The Alterations in the Ordinal of 1662*, by Dr. Firminger (S.P.C.K., 1898), etc.

Lacey also wrote two articles on *The Sources of the Bull*, in the *Contemporary Review* for December, 1896, and the *Guardian* for December 9th, 1896. These he reprinted in his *Roman Diary* (1910). In them he speaks of an "extraordinary blunder" which he claims to have found in the Pope's Bull. Leo XIII had said there that if Bishop Gordon's ordination had been regarded in 1704 as defective solely because of the absence of the tradition of instruments, the Holy Office would, in accordance with custom, have required, not an absolute, but a conditional reordination. Lacey rashly objected that in 1704, "the custom [of conditional reordination] was not yet established." When reprinting this article in his *Roman Diary* in 1910, Lacey allowed in a footnote, that Padre Brandi had, in an article in the *Civiltà Cattolica* in 1897, "made out a very good case for the probability that the Holy Office would have acted in the way indicated," but still denied that Brandi had "established the fact that there was at that time anything *præscriptum de more*, as asserted in the Bull."<sup>2</sup> The truth is that, in the articles in the *Civiltà Cattolica*, Padre Brandi had pointed out that there were numerous cases of such conditional reordinations mentioned in the Holy Office archives between 1603 and 1704,<sup>3</sup> and

<sup>1</sup> Quoted in a letter from Baron Von Hugel to Cardinal Vaughan, in Westminster Archives. Baron Von Hugel himself added: "Though the Bull is not, of course, exactly what I had hoped and worked for, the acceptance of its sentence has cost me little or no intrinsic difficulty; thank God, I have not had a moment's hesitation in accepting its decision as clearly final, and this without any equivocation or reservation... I had never held, even silently, in my own heart, the simple validity of these Orders; it did thus not cost me much to have to be sure now that the doubtfulness which I had found in them for some reasons, is certainly negatived and overcome by other reasons." (*Ibid.*)

<sup>2</sup> *Roman Diary*, pp. 274-5, footnote.

<sup>3</sup> Gasquet testifies as follows: "We examined the dossier of the Holy Office papers on Ordination questions from 1603 to 1698. These documents make it quite certain that the usage of *sub conditione* ordinations and that of absolute reordinations was fully understood half a century before the Gordon case of 1704." (*Leaves from my Diary*, p. 56.)

he specifically quoted one such case, belonging to the year 1697. In addition, when reprinting the article in 1897, Brandi added that Le Quien, in his *Nullité des Ordinations Anglicanes*<sup>1</sup> published in 1725, mentions a case which occurred in the year 1604. And yet Lacey to the end declined to admit that it was he himself who had made this "extraordinary blunder," and not the Pope!

The tone and character of these unofficial Anglican criticisms of the Bull may be judged by what was, in many respects, the best of them all, an anonymous *Treatise on the Bull* published by the Church Historical Society. This professed complete indifference as to what Rome might say about Anglican Orders:

"We do not need the Holy Office to tell us whether they [Anglican Orders] are valid or not: we have our own convincing proofs that they are. . . . By the side of such things as these, the recognition of our Orders by the Pope fades into insignificance. The English Church has been indifferent to it in the past, and now, if it is still not to be had, she can go on without it."<sup>2</sup>

It casts scorn upon the work of the Pontifical Commission, and describes the enquiry into Anglican Orders as a "solemn farce," which "brings no conviction."<sup>3</sup> It adds:

"The judges have been injudicious enough to give their reasons: the solemn farce of an historical and theological inquiry is kept up and carried on even into the Letter itself."<sup>4</sup>

The anonymous writer next examines the historical matter contained in the Bull. It rejects the Pope's interpretation of the documents of his predecessors, accusing him of making statements which are "palpably absurd"<sup>5</sup> and "inaccurate."<sup>6</sup> It also accuses Pope Leo of "a serious misquotation" in connection with the word "concernentia."<sup>7</sup> The writer or writers

"venture to affirm that the Apostolical Letter has given an unjustifiable interpretation to one Papal document; that it has misquoted a second, and based a serious argument upon the misquotation; and that it has not given the true force of yet another document."<sup>8</sup>

Having thus dismissed the Pope's history, the Anglican writer proceeds to discuss his theology. He agrees with the Pope that the function of the sacramental form is to determine the significance of the matter of ordination<sup>9</sup> but he adds that the form may do this (1) by mentioning the order in brief terms, or (2) by signifying the order in some other way, or (3) by

<sup>1</sup> Vol. II, p. 390.

<sup>2</sup> Page 7.

<sup>3</sup> On this see p. 144.

<sup>4</sup> Pages 5, 6.

<sup>5</sup> Page 10.

<sup>6</sup> Page 17.

<sup>7</sup> Page 6.

<sup>8</sup> Page 12.

<sup>9</sup> Page 21.

enumerating the functions or powers conferred. This indication of the order, or enumeration of the functions, may be in a single prayer, or in a number of prayers and blessings. The Anglican Reformers "did not go back to the ancient idea of concentrating the whole form into one continuous prayer, but left the significant words in their places in the various parts of the service."<sup>1</sup> Thus :

The important parts of the English rite are the following :

- (1) a short prayer for each of the three orders, which mentions the name of the order<sup>2</sup> ;
- (2) examination of the candidate, setting forth the duties of the order ;
- (3) solemn benediction, in which it is prayed that he may fulfil his duties ;
- (4) hymn *Veni Creator* ;
- (5) long prayer, for bishops and priests, in which no special mention is made of the order, but only of the Apostolic ministry in general ;
- (6) imposition of hands, accompanied by certain words.

"Thus we have the central ceremony of the imposition of hands, preceded by a prayer of the ancient type, mentioning the order to be conferred . . . and preceded, accompanied, and followed by other forms of a purely mediæval type."<sup>3</sup>

The Pope has condemned the Anglican form "because it contains no express mention of the priesthood, and of the power of offering the Eucharistic sacrifice."<sup>4</sup> But the Anglican rite "clearly specifies the priesthood itself,"<sup>5</sup> and "amongst the functions of the priesthood it expressly mentions the absolution or remission of sins ; twice over it solemnly refers to the preaching of the Word and administration of the sacraments, which of course includes the celebration of the Eucharist."<sup>6</sup>

But "the power of offering is mentioned in very few of the rites used in the Church and fully recognised as valid by the Roman authorities. . . . In the Roman rite itself . . . nothing of the kind is known to have existed until the ninth or tenth century. . . . So the Vatican condemns the English Ordinal for the lack of something which was equally lacking in the Ordinal of the Roman Church for several hundred years."<sup>7</sup>

<sup>1</sup> Page 27.

<sup>2</sup> The prayer referred to is the collect following the Litany.

<sup>3</sup> Page 28. The "prayer of the ancient type" which is said to "precede" the imposition of hands, comes before the examination of the candidate, i.e. outside the essential part of the rite. The whole description of the Ordinal is misleading, and should be compared with our own analysis of it in Vol. I.

<sup>4</sup> Page 29. But this is wrong: the Pope says the form should signify either the priesthood or its grace and power, not necessarily both.

<sup>5</sup> Where and how ?

<sup>6</sup> That is true, in the Protestant sense of the Eucharist.

<sup>7</sup> Page 30. All this is based on a misunderstanding of what the Pope really said. See note 4, above.

True, the Bull says that "the Anglican form is defective because certain things are struck out which were once there," though the form was sufficient "when they were not and never had been there."<sup>1</sup> But this would be a defect, not of the form, but of intention.<sup>2</sup>

As to intention, the Pope is right in saying that "the minister must, at any rate, have the intention of doing what the Church does. But," continues the Anglican writer,

"if a man seriously uses the rites prescribed by the Church, his intention must be taken to be shown by his acts. After all, the intention of the Church (of which he is a minister) is clear and fixed, and so long as he does not manifest any dissent, by his action he participates in the intention of the Church."<sup>3</sup>

The Pope, indeed, considers the intention of the Anglican reformers defective, because they changed the rite "with the manifest intention of introducing another rite not approved by the Church, and of rejecting what the Church does." The principle, says our Anglican writer, is quite unimpeachable,<sup>4</sup> but the application is wrong. The Anglican rite is not a rite "not approved by the Church," for each part of the Church has power to change the rite. Presumably the Pope "must either intend to assert that the English Church, at the time when the Ordinal was adopted, was no part of the Church of Christ, which is absurd; or else he must mean that 'not approved by the Church' is the same thing as 'not approved by the Pope.' But we are unwilling to attribute such an uncatholic heresy to him or to any man without proof."<sup>5</sup> It is, indeed, possible that "a true part of the Church might adopt a rite of ordination so different from everything used elsewhere in the Church as clearly to indicate the introduction of an altogether new sort of ministry." But this is not the case with the Anglican rite, as is shown by the Preface to the Ordinal.<sup>6</sup>

Moreover, the rite retains the word "priest," which of course signifies the "sacerdotium."<sup>7</sup> If the Reformers struck out "words and phrases which gave a special prominence to the Eucharistic Sacrifice," this was because of the "tendency, erroneous and dangerous in many ways, to treat the Eucharistic

<sup>1</sup> Page 31.

<sup>2</sup> Page 36.

<sup>3</sup> Pages 37-8. On the contrary, it is precisely the case of the Anglican Ordinal, as is shown by the whole Anglican Liturgical Reformation, and the events which accompanied it.

<sup>4</sup> Page 39. This argument is valueless, as we have shown *passim*.

<sup>5</sup> Page 32.

<sup>6</sup> Page 34.

<sup>7</sup> Pages 36-7.

Sacrifice as something apart from and distinct from the Eucharist itself."<sup>1</sup> Moreover, the Ordinal was used and accepted by Catholic Bishops, such as Thirlby and Kitchin, Chambers and Wharton, etc.<sup>2</sup>

4. On the Catholic side, there were several reasoned justifications of the Pope's Bull. In England, the most important was a series of nineteen unsigned articles in the *Tablet* between February 13th and July 17th, 1897, written by Mgr. Moyes, who had been a member of the Papal Commission. These articles vindicated the Commission from Anglican misrepresentations, and then discussed the Anglican Ordinal in the light of nine other ordination rites approved and accepted by the Catholic Church. The comparison showed that the Anglican rite differs from all these inasmuch as it does not contain in its sacramental form anything which expresses or determines adequately the order conferred. Next, Mgr. Moyes discussed the Anglican Ordinal from the standpoint of its origin and the purpose for which it was drawn up. He showed that there were no less than forty-nine changes introduced into the Liturgy by the Anglican Reformers, and that all of these were directed against the Sacerdotium as understood by Catholics. Further articles dealt with the defect of Intention, the attitude of the Holy See in the reign of Mary, and the reordinations which took place at that time. Articles were announced on the Abyssinian rite, and the Gordon case, to complete the series, but these never appeared.

The historical and theological points discussed in the *Tablet* articles have also been dealt with in our own work, and therefore no special quotations are called for. But we must summarise Mgr. Moyes' spirited defence of Pope Leo XIII :

Anglicans must look the issue in the face. Either Leo XIII condemned Anglican Orders because he conscientiously and sincerely believed them to be invalid, and that truth required it as a duty that he should declare them to be so—or, while remaining unconvinced or uncertain as to their validity, he nevertheless

<sup>1</sup> Page 40. What this really means is not at all clear !

<sup>2</sup> Page 40. We have shown that Thirlby may have used the Ordinal in King Edward's time, but that he certainly rejected it in Mary's reign. (See Vol. I, p. 505 ; Vol. II, pp. 135-42.) Kitchin never used it, so far as we know, and was absent from the Parliament which passed it. (Vol. I, p. 449.) The same is true of Chambers. (Vol. I, p. 449.) Wharton voted for the Ordinal Bill (Vol. I, p. 449), but did not use it, so far as we know. In any case, we have emphasized the remarkable fact that these bishops rejected the Ordinal under Mary—a fact which is passed over by this Anglican writer.

unconscientiously condemned them, sacrificing truth for reasons of expediency, or unconscientiously yielding to the pressure or persuasion of others.

If the first alternative be true, it is quite open to Anglicans to attack the reasons of the decision and to hold that the Apostolic See has erred, but it is unjust to publish insinuations as to the Pope's opportunism or moral cowardice. But if the latter alternative be adopted, those who hold it must take it with all its consequences. A long Pontificate has made the upright character of Leo XIII sufficiently well known in the Christian world. The alternative means that a Pope, in a mere matter of general policy or government, has yielded to the pressure of his advisers and acted against his own judgment, in a matter of conscience, in a decision of doctrinal bearing. That would be a criminal dereliction of his most sacred trust. We are asked to believe that this venerable Pontiff, standing on the brink of the tomb, in dealing with one of the most momentous and sacred issues affecting millions of souls, consciously played the part of the unjust judge, and like Pontius Pilate, sacrificed the truth to the clamours of those around him. He moreover, of his own free will, drew up an Apostolic Bull to embody this iniquity. In it he mendaciously palmed off on the Christian world as a fair and honest investigation what he must have known to be a travesty.<sup>1</sup> And finally, when he proceeds to deliver the judgment, which he knows to be not according to his conscience and conviction—he does what even Pilate did not, he blasphemously puts it forth as the fruit of prayer and divine guidance.

That supposition ought to be seen at once to be sufficiently preposterous and unchristian.<sup>2</sup>

To the strange assertion made that the Bull was written, in whole or in part, by English Catholics or from an English original, Mgr. Moyes replied :

“ There was no English original, and no English Catholic wrote any part of the Bull. No English Catholic saw or knew of any part of it until the Bull was already in print and sent here to England.”<sup>3</sup>

In Rome itself, Padre Brandi wrote the important articles in the *Civiltà Cattolica* to which we have from time to time referred, and republished these under the title *La Condanna delle Ordinazioni Anglicane, Studio Storico-teologico*. His work was translated into English by Father Sydney Smith, S.J., and published in the *American Ecclesiastical Review* for 1897, and also in separate form.

Padre Brandi's work is of great value, because, as is stated in the Preface to the English translation, “ the Holy Father was from the beginning aware of the main purpose ” of the work,

<sup>1</sup> Cf. Ch. Hist. Soc. *Treatise on the Bull*.

<sup>2</sup> *Tablet*, Feb., 20th, 1897, p. 285.

<sup>3</sup> *Ibid*.

and directed that he should have "free access to all the departments of the Holy Office, and to the Secret Archives of the Vatican Library, in order that he might be able to utilise whatever documents could be found, in addition to those already examined by the Papal Commission previously appointed for this purpose, whilst all the acts and arguments of this same special Commission were likewise at his disposal." It is not necessary to give a synopsis of Brandi's work, for we have laid it under contribution ourselves, supplementing it by our own researches, and clarifying or modifying his statements wherever this has seemed necessary or advisable.

5. The next step in the controversy was the publication of the *official* Anglican answer to the Pope's Bull. Though really written by Bishop Wordsworth, of Salisbury, it was published in the name of the two Archbishops, of Canterbury and York. It appeared not only in English, but also in Latin,<sup>1</sup> French, and modern Greek translations.

The Archbishops say they are writing their Answer "in order that the truth on this matter might be made known, both to our venerable brother Pope Leo XIIIth . . . and also to all other Bishops of the Christian Church settled throughout the world."<sup>2</sup> They profess that they are "not at all disturbed by the opinion expressed in" the Pope's letter, but they deem it important "to make plain for all time" their "doctrine about holy orders and other matters pertaining to them."<sup>3</sup>

They criticise Pope Leo's interpretation of the documents of Mary's reign, and suggest that Pope Leo "is really as uncertain as" they themselves are in this matter! They say that Pope Leo "quotes and argues from an imperfect copy of the letter of Paul IV, *Præclara carissimi*."<sup>4</sup>

They maintain that while some Anglican clerics were "voluntarily reordained," or "received anointing as a supplement to their previous ordination," "some, and perhaps the majority, remained in their benefices without reordination."<sup>5</sup> We have already seen that these statements are untrue.<sup>6</sup>

As to the Gordon case, the Archbishops remark that the documents of "incontestable authenticity" which the Pope refers to "ought to be made public, if the matter is to be put on a fair footing for judgment."<sup>7</sup>

Next, the Archbishops discuss the matter and form of order. As to the matter, they say "our opinion does not greatly differ from the main basis of his (the Pope's) judgment."<sup>8</sup> As to the form,

<sup>1</sup> It was said at the time that the Latin text was the original, and the English text a translation of this. Cf. *Month*, Vol. 89, p. 338.

<sup>2</sup> C.H.S. edn., p. 23.

<sup>3</sup> Page 24.

<sup>4</sup> Page 27.

<sup>5</sup> Page 26. We have dealt with this point on pp. 141-4.

<sup>6</sup> See pp. 48, 49, 131-4.

<sup>7</sup> Page 31.

<sup>8</sup> *Ibid.*



"we suppose him (the Pope) to intend to say that the form is prayer or benediction appropriate to the ministry to be conferred, which is also our opinion. Nor do we part company with the Pope when he suggests that it is right to investigate the intention of a Church in conferring holy orders, 'in so far as it is manifested externally.' . . . The will of the Church can be ascertained . . . and ought also to be both true and sufficient. Which intention our Church shows generally by requiring a promise from one who is to be ordained, that he will rightly minister the Doctrine, Sacraments and Discipline of Christ."<sup>1</sup>

But they maintain that "the intention of the Church must be ascertained . . . from its public formularies and definite pronouncements which directly touch the main point of the question, not from its omissions and reforms . . . unless something is omitted which has been ordered by the Word of God, or the known and certain statutes of the universal Church."<sup>2</sup>

They "acknowledge with the Pope that laying on of hands is the matter of ordination; that the form is prayer or blessing appropriate to the ministry to be conferred," and that "the intention of the Church, as far as it is externally manifested, is to be ascertained, so that we may discover if it agrees with the mind of the Lord and his Apostles, and with the statutes of the universal Church."<sup>3</sup>

As to the matter and form of the sacraments, only those of Baptism are quite certain. "We enquire therefore what authority the Pope has for discovering a definite form in the bestowal of Holy Orders? We have seen no evidence produced by him, except two passages from the determinations of the Council of Trent . . . from which he infers that the principal grace and power of the Christian priesthood is the consecration and oblation of the Body and Blood of the Lord."<sup>4</sup> As to their own doctrine on the Eucharist, the Archbishops say: "we make provision with the greatest reverence for the consecration of the Holy Eucharist, and commit only to properly ordained Priests. . . . Further, we truly teach the doctrine of Eucharistic sacrifice, and do not believe it to be a 'nude commemoration of the Sacrifice of the Cross.' . . . But we think it sufficient in the Liturgy we use . . . when now consecrating the gifts already offered that they may become to us the Body and Blood of Our Lord Jesus Christ—to signify the sacrifice which is offered at that point of the service in such terms as these. We continue a perpetual memory of the precious death of Christ, who is our Advocate with the Father and the propitiation for our sins. . . . For first we offer the sacrifice of praise and thanksgiving; then next we plead and represent before the Father the Sacrifice of the Cross, and by it we confidently entreat remission of sins and all other benefits of the Lord's Passion . . . and lastly we offer the sacrifice of ourselves to the Creator of all things, which we have already signified by the oblations of his creatures. This whole action, in which the people has necessarily to take its part with the Priest, we are accustomed to call the Eucharistic Sacrifice."<sup>5</sup>

<sup>1</sup> Pages 31-2.

<sup>2</sup> *Ibid.*

<sup>3</sup> Page 34.

<sup>4</sup> Page 32.

<sup>5</sup> Page 35.

This passage calls for some comment. It adopts the moderate High Church view. Thus, it speaks of an offering of the gifts of bread and wine, presumably at the Offertory. But the Archbishops explain that this offering signifies the subsequent offering of ourselves.<sup>1</sup> At the consecration, there is a "memory" of the death of Christ. First there is "the sacrifice of praise and thanksgiving"; next "we plead and represent before the Father the Sacrifice of the Cross"; and lastly "we offer the sacrifice of ourselves."

Note here, firstly, that the elements of bread and wine are said to be consecrated in order "that they may become to us the Body and Blood." The Latin version of the Archbishops' *Reply* has: "ut nobis corpus et sanguis fiant Domini nostri Jesu Christi," which are the very words of the Latin Canon of the Mass. The French version has: "afin qu'ils viennent pour nous le corps et le sang de Notre Seigneur Jesus Christ," while the Greek version uses the word "genontai," which means *to become*. Now it is surely a remarkable fact that the Archbishops should explain their doctrine here by quoting, not the words of the Book of Common Prayer, but the words of the Latin Canon of the Mass! Ever since 1552, the Anglican service has had: "that we, receiving these thy *creatures of bread and wine* . . . may be partakers of his most blessed Body and Blood." And even the First Prayer Book of Edward the Sixth prayed, not that the bread and wine might *become*, but that they might "be to us the Body and Blood." And Cranmer was careful to point out the difference in meaning of these two prayers.<sup>2</sup> The Archbishops are thus guilty of reading into the Anglican Communion Service a doctrine which is not found there, and of drawing a parallel between the language of the Book of Common Prayer and that of the Missal which does not exist, and was intended not to exist. That is hardly honest.<sup>3</sup>

We must now examine the phraseology the Archbishops use

<sup>1</sup> "The sacrifice of ourselves . . . signified by the oblations of his creatures."

<sup>2</sup> See Vol. I, p. 441.

<sup>3</sup> Padre Brandi, in his *Delle Ordinazioni Anglicane*, thinks that the Archbishops really meant that the bread and wine remain after the consecration substantially what they were before, and that the "nobis" in the phrase they use, "fiant nobis corpus et sanguis Domini," must be taken to signify a merely subjective, and not an objective Presence. (P. 139.) It is quite likely that the Archbishops themselves believed only in a subjective Presence, but even so, we think they deliberately imitated the language of the Roman Missal here, and purposely abstained from explaining the sense in which they used it. We shall see that later on the same Archbishops declined to explain their views on the Presence, and contented themselves with a denial of Transubstantiation.

concerning the Sacrifice. First, what do they mean by "pleading and representing" the Sacrifice of the Cross before the Father? The Latin version, presumably intended for the edification of Catholic theologians abroad, has: "sacrificium crucis Patri proponimus et repræsentamus." "Proponimus" means to set before, or set forth, rather than to plead, and "repræsentamus" means to present again, rather than to represent. The French translation, also meant presumably for Catholics abroad, is even more remarkable: "Nous présentons au Père, et nous mettons devant Lui, le sacrifice de la Croix." Here the Sacrifice of the Cross is "presented," and not merely "represented" as in the original English version meant for home consumption. The Greek version, intended for the Orthodox Churches in the East, represents "memory" by "anamnesis," and says that after offering (προσφέρον) the sacrifice of praise and thanksgiving, we "put before the Father, and make present to Him" (προτίθεμεν καὶ παρουσάζομεν) the sacrifice of the Cross.

We call attention to these important differences. The true doctrine taught by the Archbishops is, of course, the Protestant doctrine of the English text: we "plead and represent" the sacrifice of the Cross. But in the translations, an attempt is made to persuade foreign Catholics and the Orthodox that in reality Anglican doctrine is on a higher plane, and that in the Communion Service there is a definite "presentation" to the Father of the Sacrifice of the Cross.

In this connection we must also mention that in the official *Compte Rendu* of the Conversations of Malines drawn up by the Catholic members, the latter quote, as "une expression particulièrement autorisée" of the "véritable sentiment" of the Anglicans on the Eucharistic Sacrifice, not the English text of the Archbishops' reply to Pope Leo, but the Latin text, which, as we have seen, is hardly the equivalent of the English, and also a new French translation, which is even stronger than the French version of 1896! The latter had: "Nous présentons au Père, et nous mettons devant Lui, le sacrifice de la Croix." The Malines French translation has: "Nous posons devant le Père, et Lui rendons présent, le sacrifice de la Croix."<sup>1</sup> It is hardly surprising that the Catholics at Malines should have regarded this, when taken in conjunction with the "prayer of oblation" in the Communion Service, as "suffisamment ex-

<sup>1</sup> *The Conversations at Malines*, Oxford University Press, p. 80, note.

primer la notion du sacrifice eucharistique."<sup>1</sup> Even so, these Catholic theologians ought to have asked to see the English text, and also to have noted Lord Halifax's own admission that "the Anglican formularies are admittedly neither clear nor wholly satisfactory in regard to the Eucharistic Sacrifice."<sup>2</sup> But we wonder what excuse our Anglican friends have to offer for putting forth these misleading and inaccurate translations of what the Archbishops really said !

Next, we must note that the Anglican Archbishops, in their *Reply* to the Bull, go on to claim that the idea of the Eucharistic Sacrifice set forth in the Canon of the Mass "agrees sufficiently with Anglican Eucharistic formularies, but scarcely, or not at all, with the determinations of the Council of Trent."<sup>3</sup> That, of course, means that in the Archbishops' view the Canon of the Mass teaches, not the Catholic doctrine of the Sacrifice, but the Protestant doctrine ! At any rate, this makes it clear that the Archbishops' doctrine of the Sacrifice was very different to that defined at the Council of Trent. This was realised by Pope Leo, who expressly said in his subsequent letter to the Anglican Archbishops that their doctrine on the subject was not the Catholic one :

"Non videt nemo . . . quæ vos . . . de sacerdotio, de S. Eucharistia, et Sacrificio profitemini, longe abesse nimirum ab iis quæ a Catholica et Romana Ecclesia traduntur."<sup>4</sup>

Finally, the Archbishops plead that definitions of doctrine should be avoided !

"Too precise definitions of the manner of the Sacrifice, or of the relation which unites the Sacrifice of the eternal Priest and the Sacrifice of the Church, which in some way certainly are one, ought in our opinion to be avoided rather than pressed into prominence."<sup>5</sup>

Having thus explained their doctrine on the Eucharistic Sacrifice in language which, though ambiguous, is really intended to bear a Protestant sense, the Archbishops return to the question of the form of priestly ordination :

"The Pope writes that 'the order of priesthood, or its grace and power, which is especially the power of consecrating and offering the true Body and Blood of the Lord . . . must be expressed in the ordering of a presbyter. What he desires in the form of consecration of a bishop is not so clear, but it seems that, in his

<sup>1</sup> Halifax. *The Conversations at Malines: Original Documents*, p. 14.

<sup>2</sup> *Ibid.*, p. 75.

<sup>4</sup> *Apud* Lacey, *Roman Diary*, p. 395.

<sup>3</sup> C.H.S. edn., p. 36.

<sup>5</sup> C.H.S. edn., p. 37.

opinion, in some way or other, 'high priesthood' ought to be attributed to him."<sup>1</sup>

Against this, the Archbishops urge that in the most ancient Roman ordination rite, "nothing whatever is said about 'high priesthood' or 'priesthood,' or about the sacrifice of the Body and Blood of Christ." Hence, "either these Roman formulæ were valueless because of their defect in the matter of sacrifice . . . or else the authority of that Council (of Trent) is of no value in settling this question about the necessary form of Order."<sup>2</sup>

As to the Anglican form for consecrating a Bishop, the Archbishops say that in the Catholic Pontifical, "the only form is 'Receive the Holy Ghost.' . . . This form then, whether contained in one sentence as in the Roman Church, or in two as in ours, is amply sufficient to create a Bishop, if the true intention be openly declared, which is done in the other prayers and suffrages. . . . We say that the words 'Receive the Holy Ghost' are sufficient, not that they are essential."<sup>3</sup>

They maintain that the Anglican form for the priesthood "is suitable to no other ministry of the Church but that of a priest, who has what is called the power of the keys and who alone with full right dispenses the word and mysteries of God to the people." This form, together with the imposition of hands, "confers the general faculties and powers of priesthood, and as is generally said, imprints the character." The Bible is given, because this is "the chief instrument of the sacred ministry, and includes in itself all its other powers." The two commissions "taken together include everything essential to the Christian priesthood."<sup>4</sup>

As to the intention, the Archbishops claim that the Preface to the Ordinal shows that the "intention of our Fathers was to keep and continue those offices which come down from the earliest times."<sup>5</sup>

They conclude by acknowledging that "things which our brother Pope Leo XIIIth has written from time to time in other letters are sometimes very true, and always written with a good will."<sup>6</sup>

The Pope was doubtless gratified to read this tribute to his occasional veracity, and his constant, though ineffective, good intentions !

The *Reply* of the Anglican Archbishops did not meet with the unanimous approval of the Church of England. The High Church party naturally welcomed it. But the Evangelical party did not fail to express openly their disapproval of certain features in it. Thus, the Bishop of Sodor and Man, in a letter to the *English Churchman* in 1897, said :

<sup>1</sup> *Op. cit.*, p. 37.  
<sup>4</sup> Pages 44-5.

<sup>2</sup> Page 39.  
<sup>5</sup> Page 49.

<sup>3</sup> Pages 42-3.  
<sup>6</sup> Page 60.

"So far as I am aware, the English Bishops, as a body, were not consulted about this document, and therefore, as such, cannot in any wise be held responsible for it. Failing utterly to see how many of the principal arguments which it contains . . . can be taken to represent the authoritative view of the Church of England as regards the character of the Christian ministry, I can only regard their Graces' Reply as an expression of their own private conviction. . . . The Reply of the Archbishops can in no wise be considered as binding on English Churchmen."<sup>1</sup>

And again, the Suffragan Bishop of Kingston wrote :

"(1) The Papal Bull 'hardly necessitated any official reply.'

"(2) The term 'sacrifice' is used by the Archbishops with (as it appears to me an intentional) ambiguity. . . . A meaning may be attached to the word 'sacrifice,' so I think, in which it is applicable to the acts at the celebration of the Holy Communion ; but in that sense it is certainly not applicable to our Lord and Saviour's sacrifice."<sup>2</sup>

Archdeacon Taylor, of Liverpool, said :

"The Most Reverend Archbishops have . . . put forth a somewhat obscure statement of the Holy Communion as the 'Eucharistic Sacrifice' which would be rejected by thousands of Churchmen throughout the land. The Church never once in the Prayer Book uses the word 'Eucharist,' or calls the Lord's Supper the 'Eucharistic Sacrifice.'"<sup>3</sup>

Later on we shall quote an equally definite repudiation by forty Evangelical Anglicans in 1931.<sup>4</sup>

6. The Anglican *Reply* was duly answered from the Catholic side. First we must mention the gentle and gracious letter which Pope Leo XIII himself sent to the Archbishops of Canterbury and York. In this letter he said that he "could not have settled the question of Anglican ordinations otherwise than by the rules of Catholic doctrine," and added that "it is also plain that, in what you yourselves say about the said ordinations, the priesthood (sacerdotium), the Eucharist, and the Sacrifice, you are far removed from what is laid down by the Catholic and Roman Church." The Pope added that he could not possibly swerve from the duty incumbent upon him towards God and the souls redeemed by the Blood of Christ, arising out of the custody of the Faith and Sacraments committed to him.<sup>5</sup>

Next we must mention the two further articles by Padre Brandi,

<sup>1</sup> Printed in *Tablet*, May 1st, 1897.

<sup>2</sup> *Tablet*, March 27th, 1897.

<sup>3</sup> *Ibid.*

<sup>4</sup> See p. 650-1.

<sup>5</sup> Latin text in Lacey, *Roman Diary*, pp. 395-7. English translation in *Rome and Reunion*, edited by E. Messenger, pp. 128-131.

S.J., in the *Civiltà Cattolica*, in which he dealt with the points raised by the Anglican Archbishops. These articles were republished, together with the preceding ones, under the title *Delle Ordinazioni Anglicane*, a work which appeared in four editions, each containing further documents from the archives of the Holy Office. The fourth and last edition appeared in 1908.

The first part of this work deals with some historical points. Padre Brandi vindicates Pope Leo's statements concerning the attitude of the Holy See and of the English Catholic authorities during Mary's reign. Then he passes on to the Gordon case, and shows from unimpeachable documents that the decision was the result of a study of the Anglican Ordinal itself, compared with other ordination rites recognised as valid by the Catholic Church. He makes it quite clear that the Nag's Head story was set aside, and also that the decision rested, not on the absence of a tradition of instruments, but on the defect of the Anglican form itself. All this is proved by extensive quotations from the Holy Office records of the case. Amongst other things, Brandi reproduces the script of the actual decree in 1704, and also the front page of the printed copy of the Ordinal examined by the Holy Office at that time.

The second part deals with the theological side of the question. Brandi points out that, whereas the Archbishops say that Pope Leo requires the form to express both the order conferred *and* its power, the Pope really says that one or other must be expressed. Brandi proceeds to show that the Ordinals approved by the Catholic Church all satisfy this requirement. He points out the difference between the mere absence of a mention of the sacrificial function in certain early Ordinals, and the deliberate exclusion of all such mention in the case of the Anglican rite. Brandi then points out the unsatisfactory and inadequate nature of the Archbishops' doctrine on the Sacrifice. Their doctrine is obviously in agreement with Article 31. Also, as sacrifice and priesthood are necessarily related, the Archbishops, in rejecting the Catholic sacrifice, reject the Catholic priesthood. Lastly, Brandi discusses the Abyssinian ordination rite.

In England, a *Vindication of the Bull 'Apostolica Cura'*, in reply to the Letter of the Anglican Archbishops, was published in the name of Cardinal Vaughan and his fellow Bishops of the Province of Westminster. The work profits by some of the documents which had been published by Brandi. The main point in the

*Vindication* is the contention that the priesthood necessarily depends upon the Sacrifice, and this in turn requires the Real Objective Presence. The authors then go on to show that these doctrines were all denied by the Reformers who drew up the Ordinal. Then they quote the statement made by the Anglican Archbishops concerning the Eucharist, and say : " Your modern beliefs concerning the sacrifice and the priesthood cannot, of course, afford a rule for the interpretation of an Ordinal drawn up three centuries ago. Still, it is of interest to know what you take to be the doctrine of your Church in regard to these two points."<sup>1</sup> But the Catholic bishops complain that the Anglican statement is extremely vague, and suggest that if the Anglican Archbishops had " really wished to ascribe to their Church belief in a Real Objective Presence," they would have made this perfectly clear. But to settle all doubt, the Catholic Bishops invite the Anglican Archbishops to say whether they are to be understood as teaching the Real Objective Presence or not. To avoid complications, they distinguish between the Real Objective Presence and Transubstantiation, and invite the Anglican Archbishops merely to make plain their belief or disbelief in the former doctrine, that of the Objective Presence.

7. The Anglican Archbishops sent a letter to Cardinal Vaughan on March 12th, 1898.<sup>2</sup>

They complain that the Catholic bishops have changed the ground of the argument :

" The Bull, though it deals with the matter, the form, and the intention of the Ordinal, makes no direct reference to the doctrine of Transubstantiation, whereas in your letter the acceptance of that doctrine is practically constituted the one sure test of the validity of Holy Orders. Had his Holiness (in his Bull) followed the line of argument which you have now adopted, our answer must have taken a different form. But we could not answer what he did not say."

This is disingenuous. The Catholic bishops carefully did *not* make Transubstantiation the test, but the Real Objective Presence, without which there can be no Sacrifice of the Mass, and therefore no sacrificial priesthood in the Catholic sense. This is precisely the argument of Pope Leo in his Bull, for he says that the Anglican form for the priesthood does not in the least express definitely the Sacred Order of Priesthood, or its

<sup>1</sup> Page 78.

<sup>2</sup> Published in *The Times* on March 14th, 1898.



grace and power, which is chiefly the power of consecrating and of offering the true Body and Blood of the Lord.

The Catholic bishops had asked the Anglican Archbishops to state clearly whether they believed or not in the Real Objective Presence. The Archbishops content themselves with saying that they do not believe in Transubstantiation, and leave the real question unanswered :

"The Church of England has clearly stated her position with respect to this doctrine [of Transubstantiation], and it is unnecessary for us to say that we heartily and firmly concur in the judgment which she has pronounced. It is, for us, simply impossible to believe it to be the will of our Lord that admission to the ministry of the Church of Christ should depend upon the acceptance of a metaphysical definition, expressed in terms of mediæval philosophy, of the mysterious gift bestowed in the Holy Eucharist."

A Reply to the *Vindication* was also issued by the Church Historical Society, under the title *Priesthood in the English Church* (1898). It fully admits that Pope Leo's statements about the Gordon case were justified.

"Several new documents have been published of late which throw valuable light upon the whole question. The grounds of the Gordon decision are now clearly before us, and we frankly recognise that the views upon the subject which had been held by many English Churchmen, in company with Mgr. Gasparri, the Abbé Boudinhon, and other distinguished members of the Roman Communion, were mistaken. It is clear that the decision was based, neither upon the historical fallacies which Cardinal Vaughan and his colleagues seem ready to revive as soon as the opportunity arises,<sup>1</sup> nor yet upon the exigencies and intricacies in which the Roman court had been involved by the unhappy decision of Eugenius IV about the *porrectio instrumentorum*. The grounds upon which the decision was based were, as the Cardinal says, 'identical with those which in a more developed form are set forth in the *Apostolica Curæ*.'"<sup>2</sup>

<sup>1</sup> The reference is to the question of Barlow's consecration, which the Catholic Bishops said was not settled one way or the other by the Pope's Bull.

<sup>2</sup> Pages 27, 28. In view of this categorical statement made by the Church Historical Society in 1898, the equally candid admissions made by Canon Lacey in his *Roman Diary*, published in 1910 (pp. 48, 99, 129, 135), and the printing of Holy Office documents by Brandi in his *Delle Ordinazioni Anglicane* in 1897-8, we must express our surprise that Canon Wilfred Knox, in his *Friend, I do thee no wrong*, published in 1919, should still say that "Of the Gordon case nothing is known except the account of his appeal to the Holy Office and its decision. . . . The Holy Office had before it a highly picturesque account of the origin of the English hierarchy when it framed its decision on the Gordon case, or if it had any better information, or considered the matter fully, it has never published any documents to show it." (Page 9.) It is perhaps too much to expect that Canon Wilfred Knox should acquaint himself with the Catholic literature on the subject. But we should at least expect him to be aware of the contents of the Anglican works mentioned above! The same remark

The pamphlet, however, went on to remark that it was still not clear what the Holy Office regarded in 1704 as the essential form and matter of the Anglican ordination rite. This point was cleared up by the publication by Brandi of further documents in subsequent editions of his *Ordinazioni Anglicane*, which made it clear that the Anglican form and matter were taken to be the imposition of hands, and the words which accompany this.<sup>1</sup>

From the theological side, the only contribution to the subject in this pamphlet is an endeavour to vindicate the intention of the Reformers. The writers complain that

"the Romanist opponents of the English Church . . . have taken words and phrases which (at least, under pressure) were susceptible of two meanings, and have uniformly interpreted them in an uncatholic sense. And they have even tried to force words and phrases which were capable of nothing but a catholic meaning into a perversion of the truth."<sup>2</sup>

The writers repeat the old and untenable plea that the Reformers did not intend "to attack the Catholic doctrine" of the Eucharistic Sacrifice, but only "to redeem it from anti-Catholic corruptions,"<sup>3</sup> or, in other words, "only to remove false accretions about the faith, and to abolish uncatholic practices."<sup>4</sup> Secondly, they protest against the "false idea that because a thing is omitted from a service, it is therefore condemned."<sup>5</sup> And further, they maintain that, in point of fact, the Reformers did not omit "all mention of priesthood, sacrifice, and consecration." The Pope complains that in the form for the priesthood "there is no express mention of priesthood and that the words 'Be thou a faithful dispenser, etc.,' do not in the least definitely express the Sacred Order of Priesthood, or its grace and power, which is chiefly the power of consecrating and of offering the true body and blood of the Lord."<sup>6</sup>

The answer is significant :

"In reply to this objection, no well-instructed Churchman will deny that this is an important function of the second order of the ministry ; he may even concede that it is its chief distinctive power, so far as 'priesthood' is concerned, in the narrower sense of the term as used by the *Bull* here and defined in the *Vindication*. For in this narrower sense, it is true to say that 'priesthood' and

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applies to the Rev. J. G. Morton Howard, who says, in his *Epistola ad Romanos*, that Pope Leo XIII in his Bull *Apostolicæ Curæ* "plainly judged after the precedent of John Gordon's case, in which the facts given were false and erroneous." (Page 3.)

<sup>1</sup> See the documents we have quoted on pp. 476-478.

<sup>2</sup> Page 34.

<sup>3</sup> Page 36.

<sup>4</sup> Page 37.

<sup>5</sup> Page 40.

<sup>6</sup> Page 42.

'offering' or 'sacrifice' are correlative terms. And in this narrower sense priesthood is a primary function of the whole Church, including all her members; not exclusively, though no doubt pre-eminently, of her bishops and presbyters. But the word is also in current use, in a wider sense, as denoting the second Order of the Christian Ministry. And the second Order includes presbyterate and pastorate as well as priesthood proper."<sup>1</sup>

If this means anything, it means that all Christians are priests, but only the second order of the ministry are presbyters and pastors!

Accordingly, the pamphlet maintains that the Reformers were protesting against the "narrower" view of the priesthood as meaning the power to sacrifice, and advocating a "wider and more comprehensive" view.<sup>2</sup>

"It is unsatisfactory to define an office by bringing into exclusive prominence one of its functions, whether that be its chief function or not, and the more complex the nature of the office, the more unsatisfactory this is. It is agreed on all hands that the second order of the ministry comprises more than the power of offering sacrifice. The English Church . . . has aimed at using a comprehensive definition of all its functions, rather than an exclusive definition which singles out one."<sup>3</sup>

Accordingly, they maintain that the formula "Be thou a faithful dispenser of the Word of God and of his Holy Sacraments" is

"good in intention, and good in itself. . . . We maintain that it is not only defensible, but intrinsically better than the Pope's formula as a definition of the power and grace of the Priesthood."<sup>4</sup>

Amongst the other literature of this period, we may mention a study on the *Vindication*, by Dr. Firminger, in the *Indian Church Quarterly Review* for 1898, and an essay on *The Doctrine of the Real Presence in the writings of the Anglo-Catholic divines*, by the same (Calcutta, 1898). On the Catholic side, we must mention *The Popes and the Ordinal*, by Mgr. Barnes, a useful collection of documents, mainly liturgical. But these contain nothing of special theological interest.

<sup>1</sup> Page 43.

<sup>2</sup> Page 43.

<sup>3</sup> Page 47.

<sup>4</sup> Pages 47-48.

## CHAPTER VI

### THE MALINES CONVERSATIONS AND ANGLICAN ORDERS

In the opinion of many Anglicans, the Papal condemnation of Anglican Orders in 1896 has lost much of its force by reason of certain events in more recent times, and in particular, they urge that at the Conversations of Malines, the conditional reordination of Anglican clergy was envisaged as a distinct possibility, in place of the absolute reordination hitherto insisted upon by the Roman authorities. Further, it is urged that, though Rome has condemned Anglican Orders, these have recently been recognised by the Old Catholic and Eastern Orthodox Churches. Accordingly, in this and the following chapters, we will discuss these more recent happenings, and first we will explain exactly what occurred at Malines.

1. The Lambeth Conference in 1920 issued an "Appeal to all Christian People," setting forth the "vision" of

"a Church, genuinely Catholic, loyal to all Truth, and gathering into its fellowship all 'who profess and call themselves Christians,' within whose visible unity all the treasures of faith and order, bequeathed as a heritage by the past to the present, shall be possessed in common. . . . Within this unity Christian Communions now separated from one another would retain much that has long been distinctive in their methods of worship and service. . . ."

The "visible unity of the Church" is to involve

"(1) The acceptance of the Holy Scriptures as 'the record of God's revelation of Himself to man, and as being the rule and ultimate standard of faith' ;

"(2) The Creed commonly called Nicene, as the sufficient statement of the Christian faith, and either it or the Apostles' Creed as the Baptismal confession of belief ;

"(3) The divinely instituted sacraments of Baptism and the Holy Communion, as expressing for all the corporate life of the whole fellowship in and with Christ ;

"(4) A ministry acknowledged by every part of the Church as possessing not only the inward call of the Spirit, but also the commission of Christ and the authority of the whole body."

The Anglican Bishops claimed that

"the Episcopate is the one means of providing such a ministry. . . . Not that we call in question for a moment the spiritual reality of those Communions which do not possess the Episcopate. On the contrary, we thankfully acknowledge that these ministries have been manifestly blessed and owned by the Holy Spirit as effective means of grace. But . . . considerations alike of history and of present experience justify the claim which we make on behalf of the Episcopate" as "the best instrument for maintaining the unity and continuity of the Church."

Thus the Lambeth Conference remains true to the Anglican tradition in recognising the validity of the ministry of the non-Episcopal Protestant churches, while maintaining that the episcopate is the "best" mode of government.

The Bishops go on to say that

"For all, the truly equitable approach to union is by the way of mutual deference to one another's consciences. To this end, we . . . would say that if the authorities of other Communions should so desire, we are persuaded that, terms of union having been otherwise satisfactorily adjusted, Bishops and clergy of our Communion would willingly accept from these authorities a form of commission or recognition which would commend our ministry to their congregations, as having its place in the one family life. It is our hope that the same motive would lead ministers who have not received it to accept a commission through episcopal ordination, as obtaining for them a ministry throughout the whole fellowship. In so acting no one of us could possibly be taken to repudiate his past ministry. . . . We shall be publicly and formally seeking additional recognition of a new call to wider service in a reunited Church."<sup>1</sup>

Strangely enough, the Conference adds :

"We are unable to regard the so-called Old Catholic Church in Great Britain (under the late Bishop Mathew and his successors) and its extensions overseas, as a properly constituted Church, or to recognize the orders of its ministers," and recommends that clergy converted from this Church to the Anglican Communion "should be ordained *sub conditione*."<sup>2</sup>

2. From 1921 to 1925 a series of "Conversations" took place at Malines, under the presidency of Cardinal Mercier. The Anglican representatives were Lord Halifax ; Dr. Armitage Robinson, Dean of Wells ; and Dr. Frere, who later became

<sup>1</sup> Bell, *Documents on Christian Unity*, pp. 2-5.

<sup>2</sup> Page 11. Bishop Mathew had been duly consecrated by the Old Catholics at Utrecht, and he in turn had consecrated and ordained others. Why were his acts considered to be of doubtful validity?

Bishop of Truro. Subsequently there were added to their number Bishop Gore and Dr. Kidd, Warden of Keble College, Oxford. The Catholic side consisted of the Cardinal Mercier ; Mgr. Van Roey, his Vicar General and successor in the See of Malines ; and the Abbé Portal. To these were subsequently added Mgr. Batiffol and the Abbé Hemmer.

At the first meeting, on December 6th, 1921, Lord Halifax read extracts from the Lambeth Appeal, which we have quoted above. These were discussed on the afternoon of December 7th. Dr. Frere said that

“ en ce qui concerne les Eglises qui ont un épiscopat, les évêques anglicans admettent d'accepter ce qu'elles regarderont comme nécessaire pour régulariser leur position propre.”

Dean Armitage Robinson remarked :

“ Ce à quoi on a pensé d'abord, ce n'est pas aux Eglises épiscopales, mais plutôt à d'autres, comme, par exemple aux Presbytériens d'Ecosse . . . ou comme aux Méthodistes.”

But even so,

“ L'offre ainsi exprimée en termes généraux amena la conviction que nous devons être prêts à accepter une régularisation de notre position si les autorités des églises d'Orient ou de Rome le jugeaient nécessaire.”

The Abbé Portal thereupon remarked :

“ Ceux qui se rappellent l'état des esprits au moment de la controverse sur la validité des ordinations anglicanes n'auraient jamais pensé qu'une telle offre serait faite si peu de temps après la condamnation. Les évêques anglicans donnent là un grand exemple d'humilité chrétienne et font un vrai sacrifice à l'unité.”<sup>1</sup>

The Minutes contain no expression of opinion by Cardinal Mercier on this subject, but Bishop Frere, in his *Recollections of Malines*, tells us that

“ The Cardinal was very reticent,” but “ expressed the opinion that Ordination *sub conditione* might be required and might be found satisfactory, but some sort of supplement also might be a conceivable plan of regularization.”<sup>2</sup>

The subject was discussed again at the Second Conversation on March 14th, 1923. A memorandum was drawn up by the Anglicans for discussion on this occasion. It contained the following words:

<sup>1</sup> *Conversations at Malines, Original Documents*, edited by Lord Halifax, pp. 10, 22, 23.

<sup>2</sup> *Recollections of Malines*, p. 29.

"A rectification of what might be thought wanting in regard to Holy Orders having been assented to, on lines suggested in the Lambeth Appeal, the determination of the relation of the Archbishop of Canterbury to the Holy See would call for consideration. . . ."<sup>1</sup>

When this was read, Mgr. Van Roey, according to the Minutes, "indique que la 'rectification' admise par la Conférence de Lambeth pourrait se faire par l'imposition des mains 'sous condition,' d'abord pour l'archevêque de Cantorbéry par le Pape lui-même, ou par son légat, et, ensuite, par l'archevêque pour ses suffragants."

Thereupon Lord Halifax interposed a question :

"Lord Halifax a demandé si la 'rectification' ne pourrait pas se faire par la porrection des instruments, après quelque déclaration qui mettrait hors de doute l'intention de l'Eglise anglicane."

To this Mgr. Van Roey replied :

"Les ordinations anglicanes étant au moins douteuses, objectivement, l'imposition des mains, tout au moins sous condition, sera jugée nécessaire."

Dean Robinson manifested "une certain satisfaction de ces réponses." Cardinal Mercier asked him "s'il pense que l'archevêque de Cantorbéry accepterait." To this Dean Robinson replied :

"qu'il croit que, les questions dogmatiques et autres étant réglées, l'archevêque se resignera à accepter de telles conditions."

The Abbé Portal remarked that

"les catholiques ne peuvent demander aux anglicans de nier trois siècles de leur histoire, et d'autre part, les anglicans ne peuvent demander aux catholiques qui ont regardé leurs ordinations comme nulles depuis trois siècles de se déjuger."

Hence,

"les théologiens, comme les diplomates dans des cas analogues . . . doivent trouver le moyen d'arriver au but en sauvegardant les droits et les susceptibilités des deux parties. La Conférence de Lambeth paraît avoir ouvert la voie dans laquelle il faut entrer."

Dean Armitage Robinson expressed the desire

"que la question des ordres soit discutée de nouveau, parce que, dit-il, l'Eglise-mère a été injuste à l'égard de sa fille, et qu'il serait important de trouver le moyen de faire une certaine réparation de cette injustice, afin que la 'rectification' fût acceptée plus facilement."<sup>2</sup>

<sup>1</sup> *Conversations at Malines, Original Documents*, edited by Lord Halifax, p. 81.

<sup>2</sup> *Conversations at Malines, Documents*, pp. 32-3.

At the afternoon session on March 14th, it was agreed that the Anglicans and Catholics should draw up a brief memorandum on the points at issue. These memoranda were produced, criticised, amended, and then signed, on March 15th. The Catholic document has the following :

" La question fondamentale qui se pose paraît être la suivante : Le Saint-Siège, approuverait-il que l'archevêque de Cantorbéry, acceptant la suprématie spirituelle du Souverain Pontiffe et le cérémonial jugé par lui nécessaire à la validité de la consécration de l'Archevêque, fût reconnu comme le Primat de l'Eglise Anglicane rattachée à Rome. . . . Permettrait-il à l'Archevêque de Cantorbéry d'appliquer aux autres évêques le cérémonial de validation accepté par l'Archevêque ? " <sup>1</sup>

The Anglican statement said :

" It was agreed that, supposing the doctrinal differences now existing between the two Churches could be satisfactorily explained and removed, and further, supposing the difficulty regarding Anglican Orders were surmounted on the lines indicated in the Lambeth Appeal. . . . " <sup>2</sup>

Subsequent Conversations were devoted to the far more important question of the Papal Supremacy, and on this, as might be expected, it soon became evident that there were very serious divergences of opinion between the two sides, and that there was no prospect of the Anglicans ever accepting the full Catholic position, as defined in the Councils of Trent and the Vatican. There was no further reference to the Orders question.

3. Cardinal Mercier died on January 23rd, 1926. On October 11th and 12th, 1926, a final meeting of Anglicans and Catholics was held at Malines. It was presided over by Mgr. Van Roey, Archbishop of Malines, and there were present the Abbé Portal, Mgr. Batiffol, and the Abbé Hemmer, Lord Halifax, Dr. Kidd, and Bishop Frere. The preparation of an Interim Report had already been discussed. Dean Armitage Robinson had drafted a report on the Anglican side, while the Abbé Hemmer had made a more general account, which he meant to serve for both sides.<sup>3</sup> But in the end it was decided to issue two separate reports, one from each side. The two draft reports were examined and revised at this final meeting at Malines. The Anglican account was presented to the Archbishop of

<sup>1</sup> *Conversations at Malines, Documents*, p. 86.

<sup>2</sup> *Frere, Recollections of Malines*, p. 61.

<sup>3</sup> *Ibid.*, p. 87.



Canterbury in July, 1927, and was printed in French and English by the Anglican group, with the approval of the Archbishop of Canterbury.<sup>1</sup> This report mentioned that the section in the Lambeth Appeal

"was inserted to meet the difficulties of non-episcopalians, as its wording shows. Incidentally it may doubtless be applied to the attitude of Anglicans towards Rome, but it is vital to notice that everything turns on the preliminary requirement that other matters shall have been satisfactorily adjusted first. . . . It has to be remembered that what is suggested could only become practical, if agreement had first been reached upon the large questions which at present separate the Churches."<sup>2</sup>

As to the second conference, the report says :

"The discussion turned again to the section of the Lambeth Appeal. . . . What 'form of commission or recognition' was likely to be asked for by the Roman authorities? The Anglicans thought that the offer implied in the general statement of the Bishops at Lambeth with reference to all bodies of Christians throughout the world might in this instance have been met in a large spirit. One of them ventured to say that the question of Anglican Orders ought to be examined afresh : it was keenly felt that the Mother Church had done a very grievous wrong to the Daughter Church, and it ought to be undone. The Roman Catholics gave it as their opinion that the conditions under which such a regularization might take place could only be ascertained from the Holy See, and that in view of a possible reunion they would certainly be very carefully considered."<sup>3</sup>

The Catholic report, drawn up with a view to publication, deliberately confines itself to "un aperçu synthétique des points de doctrine où les Anglicans se sont accordés avec eux dans les affirmations communes," and to give a "résumé de ce qui a été dit et traité dans les conférences et sur quoi l'accord est sensible."<sup>4</sup>

The following section deals with the Orders question :

"S'il n'a pas été question du sacrement de l'ordre . . . ce n'est pas que les deux églises ne reconnaissent son existence et ne pratiquent l'imposition des mains comme étant un rite essentiel pour la collation des ordres sacrés. Mais il a semblé à propos de s'en tenir provisoirement à considérer la démarche de haute portée qu'ont accomplie les évêques anglicans dans l'appel de Lambeth en 1920, lorsqu'ils se sont déclarés prêts, en vue de l'union, à accepter des autorités des autres églises ce que celles-ci jugeraient

<sup>1</sup> *The Conversations at Malines*, Oxford University Press, 1927.

<sup>2</sup> Pages 14, 16.

<sup>3</sup> Page 24.

<sup>4</sup> *Ibid.*, pp. 72, 74.

nécessaire pour que le ministère du clergé anglican fût reconnu par elles.

"D'après une déclaration autorisée, la pensée première des évêques anglicans était de régler leur situation à l'égard des églises qui ne possèdent point de hiérarchie épiscopale. . . . Cependant l'offre des évêques anglicans n'excluait pas l'idée d'une entente avec les églises constituées autour d'une hiérarchie épiscopale. Elle semblait même y conduire. Si toutes choses par ailleurs étaient réglées relativement à la doctrine, et si l'accord était conclu sur un régime disciplinaire, il n'y aurait pas de difficulté de la part des évêques anglicans à accepter tel élément d'ordination qui paraîtrait nécessaire à l'Eglise Romaine pour mettre hors de doute, aux yeux de tous, la validité de leur ministère.

"L'Eglise catholique prend toujours le parti le plus sûr en matière de sacrements. Elle réordonne ses propres prêtres et évêques dès qu'il y a un doute sérieux sur l'exacte observation des rites traditionnels de ses ordinations. Ses précautions prudents ne sont pas une manifestation de défiance à l'égard des personnes, mais une mesure de sûreté en faveur des fidèles. Les évêques anglicans ont ouvert une voie de résolution pratique dans une affaire particulièrement épineuse, et les catholiques rendent hommage au sentiment très élevé qui a inspiré l'épiscopat anglican dans cette circonstance, et à son esprit de sacrifice en vue de l'union."<sup>1</sup>

It goes on to say that Anglicans as well as Catholics consider that "la hiérarchie est un trait essentiel de l'Eglise. . . . L'institution des évêques est de droit divin."<sup>2</sup>

This statement is certainly inaccurate, so far as historic Anglicanism is concerned.

4. But leaving this point aside, what is to be thought of the discussion of the Orders question at Malines, and the suggestion made there that conditional reordination of Anglicans might be accepted? First we must point out that the suggestion was very tentative. For the attitude of Cardinal Mercier we have, not his own words, but the impression which these words gave to Bishop Frere.<sup>3</sup> As to Cardinal Van Roey's opinion, Père Michel, writing in the *Dictionnaire de Théologie*, writes :

"Ce qui serait jugé nécessaire par les autorités catholiques, Mgr. van Roey l'expose dans un sens légèrement différent de celui de l'encyclique *Apostolica Curae*, qui exigeait une réordination absolue. Il indique que la 'rectification admise par la conférence de Lambeth pourrait se faire par l'imposition des mains sous condition. . . .'"<sup>4</sup>

The last sentence is, of course, taken from the "Minutes" of the Second Conversation, as published by Lord Halifax. In this

<sup>1</sup> Pages 82, 84.

<sup>2</sup> Page 84.

<sup>3</sup> See p. 604.

<sup>4</sup> Vol. XI, col. 1167.

connection, we quote the following extract from a letter from the Chanoine Dessain, Secretary to His Eminence Cardinal Van Roey, to Fr. Coppens, S.J., dated 5th February, 1934 :

“J’ai vérifié le passage p. 32 du livre de Lord Halifax. Il s’agit là de notes, nécessairement incomplètes et résumées, de tout ce qui a été dit en réalité, et qui ne reflètent, donc, que très imparfaitement la pensée de ceux qui parlaient. Cependant vous remarquerez qu’il est question là, à proprement parler, de ce que l’Eglise Catholique pourrait devoir exiger, éventuellement, pour pouvoir reconnaître une validité à la consécration épiscopale d’un évêque anglican, et Mgr. Van Roey avait soin de dire : ‘. . . tout au moins *sub conditione*.’

“Si votre correspondant veut connaître au sujet de la question des Ordres, l’avis complet et définitivement rédigé, des membres catholiques des ‘Conversations,’ il les trouvera pp. 298 et 299 du livre de Lord Halifax, et non dans les brèves notes du début.”

This letter, which we are authorised to print, refers us, then, to the final *Compte Rendu* of the Catholic side. This, as we have seen, is much more guarded, and merely chronicles the statement that, other things being settled, the Anglican bishops would make no difficulty in accepting “tel élément d’ordination qui paraîtrait nécessaire à l’Eglise Romaine.” This in turn should be interpreted in the light of the final Anglican report, that “the conditions under which such a regularisation might take place could only be ascertained from the Holy Sec.”

We will only remark that the Holy See, in our opinion, made its mind quite clear once and for all in *Apostolicæ Curæ*.

## CHAPTER VII

### THE RECOGNITION OF ANGLICAN ORDERS BY THE OLD CATHOLICS

From the Conversations at Malines, we pass on to consider the negotiations between the Anglican and the Old Catholic Churches, which have resulted in the recognition of Anglican Orders by the latter.

1. The "Old Catholic Churches" are described by an Anglican writer in close touch with them, as "seven small self-governing national Churches in communion with the ancient See of Utrecht." The original Dutch Old Catholic Church began with the schismatical and irregular consecration of Cornelius Steenoven as Archbishop of Utrecht, by Varlet, a French missionary bishop with the title of Bishop of Babylon, who had been suspended from his functions. The consecration took place on October 15th, 1724. After the Vatican Council, some Catholics in Germany and Switzerland broke away from Rome, and likewise set up new "Old Catholic Churches." The first German "Old Catholic" bishop was consecrated by one of the Dutch schismatic bishops in 1873. Since then, Old Catholic Bishops have been consecrated for Switzerland, Czechoslovakia, Austria, Croatia, and for the Poles in Poland and in the United States. In 1929 there were fourteen Old Catholic bishops in various parts of the world, and the total number of their followers is said to exceed 400,000. In Holland itself, there are three bishops, and about 20,000 faithful, as against five bishops and 2,000,000 members of the Catholic and Roman Church, constituting one-third of the entire population of the country.<sup>1</sup>

<sup>1</sup> See *The Old Catholic Churches*, by C. B. Moss, in *Episcopacy, Ancient and Modern*, S.P.C.K., 1930, pp. 335-342; and *Outline of the History of the Old Catholic Church*, by B. A. Van Kleef, in *Northern Catholicism*, edited by N. P. Williams and C. Harris, S.P.C.K., 1933, pp. 531-550. The Abbé Coolen, in his *L'Anglicanisme d'Aujourd'hui* (1933), gives a less generous estimate of the Old Catholics. He says (p. 93) that in Holland there are 10,000 Old Catholics, as against 3,000,000 Catholics, and that the total number of Old Catholics throughout the world is "a little more than 200,000."

The Dutch Old Catholics began by repudiating the Papal condemnation of Jansenism. The German Old Catholics began by repudiating the Decrees of the Vatican Council. But, as was to be expected, in each case there has since been a further descent towards unorthodoxy. We are not concerned with the details of this descent, but it is worthy of note that, at the Bonn Conference in 1931, the Old Catholic Archbishop of Utrecht stated that, though they have statues in their churches, these are not objects of worship, and secondly, they "regard Mary as a good wife and mother."<sup>1</sup> This seems to imply that the Old Catholics have given up the doctrine of the Perpetual Virginity of Our Lady. They have also abandoned the celibacy of the clergy.

The official doctrinal position of the Old Catholic Churches is set forth in the Profession of Faith or "Declaration" of Utrecht, formulated by the Old Catholic bishops assembled in that city in September, 1889. We single out as important for our purpose the article which sets forth the Eucharistic doctrine of the new Church. After saying, not that the Body and Blood of Christ are "present" under the species of bread and wine, but that we "receive" them "under the species of bread and wine," the Article deals with the Eucharistic Sacrifice, in the following terms :

"The Eucharistic Celebration in the Church is neither a continual repetition nor a renewal of the expiatory sacrifice which Jesus offered once for all upon the Cross ; but it is a sacrifice because it is the perpetual commemoration of the Sacrifice offered upon the Cross, and it is the act by which we represent upon earth and appropriate to ourselves the one offering which Jesus Christ makes in Heaven. . . ."<sup>2</sup>

We notice at once a certain vagueness about this formulary, and it is quite evident that the doctrine envisaged in it is not the same as that of the Council of Trênt. But we are prepared for this by the fact that the preceding Article in the Declaration of Utrecht says :

"We refuse to accept the decrees of the Council of Trent in

<sup>1</sup> Report of Bonn Meeting, 1931, p. 32.

<sup>2</sup> See *Northern Catholicism*, edited by N. P. Williams, 1933, pp. 548-550. The Latin original is as follows : "Eucharistiæ celebratio in ecclesia non est continua repetitio vel reintegratio sacrificii propitiatorii quam Christus in cruce semel obtulit, sed sacrificium ea ratione est, quod ejusdem constans memoria est, et representatio realis, in terra facta, illius unicæ oblationis Christi pro salute redemptæ humanitatis, quæ secundum Hebr. ix, 11-12 continuo in cælis a Christo perficitur cum nunc in præsentia Dei pro nobis apparet." (*Apud Bp. Wordsworth, De Validitate Ordinum Anglicanorum Responsio ad Batavos*, 1895, p. 10). It will be noted that the English translation is not too accurate.

matters of discipline, and as for the dogmatic decisions of that Council we accept them only in so far as they are in harmony with the teaching of the Primitive Church."<sup>1</sup>

It is also evident that the terminology employed in the Declaration, "memoria" and "representatio," is not far removed from the "memorial of a sacrifice" of the Anglican formularies. In this connection, we may quote the following exposition of the Old Catholic doctrine, given by the Rev. C. B. Moss, the Secretary of the Society of St. Willibrord :

"The Eucharist is a sacrifice in this sense, *and in this sense only*, that it is the perpetual commemoration of the sacrifice made once for all on the Cross. . . . The statement seems to be wholly in line with the teaching of the Prayer Book, both in what it says, and in what it omits."<sup>2</sup>

This descent of the Old Catholic Churches to the Anglican level of Eucharistic doctrine was almost bound to result in the recognition of Anglican Orders, and with the history of this recognition we will now proceed to deal.

2. In his work, *The Old Catholic Churches and Reunion*, the Rev. C. B. Moss tells us that "the Church of the Province of Utrecht was for many years uncertain about the validity of Anglican Orders."<sup>3</sup>

A Conference of Old Catholics from various countries was held at Bonn in 1874, and this was attended by representatives from the Church of England,<sup>4</sup> the American Episcopal Church, and the Eastern Orthodox Church. Dr. Döllinger proposed that the following statement should be adopted :

"We recognise that the English Church, and the Churches which are derived from her, have preserved an unbroken succession."

Two Russian representatives thereupon observed that they regarded Anglican Orders as doubtful. Döllinger on the other hand said he was personally convinced of their validity, and Bishop Reinkens spoke in the same sense. A Greek representative then said that the Greek Church had the greatest respect for Anglican bishops and clergy, but had not come to a decision as to the validity of Anglican Orders. In view of this divergence

<sup>1</sup> *Northern Catholicism*, p. 549.

<sup>2</sup> *Old Catholic Churches*, 1929, p. 13. Italics ours.

<sup>3</sup> Page 52.

<sup>4</sup> Anglicans had from the first taken a great interest in the new Church, and two bishops from England had attended the Second Conference at Cologne in 1872.

of opinion, Döllinger withdrew his proposition. But Bishop Reinkens and Bishop Herzog nevertheless authorised intercommunion with Anglicans in Germany and Switzerland. The Dutch Old Catholics disagreed with this step, as they had not then recognised the validity of Anglican Orders.<sup>1</sup>

In 1889, a Report on Anglican Orders was drawn up for the General Assembly of the Old Catholic Church in Holland, by three priests, G. C. Van Shaik, G. Van Der Poll, and N. Prins. A copy of this Report was, by command of the Old Catholic Archbishop of Utrecht, sent to Bishop Wordsworth, of Salisbury, for observations and elucidations.<sup>2</sup> Bishop Wordsworth thereupon drew up a reply, after consultation with the Archbishop of Canterbury, and this Reply was printed, in Latin and English. We learn from it that the three Dutch priests had dealt with three questions :

- (1) the consecration of Dr. Parker,
- (2) the consecration of Bishop Barlow,
- (3) the "sufficiency of the Anglican rite, according to the form employed in consecrating bishops in the year 1549."<sup>3</sup>

The Dutch priests seem to have been anxious to obtain further information on the first two points, and Bishop Wordsworth supplied them with this. As to the third point, the sufficiency of the rite of "1549" for bishops, Wordsworth records with satisfaction that there is "no difference of opinion between them on this point."<sup>4</sup>

Bishop Wordsworth's pamphlet was evidently studied with care, by a Commission of Old Catholic priests appointed *ad hoc*, and the result was the publication of a second pamphlet, *De Apostolische Opvolging in de Anglicaansche Kerk, Verslag der Commissie aangewezen tot het onderzoeken van bovengenoemd vraagpunt*, published in Dutch and French in Amsterdam in 1894. It was the work of four priests, E. Wijker being added to the former three.

The writers profess themselves satisfied on the historical points of Parker and Barlow.<sup>5</sup> But the Dutch now question the suffi-

<sup>1</sup> We derive this account from Papadopoulos, *Validity of Anglican Ordinations*, pp. 36-39.

<sup>2</sup> Wordsworth, *De Successione Episcoporum in Ecclesia Anglicana*, 1890, p. 6.

<sup>3</sup> Wordsworth, *ibid.*, p. 8. The reference is, of course, to the Ordinal of 1550.

<sup>4</sup> *Op. cit.*, p. 10.

<sup>5</sup> *De Validitate ordinum Anglicanorum Responsio ad Batavos*, by Bishop John Wordsworth, 1895, p. 4.

ciency of the Anglican form itself, which they had previously accepted.

They allow that a non-Roman ritual can be valid, and that sacraments conferred by heretical bishops can be valid, though not lawful. But they maintain that the matter and form of each sacrament must agree with the Catholic faith concerning that sacrament, and must express the grace or power bound up with the sacrament in question. They go on to enquire what was the belief of the Anglican Church in the sixteenth century on the priesthood, and how that belief is expressed in the Edwardine ritual. Their conclusion is that, as to the priesthood and the sacrifice of the Mass, Cranmer and Barlow hardly differed from Luther and Calvin. Moreover, the Edwardine liturgy is silent as to the sacrifice of the Body and Blood of the Lord. Again, the Anglican Article 31 uses almost the same language as the Heidelberg Lutheran Catechism. Again, Article 25 excludes Order from the sacraments. Again, in the translations of the Bible, and in the Second Edwardine Prayer Book, the names of the ministers of the Church were changed in a Protestant direction. Lastly, Cranmer and Barlow, and also the Act passed in the third year of Elizabeth, opened the priestly offices to ministers not rightly ordained. They next proceed to study the ordination rite itself, and point out that it lacks an essential feature, namely, the tradition of the instruments, or some other certain indication of the giving of the power to sacrifice. An indication of this kind is, they consider, found in all Catholic rites. Accordingly, Anglican orders are of very doubtful validity.<sup>1</sup>

To this pamphlet Bishop Wordsworth wrote a reply, in Latin, *De validitate ordinum Anglicanorum, Responsio ad Batavos*, addressed to the Archbishop of Utrecht.

Wordsworth maintains that the Dutch pastors have been led into "errores magnos," and that their pamphlet is unworthy of them. Their difficulties betray an ignorance of liturgical matters, and they base their reasoning on quotations which, when properly examined, are seen not to support their position. He complains that the Dutch pastors seem to think that the Second Prayer Book of Edward VI is still in use in England. Also, they misunderstand the true import of Article 31, which condemns "doctrinam quandam

<sup>1</sup> The above is based on the summary by Bishop Wordsworth in his *De validitate ordinum Anglicanorum*, 1895, p. 5. Here are actual citations as to the defect of the Anglican Ordination rite:

"In formula ordinationis secundum rituale Edwardi VI, pars essentialis deficit, hæc est indicatio potestatis primariæ sacerdotis et episcopi, potestatis sacrificium offerendi. . . .

"Itaque in formula illa lacuna est, ob quam speciem non-catholicam accipit, ideoque essentialiter ab omnibus formulis catholicis differt. Constat ex antiquis temporibus formulas sacerdotii conferendi per totam ecclesiam non fuisse consimiles. Sed omnes in hoc concordant ut Catholicam sententiam expriment, et in orationibus officium sacerdotis et episcopi describant et pariter indicatio potestatis sacrificium offerendi nunquam absit." (P. 91, quoted by Wordsworth, *op. cit.*, p. 17.)



vulgarem, non definitionem alicujus ecclesiæ," i.e. it only condemns the doctrine that the Sacrifice of the Cross was for original sin only, and that of the Mass for actual sin. We know now that "theologi nostri Romanorum saniores" reject this doctrine, though the Bishop adds that he thinks that the Tridentine definition as to the truly propitiatory character of the sacrifice of the Mass is "fidei valde periculosam," and "explicatione indigere," though "hæresis scandalum devitet."<sup>1</sup>

As to Cranmer and Barlow, he maintains that, inasmuch as these signed the King's Book of 1543, their doctrine on the priesthood was by then quite orthodox.<sup>2</sup>

Later the Bishop comes to the main question. He begins with the statement :

"Ordinem certe non dicimus sacramentum a Christo ipso institutum, nec par esse dignitate cum duobus sacramentis quæ universis necessaria sint ad salutem credimus. Sed ordines sacros nullo modo elevamus, nec sacerdotii dignitatem et potestatem abnuimus."<sup>3</sup>

This is faithful to the Anglican denial that Order is a sacrament instituted by Christ. The Bishop remarks that the Dutch seem to have derived their opinion that the essence of order is the express conferring of the power of offering sacrifice, from Arnauld and Archbishop Neercassel.<sup>4</sup> He remarks that certain early ordination rites do not specify this power.

3. The immediate result of Bishop Wordsworth's Reply is not known to us. But the Report of the Dutch Commission was criticised at the time by other Old Catholics and notably by Dr. Reinkens and Professor Friedrich in the *Revue Internationale de Théologie*.<sup>5</sup>

In 1925 a new Commission was appointed by the Archbishop of Utrecht to study once more the question of Anglican Orders, and this time the report was in favour. Accordingly, the Archbishop of Utrecht wrote as follows to the Archbishop of Canterbury on June 2nd, 1925 :

"We are in the happy position of being able to send good news to your Grace. The Old Catholic Church of Utrecht has hitherto been in doubt as to the validity of Anglican Orders. Its doubt concerned, not the fact of Parker's consecration, but the sufficiency of the rite of Edward VI as an adequate expression of the Catholic belief. After long enquiry and serious deliberation, and after

<sup>1</sup> Page 9.

<sup>2</sup> Pages 15-16.

<sup>3</sup> Page 17, italics ours.

<sup>4</sup> For their views on the subject, see pp. 468-70.

<sup>5</sup> See Boudinhon in *Revue Catholique des Revues*, Aug. 20th, 1895.

consultation with our clergy, we have reached a decision which we hereby communicate to your Grace.

"We believe that the Church of England has wished always to maintain the episcopal rule of the Church of antiquity, and that the Edwardine formula of consecration must be accounted valid. We therefore declare, without reservation, that the Apostolic Succession has not been broken in the Church of England."<sup>1</sup>

This communication naturally elicited a joyful reply from the Archbishop of Canterbury, in which he said :

"Theologians of learning throughout the world will assuredly be deeply impressed by the fact that your Church, after long, careful, and accurate inquiry, no longer entertains doubt either as to the fact of Parker's consecration or as to the validity of the Edwardine formula of consecration. . . . For our own part we are sure, and have always been sure, that the Apostolical Succession has never been broken in the Church of England, and that a valid formula of consecration has been continually maintained ; but we give thanks to God for so signally demonstrating his Will that his Church, so long rent asunder, should at length return to unity. The Old Catholic Church, which has suffered so much for the truth of the Catholic faith, commands, and has always commanded our veneration, and we rejoice that henceforward no cause of dissension will remain between us on either side, but that we shall be joined in the fellowship of the Word and sacraments as we ever have been in unity of heart."

The Archbishop added that Anglicans could now well afford to despise the opinion of Catholics on the matter :

"As regards others, we can confidently say with St. Augustine, 'We are not alarmed about their differences of opinion, because our respect for St. Peter is equal to theirs ; but we rejoice that they have remained in the Catholic Church, because we like them are built upon the rock.'"<sup>2</sup>

In September of the same year, 1925, Anglican Orders were recognised by a Conference of Old Catholic Bishops at Berne :

"The Conference of Old Catholic Bishops, united in the Convention of Utrecht, assembled in their session of September 2nd, 1925, at Berne, in taking notice of the acceptance of the Orders of the Church of England by the Church of Utrecht, fully stands to that decision, which corresponds to former declarations made by Old Catholic Bishops and *savants* of Germany and Switzerland, and gives expression to the fervent hope of a future more intimate and powerful contact with the Church of England and her daughter Churches on a truly Catholic basis."<sup>3</sup>

<sup>1</sup> Bell, *Documents on Christian Unity*, Second Series, p. 64.

<sup>2</sup> Bell, *op. cit.*, pp. 65-66.

<sup>3</sup> Bell, *ibid.*, p. 66.

4. At the Lambeth Conference of 1930, Old Catholic bishops, headed by the Archbishop of Utrecht, came to London, to consult "on the development of closer relations between their Churches and the Anglican Communion." The result was the appointment by the Archbishop of Canterbury of some Anglicans, to meet Old Catholic representatives for this purpose. This Joint Commission included Dr. Headlam, Bishop of Gloucester; the Bishop of Fulham; the Dean of Chichester; Dr. N. P. Williams; Dr. J. A. Douglas; the Rev. C. B. Moss; Dr. Graham Brown, now Anglican Bishop in Jerusalem; and two others. The Old Catholics appointed three bishops, and two professors of theology. The meetings took place at Bonn in July, 1931. From a letter sent by Bishop Headlam to the Archbishop of Canterbury, we gather that the Old Catholics were "perplexed" as to the authority of the Lambeth Conference, "the position of parties in the Church of England, and especially the Evangelical party; and thirdly, as to the authority of the Thirty-nine Articles."<sup>1</sup> It was explained to them that "the Lambeth Conference was not a Synod with any right of making formal dogmatic statements, nor had it any disciplinary authority, but that it carried great moral weight." As to the Anglican parties, it was explained that "from the beginning the policy had been to make the Church of England a comprehensive National Church. There had always been three *tendencies*. The term 'Protestant' was often used simply to express opposition to the excessive claims of the Church of Rome." The Thirty-nine Articles required only a "general assent."<sup>2</sup> The Old Catholics also asked:

"Is it universally believed that ordination and consecration can only be given because it is the Church that calls her ministers, and that the holders of office derive their office and their apostolic character only from the will of the Church, so that the Apostolic Succession cannot be thought of apart from the catholicity of the Church, but has its sole basis therein?"

"Does it not happen in Evangelical-Protestant circles in the Anglican Church, that ordination is bestowed with the intention not to confer the charisma of the Catholic Ministry, but 'merely to appoint a man to a particular post'? In other words, is there any part of the Anglican Church where the intention to carry on the Apostolic Succession in ordination is intentionally omitted?"<sup>3</sup>

To these questions, Bishop Headlam replied that "the English Church had always intended to continue the three orders of the

<sup>1</sup> *Report of Commission, S.P.C.K.*, 1931, p. 8.

<sup>2</sup> *Report*, p. 9.

<sup>3</sup> *Report*, p. 15.

Ministry. . . . It was true that the form of Ordination omitted the words 'propitiatory sacrifices.'

Dr. Graham-Brown denied that Evangelicals held the view attributed to them in the question, and added :

"There is nothing in the formula of Ordination to show a design of 'not conferring the charisma of the Catholic ministry,' *unless the offering of propitiatory sacrifices be taken to be part of that charisma.* In that case, the discontinuance of robing with the chasuble and stole, and of all words referring to the sacrifice apart from the sacrament, would seem to be an intention of *not conferring any sacrificial charisma.* The care taken to adhere to the old Ordination formula gives point to any departure from such formula or omission thereof."<sup>1</sup>

Next, the Anglicans asked for "certain explanations with regard to the Declaration of Utrecht," i.e. as to its meaning and interpretation. The Lambeth Conference of 1930 had declared that

"There is nothing in the Declaration of Utrecht inconsistent with the teaching of the Church of England."

This had alarmed the Evangelicals who thought that the Declaration implied a belief in Transubstantiation and in the Propitiatory Sacrifice of the Mass. Their alarm was quite unnecessary, for the Declaration was, at best, ambiguous on these matters. But, in any case, the Old Catholics at Bonn explained that

"The Declaration of Utrecht intended to exclude belief in Transubstantiation in its mediæval sense,"

adding that "the word was not used in their teaching." As to the Sacrifice, they declared that

"they did not look upon the Eucharist as a propitiatory sacrifice in the sense of repeating the Sacrifice once offered, and that the impression to the contrary had arisen from a mistranslation."<sup>2</sup>

To make the matter quite clear, the Evangelical Archbishop of Dublin asked for assurances as to the meaning of the term "represent" in the Declaration's statement that the Eucharist "represents" the One Offering of Christ, and we are told that he was "satisfied with the Archbishop of Utrecht's answer."<sup>3</sup>

Bishop Headlam rightly claimed that this justified the statement made at Lambeth in 1930 that the Declaration of Utrecht is "not inconsistent with the teaching of the Church of England."<sup>4</sup>

<sup>1</sup> *Report*, p. 18. Italics ours.

<sup>2</sup> *Ibid.*, p. 31.

<sup>3</sup> *Op. cit.*, p. 10.

<sup>4</sup> *Ibid.*, p. 10.

At the second session, the Conference discussed "Suggested Conditions on which the Church of England and the Churches now in full Communion with it might contemplate formal intercommunion with the Old Catholic Church." These included a statement that

"The Church of England sets forth its doctrine in the Thirty-nine Articles of Religion, and expresses its devotion in the Book of Common Prayer, and safeguards its discipline in the Ordering of Bishops, Priests, and Deacons. It requires as conditions of exercise of its ministry a formal assent 'to the Thirty-nine Articles and to the Book of Common Prayer, and of the Ordering of Bishops Priests, and Deacons.' . . . But it does not impose upon its ministry any particular interpretation or theory in regard to Articles, Prayer Book, or Orders. . . . A similar liberality of construction and application will of necessity apply in the recognition of intercommunion."

In the course of the discussion, Dr. Graham-Brown "objected to the use of any phrase which might imply that there were other sacraments besides Baptism and the Lord's Supper." After much "conversation," the following statement was agreed upon :

1. "Each Communion recognises the catholicity and independence of the other, and maintains its own.
2. "Each Communion agrees to admit members of the other Communion to participate in the Sacraments.
3. "Intercommunion does not require from either Communion the acceptance of all doctrinal opinion, sacramental devotion, or liturgical practice characteristic of the other, but implies that each believes the other to hold all the essentials of the Christian Faith."<sup>1</sup>

This intercommunion was approved by unanimous decisions of the Convocations of Canterbury and York in January, 1932,<sup>2</sup> and by the Episcopal Synod of the Old Catholics in September, 1931.

5. In our opinion, the significance of this Old Catholic recognition of Anglican Orders is very much lessened by the fact that the former, as well as the Anglicans, have now repudiated the Catholic doctrine on the Sacrifice of the Mass. It is also important to note that, when arrangements for intercommunion were being discussed in 1930, the Old Catholics were expressly informed by Dr. Graham-Brown, now Bishop in Jerusalem, that the Evangelical party in the Church of England hold that the Ordination rite is intended *not* to confer any sacrificial charis-

<sup>1</sup> *Report*, p. 27.

<sup>2</sup> *Northern Catholicism*, p. 546.

ma, and likewise holds that there are only two Sacraments, which means, of course, that Holy Order is not a sacrament at all. And yet the Old Catholics have recognised the validity of Anglican ordinations !

6. We now come to a further serious development, and that is, the participation by Old Catholic bishops in Anglican episcopal consecrations. This is already an established fact, for on June 24th, 1932, the Old Catholic Bishop of Haarlem joined in the consecration of the Anglican Bishops of Jerusalem (Dr. Graham-Brown) and Kensington (Dr. Simpson) at St. Paul's Cathedral, and on February 24th, 1933, the Old Catholic Bishop of Deventer similarly took part in the consecration of the Anglican Bishops of Gibraltar (Dr. Buxton) and Nigeria (Dr. Gelsthorpe), in the same Cathedral.

It will be of interest to record what actually took place on these occasions, as the details have not hitherto been published. I am authorised to say, by a reliable Anglican witness who was present, that at the first ceremony, in 1932, the Old Catholic Bishop of Haarlem laid hands on the two bishops elect, at the same time as the Archbishop of Canterbury, and said in a low voice, "Accipe Spiritum Sanctum." At the second ceremony, in 1933, the Old Catholic Bishop of Deventer laid on hands after the Archbishop of Canterbury had done so, and said in a loud voice, "Accipe Spiritum Sanctum." We content ourselves here with recording the facts. In our final theological chapter, we shall discuss whether the ceremonies in question can be regarded as valid episcopal consecrations, and we shall decide that they are still only doubtful.

## CHAPTER VIII

### THE RECOGNITION OF ANGLICAN ORDERS BY EASTERN ORTHODOX CHURCHES

We now come to the recognition of Anglican Orders by some of the Eastern Orthodox Churches. We say "Churches" because really the Eastern Orthodox "Church" consists of a number of "autocephalous" bodies which acknowledge a primacy of honour in the Patriarch of Constantinople, but are not otherwise dependent upon him, or upon each other. Nevertheless, this group of independent Churches together form, in a sense, one Church, and may be treated as such.

Now there are several important principles which govern the attitude of this "Orthodox Church" to other religious bodies, and these must be carefully borne in mind.

1. First, then, it must be remembered that the Orthodox Church considers itself to be the One True Church, inasmuch as it alone has remained true to the unadulterated faith of the Primitive and Undivided Church, as expressed in the first seven Œcumenical Councils. Thus, the Orthodox representatives at the Lambeth Conference in 1920 observed, in their Report, that "the Orthodox Church does not accept those who do not belong to it as forming a part of the Church, in the true and proper sense of the word."<sup>1</sup> Those Anglicans in close relation with the Easterns frankly recognise this fact. Thus, W. A. Wigram writes :

"Formally and officially, the Orthodox Church has not and cannot have any relations with other bodies. Like the Church of Rome, she is herself the Church Catholic, and any other organisation has only to submit to her. In so far as they differ from her, at least in essentials—and the Orthodox Church is judge as to what is essential, though she may admit the charitable principle of 'Economy'—they are wrong."<sup>2</sup>

<sup>1</sup> Bell, *Documents on Christian Unity*, First Series, p. 63.

<sup>2</sup> *Episcopacy, Ancient and Modern*, S.P.C.K., 1930, pp. 314-315.

And Canon Douglas similarly writes :

"It is perfectly correct to say that, as the Papalist Church holds herself to be the One and Only True Church, so also the Eastern Orthodox Church holds herself to be the One and Only True Church."<sup>1</sup>

Thus, in the Orthodox view, the Eastern Church alone is the One True Church. Other churches have fallen away from the Orthodox Faith. In particular, the Church which has its centre in Rome has added to the faith, and, inasmuch as she teaches false doctrine, the Church of Rome is heretical. Also, through the extravagant claims of the Papacy, she has broken off relations with the Orthodox Church, and is in that sense schismatical, i.e. out of communion with the One True Church. Protestants have in turn broken away from Rome, and have taught still more heresies.

The only remedy for this state of things is for all these schismatical and heretical bodies to repent of their heresies and schisms, and seek to be united once more to the One True Church, i.e. the Orthodox Eastern Church. One absolute condition for this is that these bodies shall once more profess the True Faith, i.e. the Faith of the Eastern Orthodox Church.

This ultimate reunion of all separated Christians with the One True and Orthodox Church can be brought about either by individual submissions, or else by the return *en masse* of the separated bodies to communion with Orthodoxy. In both cases, the question arises as to the value to be attached to the sacraments which these individuals, or bodies of individuals, returning from schism and heresy to unity and orthodoxy, think they received in their separated state.

Orthodox practice in this matter has varied considerably from time to time, and its theory is rather difficult to understand. We will consider first the case of Baptism outside the Orthodox Church, for obviously a person invalidly baptised has not received any other sacraments.

The question arose in connection with the Baptism of some Catholics, who repudiated their allegiance to the Holy See and returned to the Orthodox. From the thirteenth to the fifteenth centuries, roughly, all that was required from these converts to Orthodoxy was an abjuration of Roman "errors," but occasionally this was followed by a reconfirmation with chrism.

<sup>1</sup> *Relations of the Anglican Churches with the Eastern Orthodox*, 1921, p. 51.



A Synod of Constantinople in 1484 drew up a special form of reconciliation for them, which included an abjuration of "errors," the recitation of the Nicene Creed, and an anointing with chrism. This was in use until 1755, when Cyril V, Patriarch of Constantinople, ordered Latins to be rebaptised, and from that time onwards, rebaptism was the rule with, however, a few exceptions. As for Lutherans and Calvinists, their baptism was at first regarded as of doubtful validity. In the eighteenth century, however, it was decided that they should not be rebaptised. Nevertheless, after 1755, they were subjected to rebaptism like the Latins. Early converts to the Russian Church were rebaptised, but in 1755 the practice was changed, and only an abjuration of errors was required.

As to the explanation of this conflicting practice, modern Russian theologians have allowed that the rebaptism of converts from Catholicism and Protestantism was an abuse. The Greek theologians, however, had different views on the subject. Some adopted the Russian view, and said that rebaptism was an abuse, or at least was justifiable only as a means of defending Orthodoxy against Catholicism. Others—and these are in a decided majority—explain the variation in practice by the curious theory of "economy," which we must now proceed to explain.

According to this theory of "economy," all the sacraments administered outside the Orthodox Church, even when administered by a proper minister, with the proper rite, are, in principle, invalid, for outside the True, i.e. the Orthodox Church, there is no sacramental grace, and no true priestly power. Professor Androutsos formulates this principle in the following words :

"One thing is certain, and that is that, according to the fundamental principles of Orthodoxy, all who sever themselves from the Church, or mutilate the Faith, or in any way fall away from it, lose both the Apostolic Succession in doctrine and in the priesthood. According to the natural view, both the Baptism of apostates as a 'deviation from the Faith'—that is to say, the Baptism of those who have gone astray as regards the Faith—and still more their Ordinations, are not only legally irregular, but are also wholly invalid and worthless."<sup>1</sup>

The existence of this principle of Orthodox thought is recognised by the Anglican Canon Douglas :

"If we enquire as to whether our Sacraments, and indeed, whether the sacraments of the Papalist, Assyrian, Armenian, and

<sup>1</sup> *Validity of English Ordinations*, pp. 9-10.

other 'heterodox' Churches, are valid, the Eastern Orthodox are bound to answer that, since there can be no true Sacraments outside the Church, they cannot consider the question of their validity as a *principle* at all."<sup>1</sup>

And again :

"Strictly, the heretic cannot be assumed to have been baptized."

But in spite of this categorical denial of the validity of non-Orthodox sacraments, Eastern theologians proceed to maintain that the true, i.e. the Orthodox Church, has the remarkable power of revalidating these sacraments which are in themselves invalid. This power she can use if and when she thinks fit, and the exercise of this power is called "economy." The nearest analogy to it in Catholic theory and practice is the Pope's power to rectify an invalid marriage without a fresh ceremony, by means of what is called a "*sanatio in radice*." The consent in the original marriage was null by reason of some diriment impediment. The Pope subsequently removes the incidence of this impediment in this particular case, and accordingly, the previous consent becomes effective. Another analogy would be the Western theory of the reviviscence of sacramental grace. The grace of a sacrament cannot be received if the recipient is in a state of sin, but the grace of the sacrament will "revivify" if the sin is remitted. It is, however, to be noted that this analogy is considered and rejected by Professor Dyo-vouniotos, who holds that the only explanation of Economy is that "the Church, as having the stewardship of Grace and being the ruler of the Sacraments, has the power to transform the validity of the Sacraments by establishing the invalid as valid, and the valid as invalid." This, he says, must be accepted, "the more that it rests upon the theory that outside the Church the Grace of God does not exist."<sup>2</sup> It occurs to us that this theory of "economy" might be likened to that of Thorndike, according to whom, an ordination rite, to be valid, requires the authority of the Church. But it would be truer to say that there is no complete or perfect parallel in the West to this strange Greek theory, and it would appear that the Greeks have no conception of the fruitful Western distinction between sacraments which are invalid, and sacraments which are merely illicit.

In theory, there seem to be no limits to the Church's "econo-

<sup>1</sup> *The Relations of the Anglican Churches with the Eastern Orthodox*, p. 52.

<sup>2</sup> *Ibid.*, p. 54.

<sup>3</sup> Quoted by Douglas, *op. cit.*, pp. 60-61.

mical" power. Thus, according to Professor Dyovouniotos, writing in 1913 :

"As holding stewardship of the Divine Grace, the Church is able both to recognise the Priesthood and the Sacraments in general of schismatics and heretics among whom they are not accomplished canonically, or the *Apostolic Succession has been broken*, and also, for reasons which she herself regards as reasonable and necessary, to reject altogether the Priesthood and the Sacraments of schismatics and heretics among whom they are accomplished canonically, and the *Apostolic Succession has not been broken*."<sup>1</sup>

We must, however, add that Meletios, Patriarch of Alexandria, said at Lambeth, in 1930, *à propos* of this passage, that :

"While it is true the Church has power to reject the priesthood of schismatics, it has no power to recognise ordinations in Churches where the Apostolic Succession has been broken. In the whole history of the Church there has been no example of such an economy as that. Where priesthood of heretics has been recognised, it has been after thorough examination, which in other instances had led to the requirement of reordination."<sup>2</sup>

But Meletios allowed that the arrangement proposed by Anglicans according to which Nonconformist ministers would be allowed to continue to minister to non-episcopal congregations, while all future ministers would be episcopally ordained, would be an example of "economy."<sup>3</sup> In any case, Professor Androutsos says that "the stringent rule adopted by the chief rulers of the Church . . . of rejecting those persons who set aside the outward canonical act of the Sacrament" is "theoretically not binding," though a limit imposed absolutely in practice. But perhaps we may yet see the day when the Orthodox carry the theory to its logical limits, and recognise the orders, etc., of Nonconformist ministers as well as of Anglican clergy ! As Canon Douglas remarks,

"Theoretically, her discretion as to such acceptance is complete, and by it she could revalidate sacraments which were deficient in rite, and even in purpose. For example, she could accept Baptism by a Quaker, or Orders conferred by a Presbyterian."<sup>4</sup>

However, in practice, the Eastern Church does not apply her principle of "Economy" to

#### (1) Heresiarchs and originators of schism,

<sup>1</sup> Quoted in Report of Joint Anglican-Eastern Commission, 1932, p. 63. Italics ours.

<sup>2</sup> *Ibid.*, p. 63.

<sup>3</sup> *Ibid.*, p. 62.

<sup>4</sup> *Op. cit.*, p. 177.

(2) those who have mutilated the outward act of the Sacraments, where that act has been laid down canonically by tradition.<sup>1</sup>

This principle of Economy enables Greek theologians to give a perfectly consistent explanation of the variation in the practice of their church in the rebaptism of converts. All heretical (i.e. non-orthodox) baptisms are in themselves invalid, but the Church may, if she chooses, validate them "by economy," provided they have been otherwise rightly administered. The principal point is the Church's action, which is necessary in any case, as is pointed out by Khomiakoff:

"All Sacraments are completed only in the bosom of the True Church, and it matters not whether they be completed in one way or another. Reconciliation renovates the Sacraments, or completes them, giving a full and Orthodox meaning to the rite that before was insufficient or heterodox, and the repetition of the preceding Sacraments is virtually contained in the rite or fact of reconciliation."<sup>2</sup>

With this preliminary explanation of the Orthodox attitude towards bodies outside herself, we can now turn to the various *rapprochements* between Orthodox and Protestant Churches, and in particular to the history of the negotiations which have resulted in the recognition of Anglican Orders.

2. From the beginning of the Reformation, there were sundry attempts to bring about an *entente* between the new Protestant Churches and the Orthodox Churches of the East. In 1574 a group of German Lutherans, headed by James Andreæ and Martin Crusius, two Professors at Tübingen, sent a Greek translation of the Augsburg Confession to the Patriarch of Constantinople, Jeremias II, and proposed a union between the two churches on that dogmatic basis. The plan was promptly rejected, and the Patriarch retorted with a statement of the Orthodox faith, and blamed the Lutherans for their retention of the "Filioque" on the one hand, and their denial of Transubstantiation on the other.

In the next century, Cyril Lukaris, a priest of Alexandria, became infected with Lutheran and Calvinistic ideas, and when in 1603 he became Patriarch of Constantinople, he openly professed Protestant beliefs, and advocated a "Reformation" of the Orthodox Churches. It is significant that he was on friendly terms with Anglicans, and especially with Archbishop

<sup>1</sup> Androutsos, *op. cit.*, p. 15.

<sup>2</sup> Birkbeck, *Russia and the English Church*, p. 62.

Abbot, whom he addressed as "Archbishop and Metropolitan of the British" and "Makariotatos."<sup>1</sup> In 1629 Lukaris published a *Confession of the Christian Faith*, which an Anglican writer<sup>2</sup> describes as "a piece of thorough-going Calvinism, denying the infallible authority of the Church . . . affirming two sacraments only," and expressly rejecting Transubstantiation. This approximation to Protestantism was condemned by the Patriarch Dositheus at the Synod of Jerusalem held in 1672. This Synod reaffirmed the Seven Sacraments, Transubstantiation, the Sacrifice of the Mass, etc.<sup>3</sup>

There was also some correspondence between Greek Orthodox Bishops and some of the Nonjurors, as well as with Archbishop Wake of Canterbury.<sup>4</sup>

3. With the middle of the nineteenth century, much closer relations began to be cultivated between the Anglicans and the Orthodox. In 1840, William Palmer went to Russia and asked to be allowed to receive communion in the Orthodox Church. But this was refused, on the ground of the heresies in the Thirty-nine Articles. Other refusals followed a few years later, and at Constantinople and Athens, Palmer was also rebuffed. Constantinople even said that he would first have to be rebaptised. Eventually he became a Catholic.<sup>5</sup> In 1862, the Russian Holy Synod decreed the reordination of an Anglican clergyman who had joined the Orthodox Church.<sup>6</sup> In 1866, the Metropolitan Philaret expressed doubts as to the validity of Anglican ordinations, but also his readiness to recognise them "by economy."<sup>7</sup> In 1867, a Greek theologian, Damalis, wrote a pamphlet to the effect that the recognition of Anglican Orders was impossible without the annulment of the Thirty-nine Articles. He especially called attention to Article 21, which maintains that the Church has erred. In repudiating the teaching of the Catholic Church, the Anglican Church has at the same time dealt a death blow to her own claim to Apostolic Succession. But if Anglican Bishops in Conference accept the "historic" definition

<sup>1</sup> Papadopoulos, *Validity of Anglican Ordinations*, p. 26. Papadopoulos says that Lukaris had no doubt about the validity of Anglican Orders. But he is discreetly silent as to the Patriarch's lack of orthodoxy!

<sup>2</sup> A. H. Rees, in *Eucharistic Doctrine and Reunion*, S.P.C.K., 1936, p. 12.

<sup>3</sup> See Douglas, *op. cit.*, p. 135 *et seq.*

<sup>4</sup> Papadopoulos, *op. cit.*, pp. 26-27 and references there given.

<sup>5</sup> See Palmer's *Visit to the Russian Church*, and the correspondence between Palmer and Khomiakov in *Birkbeck's Russia and the English Church*, S.P.C.K., 1917.

<sup>6</sup> Papadopoulos, *op. cit.*, p. 28.

<sup>7</sup> Papadopoulos, *op. cit.*, p. 28.

of the Catholic and Apostolic Church (this evidently means the "Orthodox Church"), admit that that Church is the genuine successor of the Apostolic Church and that the Seven Œcumenical Councils were infallible and obligatory, and declare the Thirty-nine Articles to be not binding, then the way would be open to an "economic" recognition of Anglican Orders.<sup>1</sup> Two years later, i.e. in 1869, Archbishop Tait sent to the Patriarch of Constantinople a copy of the Prayer Book and the Articles, together with a Greek translation, and asked for intercommunion. In reply the Patriarch consented to allow the burial of Anglicans by Orthodox clergy, but nothing more.<sup>2</sup> The obstacle to any further steps was once more the Thirty-nine Articles!

In the same year, 1869, an American Episcopal clergyman was rebaptised and reordained on his submission to the Orthodox Church, by the Archbishop of Syros and Tenos.<sup>3</sup> A year later, another Anglican clergyman was reordained in Constantinople.<sup>4</sup> We have already mentioned elsewhere that at the Bonn Conference in 1874, the Orthodox representatives said they could not recognise Anglican Orders.<sup>5</sup>

In 1897, a monograph on the subject was written by Professor V. A. Sokolov, of the Moscow Theological Academy, under the title *The Hierarchy of the Anglican Church*.<sup>6</sup> We give an analysis of it.

Sokolov regards the consecration of Barlow, and the reality of the Lambeth consecration of Parker, as sufficiently established. He then deals with the Anglican Ordination rite itself. He finds the Anglican rite in agreement with the Orthodox Ordinal "in the most important characteristics," and adds that "a consideration of the prayers that are prescribed in the Ordinal shows the validity of Anglican Ordinations to be indubitable."

He concludes that "the Anglican Church accepts the Divine institution of the Hierarchy, but is ambiguous about the Sacraments in general, and about the Sacrament of Order in particular," and thinks that "the only difficulty as to the acceptance of Anglican Orders is the self-contradictory nature of the teaching of the Anglican Church. For, while Orders are represented as a Sacra-

<sup>1</sup> Damalis, *Relation of the Anglican Church to the Orthodox*, London, 1867, pp. 69 *et seq.*; Papadopoulos, *op. cit.*, pp. 28-9.

<sup>2</sup> Papadopoulos, *op. cit.*, p. 30.

<sup>3</sup> *Ibid.*, p. 31.

<sup>4</sup> *Ibid.*, p. 32.

<sup>5</sup> See p. 612.

<sup>6</sup> An English translation was announced by the Church Historical Society to be in preparation in 1898, but apparently it never appeared. A translation of an important part is, however, given in Riley's *Birkbeck and the Russian Church*, London, 1917.

<sup>7</sup> Papadopoulos, *op. cit.*, p. 47.

ment in the Prayer Book, that statement is contradicted expressly in the Thirty-nine Articles. . . . If the Anglican Church were to make it clear officially that it recognises the Seven Sacraments, the only hindrance to the acceptance of its ordinations would be removed."<sup>1</sup>

This seems to mean that the Anglican ordination rite can be regarded as sufficient, if it is really intended to convey the Sacrament of Order, as understood in the Russian Church.

Sokolov's pamphlet led to much discussion, and several Russian theologians maintained that Anglican Orders are invalid. For instance, V. A. Kerensky rejected them on the ground that "in its symbolic books, the Anglican Church did not recognise the grace of Orders consistently."<sup>2</sup>

The condemnation of Anglican Orders by Pope Leo XIII in 1896, and the subsequent controversy, had its repercussions among the Orthodox, and in 1898 an essay on Cardinal Vaughan's *Vindication of the Bull Apostolicæ Curæ* was written by A. Bulgakov, Professor of Ecclesiastical History at Kieff. An English translation was made by W. J. Birkbeck and published by the Church Historical Society in 1899 under the title *The Question of Anglican Orders*.

It is interesting to note that Bulgakov's pamphlet resulted from the fact that Cardinal Vaughan had sent over to Russia copies of his *Vindication*, with an accompanying letter in the Russian language.<sup>3</sup> He also tells us<sup>4</sup> that "Anglicans had endeavoured to interest Russian theologians in the question of Anglican Orders by the distribution in Russia of *De Hierarchia Anglicana*, of which he, amongst others, had received a copy. In addition, the Anglican Archbishops had had their *Reply* to Pope Leo translated into Greek, and sent over to Russia."<sup>5</sup>

Bulgakov begins by remarking that upon the solution of the question of Anglican Orders depends the further question as to what Anglicanism essentially is.<sup>6</sup> Two points arise for discussion, the *historical* question as to whether the Succession has been retained; and the *dogmatic* question: "Does the Anglican hierarchy of the present day possess those indispensable properties and qualities without which the existence of the hierarchy according to the mind of its Divine Founder is an impossibility?" A negative answer to either is equivalent to the pronouncement of a death warrant

<sup>1</sup> Papadopoulos, *op. cit.*, pp. 47-48.

<sup>2</sup> Bulgakov, *op. cit.*, p. 27.

<sup>3</sup> Bulgakov, *op. cit.*, p. 27.

<sup>4</sup> Papadopoulos, *op. cit.*, p. 48.

<sup>5</sup> Page 26, note.

<sup>6</sup> Page 9.

upon Anglicanism itself.<sup>1</sup> He remarks that Leo XIII condemned Anglican Orders on dogmatic grounds, as did Clement XI in the Gordon case.<sup>2</sup> But Leo XIII has been answered by the Anglican Archbishops.<sup>3</sup> Hence Cardinal Vaughan has thought it necessary to defend the Pope. His pamphlet is of great importance, because in it "the question is decided from a new point of view which was scarcely touched upon in the Bull."<sup>4</sup> Bulgakov gives an analysis of the *Vindication*<sup>5</sup>, and next mentions the *Reply* of the Anglican Archbishops.<sup>6</sup>

Then he passes on to examine the question itself. Pope Leo's condemnation of Anglican Orders was based on two grounds :

"(a) they are conferred according to a form which does not correspond to their designation,

"(b) and are conferred not with the intention of producing the true, that is to say, the sacrificial priesthood of the New Testament."<sup>7</sup>

The Anglican Archbishops had replied :

(a) In the Church there has never been a definite form for conferring the priesthood.

(b) Each Church has a right to draw up its own form.

(c) The present forms of the Anglican Ordinal correspond entirely to their designations : in them the degree in the hierarchy to which the ordinand is to be raised is definitely indicated, and his future rights and powers are clearly defined. The changes introduced into the Ordinal do not affect the essence of the sacred act.<sup>8</sup>

Bulgakov then discusses various historical matters raised in the *Vindication*. He thinks the Marian reordinations have weight, but "the argument itself is to a considerable degree weakened by contrary facts," and moreover Cardinal Pole, "it can hardly be doubted, was guided by the Decree of Pope Eugenius IV."<sup>9</sup>

Then he discusses the sacramental form, and sides with the Anglican Archbishops against Pope Leo : There are many ordination forms, and "the Roman Church has recognized and still recognizes as valid the ordinations of the various Eastern Christians, whose forms of ordination do not correspond to the requirements laid down in the Pope's Bull. . . . From the formal point of view the *Answer* of the Anglican Archbishops is irresistible."<sup>10</sup> Accordingly Cardinal Vaughan was "obliged to alter the way of putting the question," and to argue thus : "Inasmuch as the Anglican doctrine of the Eucharist excludes the idea of it being the sacrifice of the New Covenant, in this doctrine there cannot be room for the doctrine of a true priesthood." The question being put in this way, it is not difficult to find a satisfactory reply in defence of the Bull against Anglican attacks. Bulgakov allows that Cardinal Vaughan is merely developing "ideas expressed in the Pope's Bull." But "if the Anglican order of Ordination of a priest and of a bishop presents a whole list of references concerning the priesthood and the office of a bishop, then why argue that these ideas are excluded from it ? . . . Even the Ordinal of 1550 . . . is entirely

<sup>1</sup> Page 10.

<sup>2</sup> Page 11.

<sup>3</sup> Page 12.

<sup>4</sup> Page 13.

<sup>5</sup> Pages 14-24.

<sup>6</sup> Page 25.

<sup>7</sup> Page 29.

<sup>8</sup> Page 29.

<sup>9</sup> Pages 32-33.

<sup>10</sup> Page 34.



irreproachable in this respect " because it mentions " priests " and " bishops " in various places.<sup>1</sup> The compilers of the Ordinal (a) distinguished the ministry of a priest and of a deacon from the ministry of a bishop ; (b) they called the ministry of a priest " the holy office of the priesthood " ; (c) to the duties of the ministry of a priest, amongst others, they referred the administration of the Holy Sacraments of God and the preaching of the Word of God, etc.<sup>2</sup> The only question that remains is what Anglicans understand by these terms. In respect to the unbroken handing on of grace in Anglican Ordinations, this depends only on the fact of succession.<sup>3</sup> " All the investigations . . . ought to have been concentrated upon the question as to the unbrokenness of the actual succession in the matter of the laying on of hands, and when once its uninterruptedness had been established, the Anglican hierarchy ought to have been recognised by the Roman Catholics."<sup>4</sup> But the reunion of the Church of England with one of those Churches which have an uninterrupted hierarchical succession requires the solution of the question " as to what degree of heresy the doctrine of the Anglicans has reached, and in particular their doctrine concerning the Sacraments." This question is not properly discussed, either by Leo XIII or by Cardinal Vaughan. The latter emphasizes the difference in the doctrine on the Eucharist and the priesthood, and seems to make the validity of the latter depend on the former. But in reality " the validity of Orders does not depend upon the validity of the Sacrament of the Eucharist," but on the contrary, upon the validity of ordinations depends the possibility of valid sacraments.<sup>5</sup> Cardinal Vaughan puts an entirely superfluous question to the Anglicans, i.e. " Do they believe in the Real Objective Presence ? " <sup>6</sup>

" The Thirty-nine Articles teach very clearly about the Sacraments, and teach inconsistently both with the Orthodox Church and with Roman Catholicism." <sup>7</sup> The " direct and only conclusion" is that " for reunion of the Anglicans with the Orthodox Church it is necessary that they for their part should acknowledge the true doctrine " and " correct their teaching " with regard to the Sacraments and other points.<sup>8</sup> Bulgakov concludes that " The Anglican Ordinal, in respect to its contents, may be placed amongst that series of forms of Ordination which are used by those Christian bodies whose hierarchy, notwithstanding their heresy, is admitted by the Roman Catholics to be valid." For reunion with the Orthodox, " it is indispensable that Anglicans should restore their union with her in the Faith and in the Sacraments. If the teaching of the present Anglican Episcopate upon the Sacrament of Orders turns out to agree with the teaching of the ancient universal Church, this will be a clear proof that Anglicanism has not merely preserved the Apostolical Succession in an outward manner, but that it had not changed the essential nature of that ministry. . . . Only then will it be possible to decide . . . whether the gift of the grace of the priesthood has been extinguished within her, or whether this

<sup>1</sup> Pages 34-36.

<sup>2</sup> Page 39.

<sup>3</sup> Page 37.

<sup>4</sup> Page 39.

<sup>5</sup> Page 37.

<sup>6</sup> Page 40.

<sup>7</sup> Page 38.

<sup>8</sup> Page 40.

Church still has within her a glimmering of the light of grace sufficient to enable her Orders to be acknowledged as valid."<sup>1</sup>

In a footnote he remarks that the question of the extinction of grace in communities which have separated themselves from the Church would, apparently, have to be decided against Anglicanism, in view of a statement made by St. Basil. But the ancient Universal Church sometimes softened down this severe judgment upon heretics, but this was done only according to the decrees of the Church, and not according to the desires of private persons. Hence, in the present case, the final decision of the question rests with the Church, and not with her individual representatives.<sup>2</sup>

Thus, Bulgakov holds, apparently, that the Anglican form is sufficient in itself: the only question is how far its efficacy was affected by Anglican heresies. And in any case, the Church can, if she chooses, exercise her power of "economy" in this matter, and might do so if the Anglicans repudiate their heresies.

These favourable views of individuals did not, as yet, affect the official judgment of the Russian Church. In 1904, the Russian Archbishop in America, Tikhon, asked what he was to do in the case of American Episcopalian clergy who submitted to the Orthodox Church. The Holy Synod referred the question to a Commission, which recommended conditional reordination, but in spite of this recommendation, the Holy Synod decided that such clerical converts from Anglicanism should be reordained absolutely, and in accordance with this decree Archbishop Tikhon reordained the Rev. Dr. Irvine in New York City in 1904, in spite of protests from the American Anglican bishops. At the ordination ceremony, the chief ecclesiastical dignitary of the Orthodox Church preached a sermon in which he explained, according to the *New York Herald* for November 6th, 1904, that "the Russian Church had treated this episcopal priest coming to it precisely as it would have treated any layman, save in the small matter that he was not required to wait a year after being ordained deacon before being advanced to the priesthood. He was first confirmed, then ordained deacon, then priest, his Episcopal Church confirmation and ordination counting for nothing."

4. Among the Greeks theological opinion at this time was divided, some writers being in favour of and others against Anglican Orders. One noteworthy book on the subject was written by Chrestos Androutsos, then Professor at the Theological

<sup>1</sup> Page 45.

<sup>2</sup> Page 45, note.

Academy of Chalki. In 1902, some Anglican clergy had asked the Church of Constantinople for intercommunion, and the recognition of their orders. The Œcumenical Patriarch submitted the question to the Theological College at Chalki, and an answer was drawn up by Professor Androustos. This appeared in the official organ of the Patriarchate, and was also printed in book form. Later, an English translation was made by Dr. Groves Campbell, under the title *The Validity of English Ordinations*. Lacey, in his *Roman Diary*,<sup>1</sup> says the translation is "very inaccurate," and Canon Douglas says it is "very unsatisfactory."<sup>2</sup> But we must base our analysis on this English translation profiting also by the short account given by Papadopoulos<sup>3</sup> and also on a summary given by Canon Douglas.<sup>4</sup>

Androustos says that (1) Intercommunion presupposes dogmatic union, and (2) "It is contrary to the fundamental principle of Orthodox Catholic Church to examine ordinations received apart from her, except in so far as it concerns individual clergymen who would enter her fold."<sup>5</sup> Accordingly, he studies Anglican Orders simply from this latter aspect, and mainly from the "dogmatic," as distinct from the "historical" point of view. This dogmatic aspect involves a discussion of the historic attitude of the Orthodox Church towards heterodox ordinations. This Androustos deals with in his second chapter. "According to the fundamental principles of Orthodoxy, all who sever themselves from the Church, or mutilate the Faith, or in any way fall away from it, lose both the Apostolic succession in doctrine and in priesthood."<sup>6</sup> Hence such ordinations "are not only legally irregular, but are also wholly invalid and worthless."<sup>7</sup> "But, although, according to strictness and theory, all who fall away from the true Church should be rebaptised and reordained on re-entering it, the Church, either considering the expediency of many things, or to avoid some great evils, or through some necessity or other, has frequently, by an exercise of economy, simply admitted those who rejoined her . . . by an act of special dispensation."<sup>8</sup> Androustos allows that it is difficult to explain this "economy," but appeals to St. Augustine as teaching that baptism outside the Church is only "virtually valid," and that the neophyte "only regains or practises the saving power of Christianity on entering the true Church as a true recipient."<sup>9</sup> Androustos then remarks that in practice economy has not been applied to (1) heresiarchs

<sup>1</sup> Page 406.

<sup>2</sup> Papadopoulos, *op. cit.*, p. 54, note.

<sup>3</sup> *Op. cit.*, pp. 53-54.

<sup>4</sup> *Relations of the Anglican Church with the Eastern Orthodox*, pp. 12 *et seq.*

<sup>5</sup> *Validity of English Ordinations*, p. 6.

<sup>6</sup> Page 9.

<sup>7</sup> Page 10.

<sup>8</sup> Page 11.

<sup>9</sup> Page 13. This might justify "economy," but fails to justify the strictness which requires rebaptism. But Androustos does not deal with this point.

and originators of schism, or to (2) those who have mutilated the outward canonical act of the sacraments.<sup>1</sup>

The first limitation does not apply to Anglican orders, because the original heresiarchs no longer exist, and hence the question is reduced to the outward rite.<sup>2</sup>

Every sacrament requires (1) the outward part, made up of words and acts by which the Divine grace is transmitted to the recipient, (2) the purpose (*prothesis*) of the Church. The first corresponds to what Latins call "matter and form." The second means that the words and acts are "a reasonable representation and expression of an official transaction by which the Church, through her canonical ministers invested with Divine authority, transmits and purports to transmit the promised special grace of the sacrament."<sup>3</sup> This "purpose" seems more or less to correspond to "intention," and Androusos quotes Dositheus as calling it "the intention appropriate to the sacrament."<sup>4</sup> A defective purpose may affect the reality of the sacrament, especially if it results in the corruption of the ceremonial part.<sup>5</sup> The "purpose" is to be found in the official doctrine of the Church which celebrates the sacrament.<sup>6</sup>

As to the "visible part of the sacrament," this consists of the imposition of hands and "the accompanying invocation of the Divine grace."<sup>7</sup> Other ceremonies have been added, but are not essential, "and so if they be omitted they do not make the Sacrament of the Priesthood worthless and inadmissible."<sup>8</sup> The prayer or "form" need not specify the sacrificial function of the priesthood.<sup>9</sup> "The consecration of the Divine gifts and the Unbloody Sacrifice which constitute the chief priestly act of service can be very well included in the general expression of the dignity or order."<sup>10</sup> "One or more of the ordaining prayers must indeed refer to the special grace of the Holy Spirit which elects to this or that rank, and these prayers must either mention generally or indicate the rank with which the person to be ordained is invested, or they must specially enumerate summarily some one or more, or even all of the functions."<sup>11</sup> The English Ordinal mentions the office in various prayers in the ordination rite, and this is in itself sufficient.<sup>12</sup> But for the authoritative interpretation of the operative forms, we must go to the official Anglican doctrine on the sacrament of the priesthood.<sup>13</sup> The Anglican Articles do not altogether exclude Order from among the sacraments, and moreover, the Church of England allowed in 1537 that order can be called a sacrament.<sup>14</sup> Hence "no obstacle need be forcibly interposed against the English priesthood on this count, although it is desirable that the Church of England should declare plainly and officially that there are seven sacraments."<sup>15</sup>

Androusos then adds that "what specially requires scrutiny under the heading of 'purpose' is the doctrine of the English Church on the Holy Eucharist."<sup>16</sup> It is "the dispensation of the

<sup>1</sup> Page 15.

<sup>2</sup> Page 22.

<sup>3</sup> Page 32.

<sup>4</sup> Page 51.

<sup>5</sup> Page 18.

<sup>6</sup> Page 23.

<sup>7</sup> Page 38.

<sup>8</sup> Page 54.

<sup>9</sup> Page 20.

<sup>10</sup> Page 27.

<sup>11</sup> Page 38.

<sup>12</sup> Page 57.

<sup>13</sup> Page 21.

<sup>14</sup> Page 29.

<sup>15</sup> Pages 41-46.

<sup>16</sup> Page 68.

sacraments" which marks out a man as the true liturgical priest, and not merely as a pastor of a community who preaches God's Word, as with the Protestants."<sup>1</sup> The chief sacrament is, of course, the Eucharist, which is also the Unbloody Sacrifice. The purpose of the Church here is important, for "those who repudiate the Unbloody Sacrifice and ordain others merely as priests and bishops, do not really intend them to be priests and bishops according to the plain meaning of those words, that is to say, as sacrificers of our Lord's Body and Blood, to offer the chief priestly act of their sacramental rank."<sup>2</sup> Hence "those who do away with the Mass . . . are hostile to the Unbloody Sacrifice, and do not intend at all to do what the Lord appointed, and they use the names of priests and bishops as empty titles, and the priestly rank as devoid of all meaning and spirit. That such a priesthood cannot possess the true dignity of the priest as founded by our Lord and as such received in the Orthodox Catholic Church is evident."<sup>3</sup>

Accordingly Androutsos examines the Anglican doctrine on the Eucharist. The Articles repudiate the Real Presence, but the Communion service and the Catechism teach it, in a Lutheran sense. As to the Sacrifice, Article 31 appears to deny it, but does so really only "in so far as the Unbloody Sacrifice is taken as a repetition of the Sacrifice upon the Cross."<sup>4</sup> As a result of this misunderstanding of the true doctrine, the Communion Service was radically changed, and sacrificial terminology was for the most part excluded. But it must be remembered that explicit sacrificial terminology is not really necessary.<sup>5</sup> And "although the idea of the Mass is wholly deleted by the English, yet the English Liturgy differs from the Protestant Order of Communion in that it preserves in some prayers some sense of a mutilated sacrifice in orthodox expressions."<sup>6</sup> And "although it is not authoritatively defined, a great number of English theologians assent to the general meaning of the Eucharist as not merely a sacrifice of praise and thanksgiving, but a commemorative sacrifice. . . . Some even advance so far as to accept the Orthodox Catholic doctrine. . . . The numerous references of bishops and writers of various times and ranks generally show sufficiently that the idea of the Unbloody Sacrifice has never entirely, at any time, disappeared in the Church of England."<sup>7</sup> "The opinion of the English Archbishops on the Unbloody Sacrifice carries a fuller and weightier sense" in this matter.<sup>8</sup>

Androutsos concludes: "That the Sacrifice *can* be included . . . in the very general term 'dispensation of the sacraments' . . . is clearly shown. . . . But whether the framers of the English Ordinal . . . meant to include the commemorative sacrifice also under this generic term . . . we are unable to say with certainty."<sup>9</sup>

<sup>1</sup> Page 69. Note this statement: it shows that Androutsos does not realise the Protestant signification of the phrase he is discussing.

<sup>2</sup> Page 76.

<sup>3</sup> Pages 76-77.

<sup>4</sup> Page 84.

<sup>5</sup> Page 94.

<sup>6</sup> Page 97.

<sup>7</sup> Page 101.

<sup>8</sup> Page 102. Androutsos was of course arguing from the Greek translation of the Reply of the Anglican Archbishops, which was decidedly stronger than the English text. See p. 593. He also failed to realise the sense in which Anglican divines were willing to allow that the Eucharist is a "sacrifice."

<sup>9</sup> Page 103.

Hence "the dogma of the Unbloody Sacrifice ought not to be laid down as an *impedimentum dirimens* to the acceptance of English ordinations," inasmuch as the Church of England "holds and has held that there is a sacrifice in the Eucharist according to some manner and meaning."<sup>1</sup> And "provided the High Church accepts grace as being transmitted in priesthood, and provided it does not hold the Calvinistic doctrine of the Eucharist, nor intends, in any way, to prejudice the priestly character, the dogmatic difficulties of the English Ordinal, studied in humility and Christian love from an Orthodox-Catholic point of view, are capable of receiving a more favourable judgment than the one they received from Pope Leo XIII and from the Old Catholics of Holland."<sup>2</sup> But "to put an end effectually to such difficulties, and to remove all doubts, the Church of England must lay down generally, in a General Council of her prelates, the doctrine of the Ancient Church," and must "wrench round the Articles . . . holding them good only so far as they agree with the ancient doctrine. . . . In particular, the High Church will solve the question of its priesthood by defining . . . what doctrine it holds on the dogmas which are bound up with the priesthood." E.g. :

- (1) Does it receive the seven sacraments?
- (2) Is Confession necessary for the remission of sins, and also priestly absolution?
- (3) How does it accept the Real Presence? And what is the character of the Unbloody Sacrifice?
- (4) Will it receive Œcumenical Councils as infallible?

"If the High Church define these dogmas correctly, and lay down the rest of its doctrines in an orthodox manner, all doubt would be taken away as to the succession of English ordinations."<sup>3</sup>

We shall see that the suggested declarations were eventually made—by the High Church party!

In spite of these favourable opinions, in 1907 the Rev. Robert Morgan, an American Episcopalian, was reordained at Constantinople on being received into the Orthodox Church.<sup>4</sup>

In the same year, 1907, the Anglican "Bishop in Jerusalem," Dr. Popham Blyth, asked the Patriarch of Jerusalem to express his opinion on Anglican Baptisms and Ordinations, in view of the Lambeth Conference to the following year 1908. The Anglican Bishop received a reply as follows :

"Notwithstanding all his friendliness and sympathetic attitude, His Most Holy Beatitude . . . cannot give an affirmative answer . . . on the validity of the Baptism and Orders of the Anglican Church. There are among us those who have carefully examined these questions, and have shown, from canonical and other reasons, the impossibility of recognising the validity of both these Sacraments,

<sup>1</sup> Page 107.

<sup>2</sup> Pages 112-114.

<sup>3</sup> Page 112.

<sup>4</sup> Androustos, Preface, p. vii, note.

as sound in all their parts, which are celebrated in the Anglican Church after a fashion of her own. . . . If at times certain economies have been extended in these two matters by the Orthodox Church to the Anglicans, under certain circumstances, this is quite a different thing to the definitive acceptance of the Baptism and Orders of the Anglicans. . . . Such questions as these will only . . . be dealt with properly when they are stated collectively and unitedly and not independently ; stated by the whole Anglican Church to the whole Eastern Orthodox Church, and put forward for examination with all the other questions at issue, and not singly and by themselves. It is impossible where there has been no previous dogmatic and Sacramental unity and communion between the two Churches, that such essential questions should be examined and solved independently. . . ."<sup>1</sup>

5. In 1913, Professor Dyovouniotes wrote a work maintaining that the validity of Anglican Orders depends (1) on "the canonicity of the Ordination of the first Bishop of the Anglican Church after the Reformation, Parker," and (2) on "the orthodoxy of the teaching of the Episcopal Church upon Orders and the Sacraments in general," and "the agreement of that teaching with that of the Eastern Church."<sup>2</sup>

6. In 1918, at an unofficial Conference between Anglicans and Orthodox in New York, Papadopoulos said that most Russian and Greek theologians were prepared to accept the fact that "Archbishop Parker was canonically consecrated, and in turn consecrated other bishops canonically." But there remained the question as to what the Anglicans taught as to the Seven Sacraments and as to Orders in particular, the authority of Œcumenical Councils, and the character of the Thirty-nine Articles. "Upon the condition of satisfactory replies to these questions, the validity of Anglican Ordinations is capable of acceptance."<sup>3</sup>

The Anglicans declared at this Conference that they regard Order as a Sacrament, maintained that they accept the Councils "in the same sense as the Orthodox Church accepts them," and said that the Thirty-nine Articles "have ceased to be regarded as of dogmatic authority in the American Episcopal Church, and do not afford a basis for her dogmatic teaching." (!)<sup>4</sup>

From America, the Greek representatives travelled to England, and held further unofficial conferences in Oxford and London in 1918. Here the specific question of Anglican Orders

<sup>1</sup> *Guardian*, 11th Dec., 1907.

<sup>2</sup> Papadopoulos, *op. cit.*, p. 64.

<sup>3</sup> Papadopoulos, *op. cit.*, p. 60.

<sup>4</sup> Papadopoulos, *op. cit.*, p. 64.

was not discussed, but "the declaration of the Episcopalians in regard to the Thirty-nine Articles was endorsed" (!), and it was said that "it is possible for Anglicans to accept even the Seventh Council."<sup>1</sup>

One of the Anglicans present at the London Conference was the Rev. J. A. Douglas, who had been for many years in frequent correspondence with Professor Komnenos, of the Theological School of Chalki, a fact of great significance, as we shall see.

7. In 1920 there were several developments. The Patriarchate of Constantinople issued an "Encyclical Letter" to "all the Churches of Christ," advocating more friendly intercourse between the representatives of the various Churches . . . intercourse between theological schools and the representatives of theological science . . . exchange of students between the seminaries of the different Churches . . . pan-Christian conferences to examine questions of common interest, the impartial and more historical examination of doctrinal differences, etc.<sup>2</sup>

In the same year, a Commission of the American Episcopal Church appointed "to confer with Eastern Orthodox and Old Catholic Churches" drew up "Terms of Agreement . . . proposed as basis of restoration of corporate unity and intercommunion," which were presented to the Old Catholics and the Easterns. It professed acceptance of Scripture, the Nicene Creed, "the decrees of faith put forth by the œcumenically accepted General Councils, and the sacraments as means of grace," and "in accordance with the preceding agreements" solemnly declared "acceptance of the sacramental acts each of the other, and that they are true and valid," and pronounced that intercommunion was desirable and authorised whenever deemed convenient and practicable by the proper local ecclesiastical authorities.<sup>3</sup>

In the same year, 1920, the Lambeth Conference met, and this time a special delegation was sent from Constantinople, in response to a formal invitation from the Archbishop of Canterbury. It consisted of Mgr. Philaretos, Metropolitan of Demotica; Professor Komnenos of Chalki; the Archimandrite Pagonis of London; and the Archpriest Callinicos of Manchester.

The result was chronicled in a Report of the Orthodox Delegation,<sup>4</sup> written by Professor Komnenos.<sup>5</sup>

<sup>1</sup> Papadopoulos, *op. cit.*, p. 65.

<sup>2</sup> Bell, *ibid.*, pp. 49, 50.

<sup>3</sup> Papadopoulos, *op. cit.*, p. 72, note.

<sup>4</sup> Bell, *Documents*, First Series, pp. 44-48.

<sup>5</sup> Bell, *op. cit.*, pp. 52-76.



This Report states that the activity of the Orthodox Delegation was confined to co-operation with the special Committee of the Conference which was to examine the questions concerning the relation between the two Churches, and also with the Standing Committee set apart to deal with the Eastern Church. This Committee was presided over by Bishop Gore. In their spare time, the Delegation visited "various Churches, Colleges, and Monasteries" under the guidance of the Rev. Canon Douglas, the Rev. H. J. Fynes-Clinton, and Mr. Athelstan Riley—all three members of the High Church party.

In Committee, the Delegation discussed the subjects of Baptism, Chrism, the Eucharist, the Seventh General Council, and various other matters, but especially the possibility of Intercommunion, and the dependent recognition of Anglican Orders. The Report remarks upon the difference between the Anglican and the Greek conception of the Church. In the English Church men differing from each other in faith, not in things indifferent and non-essential, constitute one undivided whole. Hence Anglicans see no difficulty in intercommunion, but of course the Orthodox do, and moreover, there are the "still not finally solved questions of the validity or non-validity, the canonicity or non-canonicity of Anglican Orders." "Intercommunion without previous understanding and agreement regarding dogma and teaching, is not the way which leads to a sure and safe union of the Christian Churches." It recommended that an Orthodox Committee should set forth the essential and crucial points of Orthodox teaching, and said that the English Standing Committee had "undertaken, to perform an analogous work" and to "submit the minimum of conditions" on which it would "agree to those of the Greeks."

As to Anglican Baptism, the Greeks said they "could not accept its validity, either *simpliciter* or by Economy."<sup>1</sup>

As to Confirmation, they "could not unreservedly make a declaration regarding its validity, as administered by an Anglican Bishop, so long as the question of the complete validity and canonicity of the Anglican Hierarchy and Orders is not decided."<sup>2</sup>

As to the Eucharist, "the consecration of the gifts depends on the validity and canonicity of the celebrant of the Sacrament. We expressed also the hope that the Anglican teaching regarding the Sacrament might be defined as far as possible by the characterisation of the Eucharist as a Sacrifice and Propitiation. . . . The term Transubstantiation . . . was touched upon, and we thought . . . we could declare that we would be satisfied with 'change' or 'transform' by which the real change is indicated." [This surrender of the term "Transubstantiation" is important, in view of subsequent developments.]

There was, of course, a "long discussion regarding the validity and the character of the Anglican Ordination," and the Anglican members of the Standing Committee tried to convince the Greeks that "from the dogmatic and liturgical point of view, the Anglican Ordination is well established, and that it bears all the marks

<sup>1</sup> Bell, *op. cit.*, p. 59.

<sup>2</sup> Page 60.

of a Sacrament." The Greeks agreed that the Prayer Book "presents mostly some such idea of this sacrament," but felt they could not express an unreserved opinion on Orders, partly on account of the "known negative attitude of the Western Church," which they could not pass by without testing and examination. They added that it was desirable that the Church of England should "formulate definitely the number of the Sacraments, accepting the fact that they are of divine institution."

They emphasized the fact that the Orthodox Church "does not accept those who do not belong to it as forming a part of the Church in the true and proper sense of the word,"<sup>1</sup> and remarked that "the work of union would be strongly advanced by the abolition of the well-known Thirty-nine Articles." The Anglicans said the Articles were "not Articles of Faith, but Articles of a practical public State Confession," and that the "mind of the Church of England" must be sought in the Prayer Book and not in the Thirty-nine Articles,<sup>2</sup> and that the Articles might eventually be revised, and added that the Greeks might suggest suitable modifications.<sup>3</sup> [!] In contrast with the Articles, the Prayer Book "enjoys the fullest authority" among the Anglicans, and is their "public and authoritative teaching" and a "rule of Faith."<sup>4</sup>

The Report remarks that "much perplexity" was caused to the Anglicans as to "the significance and manner of application of the 'Economy' so much in use in the Greek Church. The Greeks explained that "Economy has no force when it is a question of dogmatic matters and of fundamental canonical and other points, and it is opposed to the 'strictness' according to which all the conditions of validity and canonicity are applied." We hope the Anglicans were satisfied with this explanation.

8. There were other very important developments in 1921. No formal reply had been sent by Constantinople to America in response to the enquiry of 1904, and the Holy Synod eventually appointed a Commission to clear up the matter. Professor Komnenos was a member of this Commission, and was entrusted with the drawing up of its Report on Anglican Orders. About this time he was in personal contact with the Rev. J. A. Douglas, who tells us: "in order to strengthen the case which the Professor was purposing to present in his Report, I wrote my *Relations of the Anglican Churches with the Eastern Orthodox* in May, 1921, and in collaboration with certain English theologians,<sup>5</sup> I prepared the draft of the *Declaration of Faith* . . . first printed in it, and which, being subsequently adopted by the English Church Union and signed by 3,715 of the Clergy of the Church of

<sup>1</sup> Page 63.

<sup>2</sup> Page 66.

<sup>3</sup> Page 66.

<sup>4</sup> Page 66.

<sup>5</sup> Rev. H. J. Fynes-Clinton, Dr. Leighton Pullan, Fr. Puller, and Rev. G. Napier Whittingham, Dr. Wigram, Fr. Waggett, etc.

England, was addressed to the Œcumenical Patriarch in June, 1922."<sup>1</sup>

Bell, in his *Documents on Christian Unity*, says that this "Declaration of Faith" was "prepared by a Committee of the English Church Union, and approved by the President and Council of that Body."<sup>2</sup> Papadopoulos, who prints the *Declaration*, remarks that it "essayed to remove all doubts in regard to the validity of Anglican Ordinations which depend upon the nature of the doctrine of the Anglican Church."

This "Declaration" begins by saying that the "undersigned priests of the English Church" write "to set forth plainly that which we hold to be the *genuine teaching of the English Church*<sup>3</sup> on certain matters of faith."

The writers say that "an Œcumenical Council is the supreme tribunal," and that "the dogmatic decrees of the Councils which have been accepted as Œcumenical by the Whole Church are incontrovertible and binding on all Christians." We note that this abstains from specifying the number of such Councils.

As to the Sacraments, the writers agree that in the seven sacraments "some special and appropriate grace is given by God to man," and they "adhere to the custom of calling these seven rites specifically sacraments."

They "affirm the essential necessity of the Sacrament of Order, and hold that "our Lord, through the ministry of the Apostles, has conferred . . . on all the members of the clergy of the Anglican Communion the Sacrament of Order," with the purpose that they should "(a) preach and teach the Word of God, (b) offer the Unbloody Sacrifice of the Eucharist for both the living and the departed, (c) sacramentally absolve sinners . . . and (d) otherwise minister to the flock of Christ according to the ancient faith and practice of the Universal Church."

They "affirm that, by consecration in the Eucharist, the bread and the wine, being blessed by the life-giving power of the Holy Spirit, are changed and become the true Body and the true Blood of Christ, and as such are given to and received by the faithful." They "hold that Christ thus present is to be adored." As to the "actual manner of the change, and of the mode of the presence," while "believing the fact" they do not "venture to define the mode." There is here a divine mystery which passes human understanding." Lastly, they "account the Thirty-nine Articles as a document of secondary importance, concerned with local controversies of the sixteenth century, and to be interpreted in accordance with the faith of that Universal Church of which the English Church is but a part."<sup>4</sup>

All the above is set forth as "the genuine teaching of the

<sup>1</sup> Papadopoulos, *op. cit.*, p. 71, note.

<sup>2</sup> *Documents*, First Series, p. 90.

<sup>3</sup> Italics ours.

<sup>4</sup> Bell, *Documents*, First Series, pp. 90-92; Papadopoulos, *op. cit.*, pp. 67-69.

English Church" ! The *Declaration* was published in English, Greek, Russian, Rumanian, Serbian and Latin.

Canon Douglas allows that "undoubtedly, several points need clearer statements," but claims that it "satisfies nearly all the conditions put forward by Orthodox theologians for the recognition by Economy of the Validity of Anglican Orders."<sup>1</sup>

The Abbé Coolen remarks that in three small pages, these respectable Anglicans, triumphing over three and a half centuries of Protestant history, count for nothing the three hundred martyrs drawn upon hurdles, hanged and butchered at Tyburn and then exposed at the gates of London, precisely because they believed in the Unbloody Sacrifice of the Mass, or had been present at it, or had celebrated it in secret.<sup>2</sup> He adds that it is quite certain that the Declaration would not be accepted by more than a quarter of the Anglican clergy, or by a sixth part of the episcopate.<sup>3</sup> Canon Douglas himself allowed that it was "a sectional document."<sup>4</sup> On the whole, it is not surprising that it was criticised by Bishop Headlam, of Gloucester, as well as by the Church Association, that its reference to the Thirty-nine Articles was "denounced as unjust and untruthful, and that the Bishop Hensley Henson, of Durham, preached against it in Westminster Abbey."<sup>5</sup> Nevertheless, as we shall see, it achieved the desired result.

The Report by Professor Komnenos was published in 1921.

The Professor maintains that the "reserved attitude" of the Orthodox Church towards Anglican Orders is "altogether unjust," and that Anglican clergy should not be even conditionally re-ordained. Anglican clergy should be treated in the same way as Roman Catholic and Armenian clergy. It is true that "according to the broadly prevalent aspect of the Ancient Church, teaching which declines from Catholic fulness, i.e. heresy, destroys even the priestly character . . . so that in the sacred Canons it is laid down that on the return to the Catholic Church, both Baptism and Ordination be received again. That Canon, however, was not general in application, and a distinction was made among heresies." Moreover, "the recognition of Baptism involves that of Ordination, in so far as the particular conditions necessary for it are observed." Pope Leo condemned Anglican Orders because of (1) "private opinions contemporary with the initial compilation of the Anglican Ordinal," (2) the character of the Ordinal itself, and (3) the Anglican Articles. As to these points, "many quite plain and dis-

<sup>1</sup> Papadopoulos, *op. cit.*, p. 70, note.

<sup>2</sup> *Ibid.*

<sup>3</sup> Bell, *Life of Lord Davidson*, II, p. 1105.

<sup>4</sup> *L'Anglicanisme d'aujourd'hui*, p. 85.

<sup>5</sup> *Ibid.*

cordant opinions and declarations were put forward<sup>1</sup> . . . opposed to a most important extent to the official documents that express the official voice of the Anglican Church." Thus, the Preface to the Ordinal of Edward VI refers the three grades of the Priesthood back to the Apostles, and defines that nobody be received into them except he be chosen and approved, prayer be made publicly for him, and he receive the laying on of hands. The theory of the Preface permeates all the contents of the Ordinal, is applied to and realised in them. That theory is the transmission, under the proper conditions, of the special grace of the Priesthood, the object of which is to make suitable persons competent for the Ministry of the Divine Word, the Holy Sacraments, and the government of the faithful. This grace must necessarily be of a sacramental nature, as indeed it is incidentally termed and characterised. Hence the reference to the priesthood in Article 25 should be interpreted in the same sense. In any case "a very secondary authority is assigned to the Thirty-nine Articles, which, in their details, are not binding on the clergy themselves, are designated as Articles of Religion and not of Faith, to-day have chiefly an historic value, are being abandoned entirely every day by this or the other of the episcopal Churches, and are formally retained almost only in England because of their former political importance." [!]

As to Pope Leo's point that, by removing the commission to offer Sacrifice from the Ordinal, the Anglicans appear to deny the Sacrifice in the Eucharist, and so strip the priest of his special character and mark, the Commission is of opinion that this conclusion "is not warranted by the evidence. No one who, as have the Anglicans, has the Holy Scriptures in his hands, can deny the Divine Eucharist to be a Sacrifice. A section of Anglicans denies it, but the great Anglican theologians have always professed it, and the English Archbishops affirm it officially and solemnly in their answer to Pope Leo." As to Article 31, the Report quotes Portal (Dalbus) to the effect that the Article denies, not the true Sacrifice, but false doctrines concerning it. The Sacrifice is really involved in the Anglican Liturgy of the Eucharist. Anglicans are justified in not making the character and power of the priest to depend almost alone upon the offering of the sacrifice, for the priesthood is of wider scope. The deletion of the express power to offer sacrifice was sufficiently justified by certain undisputed contemporary and incorrect notions about the power and significance of the Sacrifice of the Eucharist, and by the attempt to return even in the Ordinal to the most ancient and simpler forms. For after all, Cranmer himself, at the very time of the compilation of the Ordinal, believed in the Sacrifice of the Eucharist [!] and only hesitated as to the use of the terms "Propitiatory Sacrifice" through fear of depriving the Sacrifice of the Cross of its unique propitiatory power. Hence an impartial person must allow that the Anglican Church justly claims, and with full warranty, that she is possessed of a true priesthood. After the recognition of Anglican Orders by the Orthodox Church, there can be union with particular Anglican

<sup>1</sup> i.e. by Cranmer and others.

Churches in so far as dogmatic mutual agreement comes about, but this will of course, take time.<sup>1</sup>

Papadopoulos remarks that "these judgments of Professor Komnenos demonstrate . . . the progress which the question of the validity of Anglican Ordinations has made," and adds that "his treatise placed that question upon a basis different from that of his predecessors. He had come to regard the outlook of the Anglican mind as Orthodox. . . . Holding that Anglicans no longer regard the Thirty-nine Articles as the foundation and source of their dogmatic teaching, he fixed his investigation upon the Ordinal of the Anglican Church, which he proved to accept and to administer Orders as a Sacrament."<sup>2</sup> In our own view, it is obvious, from the Report itself, that Komnenos was completely deceived by the *Declaration of Faith*, and by the version of Anglican Reformation history supplied to him.

9. The Report of Professor Komnenos was accepted by the Holy Synod of the Patriarch of Constantinople, and the next event was a Letter written to the Archbishop of Canterbury by Meletios, the Patriarch, under date July 28th, 1922. The most important part is as follows :

"Our special committee dealing with the Union of the Churches has drawn our attention and that of our Holy Synod to the question of the validity of Anglican ordinations from the Orthodox point of view. . . . Accordingly the Holy Synod . . . having examined the matter from every point of view has concluded that, as before the Orthodox Church, the ordinations of the Anglican Episcopal Confessions of bishops, priests and deacons, possess the same validity as those of the Roman, Old Catholic, and Armenian Churches possess, inasmuch as all essentials are found in them which are held indispensable from the Orthodox point of view for the recognition of the 'Charisma' of the priesthood derived from Apostolic Succession. . . .

"There is as yet no matter here of a decree by the whole Orthodox Church, for it is necessary that the rest of the Orthodox Churches should be found to be of the same opinion as the Most Holy Church of Constantinople. Even so, it is an event not without significance that the Synod of one, and that the Primatial throne of the Orthodox Churches, when taking the matter into consideration, has come to this conclusion."<sup>3</sup>

<sup>1</sup> The Report is translated by Canon Douglas in Papadopoulos, *op. cit.*, pp. 91-105. I give above the most important points. Papadopoulos himself gives a useful summary on pp. 71-82, based on appendices which Douglas does not translate.

<sup>2</sup> Pages 84-85.

<sup>3</sup> Bell, *Documents*, First Series, pp. 93-94.

We are told by Canon Douglas<sup>1</sup> that the action of the Patriarch of Constantinople in thus accepting "Anglican Orders by itself, without association with the heads of the other Orthodox Autocephalous Churches, was sharply criticised,<sup>2</sup> if only on the ground that its independent action came perilously near to a breach of Œcumenicity, sc. the principle that in important matters which touch the whole Orthodox Church, the particular Orthodox Autocephalous Churches should refrain from exercising their theoretical right of independent action, and that unless all concur, no action should be taken."

True, the Patriarch sent in August, 1922, an Encyclical letter to the heads of the various Orthodox Churches, notifying them of his decision, "in order that opportunity might be given them also to express their opinion."<sup>3</sup> But, as Canon Douglas says, "in result, only the Churches of Jerusalem and of Cyprus notified the Patriarch Meletios of their concurrence in his acceptance of Anglican Orders."<sup>4</sup> The Serbian Patriarch said that they were not disposed to consider action until the Russian Patriarchate could take part. The Church of Greece held back, "largely because its distinguished lay professoriate had not made an investigation of the matter." The Rumanian reply, delaying a decision, was not sent until 1925. It said that so far as the question of the historic succession was concerned, the Anglican case was "most favourable," but added that there was a real difficulty from the theological standpoint :

"Do Anglicans regard Holy Orders as a *mysterion*? If we, in their 39 Articles, compare Article 25 with Article 36, in order to discover their dogmatic conception of Holy Orders, we are left with a conception which is vague and undefined. . . . We need that, of her own action, the Anglican Church should make a precise statement as to what is her teaching in regard to the Holy Mysteries in general, and as to Holy Orders in particular ; *scil.* does she or does she not hold Holy Orders to be a Mystery? "<sup>5</sup>

The result of this will appear later.

10. The next event we have to chronicle is the Lambeth Conference of 1930, and its immediate *sequelæ*. The Archbishop

<sup>1</sup> Article in *Christian East*, Sept., 1935, p. 47.

<sup>2</sup> i.e. by the other Orthodox Churches.

<sup>3</sup> Bell, *Documents*, First Series, pp. 94-97.

<sup>4</sup> *Art. cit.* The Patriarch of Jerusalem signified his agreement with the Constantinople decision in a letter to the Archbishop of Canterbury in February, 1923 (Bell, *Documents*, First Series, pp. 97-98), and the Archbishop of Cyprus signified his assent in March of the same year (Bell, *ibid.*, pp. 98-99).

<sup>5</sup> *Apud* Douglas, in *Christian East*, Sept., 1935, pp. 48-49.

of Canterbury invited the Easterns to the Conference, and this time a very full delegation was sent, representing almost all the Orthodox Eastern Churches. It was headed by Meletios, who had, as Patriarch of Constantinople, recognised Anglican Orders in 1922, and was now Patriarch of Alexandria. In addition it included the following :

Germanos, Metropolitan of Thyateira, representing the Patriarch of Constantinople.

Ignatius, Metropolitan of Epiphancia, representing the Patriarch of Antioch.

Timotheus, Metropolitan of the Jordan, representing the Patriarch of Jerusalem.

Irenæus, Bishop of Novi-Sad, representing the Church of Serbia.

Nectarios, Metropolitan of Bukovina, representing the Church of Rumania.

Leontios, Bishop-Elect of Paphos, representing the Church of Cyprus.

Athenagoras, Metropolitan of Corfu, representing the Church of Greece.

The Archimandrite Constantinides (Constantinople).

The Bishop of Zuepole (Church of Bulgaria).

The Archimandrite Sava (Church of Poland).<sup>1</sup>

We are informed by Canon Douglas that it had not been intended to raise the question of Anglican Orders at the Lambeth Conference. "It had been decided by those of us who had to arrange matters, that unless *sponte sua* the Orthodox Delegation raised it, the question of the acceptance of Anglican Orders by the Orthodox Church should not be on the agenda."<sup>2</sup> But, "when the Delegation met to consider its procedure, the Rumanian delegate, Archbishop Nectarie of Czernautz, stated that he had been definitely instructed by the Patriarch and Synod of Rumania to raise the question of Anglican Orders, and to ask for categorical statements from the Lambeth Conference upon the points formulated in the Rumanian Reply of 1925 to the Ecumenical Patriarch."<sup>3</sup> Accordingly, the Delegation "asked that the subject of its discussions should be the question of Anglican Orders, and that they should deal in particular with the authority and function of the Episcopate in the Church, with the sacramental character of Holy Orders, and with the doctrine of the Holy Eucharist."<sup>4</sup>

The Eastern delegates had four meetings with a group of Anglican Bishops, in July, 1930. Each side formulated a

<sup>1</sup> There was no representative from Russia.

<sup>2</sup> *Christian East*, Sept., 1935, p. 50.

<sup>3</sup> *Ibid.*, p. 51.

<sup>4</sup> *Ibid.*, pp. 51-52.



number of questions for consideration. At the first meeting, the Orthodox representatives agreed to the appointment of a Joint Doctrinal Commission, which met, as we shall see, later.

The first subject of discussion was a document called "Terms of Intercommunion between the Church of England and the Orthodox Church." This had been drawn up by the "Eastern Churches Committee" appointed by the Archbishop of Canterbury in 1921. It stated that

"The number of the Sacraments has never been authoritatively fixed either by tradition from the Apostles or any decision of an Œcumenical Council," adds that Anglicans recognise Baptism and the Eucharist as "pre-eminent above the rest," but agrees that "the title Sacrament may be used of other rites and ceremonies in which there is an outward and visible sign and an inward and spiritual grace," such as ordination.<sup>1</sup> As to the Eucharist, "there has been much controversy, and many divisions have arisen, as to the more exact definition of the nature of the presence of the Body and Blood of our Lord in the Eucharist," and Anglicans content themselves with agreeing that it is "a Divine Mystery which transcends human understanding, and that the Church has expressed sufficiently its belief in its Liturgies," and further agree that the doctrine taught in the Oriental and Anglican Liturgies is adequate and sufficient."<sup>2</sup> As to Orders, "Our Lord instituted a ministry for his Church, and the Apostles ordained ministers by the laying on of hands with prayer." Anglicans agree that "in Ordination the Holy Spirit is given for the work of the Ministry," and consider that "the forms of Ordination used in the Orthodox Church and in the Church of England are adequate and sufficient."

This language is obviously chosen with great care, and is sufficiently vague to admit of the retention of the traditional Anglican doctrine, and at the same time suggests that there is no important difference between this and the Orthodox doctrine.

But the Easterns did not consider that it was sufficiently explicit, and at this meeting in 1930, Meletios the Patriarch of Alexandria, the leader of the Greek Delegation, asked if some improvement could be made in them, especially on the Eucharist and Holy Orders.<sup>4</sup> In particular, the following questions were put to the Anglicans :

(1) Does the Anglican Church agree that Holy Orders is a *mysterion*, and that in its unbroken succession it is a link with the Apostles ?

(2) Does it agree that the bread and wine become the Body and Blood of Christ, and that the celebration of the Eucharist is a spiritual sacrifice, propitiatory for the living and the dead ?

<sup>1</sup> Page 84.

<sup>2</sup> Page 85.

<sup>3</sup> Page 86.

<sup>4</sup> *Report of Joint Doctrinal Commission*, p. 56.

To the first question, Bishop Headlam replied that, while Baptism and the Eucharist were sacraments "in a special sense," Holy Orders would be regarded as a sacrament in the sense of being the "outward sign of a spiritual gift given." He then quoted the forms of ordination *at present in use* in the Anglican rite. The Patriarch of Alexandria said that this Ordination rite satisfied the Orthodox, but complained that the Thirty-nine Articles contained phrases about Ordination which resembled Calvinist teaching, and said that in any case there was a want of clearness. To avoid conflict between the Articles and the Prayer Book, he would like a definite statement that Ordination is an act by which a special charisma is given. Bishop Headlam said that any ambiguity in the Thirty-nine Articles should be interpreted by the Prayer Book, and the Patriarch expressed himself as satisfied !

As to Apostolical Succession, the Patriarch raised the question of the attitude of the Church of England to non-episcopal ministries. Bishop Headlam quoted the Lambeth Conference of 1920, as acknowledging the "spiritual reality" of such ministries, though the Church of England had no doubt of the "importance" of the Apostolic Succession. Reunion with Non-conformists could not be carried out on a basis of reordination, but there would be episcopal ordination for the future.

At the fourth meeting, the Patriarch of Alexandria said that "in the East generally, an explanation with regard to the Anglican Church and its ministry was eagerly awaited. He asked whether it would be possible . . . for a letter from the Archbishop of Canterbury . . . to be sent to the Œcumenical Patriarch dealing particularly with the question of Holy Orders as a *Mysterion*."<sup>1</sup>

It does not seem that the Patriarch's wish was granted !

As to the question on the Real Presence and the Sacrifice, Bishop Headlam said that the Church of England rejected (1) "a material interpretation of the Eucharist," and (2) "the doctrine of Transubstantiation, as taught by Latin Divines in the Middle Ages." He then quoted the Catechism, and part of Article 28, but *not Article 29, nor the Black Rubric* !

Other Anglican bishops also spoke, and then the Patriarch said he understood from the various phrases quoted that "the Anglican definitely believed that in the Eucharist he received the Body and Blood of Christ." He asked whether after Com-

<sup>1</sup> *Report of Joint Doctrinal Commission*, p. 71.

munion the consecrated Elements remaining were regarded as the Body and Blood, and was told "Certainly" (!)

As to the Sacrifice, Bishop Headlam quoted the Archbishops' Answer to Pope Leo. Then the Patriarch said "the Orthodox doctrine was that one propitiatory Sacrifice was once offered for the whole world by Christ to the Father ; that in the Eucharist that Sacrifice was presented to the Father. The Eucharist might therefore be called the offering of that Sacrifice. . . . But such an offering was in no sense a repeating. No Orthodox theologian ever taught that a Priest celebrating the Holy Liturgy obtained by his action remission of sins . . . and if the Anglican Church wished for an Orthodox formulary repudiating Roman doctrine on that point and on the Roman doctrine of Purgatory, it could be provided."<sup>1</sup> In the end, we are told that the Orthodox and Anglicans agreed ! There was apparently no reference to Article 31 !

It is somewhat surprising to read that, according to Archbishop Nectarie's Report to the Patriarch and Synod of Rumania, the questions of the Patriarch Meletios were "precise, almost sharp, and always challenging," and that "the Anglican bishops' answers were plain, unequivocal and exhaustive."<sup>2</sup>

At the last meeting, a *résumé* of the whole discussions was examined and approved.

This recorded that, according to the Anglican bishops, Ordination is not merely the appointment to a particular post, but in it a special *charisma* is given, and that in this sense Ordination is a *mysterion*. Also, the Orthodox Delegation were satisfied with the declaration that the doctrine of the Anglican Church is authoritatively expressed in the Book of Common Prayer, and that the Thirty-nine Articles must be interpreted by the Prayer Book. Lastly, the Orthodox Delegation said that the explanation of Anglican Doctrine on the Eucharistic Sacrifice was "agreeable to the Orthodox Doctrine, if an explanation were to be set out with all clearness."<sup>3</sup>

At this, the fourth and last Conference, the Eastern Delegation expressed its desire that the plenum of the Lambeth Conference should formally implement the statements made to it by the Anglican representatives.<sup>4</sup> Canon Douglas tells us that he told the Easterns that while he could not conceive the plenum of the

<sup>1</sup> Page 66.

<sup>2</sup> Douglas, article in *Christian East*, Sept., 1935, p. 52.

<sup>3</sup> *Report*, pp. 52-54.

<sup>4</sup> Douglas, article in *Christian East*, p. 52.

Lambeth Conference failing to give that implementation, he saw grave reasons for doubting the expediency of its being asked to give it, apparently on the ground that while the whole Anglican Communion would thus give its decision, that of the whole Orthodox Church could not be given until the proposed pro-Synod at Mount Athos should meet in 1931 or 1932. "The risk of the Anglican Communion being kept, as it were, standing on the doormat, was not attractive." But the Orthodox Delegation "decided that the risk must be taken."

"The *résumé* of the discussions between the Orthodox Delegation and the Committee of the Lambeth Conference on Unity was communicated, therefore, to the plenum of the Lambeth Conference, and its statements to the Delegation were duly and all but unanimously implemented as 'sufficient.'"<sup>1</sup>

Actually, the Lambeth Conference used the words: "a sufficient account of the teaching and practice of the Church of England and of the Churches in communion with it."<sup>2</sup>

The word "sufficient" was presumably chosen deliberately. It might be paraphrased as "good enough for its purpose," and certainly does not necessarily mean "accurate" or "complete." In any case, the form in which Anglican doctrine was presented to the Orthodox at Lambeth naturally did not commend itself to all members of the Church of England. In particular it is worth recording that, at the beginning of May, 1931, forty prominent Low Church Anglicans signed a strong protest against the general trend of Anglo-Orthodox negotiations. They write:

"In the *résumé* of the discussions with the Orthodox Church contained in the Report of the Lambeth Conference, we observe some ambiguous or one-sided statements not representing our true position. . . . On p. 135 the passages quoted from the Catechism and Articles are incomplete. That from the Articles continues, 'And the means whereby the Body of Christ is received and eaten in the Supper is Faith,' thus making more clear that reception by the spirit is meant. Furthermore . . . the Article . . . expressly excludes the possibility of the 'Body' being given by the hand of the minister or taken by the hand of the communicant. . . . Moreover no authority is quoted for the statement that 'after communion, the sacred elements remaining are regarded as the sacrament of the Body and Blood of Christ, in that they have the same efficacy as before the administration.' This view should not be allowed to pass as that of our Church; it is confined to a party in it. We know of no 'efficacy' apart from their use, viz., recep-

<sup>1</sup> Douglas, *art. cit.*, p. 53.

<sup>2</sup> *Report*, p. 6.

tion. . . . The Reply of the Archbishops to the Pope's letter was criticised at the time as a very ambiguous and misleading statement. It has no more authority than many other episcopal declarations of the past century. . . . (The words 'the offering of the Eucharistic sacrifice') are not only ambiguous but also they do not occur in the Prayer Book, nor is there anything in the Articles or Prayer Book to support their use. In judging the Anglican doctrine of Holy Communion the principal weight should be given to the 39 Articles. . . . They present the official interpretation put upon the Prayer Book by its compilers or revisers."<sup>1</sup>

Similarly, the *English Churchman* said on August 30th, 1930, that "there is grave reason to fear that the Committee of Bishops, in their dealings with the delegation from the Orthodox Churches of the East, did not accurately represent to their visitors the true doctrine of the Church of England."

11. The next event was the meeting of the Joint Doctrinal Commission of Anglicans and Orthodox, which was to "examine the teaching of the two Churches, to register the points on which agreement may be found," and to "note any differences which appear to be of importance." There were eight Anglican members, and eight Orthodox, with the addition of an Anglican Secretary. The Patriarch of Alexandria was not one of the members, and the Patriarch of Constantinople objected to representation of the Church of Bulgaria. But all the other Orthodox Churches were represented, except that of Russia. The Anglican representatives included Bishop Headlam, Dr. Goudge, and Canon J. A. Douglas.

The Commission discussed in detail the "Suggested Terms of Intercommunion." In the course of the discussions, Professor Arseniev, representing the Orthodox Church of Poland, said that "There were certain definite negative pre-suppositions in Anglican formularies which caused difficulties to the Orthodox. He was thinking especially of the wording of the Black Rubric, and of certain phrases in five or six of the Thirty-nine Articles." On this, Bishop Headlam observed that "historically, the Articles had been drawn up to allow those of the clergy who had conformed under Queen Mary, and those who had fled to the Continent at that time owing to the persecution, to live together," i.e. that they were meant to satisfy the Marian Catholic priests who conformed to the Elizabethan Church, but presumably retained their doctrinal convictions! The Bishop added that

<sup>1</sup> *Guardian*, May 1st, 1931.

"at the present time their adhesion to the Thirty-nine Articles was a general one. . . . Many members of all sections felt that the Articles were in urgent need of revision."<sup>1</sup>

In the end, the two parties issued separate statements of their views on the Sacraments, so that evidently it was felt that there was not complete agreement on this point.

The Report of this Commission, together with other relevant documents, was to be laid before a General Synod of the Orthodox Churches, to be held at Mount Athos in June, 1932. At this Synod the whole question of relations between the two Churches would have been discussed, and probably Anglican Orders would have been generally recognised, and some measure of Intercommunion agreed to. But the Synod did not meet on the appointed day, and it seems to be adjourned *sine die*.

12. The last incidents we have to chronicle are the recognition of Anglican Orders by the Orthodox Patriarchate of Alexandria, and by the Orthodox Church of Rumania.

Meletios, Patriarch of Alexandria, wrote as follows to the Archbishop of Canterbury at the end of 1930<sup>2</sup>:

"We send you as our gift the news . . . that having derived the greatest gratification from the accounts which it has received both of the marks of honour which were rendered in London alike by your Grace and by the general body of your Church to the office which is ours, and also of the happy results which by the favouring breath of the Holy Spirit have emerged from the contact of the Orthodox delegation with the Lambeth Conference, the Holy Synod of the Metropolis of the Apostolic and Patriarchal throne of Alexandria has proceeded to adopt a resolution recognising the validity, as from the Orthodox point of view, of the Anglican ministry. The text of this resolution is as follows:

"The Holy Synod recognises that the declarations of the Orthodox quoted in the "Summary" were made according to the spirit of Orthodox teaching. Inasmuch as the Lambeth Conference approved the declarations of the Anglican Bishops as a genuine account<sup>3</sup> of the teaching and practice of the Church of England and the Churches in communion with it, it welcomes them as a notable step towards the union of the two Churches. And since in these declarations which were endorsed by the Lambeth Conference, complete and satisfying assurance is found as to the Apostolic succession, as to a real reception of the Lord's Body and Blood,

<sup>1</sup> Report of the Joint Doctrinal Commission, pp. 39-40.

<sup>2</sup> Taken from the English translation, by Canon Douglas, and approved by Abp. Germanos, printed in *Church Times*, January 16th, 1931.

<sup>3</sup> Footnote by Canon Douglas: "The words in the resolution of the Lambeth Conference are 'sufficient account,'"

as to the Eucharist being *thusia hilasterios*<sup>1</sup> Sacrifice, and as to Ordination being a mystery, the Church of Alexandria withdraws the precautionary negative to the acceptance of the validity of Anglican ordinations, and adhering to the decision of the Œcumenical Patriarchate of July 28th, 1922, pronounces that if priests ordained by an Anglican bishop accede to Orthodoxy, they should not be reordained, as persons baptised by Anglicans are not rebaptised. . . .”

The Patriarch of Alexandria formally notified the Patriarch of Constantinople of his recognition of Anglican Orders, and the latter thereupon wrote an Encyclical welcoming the action as “an urgent incitement for the remaining Churches which have hitherto deferred a definite decision upon the matter, to take the same action.”<sup>2</sup> But there was no result, except in the case of Rumania. Archbishop Nectarie had invited the Archbishop of Canterbury in 1931 to send a “Ceremonial Delegation, to visit Rumania for the promotion of Anglican friendship with the Orthodox Rumanian Church.”<sup>3</sup> The Delegation, chosen by the Archbishop, was sent in June, 1935. It consisted of Dr. Hicks, Bishop of Lincoln; Dr. Buxton, Bishop of Gibraltar; Dr. Batty, Bishop of Fulham; Dr. Bate, Dean of York; Canon Douglas; Dr. Macdonald; Canon Sharp, of Malta; the Rev. P. Usher; and two “Assessors,” the Anglican Archbishop of Dublin, and Dr. Gavin, of the American Episcopal Church. There were twelve Rumanian representatives, including three bishops. Conferences were held during six days, between June 1st and June 8th, 1935. Papers were read on various subjects by Anglican and Orthodox members, and these were then discussed. The papers included the following:

- “On the Apostolic Succession, and the Validity of Anglican Ordinations from the Historical Point of View,” by the Dean of York and by Professor T. M. Popescu.
- “The Necessity of the Priesthood and its Sacramental Character,” by Prof. Mihalcescu and Canon Douglas.
- “The Holy Eucharist and its Sacrificial Character,” by the Bishop of Lincoln and Prof. Vintilescu.
- “The Holy Sacraments and Church Offices,” by the Archimandrite Scriban and the Dean of York.

These have not so far been published.

<sup>1</sup>Footnote by Canon Douglas: “We . . . do not translate by ‘propitiatory sacrifice,’ or ‘expiatory sacrifice,’ because as generally used those terms present conceptions which are not attached by the Orthodox to *thusia hilasterios*. . . .”

<sup>2</sup> Douglas, *art. cit.*, p. 54.

<sup>3</sup> *Ibid.*, p. 56.

The Official Report contains the following account of the results of the Conference :

*The Thirty-nine Articles.*

The Anglican Delegation stated that "The Doctrine of the Anglican Church is authoritatively expressed in the Book of Common Prayer, and that the meaning of the 39 Articles must be interpreted in accordance with the Book of Common Prayer (Lambeth Conference, 1930), and that therefore the 39 Articles are to be regarded as a document secondary to the Book of Common Prayer."

*The Holy Eucharist.*

A statement was submitted by the Rumanian Commission to the Anglican Delegation concerning the Holy Eucharist, and was unanimously accepted by the latter in the following form :

1. At the Last Supper, our Lord Jesus Christ anticipated the sacrifice of his death by giving Himself to the Apostles in the form of bread blessed by Him as meat, and in the form of wine blessed by Him as drink.

2. The sacrifice offered (*prosenechtheisa*) by our Lord on Calvary was offered once for all, expiates the sins as well of the living as of the dead, and reconciles us to God. Our Lord Jesus Christ does not need to sacrifice Himself again.

3. The sacrifice on Calvary is perpetually presented in the Holy Eucharist in a bloodless fashion (*anaimaktos*) under the form (Rumanian, *sub chipul*) of bread and wine, through the consecrating priest and through the work of the Holy Ghost, in order that the fruits of the sacrifice of the Cross may be partaken of by those who offer the Eucharistic Sacrifice, by those for whom it is offered, and by those who receive worthily the Body and Blood of the Lord.

4. In the Eucharist the bread and wine become by consecration (*metabole*) the Body and Blood of our Lord. How? This is a mystery.

5. The Eucharistic bread and wine remain the Body and Blood of our Lord as long as these Eucharistic elements exist.

6. Those who receive the Eucharistic bread and wine truly partake of the Body and Blood of our Lord.<sup>1</sup>

On the "Divine Mysteries" there were two separate statements. The Orthodox said that while Baptism and the Eucharist are "pre-eminent," the other five are not "of secondary importance. . . . These also, as the two first, are Holy Services of Divine foundation, in which through an outward visible sign, the invisible grace of Christ is conveyed." The Anglicans said that in the Book of Common Prayer "the word Sacrament is only

<sup>1</sup> *Report of the Conference at Bucarest*, pp. 6-7.



used of the two Sacraments, Baptism and the Holy Eucharist, inasmuch as these only have an outward visible sign ordained by Christ. . . . But it is recognised also in the Anglican Communion that in other Rites there is an outward and visible sign and an inward spiritual grace, and in that sense they may be considered to have the character of Sacraments and are commonly called Sacraments."

In the end, "while hesitating to revise" the above Statement, the Anglicans "recommended for consideration" a formula containing the following :

"We agree that, because Holy Scripture and Tradition witness to their origin, Confirmation, etc. . . . are also Mysteries, in which an outward visible sign being administered, an inward spiritual grace is received."<sup>1</sup>

So the Anglicans still declined to say that these five rites are divinely instituted Sacraments. Nevertheless we are told that "the Rumanian Commission agreed to recommend this formula to the Holy Synod of Rumania for consideration."

Lastly, on Anglican Orders, the Rumanians made the following Declaration :

"Having considered the conclusions of the papers on the Apostolic Succession, Holy Orders, Holy Eucharist, Holy Mysteries in general, and Tradition and Justification,

"And having considered the declarations of the Anglican Delegation on these questions<sup>2</sup> which declarations are in accordance with the Doctrine of the Orthodox Church,

"The Rumanian Orthodox Commission unanimously recommends the Holy Synod to recognise the validity of Anglican Orders."

The Report of the Commission was considered by the Holy Synod of Rumania in March, 1936. "After careful discussion, the Holy Synod unanimously approved the Report, and in so doing, recognised the validity of Anglican Orders."<sup>3</sup>

The Report of the Rumanian Conference was in turn presented to the Convocation of Canterbury on May 27th, 1936. The Bishop of Lincoln, Dr. Hicks, moved that it should be approved. The Bishop of Birmingham, Dr. Barnes, suggested that the Report should be "received" rather than "approved," and contended that "there would be many people who would

<sup>1</sup> *Report*, pp. 9-10.

<sup>2</sup> We should like to see these !

<sup>3</sup> Introductory Letter by the Bishop of Lincoln to the *Report of the Conference*, 1936, p. 3. [But see our Additional Note, p. 756.]

not endorse some of the statements in the report." Finally, a motion by the Anglican Bishop of Southwark, adjourning further consideration of the Report, was carried. In the Lower House, Prebendary Hinde said "he was not sure that the Rumanian Church understood what the Anglican Church believed," adding that "the statements contained in the Report were not compatible with the Prayer Book and the Thirty-nine Articles," and that he "could not accept the statements about the Eucharist." Canon Guy Rogers, of Birmingham, supported the Prebendary, and said "there was a tendency to present the teaching of the Church of England in a way pleasing to the Rumanians, but which was not compatible with the teaching of the Church of England."<sup>1</sup>

In the end the Report was put back for further consideration.

The Report was also presented to the Convocation of York, and a motion was proposed for its acceptance. The seconder explained that to some of the doctrinal statements contained in the Report he had been opposed all his life, but a vote for the motion would not imply approval of these. Moreover, he had been assured that the Rumanian members of the Conference were "earnest Evangelical Christians." The Prolocutor of the House confirmed the view that acceptance of the Report would not imply agreement with all its statements, and on this supposition, the motion was carried.<sup>2</sup>

The Low Church party, however, denounced the Report in no uncertain terms. In the summer of 1936, the Patriarch of Rumania was at Lambeth as the guest of the Archbishop of Canterbury, and a strong protest, signed by fifteen prominent Evangelical clergy, including six heads of theological colleges, was sent to the Archbishop, with a request that it should be communicated to the Patriarch.<sup>3</sup> Next an equally strong protest was sent by the leaders of the Anglican Evangelical Group Movement. It complained that no attempt had been made to frame answers to the Rumanian enquiries by quoting officially from the Thirty-nine Articles and the Book of Common Prayer. It objected to the statement that the Articles are to be interpreted by the Prayer Book, and pointed out that the statement on the Eucharist raised highly controversial matters.<sup>4</sup>

The Church Association also sent a spirited protest, addressed

<sup>1</sup> *Church Times*, June 5th, 1936, p. 709.

<sup>2</sup> *Record*, June 5th and Sept. 4th, 1936.

<sup>3</sup> *Record*, August 21st, 1936, p. 526.

<sup>4</sup> *Record*, Aug. 14th, 1936, p. 511.

direct to the Rumanian Patriarch, asserting categorically that "there is no change in the elements of bread and wine in the Lord's Supper," and that the Thirty-nine Articles are in no sense secondary to the Prayer Book.<sup>1</sup>

And, lastly, a long letter was sent to the Archbishop of Canterbury and to the Patriarch, by the National Church League, in the same sense, but in greater detail. This sets out at length the real teaching of the Articles and the Prayer Book on the matters under discussion.<sup>2</sup> The Archbishop of Canterbury duly acknowledged these communications, but we are not told of any answer sent by the Patriarch.

The Anglo-Rumanian Report was again before the Convocation of Canterbury in January, 1937. Dr. Headlam, Bishop of Gloucester, announced his intention of moving that the Report of the Conference at Bucarest be approved as "fully consonant with Anglican formularies and a rightful interpretation of the faith of the Anglican Communion." Four members of the Anglican Evangelical Group Movement wrote saying that the statement of Eucharistic doctrine was drawn up at Bucarest, not by the Anglicans but by the Orthodox, and that it was accepted by the Anglicans merely "as one permissible interpretation of Anglican doctrine."<sup>3</sup> The Bishop of Gloucester replied<sup>4</sup> that his resolution did not mean that the statement in the Rumanian Report was "the only permissible or rightful interpretation of the formularies," nor did it "seek to impose it on anyone who interprets those formularies with a different emphasis." He added: "the Rumanian Church is perfectly well aware that there are different parties in the Church of England, and that there is variation in the manner in which our formularies are interpreted. What they desire to know is whether their beliefs come within the limits of legitimate interpretation. . . . If there is room for the High Church party in the Church of England there is no doctrinal reason why we should not be in communion with the Orthodox Church, just as if there is room for the Evangelical party there is no doctrinal reason why we should not be in communion with the Episcopal Lutherans. If we cannot recognise the principle of comprehension in the Church there is no possibility of any reunion at all." In the end, the resolution for Convocation was modified so as to say that the statement of doctrine in the Rumanian Report

<sup>1</sup> *Record*, Aug. 14th, 1936, p. 516.

<sup>2</sup> Letter in *Times*, January 15th, 1937.

<sup>3</sup> *Times*, January 18th.

<sup>4</sup> *Record*, Aug. 21st, 1936, p. 528.

"is consonant with Anglican formularies, and a legitimate interpretation of the Faith of the Church as held by the Anglican Communion," and the Bishop of Gloucester, in moving it, said that "the motion did not mean that it was an authoritative statement of the Faith of the Church of England, nor did it mean that it was the only legitimate Faith of the Church of England," but only that it was *a* legitimate interpretation. An amendment by the Bishop of Birmingham (Dr. Barnes) having been lost, the motion was carried *nem. con.* A similar motion was carried in the Lower House by 104 votes to 6.

13. The situation to date is, then, that Anglican Orders have been recognised as valid by the Orthodox Churches of Constantinople, Jerusalem, Cyprus, Alexandria, and Rumania. No opinion has so far been expressed by the Patriarchates of Antioch and Russia, or the remaining autocephalous Churches of Greece, Yugoslavia, Poland, or Bulgaria.

What is to be thought of this Orthodox recognition of Anglican Orders?

We note in the first place, that it is an "economical" recognition. Anglican Orders are invalid, except in so far as the (Orthodox) Church chooses to revalidate them, by this economical dispensation. She has chosen to do so, after a certain amount of investigation and enquiry, in which she has obviously accepted the "High Church" presentation of the Anglican case. Her theologians seem to have decided that the Anglican form of ordination is sufficient, so far as words go. Everything depends upon its meaning, purpose, or "intention." In this respect the Orthodox theologians seem to have accepted the High Church version of the history of the Reformation, and to have come to the conclusion that whatever heresies may have been prevalent then, these were not sufficiently fundamental to destroy the true conception of the priesthood and episcopate. We note that Anglicans have succeeded in convincing the Orthodox that even Cranmer believed in the Eucharistic Sacrifice,<sup>1</sup> that Article 31 does not deny the Sacrifice of the Mass,<sup>2</sup> that the Church of England teaches a Real Objective Presence,<sup>3</sup> etc., etc.

In the course of these discussions, Anglicans have represented to the Orthodox that the Articles must be interpreted by the Prayer Book itself, are of little or no weight, and may safely

<sup>1</sup> See p. 643.

<sup>2</sup> See p. 643.

<sup>3</sup> See pp. 647-9.

be disregarded in an exposition of Anglican doctrine.<sup>1</sup> The Orthodox seem to have satisfied themselves that these present-day declarations of Anglicans can legitimately be extended back into the historic past, and thus be taken as determining the real belief of the Anglican Church of the Reformation period, and in particular, the "purpose" or intention of the Edwardine Ordinal. The Orthodox have likewise satisfied themselves that there is no reasonable ground for doubting the historic fact of the Succession in the Anglican Church, and hence, as the Anglican Ordinal, interpreted by the supposed belief and "purpose" of the Anglican Church, is sufficient, they have decided that Anglican Orders provide a suitable subject for the exercise of the dispensing power or "economy" of their Church.

No Catholic can be pleased at this result, and it is painful to reflect that it has resulted in part from the presentation by Anglicans of a complete travesty of the real doctrinal position of the Church of England, and a strange perversion of Reformation history. The information of the Orthodox on these matters has been derived in great part from sources such as the *De Hierarchia Anglicana* of Denny and Lacey,<sup>2</sup> and the Reply of the Archbishops of Canterbury and York to Pope Leo (in a somewhat misleading translation), etc.<sup>3</sup>

This has been supplemented by declarations on Anglican doctrine which are manifestly at variance with the historical doctrinal position of the Church of England, and some members of the Anglican Church itself have not hesitated to point this out.<sup>4</sup> But for some strange reason their protests seem to have produced no effect.

Next, we must point out that we Catholics do not and cannot accept the theological principles upon which the Orthodox have acted in this matter. We do not admit that heresy or schism necessarily invalidates a sacrament, but we do hold that if the heresy concerns the sacrament in question, and manifests itself in a corruption of the sacramental form, then the sacrament is invalid. It is not clear that the Orthodox would agree as to this. It may be, however, that the Orthodox are really treating the Anglican ordination rite as a form which is in itself ambiguous, and depends for its interpretation upon the intention or purpose of those using it; and that they have satisfied themselves of the orthodoxy of the intention of the Reformers.

<sup>1</sup> See pp. 637, 638, 640, 641, 644, 651, 652..

<sup>2</sup> See pp. 593, 643.

<sup>3</sup> On the *De Hierarchia Anglicana* see pp. 521-3, 629.

<sup>4</sup> See pp. 650, 651, 656, 657.

But we cannot see that declarations by present-day Anglicans are any real guide as to the intentions of the Anglican Reformers of the sixteenth century ! And, lastly, we do not admit that the Church has the "economical" power of validating sacraments which are in themselves invalid.

We also beg leave very much to doubt whether Anglicans themselves agree with the Orthodox in the principles by which the latter have been guided in their decision on the matter ! But that is a point which presumably does not interest our Anglican friends. The main thing is that the Orthodox have recognised Anglican Orders : it matters not at all that Anglicans do not accept the principles by which they have recognised them !

Catholics cannot help wondering whether considerations of a somewhat mundane character have not, at least to some extent, influenced the Orthodox attitude and action. The Orthodox Church can no longer lean upon the Russian Government for support : England now has the Palestine mandate. Would it not be wise to cultivate the friendship of England, even if this can only be obtained at the price of a certain recognition of Anglicanism ?

Again, is it quite unthinkable that the fierce hatred of Rome has had nothing to do with this *rapprochement* ? Constantinople hates Rome just as much as, if not more than Canterbury does !

There is a further point. The Orthodox Eastern Church possesses no divine guarantee of indefectibility. In point of fact, practically all the early heresies sprang up in the East, and would have swamped the Church had it not been for the resistance of the See of Rome. True, the Orthodox Church has so far remained faithful to the first Seven General Councils. But may this not be due to a certain stagnation of thought which has characterised Orthodoxy hitherto ? At the present time, however, the Eastern Church would seem to be in a state of transition, and some very strange and unorthodox ideas are being advocated by certain of her theologians.<sup>1</sup> Moreover, as Père Janin remarks, "Protestant doctrines are penetrating more and more into the teaching in Orthodox seminaries, either through professors, who often have taken their degrees in English or German Universities, or else through the textbooks used. The traces of this influence are becoming daily more and more visible. Modernism and Rationalism have their convinced

<sup>1</sup> See Attwater, *The Eastern Churches*, C.T.S., pp. 24 *et seq.*

disciples in professorial chairs, and the teaching is no longer entirely in conformity with Orthodox traditions."<sup>1</sup>

Similarly, W. A. Wigram, himself an Anglican, observes in *Episcopacy, Ancient and Modern*, that most of the theologians in Eastern seminaries

"have studied in European universities, usually in Germany, and so have got into touch with Lutheran and Evangelical teachers and thought. Naturally this has affected them, and, no matter how thorough their loyalty to the Church of their fathers, they have remained on a friendly footing with their old teachers, and have usually taken their thought as the measure of all non-Roman theology."<sup>2</sup>

And we may also quote the following from another Anglican writer :

"One is compelled, at times, to regard certain aspects of the Anglo-Orthodox alliance with a certain suspicion. Without doubt, the alliance has brought temporal advantages to the Eastern Churches, which have suffered so badly during and since the War, and in view of the uncompromising attitude of the Orthodox towards the Anglicans in 1721, and *vice versa*, one cannot help wondering whether it is they, or the Anglicans, or both, who have become more 'comprehensive' and less insistent on dogmatic principles."<sup>3</sup>

Shall we be wrong if we detect some indication of a weakening grasp upon dogmatic truth, in this Orthodox recognition of Anglican Orders? We have already called attention to the fact that in 1920, the Orthodox delegation to the Lambeth Conference surrendered the term "Transubstantiation," while insisting on a "real change." The Rumanians at the Conference of 1936 contented themselves with saying that "the bread and wine become by consecration the Body and Blood," and went on to speak of the "Eucharistic bread and wine" in such a way as to seem to exclude Transubstantiation, at least by implication. The Rumanian Orthodox Church, indeed, seems to be split into two parties. One is becoming Liberal and Protestant, and this is the party which has now repudiated Transubstantiation and recognised Anglican Orders. This movement can be traced back to some twelve years ago, when two Rumanian

<sup>1</sup> *Les églises séparées d'Orient*, p. 18.

<sup>2</sup> Page 315. To this we may add that an ever increasing number of Eastern ecclesiastics have spent some time in Anglican theological colleges. This is hardly calculated to strengthen them in their orthodoxy!

<sup>3</sup> *The Voice of Undivided Christendom*, by the Rev. L. V. G. Lean, A.K.C., 1933, p. 41.

priests, who had come under the influence of a certain Anglican missionary in their country, began to preach Protestantism openly in Bucarest, going so far as to say that the saints in heaven cannot hear us, and even omitting the address to the Theotokos in the Divine Liturgy. The two priests were ultimately excluded from the Rumanian Church, one becoming a Calvinistic preacher in Switzerland, and the other forming a Protestant community in Bucarest itself.<sup>1</sup> It would seem that other Rumanians have been similarly influenced. But on the other hand there is a strong Rumanian party which is protesting vigorously both against the abandonment of Transubstantiation and against the recognition of Anglican Orders. Their views are expressed forcibly in the weekly journal *Glasul Monahilor* ("Voice of the monks").

Lastly, we must remark that the Œcumenical Councils which the Orthodox Church officially accepts contain no decrees on the Sacraments, the Sacrifice, or the Priesthood. We Catholics have the guidance of the Council of Trent; the Orthodox have only certain Confessions of Faith, which some of their modern theologians do not hesitate to criticise. There is no guarantee that the Orthodox will always hold the Real Objective Presence, the Sacrifice, and the Priesthood as Catholics understand these, and we fear that their recognition of Anglican Orders is a sign that deterioration in this respect has already begun.

<sup>1</sup> See *Piatra-din-capul-unghiului* ("Corner stone"), by Gala Galaction, Bucarest, 1926.



## CHAPTER IX

### CONCLUDING THEOLOGICAL ESSAY

In this final essay, our aim is to review the whole question of the validity of Anglican Orders, in the light of Catholic theological teaching.

1. At first sight, a person unacquainted with Catholic theology might think that no detailed explanation of the Catholic attitude is, in point of fact, required. After all, it is quite clear that, historically, the Anglican conception of the ministry has been different from the Catholic conception, and that the specific Catholic doctrines on Transubstantiation, the Sacrifice of the Mass, and the Sacrificial Priesthood have been denied by the Anglican Church, and that moreover, the new Communion Service and Ordinal were drawn up on purpose to express, in a concrete form, the Protestant views on these subjects. And it would seem reasonable to conclude, without further explanation, that a Protestant Ordination rite cannot do more than make Protestant ministers.

But, in reality, the matter is not so simple as that, and for the following reason. The Catholic Church has, throughout its history, insisted that heretics, and even unbelievers, can nevertheless validly administer sacraments. Thus, a Jew, pagan, or even an infidel can nevertheless validly administer the sacrament of baptism. This seems somewhat extraordinary at first sight, but the explanation is easy. A sacrament is indeed an outward sign of inward grace, and the Church insists that it not only signifies what it effects, but effects what it signifies. But, even so, it remains true—and the Church has always insisted on this—that the grace of the sacrament does not come ultimately from the outward rite, nor even from the minister of the Sacrament, but from God. It is given *through* the rite, and in a sense *through* the minister of the rite, but only because God has promised, and has ordained, that when man does his part by performing

the outward rite, God will do his, and give the inward grace. It is precisely this that constitutes the difference between a sacrament and a magical rite. In the latter, there is an essential and manifest difference between the supposed cause—the incantation or spell—and the effect which is supposed to be produced *by that cause*. But in the case of the sacraments, the grace is not, in that sense, produced simply by the external rite. After all, there could be no possible connection between the mere washing of the body with water, and the infusion of sanctifying grace into the soul, unless God had ordained—as we believe He did—that when man does the one, He will do the other.

There is thus no fundamental difference between the sacramental theology of the early Church, with its emphasis upon the fact that the sacramental grace comes from God, and the later sacramental theology of the scholastics, according to whom the grace comes through the sacramental rite. The former conception is, as Dr. Firminger says,<sup>1</sup> emphasized in the Oriental rites, which say, e.g. that “it is not by the laying on of my hands, but by the watchfulness of thy rich mercies, that grace is given to thy chosen ones.”<sup>2</sup> That phrase has a perfectly sound Catholic meaning, and it is still used in the ordination rite used by the Greeks in communion with Rome. Dr. Firminger himself allows that “the attitude of St. Basil and Pope Innocent I shows how both East and West were at one in the conception of the Ministry as the sphere in which the Holy Spirit operates through a human agency.”<sup>3</sup>

Sacramental theology has of course developed greatly in the course of time, but it still remains true that the grace of the sacrament comes from God, and only instrumentally does it come through the minister and the outward rite.

This being the case, it is easy to see that a person who, in point of fact, disbelieves in the essential or inward grace of a sacrament, can nevertheless validly administer that sacrament. For, after all, he can at least do his own part, which is to perform the external sacramental rite in a due and proper manner. The grace of the sacrament does not come from him, but from God, and hence his unbelief does not prevent the sacrament from producing its effect.

But the Church has nevertheless laid it down that there are certain conditions, without which a sacrament cannot be valid,

<sup>1</sup> *Liturgy and Worship*, pp. 638, 642.

<sup>2</sup> Greek rite for ordination of a deacon.

<sup>3</sup> *Op. cit.*, p. 642.

whether administered by a believer or an unbeliever. Firstly, the rite, as administered, must be essentially the same as the rite instituted by Christ and practised by the Church ; and, secondly, it must be administered with a due and requisite purpose in the minister. In other words, the essential "matter and form" of the sacramental rite must be intact, and the minister must have a sufficient "intention."

Each of these two points calls for very careful consideration and discussion.

First as to "matter" and "form." What exactly is meant by these ? Were they absolutely fixed and determined by Christ, and are they in consequence absolutely invariable ? If not, to what extent can they vary ? And what is the effect of their variation ?

The terms "matter" and "form" were invented by mediæval theologians to describe the central and essential portion of the external sacramental rite, consisting of certain words and actions. The Church teaches that sacraments, being outward signs of inward grace, must signify what they effect, if they are to effect what they signify. That means that the central and essential part of the sacramental rite must of necessity signify the inward effect which it is to produce, instrumentally, in the soul. Now, it so happens that some features in the central portion of the sacramental rites are not always distinct for each sacrament, but often are found in more than one. Thus, hands were laid on in Confirmation, in the reconciliation of sinners, and are still laid on in the sacrament of Extreme Unction, as well as in Ordination. Accordingly, the full signification of the sacramental rite cannot be found merely in this common indeterminate feature, or "matter" as the scholastics have called it. But the particular signification or meaning of the action in each individual sacramental rite is determined by the words which accompany the action, or the "form," as scholastics call it. This "form" will determine the signification of the sacramental act which is being performed, and thus make quite plain the meaning and signification of the sacramental rite as a whole.

The next important point to note is that as a sacrament is a *sign*, and as a sign may be "natural" or "conventional," or a combination of both, so also there may be a conventional element in the signification of a sacrament. In other words, the significance of the "matter and form" used may depend, to some extent at least, upon the meaning which the particular action or

phrase has when used in a particular way, or in a particular context, by a particular group of people, at a particular time or in a particular place. It is conceivable that the significance of signs may vary from place to place, and from time to time. Black is a sign of mourning in the West, but white is a sign of mourning in the Far East. Pope Innocent IV said that, if no definite form of order had been laid down or determined, it would have sufficed to say "Sis sacerdos" or something similar. But note that, if this were the sacramental form, it would have to be quite clear that this form signified, not *any* kind of priesthood, but the specific Christian and Catholic priesthood. Obviously, if a Buddhist priest said to one of his neophytes "Sis sacerdos," he might thereby make a Buddhist priest, but he certainly would not make a Christian or Catholic priest.

With this preliminary explanation, we can now proceed to discuss the Catholic position on the institution of the sacraments by Christ, and the question of the determination of the matter and form of the sacramental rites.

2. It is part of the Catholic Faith, defined at the Council of Trent, that "Sacramenta Novæ Legis fuisse omnia a Jesu Christo Domino nostro instituta."<sup>1</sup>

But the Bishops abstained deliberately from defining the manner and extent in which the sacraments were thus "instituted" by Our Lord, because for some centuries previous to the Council, the scholastic theologians had been divided in opinion, and many had allowed that the Apostles, or even the Church after their time, had specifically determined the matter and form of some of the sacraments. This opinion is still widely accepted to-day. But, at any rate, all Catholic theologians agree now, as they have always agreed, that Our Lord instituted all the seven sacraments, in the sense that He willed and revealed that there should be seven sacred rites, for the conveyance of grace for seven specific human needs. This implies that, in determining the grace of the sacrament, and in determining that it should be conveyed by a sacramental rite, He necessarily determined that this rite should be a suitable and adequate sign of the particular grace conveyed. In two cases at least He seems to have determined in particular the "matter" and "form" which should be used—i.e. in the case of Baptism and the Eucharist, though even here, as we shall see, certain

<sup>1</sup> *De sacr. in genere*, can. 1. (Session VII, 1547.)

details were manifestly left for the Church to determine. In the case of the other sacraments, it is commonly held that Christ determined their "matter" and "form" only generically, i.e. He said that there should be some suitable outward sign, capable of signifying the special grace conferred by the particular sacrament, but left it to the Church to determine what that sign should be. In the sense that the sacrament is a rite which signifies, and by signifying confers some particular grace, the sacrament was instituted in its substance by Christ our Lord, and the Church has no power to change its substance. But inasmuch as Christ did not, in the view we are considering, say what particular sign should be used to signify the grace in question, the Church has a certain power of choice and determination, but this power does not affect the "substance" of the sacrament, i.e. its character as an external rite signifying some particular grace.

This power of the Church in determining the sign which shall signify the sacramental grace, leads to some interesting consequences, as we shall see.

A sign may, as we have said, be either "natural" or "conventional," or possibly a combination of both. Hence the external sacramental rite, determined either by Christ himself, or by his Church acting by his Authority, may be one which of its nature signifies the effect willed by Christ, or else does so only or partly by human convention. Thus, the act of washing the body may be said to be a "natural" sign of the inward washing of the soul from the stain of sin. Anointing with oil was practised in the East to produce bodily health, and might well signify spiritual health. But anointing was also used to signify the consecrating of some person or thing to special Divine use and service. Thus convention would play some part in its meaning in a particular instance. Again, the laying on of hands seems to have been used to signify either a blessing, or else the transferring of something. Thus hands were laid on the scapegoat, when it was sent into the wilderness, laden with the sins of the people. Hence its meaning in a particular case would depend to some extent upon circumstances, and convention.

The giving of the insignia of office would be a very "natural" sign of the conferring of the office in question, and so on.

### 3. Coming now to details of the institution of the Sacraments,

and the determination of their matter and form, it is quite evident, from the Gospel record, that Christ our Lord personally and immediately instituted at least the Sacraments of BAPTISM and the EUCHARIST. He told his Apostles to baptise all disciples, "into the name of the Father, and of the Son, and of the Holy Ghost." And it is quite clear that He meant the baptismal rite to consist in some kind of washing with water. That is to say, in theological language, He specifically determined the "matter" of baptism. Did He in the same way specifically determine the "form," or words which are to accompany the act? Certainly He determined them so far as their generic meaning is concerned: the words must express the baptism of the person in the name of the Trinity. But this leaves room for a certain amount of possible variation. Thus, we find two historic forms used in the Church: the West uses "*Ego te baptizo in nomine Patris et Filii et Spiritus Sancti*," while the East uses "*Baptizatur N. servus Christi, in nomine, etc., Amen*." Some theologians have gone so far as to speculate that baptism "in the name of the Trinity," without the enumeration of the three persons, would suffice.

Peter Lombard, Scotus, Cajetan, Morinus and others think the "*Ego te baptizo*" is not necessary. Some have also thought that baptism "in the name of Jesus Christ" would be valid, because some are said in the Acts of the Apostles<sup>1</sup> to have been baptised thus.<sup>2</sup> St. Thomas thinks that the Apostles did so by virtue of a temporary dispensation from Christ, to use this unusual form.<sup>3</sup> Thus already we have a certain amount of accidental variety in the form of baptism. But all the forms must express the sense or meaning of the rite. They must be such as to make it quite clear that what is being performed is the rite of Christian baptism, as Christ instituted it, and as the Church practises it.

Coming now to the Sacrament of the EUCHARIST, the Catholic Church holds that its matter is wheaten bread, whether fermented with yeast or not; and the genuine juice of the grape. The "form" of the Sacrament is the formula by which these elements are consecrated into, and become, the Body and Blood of Our Lord. The Gospels tell us that Our Lord celebrated the Eucharist by blessing, breaking, and giving to the disciples the

<sup>1</sup> ii, 38, viii, 12, 16; x, 48.

<sup>2</sup> It is usually held nowadays that this simply refers to "Christian baptism" in the ordinary Trinitarian formula.

<sup>3</sup> *Summa Theologica*, III, q. 66, a. 6, ad. 1.

bread, saying, "Take eat, for this is my Body, which is (or shall be) given for you," and then the cup containing wine, saying, "Drink ye all of this, for this is the chalice of the New Testament in my blood which is (or shall be) shed for many for the remission of sins." He also said to his Apostles, "Do this for a commemoration of Me." This does not tell us expressly what the Apostles and their successors were to say when consecrating the Eucharist, but it implies that they are to say more or less what He said on that solemn occasion. Accordingly, at the Council of Florence the Church declared that the consecration is brought about by the recital of the "words of institution" over the elements—as against the views of certain Greeks who held that the consecration requires also the "epiclesis."<sup>1</sup> But the form used traditionally in the Latin Church is not quite the same as the form used in the Gospels and historically there have been some minor variations, which do not call for detailed explanation. But all the forms agree in expressing the sense that the elements are being consecrated into Christ's Body and Blood, in memory of Him.

The question of CONFIRMATION is a very intricate one. There is no reference to the sacrament in the Gospels, but there are frequent references in the Acts and in the Epistles to cases where the Apostles gave the Holy Ghost by laying their hands on the faithful, and in the earliest references to the rite, the only matter mentioned is the imposition of hands, without any mention of any anointing. But little by little we find that an anointing seems to have taken the place previously occupied by the imposition of hands, so that for many centuries there has been no separate imposition of hands, as distinct from the anointing, either in East or West.<sup>2</sup> Here, then, we seem to have a modification in the matter of the sacrament, for apart from the act of anointing with the thumb, there is no longer any imposition of hands upon the candidate.

There has been an even more bewildering variety in the formulæ used. Martène<sup>3</sup> mentions the following: "In nomine Patris et Filii et Spiritus Sancti, pax tibi" (Amalarium). "Signum Christi in vitam æternam, Amen" (Gelasian sacramentary). "Signet te Deus sigillo fidei suæ in consignatione

<sup>1</sup> Some modern Greeks have gone so far as to say that the consecration takes place only by the epiclesis, and that the words of institution have no effect at all.

<sup>2</sup> The prayer said by the bishop with extended hands at the beginning of the rite is not regarded as essential.

<sup>3</sup> *De Antiquis Ecclesiæ Ritibus*, I, cap. 1, art. 3.

fidei," etc. The modern Roman form is : "Signo te signo crucis, et confirmo te chrismate salutis, in nomine Patris, etc.," while the modern Greek form is "Signaculum doni Spiritus Sancti."

The variety and indeterminate character of these forms, as set forth in Martène and Chardon, lead Tanqueray to remark :

"Quicumque hæc duo opera attente perlegerit, candide fateri cogetur multas formas olim adhibitas fuisse, quæ hodie communiter a theologis ut invalidæ haberentur."<sup>1</sup>

Another theologian, Van Noort, says :

"Supposito quod hæc formæ reapse ita adhibitæ fuerint, dicendum puto, eas non fuisse formas adequatas, sed partiales tantum. Quum chrismationi seu consignationi, quam verba prædicta comitabantur, præcederet manus impositio cum oratione Spiritum Sanctum diserte invocante, hæc oratio in illis adjunctis ut pars potior formæ consideranda est. Quemadmodum enim sola chrismatio (manus impositionem includens) ad valorem sacramenti sufficit, quando ei forma satis significativa adjungitur, ita prævia manus impositio cum oratione correspondente ad valorem necessaria est, quando verba chrismationem comitantia, per se sumpta, effectum sacramenti non satis significant."<sup>2</sup>

Here we have an important principle : it is possible that the actual formula accompanying the sacramental act may be inadequate in its signification, *if taken by itself*, and it possibly needs the supplementary determination to be found in other prayers in the rite. But note that, in this case, the other prayers have to be regarded as part of the sacramental form, and the principle that the essential part of the rite must signify the grace effected, remains intact.

As to the variation in the matter, it is equally clear that, great though it has undoubtedly been, it has not prevented the significance of the essence of the rite (matter together with form) from being the conferring of the Holy Ghost, for the strengthening of Christians.

There has also been a great variety in the administration of the sacrament of PENANCE. The Gospels tell us that Our Lord gave to his Apostles the power to forgive and to retain sins, which implies obviously a knowledge of sins, and a judicial act, absolving if the penitent's dispositions are good, or withholding absolution if they are bad. The Decree *ad Armenos* of Eugenius IV adopts

<sup>1</sup> *De Sacramentis*, 1930, p. 246 note.

<sup>2</sup> *De Sacramentis*, Hilversum, 1927, pp. 207-208.



the ordinary Scholastic teaching in saying that the acts of the penitent, i.e. confession, contrition, and satisfaction, constitute the "matter" of the sacrament, or rather the "quasi-materia."

The "form" of absolution has varied in the course of time. For the first ten centuries, the form in East and West was some deprecativ formula, such as "Deus, ei condona," "Deus, eum absolve." But after the thirteenth century, the Western formula was the present "Ego te absolvo," etc. The Greek form is still deprecativ. But all these forms convey essentially the same meaning: God, through his minister, forgives the sins of the penitent sinner.

In the case of the Sacrament of **EXTREME UNCTION**, so clearly taught in the Epistle of James, the matter is evidently the anointing with oil. The forms used in the course of time have varied, some being deprecativ, some optative, others indicative and others imperative. Some express merely the action of the minister, others refer to some one or other of the effects of the sacrament. But in all cases, their significance is sufficiently clear.

The "matter" of the sacrament of **MATRIMONY** is most probably the mutual giving of the matrimonial right over one's body, and the "form" most probably the acceptance of this, each being expressed outwardly by words and/or signs. In other words, the matrimonial contract is the matter and form of the sacrament. Thus, the consent of the contracting parties constitutes the sacrament, for it is the consent which constitutes the contract. This consent is manifested externally, in the marriage rite.

Before we pass on to deal with the Sacrament of Order, we must make another important observation, and that is, that when we speak of the signification of the rite, we mean always the rite as regarded by the Catholic and Roman Church. For us, there is only one Baptism, and that is Baptism as regarded by the Catholic Church, i.e. baptism which forgives us our sins, fills our souls with grace, makes us children of God and members of the Catholic Church. Similarly, for us there is only one Eucharist: that is the Sacrament by which the elements of bread and wine are transubstantiated into the Body and Blood of Christ, which are offered to God the Father in memory of his Death upon the Cross. That is the signification which, in our view, is to be found in the sacramental formulæ. And when we allow that sacraments can be administered validly outside the Church, even by those who do not regard them in the same

light as we do, and who even disbelieve in the Catholic doctrine on them, it is precisely because, in spite of their disbelief, the external rite which they intend to perform, and do perform, is objectively either the Catholic rite, or, in its essentials, equivalent to the Catholic rite—in other words, they do in fact perform a rite which has the signification which Catholics attach to it.

But if, on the contrary, the heretic or unbeliever should tamper with the rite in such a way that its signification is no longer that held by the Catholic and Roman Church, but is instead the signification attached to it in the particular erroneous view held by the person administering the rite, then we could not and would not allow that the sacrament is being validly administered, for it would cease to be the sacrament as Catholics regard it. It would doubtless be adequate for its purpose if the meaning of the sacrament were really that held by the heretic or unbeliever in question. For, by hypothesis, he has altered the old signification on purpose to bring it into line with his own conception of that signification. But in point of fact the sacrament has not that signification: it has only the Catholic signification, and hence his substituted rite is no sacrament at all.

Thus, a general view of these six sacraments has shown us that only in the case of Baptism and the Eucharist can it be said definitely that the matter and form were specifically determined by Our Lord, and even in these cases there is a certain amount of variation possible in the "matter" and "form." In the case of the other five sacraments, the matter and form were not specifically determined by Our Lord, and more extensive variations are possible. But in every case, the essence of the rite obeys the rule that it must signify the effect produced.

It is to be noted that we are dealing here only with the question of the objective signification of the rite, and not with the subjective intention of the person administering the rite. That we shall discuss later.

4. Now we can turn to the Sacrament of ORDER. The Catholic conception of this is, that it is the sacrament by which Christians are raised to the supernatural dignity of the true and real Christian and Catholic Priesthood, in varying degrees. Priesthood and Sacrifice are, in every religion, correlative terms, and the nature of the priesthood necessarily depends upon the nature of the sacrifice which it is empowered to offer. Thus,

the Catholic priesthood is empowered to offer the Unbloody Sacrifice of the Mass, i.e. to offer the Body and Blood of Christ in the Mass, under the appearances of bread and wine, to God the Father, in memory of Christ's Passion and Death. This power to offer obviously presupposes the power to consecrate the bread into Christ's Body, and the wine into his Blood, and this twofold power of consecrating and offering Christ's Body and Blood is termed by theologians the power over the *natural* Body of Christ. The priest has other powers : he can absolve, preach, and minister other sacraments, to the faithful, and these are said to constitute his power over the *mystical* body of Christ, i.e. over the faithful. The episcopate is the plenitude of this priesthood, or "high priesthood." The ordinary presbyterate is the priesthood in its simple degree, i.e. without the power of perpetuating it. The diaconate is the grade which immediately serves the priesthood. And so on.

We have seen that Christ instituted an Apostolate, and that He made his Apostles priests at the Last Supper, by commanding them and thereby empowering them to do what He had done. We have also seen that bishops, presbyters, and deacons were constituted in New Testament times, by the laying on of hands, and prayer. The contents of the prayer are not specified, but, by analogy with the other sacraments, it must have given to the laying on of hands the required signification, i.e. it must have made it clear that a particular grade of the Christian and Catholic priesthood was then and there being conferred upon the candidate for orders.

We have examined the early Ordination rites, and we have found that the prayer accompanying the laying on of hands, in practically all the rites, is sufficiently explicit. It generally mentions the office by name, and often mentions some of its functions, and especially its sacrificial one. There are only one or two exceptions to this rule. Thus, the *Apostolic Tradition* does not mention the diaconate by name, but speaks of his "ministering" (*diakonein*) to the Church, and offering in the sanctuary that which is offered by chief priests, i.e. acting as deacon at Mass. It evidently becomes customary to describe the office of the deacon by mentioning Stephen as the proto-deacon. Similarly, it becomes customary in many parts to describe the presbyterate by the analogy of the elders chosen by Moses. In view of this recognised analogy, the form for the priesthood in the Sacramentary of Sarapion, and in the

Abyssinian Ordination rite, may well be regarded as sufficient. For in any case—and this is of the utmost importance—it *was abundantly clear that those who were being ordained by these rites were being raised to the priesthood with the intent that they should offer the Unbloody Sacrifice*. It is here that our principle that signification is to some extent conventional can be utilised with advantage. If in a community the presbyters who offer sacrifice are by custom compared to the elders chosen by Moses, then, by this convention, the mention of these elders is equivalent to the mention of the presbyterate. The same may be said of the word “presbyter,” as distinct from “priest” (*sacerdos*). If, in a given Christian community, it is thoroughly understood that a “presbyter” is one empowered to offer the Holy Sacrifice, then ordination to the “presbyterate” is ordination to the sacrificing priesthood. But it would of course be otherwise if the term “presbyterate” had not that connotation, but, say, the meaning it has in the Presbyterian Church of Scotland.

We have seen that, both in East and West, the primitive rite has been elaborated and developed by the reduplication of ordination prayers, and by the addition of ceremonies of investiture, etc. And in the West, the tradition of the symbols of office has been accompanied by a formula which has been by many regarded as at least a part of the essential form of Ordination. This leads us on to the question of what is the essential matter and form of priestly ordination.

The analogy of the other sacraments will be of great help here. We have seen that, in the case of Confirmation, the Church seems to have *transformed* the matter from the imposition of hands to an anointing with chrism, and that, apart from the latter, there is no real imposition of hands now in Confirmation, either in East or West. It is unthinkable that the Sacrament of Confirmation has been invalidly administered in the whole Church for so many centuries. The only possible explanation seems to be that for the primitive matter of the imposition of hands, the Church has, in her wisdom, substituted the anointing with chrism, and that there has been a similar change in the form. Now, if this has taken place in the case of one Sacrament, it could certainly take place in another. Hence it might reasonably be argued that the Church could replace the original matter of Order, i.e. the imposition of hands, by a more determinate and expressive matter, i.e. the tradition of instruments—all the more if, with St. Bonaventure, we regard this “tradition”

as itself including a "protensio manus."<sup>1</sup> And if the formula accompanying the tradition of instruments is a sufficient form of ordination, it does not seem impossible that the Church should regard this as the form, in place of the original consecratory prayer. And even the fact that the original matter and form, i.e. the imposition of hands, and the consecratory prayer, remain in the rite, would not necessarily prove that these still retained their character of essential matter and form. It is quite clear that a prayer which could be the form, and may have been the form, need not always be so. There are several prayers in the Eastern ordination rites which are sufficient as forms, though obviously there can be only one real form in the ordination rite. Again, in the Western rite the old Gallican ordination prayer has been incorporated, but it obviously is no longer the ordination form. Another example will be interesting. The present formula of absolution, "Ego te absolvo, etc.," is preceded by a deprecatory formula, "Misereatur tui omnipotens Deus, et dimissis peccatis tuis, perducatur te ad vitam æternam. Indulgentiam, absolutionem, et remissionem peccatorum tuorum tribuat tibi omnipotens et misericors Dominus." We cannot go so far as to say that this was ever used as the form of absolution, but it seems clear that the latter part, at any rate, could have been used as a form. At any rate it is true that some deprecatory formula was used as the form of absolution. But though the present form contains a deprecatory formula which might serve as an absolution, it does not, in fact, act in that way, and the Church attaches the absolving force only to the "Ego te absolvo."

But though the Church has this power of transferring the matter and form from one particular factor to another in the same rite, it does not follow that she has really done so, and we have seen that there are many theologians, who hold that the essential matter and form of Order have always been and still remain the original imposition of hands, and the consecratory prayer. In any case, supposing that the Church had, in the West, transferred the force of matter and form to the tradition of instruments, and the accompanying formula, this would not mean that a *new* ordination rite which excluded this tradition of instruments with its formula, and retained only the former imposition of hands and consecratory prayer, would necessarily be invalid. On the contrary, as that imposition of hands and prayer formerly

<sup>1</sup> Just as the anointing in Confirmation involves an imposition of the bishop's hand.

sufficed as the Church's matter and form, it *might* be considered sufficient in a modern rite which excluded the later additions.

There is, however, another consideration which would enter in here. All Catholic doctrines have undergone a certain degree of development, and have become ever more and more explicit as time has gone on. And formulæ which were quite adequate and satisfactory when doctrine had reached only a certain particular stage of development, might not be sufficiently explicit and clear at a later stage of development, and might have to be made more explicit in consequence, especially in view of heresies which had profited by the indeterminate and vague character of earlier formulæ. Thus, the simple statement of the Divinity of Christ in the Apostles' Creed had to be amplified into the more elaborate and explicit statement of the Creed of Nicea-Constantinople. And though the Church has continued to use the Apostles' Creed for various purposes, she would certainly look askance upon any Community which should deliberately reject the Nicene Creed, and should decide in future only to use the Apostles' Creed.

The same may surely be applied to the rites for the sacraments. In the course of time, these rites have certainly been made more explicit by the Church, and this is particularly true of the rites of ordination. The development has gone hand in hand with a more explicit formulation of the doctrine of the Mass and the Priesthood. The Church has continued to use the older prayers, together with the newer formulæ. But she might well look askance upon a person who rejected the later additions, and drew up an ordination rite consisting merely of the earlier prayers. This would certainly seem to imply a rejection of the later teaching of the Church, and an appeal back from the present Church to the Church of the past. The Church would no more permit this than permit the Nicene Creed to be laid aside in favour of the more primitive Apostles' Creed. At any rate, it would have to be perfectly clear that the reversion to Antiquity was not motivated by a disbelief in the later standards of Church orthodoxy.

In any case the principle we have laid down must hold good throughout all changes and variations: *the essential part of the sacramental rite must really signify the particular grade of Order which is being conferred*—and by "Order," we here mean *Order as understood by the Catholic and Roman Church*. In other words, throughout, the matter and form must signify the degree of the sacrificial priesthood, as understood in the Church. That signi-

fication may be to some extent implicit, virtual or conventional, but *it must be there*. In an ordination rite which has long been in use in a community which holds the Catholic faith on the Mass and the priesthood, we may safely regard a vague formula as implying far more than it actually and expressly says. It is this principle we have invoked when discussing certain vague Ordination rites in use in the early Church.

In some cases, the indetermination which might exist in the actual "form" accompanying the imposition of hands, might disappear in the light of other prayers, etc., in the rite. In this case there might well be reason for regarding these other prayers as really constituting, together with the supposed "indeterminate" prayer accompanying the laying on of hands, the integral "form," as in the case of the vague forms used in certain early Confirmation rites.

But in any case it must, as we have said, be perfectly clear and certain that the significance of the rite, when placed in its historical and doctrinal context and liturgical surroundings, is precisely the significance attached to the rite by the Catholic Church. No other will do.

Thus, if there be a real difference between the Catholic conception of the Christian ministry, and the Protestant conception, and if a Protestant rite of ordination is drawn up on purpose to express and signify the Protestant conception, as distinct from the Catholic conception of the ministry, then manifestly that rite cannot be regarded by a Catholic as an adequate rite for the Sacrament of Order, precisely because it has not the significance of the Catholic conception of Order, but the Protestant signification, which is, *ex hypothesi*, substantially different from the Catholic conception. A Protestant holds the Protestant conception of Order and will of course naturally regard his ordination rite as sufficient for its purpose. And so it would be if the Protestant conception of the ministry were the true one. But Catholics regard it as a false and untrue conception, and hence they cannot allow that the true, i.e. Catholic ministry, is conveyed by such a rite.

We will now discuss very briefly the question of the matter and form for the *episcopate*. The matter here seems to be clearly the imposition of hands. As to the form this obviously was originally the consecratory prayer. But as in the case of the priesthood, so also in the case of the episcopate, a later addition to the rite in the West has been, by many, regarded as the essential

form of the sacrament. We refer, of course, to the words "Accipe Spiritum Sanctum." But in view of the principle we have laid down, that the matter *plus* form must signify the effect of the rite, it is clear that the scholastics who held that "Accipe Spiritum Sanctum" is the "form" must have meant thereby that it is the "form" *when taken in conjunction with its liturgical context*, which gives the words their full significance. In other words, they must have taken it for granted that the rest of the rite of episcopal consecration made it abundantly clear that the words referred to the consecration of a *bishop*, and to nothing else. Logically, they ought to have said that the words of themselves did not constitute the whole form, but at most, only the "operative" part of the form, the rest being the prayer which determines the meaning of the words. For, once more, the essential part of the ordination rite must signify what it is to effect, if it is to effect what it signifies. In other words, the rite for the consecration of a Catholic bishop must signify that it is a bishop, *in the Catholic sense of the word*, i.e. a "high priest" or "Pontiff," who is being consecrated.

5. Having now explained the theology of the matter and form of the sacraments, we will proceed to discuss the difficult subject of "intention." The Church has defined that the person administering a sacramental rite must have the "intention of doing what the Church does."<sup>1</sup>

To understand this doctrine, the following considerations must be borne in mind.

<sup>1</sup> See Innocent III, Profession of Faith prescribed for Durandus of Osma, 18th Dec., 1208 (Denzinger, *Encheiridion*, 424); Council of Constance, 1415, Interrogation of Wycliffites and Hussites (*ibid.*, 672); Decree of Eugenius IV at Florence (*ibid.*, 695); Council of Trent: "Si quis dixerit, in ministris, cum sacramenta conficiunt et conferunt, non requiri intentionem saltem faciendi quod facit Ecclesia, A.S." (Denzinger, 854).

In our treatment of Intention in the present chapter, we deliberately prescind from the controversy which divides Catharinus from other theologians. Most of the latter hold that a person may, by a wrong internal intention, destroy the efficacy of the external sacramental rite he administers. Catharinus and a few followers, on the other hand, maintain that the will to perform the external sacramental act is in itself sufficient, and cannot be destroyed by an internal intention to the contrary. It is sometimes said that Catharinus holds that "external" intention suffices, while other theologians require "internal" intention. That is hardly accurate. Catharinus, like all other Catholic theologians, requires "internal" intention, but he says that that internal intention suffices which manifests itself "externally" in the performance of the sacramental rite. Note that in practice, as Leo XIII says, a minister who employs the external sacramental rite is thereby presumed to have the requisite internal intention—which so far is in favour of the view of Catharinus. In any case, we deliberately abstain from the controversy here, and we give instead a general treatment of Intention, which is, we think, applicable in either view. After all, the controversy has little bearing on the subject of Anglican Orders.



The administration of a sacrament is not a mechanical or automatic act, but the act of a rational human being. It is a *human* act, performed with *knowledge* and deliberate *volition*. The "minister" must, then, know what he is doing, and will to do what he does. This seems obvious. But there are difficulties. How can a person who disbelieves in Christianity, or in Catholicism, possess the dispositions of knowledge and will required to make him a fitting and proper minister of a Christian and Catholic sacrament? Yet the Church insists that heretics, unbelievers, Jews, and pagans can all baptise validly, and explains this by saying that though they may disbelieve in the efficacy of the rite (this disbelief being in the *intellect*), they may nevertheless have in their *wills* a sufficient intention to perform the external sacred rite instituted by Christ and used by the Church. A person who disbelieves in baptism and regards it as an empty and valueless ceremony, may nevertheless be willing to administer the baptismal rite to a person who asks him to do so. He may know only that baptism is some kind of sacred rite used among Christians, and be willing to administer the rite understood in that vague way. He may be ignorant of the grace it is believed to effect. Or he may be aware of the supposed effects of baptism, and may disbelieve in them. Even so, he may be willing to administer the outward Christian rite of baptism, i.e. to administer a rite containing "matter" and "form" which, in point of fact, do really signify, and by signifying produce instrumentally those effects in which he personally disbelieves. Thus, though he may expressly disbelieve in the effect, and may even expressly intend not to produce the effect, he nevertheless definitely wills to perform an act which, in point of fact, has the effect in question, and thus in that sense he may even be said to will the effect implicitly, though explicitly he wills not to produce it. This is of the utmost importance for a right understanding of the doctrine of intention. When theologians discuss exactly what kind of intention is necessary in the minister of a sacrament if this is to be valid, they take it for granted that the person is making use of a Catholic sacramental rite, or its equivalent, which really has the significance which Catholics attribute to it. And further, they suppose that the person in question deliberately wills to perform that sacramental rite. Taking this for granted, they go on to discuss what it is necessary that the minister of the rite should consciously and explicitly intend to do in performing the rite,

or in other words what his purpose is in performing the rite. And they say that it suffices that he should have the general intention of doing what Christ instituted, or what the Church does. That is to say, that is all he need intend *explicitly*. Inasmuch as he wills to perform the sacramental rite, with its signification of internal grace as taught by the Catholic Church, the minister obviously wills or intends *implicitly* or *virtually* much more than he intends *explicitly*. This again is of the utmost importance.

It is clear that the intention or purpose may be at variance with the minister's own belief or intellectual conviction, for, as we have said, a person who disbelieves in baptism may be willing nevertheless to administer it. Disbelief is in the intellect, intention is in the will. So far there is no great difficulty. But difficulties enter in when the intellectual disbelief also influences to some extent the intention in the will itself. Let us set forth the difficulty thus: For a Catholic, the "intention to do what the Church does" obviously means the intention to do what the Catholic and Roman Church does, for the Catholic and Roman Church is the one and only true Church of Christ. And it is again important to note that when theologians say that it suffices for an unbeliever to have a general intention to do what "the Church" does, they mean that he must at least will, in general, to do what "the Church" (without further specification) does, and that in this general intention, there is included, virtually or implicitly, as a particular is included in a universal, the intention to do what the *true* Church, i.e. the *Roman* Church does. In other words, he wills equivalently to do what the Roman Church does, though explicitly he only wills to do what "the Church" does.

Now, granted that such may be the case with an unbeliever who knows there is a "Church," but knows nothing, perhaps, of the "Roman Church," how can such an intention be present in a heretic, who knows indeed that there is a Roman Church, but who expressly disbelieves in its claims, and further, translates this intellectual disbelief into an intention in his will, and intends explicitly *not* to do what the Roman Church does? Before we consider this difficulty, note carefully that, in the hypothesis we are considering, the heretic does, in point of fact, administer the sacramental rite used by the Roman Church, or else its equivalent, and intends to do so, though not precisely because it is used by the Roman Church, but even in spite of the fact

that it is used by the Roman Church. Nevertheless, he administers it, and intends to do so.

We will first see how the difficulty is treated by the well-known seventeenth century theologian, SYLVIVS<sup>1</sup> :

“Sunt interdum in ministro intentiones repugnantes, ut si hæreticus baptizans intendat facere quod facit Ecclesia Christi, sed non quod Ecclesia Romana, quæ tamen sola est Christi Ecclesia ; ergo, vel tunc nihil agetur, vel intentio non est necessaria.”

He answers as follows :

“Tales intentiones non sunt formaliter repugnantes ; non magis quam assensus duarum contrariorum vel contradictoriarum, unius in universali, alterius in particulari.<sup>2</sup> . . . Et cum in una illarum intentionum minister expresse intendat facere quod facit Ecclesia Christi, in altera tantum implicite et ex consequenti contrarium velit, eo quod falso Ecclesiam Romanam existimet errare, vel non esse Christi Ecclesiam ; *generalis intentio faciendi quod facit Ecclesia, prævalet particulari.*”<sup>3</sup>

In other words, there is an absolute and unconditioned general intention in the man's will to do what “the Church” does, and his particular intention not to do what the *Roman Church* does is, not an absolute, but a conditioned intention, resulting from his erroneous opinion concerning the Roman Church, so that if he knew that the Roman Church was in reality the true Church of Christ, he would explicitly and absolutely intend to do what the Roman Church does.

Thus, his general and absolute intention to do what “the Church” does is stronger than his conditioned intention not to do what the *Roman Church* does. In a sense, he can still be said to will, implicitly and virtually, what the Roman Church does, and moreover what he does, and wills to do, is what in fact the Roman Church does.

Sylvius continues :

“Hic ergo considerandum est, an particularis intentio destruat generalem faciendi quod Christus instituit et quod Ecclesia Christi (quæcunque illa sit) facit ; quia non est necessaria particularis intentio faciendi quod Ecclesia Romana facit, sed sufficit generalis. Unde licet Donatistæ male sentirent de Ecclesia, vero tamen baptizabant ; et Calvinista errans circa Eucharistiam, vere con-

<sup>1</sup> Vice-Chancellor of Douay University, 1622-1649.

<sup>2</sup> The reference here is to Aristotle's *Prior Analytics*, II, 21, where the Philosopher explains that a man may hold a universal which implies the truth of a particular statement, which particular statement nevertheless the man denies, because of an error in his mind.

<sup>3</sup> *Commentarium in III Summæ S. Thomæ*, Antwerp, 1714, Vol. 4, pp. 221, 224.

secreat, si intendat quod Christus fecit aut fieri instituit, vel quod Ecclesia facit.

"Petes, quid si velit facere quod facit Ecclesia Genevensis, et non quod Ecclesia Romana?"

"Resp. Si talis intentio procedat ex eo quod putet Ecclesiam Genevensem esse veram Christi Ecclesiam, Romanam vero non esse Ecclesiam Christi, sacramentum perfici videtur; si autem nollet facere quod Ecclesia Romana facit, etiamsi esset vera Christi Ecclesia, et sequeretur Christi institutionem, sacramentum non subsistit, quia revera non habet intentionem faciendi quod Christus instituit."

In other words, there must not be more than a *conditioned* will not to do what the *Roman* Church does, and there must be the *absolute* will to do what Christ instituted, and what "the Church" does.

The same doctrine is set forth by other Catholic theologians. Anglicans often quote from Bellarmine, St. Alphonsus, and Cardinal Franzelin, but misunderstand their teaching. Let us see exactly what these authors say.

First, BELLARMINE. When explaining the principle, "requiri intentionem faciendi quod Ecclesia facit," he remarks:

"Sunt autem hoc loco quædam notanda. Primo, non ita requiri ut minister habeat intentionem generalem faciendi quod facit Ecclesia, ut non possit habere particularem: imo melius est habere particularem. . . . Secundo, non est opus intendere quod facit Ecclesia Romana, sed quod facit vera Ecclesia quæcumque illa sit, vel quod Christus instituit, vel quod faciunt Christiani, ista enim in idem recidunt.

"Petes, quid si quis intendat facere quod facit Ecclesia aliqua particularis et falsa, quam ipse putat veram, ut Genevensis, et intendat non facere quod facit Ecclesia Romana? Respondeo, etiam id sufficere. Nam qui intendit facere quod facit Ecclesia Genevensis, intendit facere quod facit Ecclesia universalis. Ideo enim ille intendit facere quod facit talis Ecclesia, *quia* putat illam esse membrum Ecclesiæ veræ universalis: licet fallatur in cognitione veræ Ecclesiæ. Non autem tollit efficaciam Sacramenti error ministri circa Ecclesiam, sed defectus intentionis. Atque hinc est quod in Ecclesia Catholica non rebaptizantur baptizati a Genevensibus, qui tamen dum baptizant, intendunt facere quod facit Ecclesia Genevensis et non quod facit Ecclesia Romana. Adde quod . . . Ecclesia vera Romana et Ecclesia falsa Genevensis non dissentiant quoad substantiam Baptismi, sed solum quoad accidentarias ceremonias."<sup>1</sup>

In other words, the Calvinists of Geneva employ a rite which is substantially the same as that of the Catholic and Roman

<sup>1</sup> *De Sacramentis in Genere*, in *Opera Omnia*, Vivès edn., 1870, Vol. III, p. 413.

Church ; moreover, they have the general and absolute intention of doing what the true Church does. And to understand Bellarmine's real view, we must add the following statement, which he makes on another page :

"Non tenetur minister sacramenti intendere id facere quod facit Ecclesia Romana, alioquin nullus hæreticus vere baptizaret ; sed solum id quod facit Ecclesia Christi vera, *in qua tamen intentione virtualiter includitur ut intendat id quod Romana Ecclesia intendit, quia illa sola est vera Ecclesia.*"<sup>1</sup>

Thus, according to Bellarmine, *in virtue of his general and absolute intention, the heretic really does intend, virtually, to do what the Roman Church does*, in spite of his particular intention to do, not what the Roman Church does, but what the Church of Geneva does.

So that he not only uses a rite which is the equivalent of the Roman rite, but he also has a general intention which includes virtually the intention to do what the Roman Church does.

Next, we will quote St. ALPHONSUS. He writes :

"Non requiri intentionem faciendi quod facit Ecclesia Romana, sed sufficere intentionem faciendi quod facit vera Ecclesia a Christo instituta."

He then proceeds to quote Sylvius, to the effect that if a heretic willed *absolutely* not to do what the Roman Church does, even if it be the true Church, he would *not* have the requisite intention.<sup>2</sup> St. Alphonsus also remarks that, though it is not necessary that the minister should have an explicit intention of conferring a sacrament, or of producing its effect (provided he intends to do what the Church does, "*quia tunc implicite habet intentionem conferendi sacramentum*) :

"si tamen intentionem positive contrariam habeat non conferendi sacramentum, tunc non confert sacramentum, quia revera tunc non habet intentionem neque explicitam *neque implicitam* faciendi quod facit Ecclesia."<sup>3</sup>

Later on he says that if the minister has "*duas intentiones contrarias*," "*prævalet prædominans.*"<sup>4</sup> And accordingly, he adds :

"Hæreticus valide baptizat et contrahit Matrimonium, etsi non credat hoc esse sacramentum, rideat et contemnat : immo etsi nolit facere quod facit Ecclesia Romana sed quod sua, falso putans non Romanam sed suam esse veram, etsi etiam per hoc

<sup>1</sup> *Ibid.*, p. 392. Italics ours.

<sup>2</sup> *De Sacramentis in Genere*, in *Theologia Moralis*, 1909 edn., Vol. III, p. 16

<sup>3</sup> *Ibid.*

<sup>4</sup> Page 19.

nolit conferre gratiam. Ratio, quia *intentio generalis qua vult quod Christus instituit, prævalet intentioni provenienti ex errore privato.*"<sup>1</sup>

But note that throughout, St. Alphonsus is talking of a case in which *the Catholic rite, or its equivalent, is being administered by the heretic in question.*

And also note that the heretic has the *general* intention to do what the True Church does, and this is so strong that it prevails over, and counteracts, his *particular* intention not to do what the Roman Church (which is, in reality, the True Church) does.

Lastly we come to the doctrine of FRANZELIN. He writes :

"Recte dici potest valere sacramentum, dummodo minister intentione generali velit conferre baptismum, ut solent illum conferre Christiani, etiamsi intentione speciali nolit facere quod Ecclesia facit, id est, nolit, e.g. conferre sacramentum efficax, imo nolit ut baptismus, quem vult conferre sincere ceu baptismum christianorum, sit sacramentum, nolit sanctificare baptizatum, vel nolit facere quod facit Ecclesia Romana, quam putet non habere verum baptismum etc."<sup>2</sup>

Then he quotes Innocent IV as saying :

"non est necesse quod baptizans sciat quid sit Ecclesia, quid baptismus, vel unde sit, nec quod gerat in mente facere quod facit Ecclesia, imo si contrarium gereret in mente, scilicet non facere quod facit Ecclesia, sed tamen facit, quia formam servat, nihilominus baptizatus est, dummodo baptizare intendat."<sup>3</sup>

If the minister has different intentions which are really opposed to each other, as e.g. "ut Eucharistia a se consecrata non sit sacramentum, vel ut per consecrationem, quam supponitur velle, non fiat sacrificium . . . has omnes intentiones contrarias oportet non esse ita absolutas ut intentionem alteram excludant et destruant. Sic qui ita absolute nollet fieri sacramentum, ut, si revera insit hæc ratio sacra, velit etiam non consecrare . . . utique excluderet intentionem necessariam. . . . Videndum ergo est, *quenam ex intentionibus oppositis*, quæ ambæ simul non possunt esse efficaces, *prævaleat.*"<sup>4</sup>

Franzelin is here discussing the case where the heretic is using *the Catholic form or its equivalent*, "formam servat." And he explains that the general intention to do what the true Church does will usually prevail against the particular intention not to do what the Roman Church does. And note that in spite of his particular intention, the heretic does *in fact* what the Roman

<sup>1</sup> Pages 20-21.

<sup>2</sup> *Ibid.*

<sup>3</sup> *De Sacramentis in Genere*, 3rd edn., 1878, p. 227.

<sup>4</sup> *Ibid.*

Church does : “sed tamen facit, quia formam servat,” and as he intends to do what he does in fact, he *virtually* intends to do what the Roman Church does, in spite of his particular intention to the contrary.

Thus, the heretic must (1) really do what the Roman Church does, or its equivalent, and (2) he must have a general intention to do what “the Church” does, which general intention *virtually* includes the particular intention to do what the *Roman* Church does, even though the heretic may entertain a particular and conditioned intention *not* to do what the Roman Church does.

6. In all the above cases, then, the theologians are supposing that the heretic or unbeliever is using the Catholic rite, with its matter and form, or else the equivalent of this Catholic rite.

This leads us on to consider another cognate subject, and that is, the kinds of variation which are possible in a sacramental form, and the effects of such variation upon the validity of the sacrament. Here again we may take SYLVIVS as our guide.

He asks :

“Quæ mutatio tollat veritatem Sacramenti?”

and replies,

“Substantialis tollat, non accidentalis. . . . Vocatur autem substantialis quæ sensum variat ; accidentalis quæ ipsum non variat.”

He enumerates the “varii mutationis formæ modi” discussed by the Scholastics :

“Primus est si assumantur verba alterius idiomatis.”

Translation from one language to another does not affect the validity of the form, if the sense is preserved.

“Secundus . . . quando intra idem idioma sumuntur alia verba, synonyma illis quibus Ecclesia uti consuevit. Si hæc verba revera idem significant, non ex privata cujuspiam institutione, sed ex publico et communi usu . . . sacramentum perficitur, quia erit mutatio tantum accidentalis. Ut si, pro ‘Absolve te a peccatis,’ diceret quispiam, ‘remitto tibi peccata,’ . . .”

Now we get an important principle :

“Si vero sumantur vera æquivoca, quæ in una significatione referunt eundem omnino sensum quem habent verba sacramentalia, in alia vero diversum, sed ex animo et intentione proferentis determinantur ad significationem et sensum verborum formæ, ratum erit sacramentum ; secus vero si alieno a verbis formæ sensu proferantur.”

In other words, *if the new form is ambiguous, its validity will depend upon the sense in which it is being used*, and it will not be valid unless it is being used in the Catholic sense.

The third kind of change is by the transposing of the words of the form. This will be only an accidental change, if the sense remains.

The fourth is by interruption. The interruption will be fatal if it is so great as to destroy the unity and sense of the form.

The fifth mode is by addition, and the sixth by subtraction.

“Quibus sacramenti veritas tollitur, si debitus verborum sensus non manet. Ut si vel addatur aliquid falsi, formam afficiens, vel subtrahatur aliquid essentielle. Veluti si Arianus diceret, ‘Ego te baptizo in nomine Patris majoris, etc.’ . . . Dixi formam afficiens. Nam si formæ integræ attexeretur aliquid impertinens, quod nec formam afficeret, nec ejus sensum variaret, esset mutatio solum accidentalis, etiam si veræ fidei repugnaret. Ut si consecrans postquam dixit ‘Hoc est corpus meum,’ diceret ‘quod de cœlo sumptum est,’ hoc adjiciens non ut partem formæ, sed simpliciter volens errorem suum indicare aut etiam introducere, valida esset consecratio ; secus si additionem illam faceret partem formæ, quia tunc forma ipsa redderetur falsa.”

The seventh way is by corruption. If the corrupted form still retains the original sense, “secundum communem morem intelligendi,” the sacrament is valid. “Quando autem per corruptionem novus sensus inducitur ; vel est mutatio substantialis, vel certe forma redditur dubia.”

Next, Sylvius discusses the bearing of the intention of the minister upon the nature of the mutation of the form : “An ex intentione proferentis pendeat ut mutatio sit substantialis vel accidentalis, ita scilicet ut si intendat novum ritum aut errorem introducere in Ecclesiam, irritum fit sacramentum ?”

He replies :

“In mutatione quæ reddit sensum ambiguum, attendenda est intentio ministri ; si enim sua mutatione sic intendat introducere errorem, ut non verum sensum formæ sed falsum significare velit, mutatio erit substantialis, et ex defectu formæ, sacramentum non subsistet, ut si baptizans ‘in nomine Patris et filiæ, etc.’ intenderet significare quod in divinis sit filia, aut si formæ baptismi adderet ‘et B. Virginis,’ intendens eo modo baptizare in nomine ipsius, quomodo baptizat in nomine Patris. Si autem in oratione ambigua, intendit sensum Ecclesiæ, vel dictam additionem faciat solum ad petendum suffragium B. Virginis, cujus intercessionem baptizatus adjuvetur, mutatio erit accidentalis. . . .

“Non pendet ex sola intentione ministri volentis introducere errorem aut ritum novum ab Ecclesia non toleratum, ut mutatio



sit substantialis. Nam . . . cum errore privato potest consistere generalis intentio faciendi quod Ecclesia facit. Quapropter, si errorem illum non exprimit in forma, vel exprimit quidem, sed sic ut per expressionem non vitietur legitimus sensus formæ, erit mutatio accidentalis. Si autem sic formam exprimat ut inde sequatur ejus falsitas, et verus sensus ab Ecclesia intentus destruat, erit substantialis, quia deest legitima forma."<sup>1</sup>

ST. THOMAS argues in his *Summa*<sup>2</sup> that if, by changing the rite, the heretic "intendat, per hujusmodi additionem vel diminutionem alium ritum introducere quod non sit ab Ecclesia receptus, *non videtur* perfici sacramentum, quia *non videtur* quod intendat facere id quod facit Ecclesia." But this guarded language shows that the intention to introduce a new rite merely argues a *presumption* that the intention to do what the Church does is absent, but it does not definitely *prove* it. Hence St. Thomas goes on to say: "oportet considerare utrum per talem mutationem tollatur debitus sensus verborum, quia *si sic, manifestum est quod tollitur veritas sacramenti.*"<sup>3</sup>

Later theologians like Sylvius all agree that one cannot infer *immediately* that the introduction of a new rite, not received by the Church, manifests an insufficient intention to do what the Church does. Thus, DE LUGO :

"Duplex regula solet communiter tradi pro dignoscendis mutationibus quæ in forma destruunt valorem sacramenti et illis quæ valorem non destruunt. Prima regula est: mutatio illa, sive per additionem sive per ablationem, sive ullo modo fiat, quæ *non corrumpit verum sensum formæ, non tollit valorem sacramenti.* Secunda regula est, mutatio quovis modo facta *corrumpens verum sensum formæ, semper destruit valorem sacramenti.*"<sup>4</sup>

SUAREZ himself is particularly explicit :

"Quando per mutationem nullo modo variatur sensus formæ, non potest esse substantialis propter solam intentionem ministri volentis introducere novum ritum, neque etiam propter eam causam præcise sumptam sacramentum erit nullum, quia cum illa intentione potest simul esse intentio faciendi sacramentum, et ita poterunt concurrere omnia ad veritatem sacramenti necessaria. Quod si interdum defuerit intentio faciendi sacramentum, tunc quidem sacramentum erit nullum ; non tamen propter mutationem formæ, aut materiæ, quæ de se sufficerent, cum solum accidentalis mutatio in eis facta sit, sed ex alio defectu intentionis. . . . Unde fit nihil referre, quod quis intendat aliquid addere ut essenziale,

<sup>1</sup> *Commentarium in Summa S. Thomæ*, 1714, Vol. IV, p. 191-192.

<sup>2</sup> III, q. 60, art. 8.

<sup>3</sup> *Ibid.*, italics ours.

<sup>4</sup> *De Sacramentis in Genere*, Disp. ii, § vi, 106, in *Disputationes*, Vivès edn. 1869, Vol. III, p. 242. Italics ours.

quod essenziale non est ; nam, si nihil ex essentialibus excludat, nec sensum formæ variet, mutatio non est substantialis, nec necessario excluditur intentio faciendi sacramentum. Dices : hoc ipso quod aliquid additur ut essenziale, quod a Christo non est impositum, mutatur signum, nam est aliud totum quam a Christo sit institutum. Respondetur negando assumptum, quia in prædicto casu vere ponitur in forma quidquid Christus instituit, et quamvis materialiter et ex privato errore addatur aliquid quod putatur a Christo etiam esse additum, tamen *illud non mutat sensum*, et ita non excludit id quod Christus instituit, et per generalem intentionem faciendi sacramentum corrigitur privatus error, et ex vi illius intentionis exhibetur signum quod Christus voluit exhiberi, licet per accidens aliquid illi addatur.

“Quando per mutationem redditur *ambiguus* sensus formæ, tunc, si minister ita intendat introducere novum ritum, *ut non intendat verum sensum sed falsum atque erroneum per talem formam significare*, tunc mutatio est substantialis, et sufficiens ad irritandum sacramentum, non solum ex defectu intentionis, sed etiam ex defectu veræ formæ. . . . Diximus enim, si fiat animo significandi aliud quam per formam significetur, mutationem esse substantialem ; sed idem est in præsentī. Et ratio est clara, quia in eo casu formaliter et proprie *aliud est signum quod minister exhibere intendit, quam quod Christus instituit*, nam quod materialis sonus sit idem vel diversus, non refert . . . sed significatio est attendenda ; hic autem, licet verba quoad materialem sonum sit eadem, vel parum diversa, tamen significatio quæ intenditur est longe alia, et *per intentionem proferentis determinantur verba ad talem significationem* ; fit ergo tunc substantialis mutatio, sicut e contrario est substantialis identitas, quando significatio est eadem, licet sonus vocis varietur.”<sup>1</sup>

And lastly FRANZELIN :

“Quoad formam verborum, omnis dubitatio quæ incidere potest, eo tantum revocatur, utrum significatio ab Institute intentione et significandi modus ab Ipso statutus observentur. . . .

“Videtur ergo indicari, errorem ministri contra fidem efficere posse ut forma, ceteroquin sufficiens, sit invalida. At hic distinguī debet imprimis valor sacramenti pendens ab intentione ministri, et pendens a sinceritate formæ. Si minister studio corruptat verba ex ea intentione ut non faciat quod facit Ecclesia et non conferat sacramentum, hoc erit utique irritum, etiamsi corruptio per se non esset substantialis, tum vero nullitas sacramenti non provenit ex defectu formæ, sed ex defectu necessariæ intentionis. . . . Si verba adhibita in forma non sint ambigua significationis sed ex usu communi sensum tantum unum habere possunt eumque genuinum ab Institute sacramenti præscriptum, nullus error ministri potest efficere ut forma illa non sit sufficiens. Sed si verba corruptantur ita ut sensum habere possint vel genuinum formæ sacramentalis vel alium diversum . . . tum sane forma legitima

<sup>1</sup> In III Summa, q. 60, art. 8, Disp. ii, sect. v. 10, in *Opera Omnia*, Vivès edn., 1860, Vol. XX, p. 49. Italics ours.

non erit si a ministro adhibeantur ad hunc diversum a significatione formæ sacramentalis et erroneum sensum exprimendum."<sup>1</sup>

We gather from all this that the principle by which all such changes must be judged is the principle that, for a sacrament to be valid, *the essential sense or meaning of the rite must remain*. A new rite may be introduced, and possibly with heretical intent, but *if the meaning of the central part of the rite remains unchanged, the sacrament will still be valid*. But *if the meaning is clearly changed, it will be invalid*. *If the new form is ambiguous, and its meaning therefore doubtful, its meaning will depend upon the intention of the person drawing it up and using it*, inasmuch as it is his intention that determines the real sense of the rite.

7. Obviously the theologians who allow that the intention of the minister determines the meaning of an otherwise ambiguous rite, presuppose that this intention can be investigated, and this implies that it is manifested externally in some way. And it is precisely these external manifestations which enable the Church to judge concerning the presence or absence of an intention determining the ambiguity of the rite.

We have seen that an addition to the form does not destroy the sacrament, provided the sense of the form is unchanged, and that the same is true if the form is merely paraphrased. This consideration obviously makes it possible for there to be, in the course of time, a development of a sacramental rite which may involve a certain reduplication of the form; the original form may remain, but another may be added. This seems to be what has happened in the development of the ordination rite, both in East and West. And this may naturally lead to some uncertainty and difference of opinion as to which is the substantial form—one of the formulæ in question, or both. And it may be argued that this would lead to uncertainty in the administration of the sacrament, for a priest might erroneously direct his intention to the formula which perhaps is not now the form chosen by the Church. Thus, it might be argued that, if the form of ordination is really the consecratory prayer which accompanies the imposition of hands, a bishop who regarded the form as the "Accipe potestatem" accompanying the tradition of the instruments, does not truly ordain, as this is not really the sacramental form.

Again, the same difficulty would present itself *à propos* of the

<sup>1</sup> *De Sacramentis in genere*, thesis v, in 1878 edn., pp. 47, 49.

consecration of the Eucharist, for certain Greeks think, erroneously, that the consecration is completed only by the epiclesis, or else that it is the effect of the epiclesis exclusively. Do they really consecrate? A similar difficulty is discussed by Sylvius :

“ Sacerdos nesciens quibus verbis fiat consecratio, vere consecrat ; huic tamen deest intentio, quia oportet eam esse circa formam sacramenti.

“ Resp. Sacerdos potest habere generalem intentionem faciendi quod facit Ecclesia, etiamsi nesciat quibus verbis fiat consecratio, vel putet consecrationem non fieri. *Neque necesse est intentionem versari circa formam, sed circa actum totum in genere.*”<sup>1</sup>

In other words, the general intention to administer the sacramental rite suffices, and this will be present even when different views are held as to the essential form of the sacrament.

The above considerations all apply, *pari passu*, to the *matter* of a sacrament, as well as to its *form*.

Before we leave the subject of Intention, there is one other point which calls for brief discussion.

It is objected that our general doctrine of Intention makes it quite uncertain whether a Sacrament is ever validly administered or received, for no one can ever know whether or not the intention in the mind of the minister is adequate or not.

We will deal with this objection by quoting Sylvius again. He states the objection as follows :

“ Si necessaria sit intentio, nemo certus erit se esse baptizatum, quia latentem alterius cogitationem cognoscere non possumus.”

Here is his answer :

“ Ad pacandos hominum animos, sufficiat certitudo moralis. Cum enim Ecclesia non agnoscat occulta cordis, *de veritate sacramentorum iudicat ex materiæ et formæ veritate, supponens semper intentionem ministrî, quamdiu contrarium exterius non exprimitur.*”<sup>2</sup>

In other words, when a minister employs the proper matter and form, it is reasonable to suppose that he has the requisite intention, and this may be presumed, in the absence of any indication to the contrary. This is the principle laid down also by Leo XIII in *Apostolicæ Curæ* :

“ De mente vel intentione, utpote quæ per se quiddam est interius, Ecclesia non iudicat : at quatenus extra proditur, iudicare de ea debet. Jamvero *quum quis ad sacramentum conficiendum et conferendum materiam formamque debitam serio ac rite adhibuit, eo ipso censetur id nimirum facere intendisse quod facit Ecclesia.*”<sup>3</sup>

<sup>1</sup> *Op. cit.*, pp. 221 and 224.

<sup>2</sup> C.H.S. edn., pp. 12-13. Italics ours.

<sup>3</sup> *Op. cit.*, pp. 221, 224.

What the Church discusses and judges, then, in particular cases, is not the internal intention of the minister taken in itself, for she has no information on this, but the internal intention as manifested externally. If the proper rite is used, or its equivalent, the internal intention will be judged to be sufficient ; but if the rite is altered in such a way that the sense of the form is changed substantially, then, inasmuch as the internal intention is manifested by the rite, the intention will be judged to be insufficient, and the sacrament in question will be invalid, not *only* because of a substantial defect in the rite itself, but *also* because of a lack of the proper intention, manifested thereby.

8. Thus, we may sum up the Catholic theological position as follows :

(1) A sacramental rite must signify the grace which, according to Catholic theology, it is to convey.

(2) This signification will be found normally complete in the combination of matter and form which constitute the essential part of the sacrament.

(3) In some cases it is conceivable that the *complete* signification may not be found fully in the central action of the rite, but if so it will doubtless be found in the accompanying prayers and ceremonies, which make the meaning of the central action of the rite (matter and form) abundantly clear.

(4) It is possible that this signification may depend to some extent upon conventional symbolism.

(5) Heretics and unbelievers who administer properly the Catholic sacramental rite, or its equivalent, administer the sacrament validly, provided they "intend to do what the Church does." It is not necessary for them to intend *explicitly* to do what the Roman Church does, and it is even possible that they may explicitly will *not* to do what the Roman Church does. But this particular intention is counteracted by their general intention to do what the true Church does, and inasmuch as the true Church is the Roman Church, they have a virtual and implicit intention to do what the Roman Church does. Moreover, they *intend* to do what they do, and in point of fact, they do what the Roman Church does, or at least its equivalent.

(6) If heretics change the essential part of the rite in such a way that it ceases to signify the grace of the sacrament, as understood in the Catholic Church, the sacrament will be invalid.

(7) If their new form is ambiguous, the question of its validity

depends upon their intention. If their intention is to introduce a heresy destructive of the essential nature of the sacrament, the form is invalid. If, however, their error or heresy does not affect the essential nature of the sacrament, this can be valid.

(8) Thus, the mere introduction of a new rite is not in itself more than a presumptive indication of an insufficient intention, or a defective form. These must be examined and discussed on their merits.

We will now proceed to examine some concrete cases in which these principles have been applied in the Church's history. These will enable us to understand the better her application of them to the Anglican Orders question.

First, we will show how the theological principles set forth are applied to the subject of MATRIMONY. We have explained that the consent to the contract constitutes the essence of matrimony. Now, Christian Marriage is an indissoluble contract. Is it possible, then, for a man who personally thinks that marriage is dissoluble to contract a real Christian marriage, i.e. an indissoluble union? Yes, because consent is an act, not of the intellect, but of the will. His belief affects his intellect, not necessarily his will. "It is possible for the will to make a perfectly valid consent, even though the intellect erroneously assents to views which are at variance with the true nature of the contract. . . . A non-Catholic, while believing marriage to be dissoluble, can intend to contract an indissoluble union out of regard for the religious principles of the Catholic party."<sup>1</sup>

But on the other hand, if the error in the intellect leads to a positive *act of the will excluding* the indissolubility of marriage, then the marriage is invalid.<sup>2</sup> This invalidity would be by reason of defective *intention*. Such a marriage might also be invalid because the wrong intention was expressed outwardly in the very form of the contract itself, in which case the marriage would *also* be invalid because of a defect in the *matter and form* of the sacrament.

The next example we will discuss is that of heretical BAPTISM. The Holy See gave in 1877 a definite decision and direction concerning the validity of baptism as administered by Methodists, who do not believe that the rite has any effect upon the soul :

"Dogma fidei est Baptismum a quocumque sive schismatico, sive hæretico, sive etiam infideli administratum, validum esse

<sup>1</sup> Canon Mahoney, in *Clergy Review*, Jan., 1931, p. 30.

<sup>2</sup> *Ibid.*, p. 32.

habendum, dummodo in ejusdem administratione singula concurrerint, quibus sacramentum perficitur, scilicet debita materia, præscripta forma, et persona ministri cum intentione faciendi quod facit Ecclesia. Hinc consequitur errores peculiare, quos ministrantes sive privatim sive etiam publice profitentur, nihil officere posse validitati baptismi, vel cujuscumque sacramenti, quia, ut loquitur S. Augustinus, sacramenta ubique integra sunt, etiamsi prave intelligantur, et discordiose tractentur.<sup>1</sup> Imo, quod præsertim in casu de quo agitur notandum est, peculiare errores ministrantium per se et propria ratione neque excludunt illam intentionem quam minister sacramentorum debet habere, faciendi nempe quod facit Ecclesia. Etenim, ut sapientissime observat Cardinalis Bellarminus, 'Concilium Tridentinum in canone xi non nominat finem sacramenti, neque dicit oportere ministrum intendere quod Ecclesia intendit, sed quod Ecclesia facit. Porro quod Ecclesia facit, non finem, sed actionem significat. Denique ex praxi id constat. Nam neque vetus Ecclesia rebaptizabat baptizatos parvulos a Pelagianis, nec nos rebaptizamus baptizatos a Zwinglianis et Calvinistis, et tamen scimus omnes istos baptizare sine intentione veri finis qui est tollere originale peccatum.' Unde Benedictus XIV hæc ad rem facientia verba gravissima habet: 'Caveat Episcopus ne incertam et dubiam pronunciet baptismi validitatem hoc tantum nomine quod hæreticus minister, a quo fuit collatus, cum non credat per regenerationis lavacrum deleri peccata, illud non contulerit in remissionem peccatorum, atque ideo non habuerit intentionem illud conficiendi prout a Christo Domino fuerit constitutum: siquidem cum in Galliis disputatum olim fuerit an ob prædictam rationem rebaptizandi essent baptizati a Calvinistis, S. Pius V. ad quem controversia delata est, minime rebaptizandos definivit; sacramenti enim validitati non officit privatus ministri error, cui prævalet generalis ejusdem ministri intentio faciendi quod Christus instituit, seu quod fit in vera Christi Ecclesia.'<sup>2</sup> Huic doctrinæ adhærens Sacra Congregatio jam in feria IV die 18 dec. 1872 Vicario Apostolico Oceanicæ Centralis, qui sequentia dubia proposuerat, videlicet,

1. Utrum baptismus ab illis hæreticis (methodistis) administratus sit dubius propter defectum intentionis faciendi quod voluit Christus, si expresse declaratum fuit a ministro antequam baptizet, baptismum nullum habere effectum in animam.

2. Utrum dubius sit baptismus sic collatus si prædicta declaratio non expresse facta fuerit immediate antequam baptismus conferretur, sed illa sæpe pronuntiata fuerit a ministro, et illa doctrina aperte prædicetur in illa secta?

respondit:

Ad primum, Negative, quia non obstante errore quoad effectus baptismi, non excluditur intentio faciendi quod facit Ecclesia.

Ad secundum: provisum in primo."<sup>3</sup>

<sup>1</sup> S. August., *de Bapt.*, lib. 3, cap 15, n. 20.

<sup>2</sup> *De Synod. Dioces.*, lib. 7, c. 6, n. 9.

<sup>3</sup> *Collectanea S.C.P.F.*, 1465.

The Holy Office goes on to say that the said errors "per se non posse inducere generalem præsumptionem contra validitatem sacramentorum in genere, et baptismi in specie, ita ut ea ipsa sola statui possit practicum principium omnibus casibus applicandum, vi cuius quasi a priori, ut aiunt, baptismus sit iterum conferendus."

Hence, a baptism is valid if the proper matter and form is used, even though it is administered by a Protestant who declares beforehand that the rite has no effect upon the soul. This error affects his intellect, not the intention in his will. And in any case, the error has to do only with the internal grace of the sacrament, not with the external rite, which the minister wills to perform, and this external rite in point of fact *does signify and by signifying effects precisely that result in which the minister disbelieves.*

In this connection it may be of interest to note that in 1868 the Sacred Congregation of Rites insisted on an important alteration being made in a work called *Notes on the Rubrics of the Roman Ritual*, by the Rev. J. O'Kane, Senior Dean of St. Patrick's College, Maynooth :

"Corrigatur locus in quo asseritur modo ubique et etiam Romæ prævalere usum iterum baptizandi sub conditione qui ex Protestantismo ad unitatem Catholicam redeunt. Siquidem Romæ juxta Decretum Sacræ Universalis Inquisitionis in singulis casibus examinari debet an iterum sit conferendus Baptismus."

Thus Rome has gone out of her way to maintain that Protestants can baptize validly, and has practically forbidden any general and indiscriminate practice of rebaptising all Protestants conditionally. In spite of their errors, Protestants may have a valid matter and form, and a sufficient intention.

Thus, there is no reason why the Anglican, or any similar Protestant baptismal rite should not be regarded as valid, provided it has been properly administered. It matters not that the rite may contain prayers which enunciate the Protestant disbelief in baptismal regeneration, etc.

The same principles can be applied to the validity of the EUCHARIST when celebrated according to the two Edwardine Prayer Books, and subsequent editions, by a validly ordained priest. The matter of the sacrament is bread and wine, and the form is the words of consecration. There is no reason why a priest should not validly consecrate by a rite which contains the formula of consecration, even though the rite may also contain prayers which repudiate the Sacrifice, and imply a heretical



view of the Real Presence, as is the case with the Anglican Prayer Books in question.

The only question arises if the words of institution are obviously not meant to be an act of consecration of the bread and wine, i.e. if they are meant to be read merely as a historic discourse. In such a case it is indeed arguable that there would be no consecration, and this not so much because of a defect of the form, as of a defect in the intention. There is good reason to suppose that the use of the Second Prayer Book of Edward VI supposes this defective intention, for the way in which the words are set forth, and embedded in a heretical prayer, seems to indicate that no consecration is intended. It seems safe to say that contemporary Catholic writers are trustworthy witnesses in this respect, and we have seen that Bishop Scott of Chester asserted in 1559 that in the Second Prayer Book of Edward, as revived in Elizabeth's reign, there was no real act of consecration of the Eucharistic elements.<sup>1</sup> A similar statement was made by Abbot Feckenham.<sup>2</sup> Also, Chancellor Thomas Heskins said that the new Elizabethan ministers "do not, so rehearsing Christ's words, consecrate his Blessed Body," because they intend, "as they find it bread and wine, so to let it remain and so to receive it," i.e. their intention is defective.<sup>3</sup>

But there *does* seem to be provision for a valid consecration in the First Book of Edward, and, as we have seen from Franzelin,<sup>4</sup> provided the consecration is willed absolutely, the other intention "ut non fiat sacrificium," as expressed in the prayers of the Anglican service, does not destroy the Eucharistic Sacrifice itself, which consists essentially in the twofold consecration, which is assumed here to be real and effective.

We can pass on now to some special applications to ORDINATIONS.

We have, firstly, the ordinations performed by Cranmer and his Protestant colleagues, according to the Pontifical rite. Such ordinations and consecrations were judged by the Holy See to be valid, in spite of the fact that, at the time they were performed, the officiating bishops disbelieved in the Catholic doctrines.<sup>5</sup>

<sup>1</sup> See passage quoted on pp. 211-12.

<sup>2</sup> See passage quoted on p. 366.

<sup>3</sup> See p. 214.

<sup>4</sup> Passage quoted on p. 684.

<sup>5</sup> This is clear from the categorical statement of Pope Paul IV that "declaramus eos tantum episcopos et archiepiscopos qui non in forma ecclesie ordinati et consecrati fuerunt, rite et recte ordinatos dici non posse," and the tacit recognition of the orders conferred during the schism, in the Faculties issued to Pole by Pope Julius III.

Similarly, the ordinations conferred in the nineteenth century according to the Pontifical rite by Talleyrand, at that time an unbeliever, were recognised as valid by the Catholic authorities, because he used the proper rite, and thereby was considered to have the intention of doing what the Church does.

A certain Anglican bishop, Dr. Ryle of Liverpool, according to reports, is said to have told his candidates for ordination that he did not intend to make them sacrificing priests, but ministers of the Gospel. Would this necessarily invalidate their ordination? Cardinal Vaughan argued that it *would* do so. Gasparri, as we have seen,<sup>1</sup> dissented from this view, and in any case it would seem clear that, *supposing the Anglican rite to be in itself sufficient*, the expressed disbelief in the sacrificial priesthood would not necessarily destroy the "intention to do what the Church does."

9. With these examples before us, we can now pass on to the question of Anglican Orders, and the Church's condemnation of them. We have seen that, from their very beginning, they were rejected as invalid by the Catholic authorities here and in Rome, and always for the same main reasons, i.e. because of a defect of form and intention.

It must be obvious, *a priori*, that if the Church has been so insistent upon the truth that heretics can administer sacraments validly, and in particular, that Anglicans can administer baptism validly, and has nevertheless rejected Anglican orders absolutely, there must be some serious grounds for her attitude.

The key to the whole question is to be found in the *absolute change of the ordination rite*. The baptismal rite was also changed, indeed, but the central matter and form, which had been traditional throughout the Christian ages, was retained intact. The Eucharistic rite was similarly changed, and in a definitely heretical direction, but at any rate in the First Prayer Book, and probably in the books issued since, the essential matter and form was retained, i.e. the recital of the words of institution over the bread and wine, with intent to consecrate these. The formula of absolution was also retained, though relegated to the office for the Visitation of the Sick.

But the Ordination service was changed and remodelled in a far more drastic way than any of the other rites. We must discuss very carefully the character of the changes made.

<sup>1</sup> See p. 539.

We can begin with the remark that if the Anglican Reformers had retained the old Catholic consecratory prayer, *or* the formula accompanying the tradition of instruments in the old rite, there would be good reason for supposing that ordinations carried out according to the Anglican rite are valid, in spite of all the heresies to which the Anglican Church is committed. But they did not do so. They eliminated practically all that had been previously regarded as essential in the Catholic rite. Further, they might have rejected the Western Ordination rite, and adopted instead a translation of some other rite used in the Church, as e.g. one of the Eastern forms. Again, had they done this, there would be very good reasons for holding that Anglican Orders are valid. The Anglican Reformers might even have restored a form of prayer used in the early Church, such as those found in the *Apostolic Constitutions*, the existence of which was known to them. But they did none of these things.

Instead, they drew up an entirely new rite, based in great measure upon a German Lutheran ordination rite composed a little while previously by Martin Bucer. We have explained in detail how far they merely copied Bucer, and how far they adapted his service to English needs.

Obviously, to determine the meaning of this new rite, and in particular of its central part, the language used in it must be examined very carefully. Had the Reformers adopted one of the many rites previously used in the Catholic Church, we could have assumed that the terminology was being used in the traditional sense. But this assumption can hardly be made when an *entirely new* form is being drawn up.

We will pass over the form for the Anglican diaconate, and consider in turn the rites for the priesthood and the episcopate, from the standpoint of Catholic theology.

We will, however, make every possible concession which might reasonably be claimed by the Anglicans. Thus, we will suppose that the imposition of hands is, alone and by itself, still the adequate and sufficient "matter" of the ordination rite, though the Western Church has added the tradition of instruments, etc. We have seen that the Church has, in all probability, substituted unction as the matter of the sacrament of Confirmation, in place of the original imposition of hands. But we will suppose that she has not acted in a similar way in the case of the Sacrament of Order.

Further, we will take the most generous view possible of the "form" of the Sacrament of Order. We will not even argue on the basis of the generally accepted theory that the form must be simply and solely the words accompanying the matter, which is, in the Anglican rite, the laying on of hands. Many Catholic theologians have allowed that there is a *twofold* matter and form in the Sacrament of Order, occupying separate and distinct positions in the Catholic Ordination rite. De Lugo, in particular, held the following view: the "matter" of ordination is the (first) imposition of hands, together with the tradition of instruments, and the last laying on of hands, while the "form" is the formula "*Accipe potestatem offerendi Sacrificium*" which accompanies the tradition of instruments, together with the formula accompanying the last laying on of hands. His theory is:

"Ecclesiam Latinam retinuisse utique priscum illum ritum ab Apostolis introductum ordinandi sacerdotem per manus impositionem, illam tamen materiam magis explicitam reddidisse, adjungendo traditionem panis et vini, quod Græci non faciunt; ita ut ex manus impositione, et traditione panis et vini, fiat una integra materia magis explicita cum forma, quæ tunc profertur explicante potestatem solam ad sacrificandum: postea vero adhibetur iterum alia manus impositio cum altera forma explicante potestatem ad absolvendum. . . . Nec obstat, primam manus impositionem fieri absque prolatione formæ. . . . Postquam imponitur manus sacerdotibus, usque ad illa verba, *Accipe potestatem*, etc., eadem actio moralis continuatur unguendo illos, et præparando, ut magis congrue recipiant gratiam sancti Spiritus. Postea vero explicatur magis materia, et apponitur alia pars ejusdem materiæ simul cum forma; quare distantia illa, quæcumque illa sit, non tam est inter materiam et formam, quam inter partem et partem materiæ. . . . Cum de creando sacerdote agitur, tota illa actio, quibus ei insignia, vestes, instrumenta, et alia solemniter dantur, censetur esse una et eadem actio."<sup>1</sup>

Gasparri thought that a similar theory might be applied to the Anglican rite.<sup>2</sup> The "matter" in this rite is, indeed, the single laying on of hands, but the "form" may not be confined to the words accompanying the imposition of hands, but may include also the other prayers which precede and follow this in the Anglican rite. We have seen that a similar theory is suggested by Van Noort in the case of the early forms for Con-

<sup>1</sup> *De Sacramentis*, Disp. ii, sect. V, 98, in *Disputationes*, Vivès edn., 1869, Vol. III, p. 240.

<sup>2</sup> See pp. 541-3.

firmation.<sup>1</sup> Accordingly, we will apply a similar theory to the Anglican rite of ordination, *so far as this may be possible.*<sup>2</sup>

Now, the Anglican rite of ordination consists of (1) a preparatory part, and (2) the ordination itself. The first, i.e. preparatory part of the rite, includes the presentation of the candidates to the bishop, the Litany, the Oath of Supremacy, Admonition, and Examination, directed to the determination of the fitness and disposition of the candidate for orders. It is only after this that the Ordination proper begins. Accordingly, *we cannot allow that any prayer or formula in this first part of the rite can possibly constitute part of the "form" of the sacrament.*

But after the examination, in the case of both priest and bishop, we have the *real* ordination, consisting of (1) a prayer, (2) the imposition of hands together with a formula, and (3) the delivery of a Bible, together with another formula.<sup>3</sup>

We will suppose, then, that the Anglican "form" of ordination consists of the combination of prayers and formulæ found in this second and main portion of the rite.

The first feature in the Anglican rite for priests which calls for examination is the prayer which precedes the imposition of hands, and beginning "Almighty God and heavenly Father." It evidently takes the place of the beautiful and explicit consecratory prayer in the Catholic rite. But this new prayer is simply a translation of the Latin prayer composed by Martin Bucer for his Lutheran ordination rite, and as Brightman says, it is "rather for the Church in general than for the ordinands in particular."<sup>4</sup> Moreover, it does not even mention the particular office which is to be or is being conferred upon the ordinands, but merely speaks in general terms of "apostles, prophets, evangelists, pastors and doctors," and of the "office and ministry of the salvation of mankind," all references to any sacrificial functions of the ministry in general, and of the priesthood in particular, being excluded.

It is clear that, at any rate, taken by itself, such a prayer cannot be regarded as a sufficient ordination form, for it fails to signify the Catholic priesthood, as Catholics understand it. Obviously it does not signify the Catholic priesthood *explicitly*,

<sup>1</sup> See p. 670.

<sup>2</sup> We confine our examination to the Edwardine Ordinal, in use from 1550 to 1661.

<sup>3</sup> In the First Prayer Book, the chalice and paten were given together with the Bible to the new priests, and the pastoral staff together with the Bible to the new bishop. But the formulæ were the same as those of the Second Book of Edward and the Elizabethan Book.

<sup>4</sup> *Liturgy and Worship*, p. 170.

and there is no phrase in it which might be said to signify the sacrificial priesthood *implicitly*.

But perhaps this defect in the prayer preceding the imposition of hands is remedied in the remainder of the rite? Accordingly, we pass on to the formula accompanying the laying on of hands. This consists of two parts :

- (1) The words "Receive the Holy Ghost, whose sins, etc."
- (2) The injunction, "Be thou a faithful dispenser of the Word of God and of his Holy Sacraments."

As to the first formula, the commission to forgive sins, this was never used in any Catholic rite as constituting *in itself alone* the form for the conferring of the priesthood. At most it was used in some Catholic rites for the conferring of one of the powers of the priesthood, and that a *secondary* power, i.e. the power to absolve from sins.

Clearly this formula does not signify the Catholic priesthood *explicitly*. Could it be said to signify it *implicitly*, on the ground that it is to the priesthood that this power is in fact attached? If there were such an essential connection between the sacrificial priesthood and the absolving power that the power to absolve could not be conceived as belonging to any but a sacrificing priest, in the Catholic sense, then it might be argued that the mention of the absolving power was an implicit signification of the Catholic priesthood. But in point of fact there is no such essential connection between the two powers, and there are many Anglicans who believe in the absolving power, but not in the sacrificial power. But though there is no such essential connection between the two, it is conceivable that, in a Catholic community, *by convention*, the mention of the absolving power *might* have been taken as a symbolic expression of the priesthood. This is possible, but not likely, for after all, the absolving power is not peculiar to priests, but is possessed also by bishops. In any case, it is clear that *whatever signification the mention of this absolving power might or might not have had in a hypothetical Catholic community, it did not, in the Anglican Church in the sixteenth century, have the signification of the Catholic sacrificial priesthood.*

No Anglican bishop, when using these words, in the sixteenth century, thought for one moment that thereby he was conferring the *power to offer the Sacrifice of the Mass*, and no Anglican minister ordained thereby thought that he was receiving such a power.

Hence, this first part of the formula does not signify the Catholic priesthood either explicitly or implicitly.

We pass on to the second half of the formula, the exhortation, "Be thou a faithful dispenser of the Word of God and of his Holy Sacraments."

It might be, and is in fact urged, that here we have a satisfactory general description of the functions of the Christian and Catholic ministry. True, it cannot be said to mention the Catholic priesthood or its sacrificial function *explicitly*, but it is contended that the phrase signifies the Catholic priesthood *implicitly*, inasmuch as it is priests who have power to preach the Word of God, and to administer the Sacraments, one of which is the Eucharist, which is also a Sacrifice. Therefore, by making the candidate a minister of the Word and of the Sacraments, the Anglican rite equivalently makes him a sacrificing priest.

The strength of this contention obviously depends upon the exact significance to be attached to the phrase under discussion. We will carefully examine this point, and first we will set forth all that can possibly be urged in favour of the view under discussion.

(1) The COUNCIL OF COLOGNE, in 1536, in its Decrees, arranges its treatment of priestly functions under these two heads, "Disseminatio Verbi," "De administratione Sacramentorum."

(2) In the same year, 1536, BISHOP TUNSTALL, writing to Pole in defence of Henry VIII's assumption of the headship of the Church, which Pole had attacked in his book *De unitate Ecclesiæ*, says :

"Ye presuppose for a ground, the King's Grace to be swerved from the unity of Christ's Church . . . taking upon him the office belonging to spiritual men, grounded in the Scripture, of the immediate cure of souls, and attribute to himself that belongeth to priesthood, as to preach and teach the Word of God, and to minister the sacraments ; and that he doth not know what longeth to a Christian king's office, and what unto priesthood."<sup>1</sup>

(3) POLE replied thus to Bishop Tunstall :

"Is there any higher act in the Church than the administration of the sacraments ? And this you will the priests to exercise, and the Head not meddle with the same ?"<sup>2</sup>

<sup>1</sup> Pocock-Burnet, VI, p. 179.

<sup>2</sup> Strype, *Eccles. Mem.*, lxxiii, p. 306. Pole in his original work, *Pro Ecclesiastica Unitatis Defensione*, III, Cap. 3, under "Capitis Ecclesiæ officii," had written : "Ut uno verbo dicam, sacramenta ecclesiæ ministret, interque alia, sacrum illud et super omnia sacra sacrum corpus Domini consecret. . . . Hoc Regibus dare, ut sacra tractarent, sacramenta ministrarent, sacratissimum Christi corpus consecrarent, quam abhorrens videbatur. . . ."

(4) The *Bishops' Book* of 1537 says that ecclesiastical ministers or officers have power, authority and commission

"to preach and teach the Word of God unto his people, to dispense and administer the Sacraments unto them, and by the same to confer and give the graces of the Holy Ghost ; to consecrate the blessed Body of Christ in the sacrament of the altar ; to loose and absolve from sin . . . to bind and to excommunicate . . . to order and consecrate others in the same room, order and office whereunto they be called and admitted themselves, and finally to feed Christ's people with their wholesome doctrine."

The same work adds that it does not appertain unto the office of kings and princes "to preach and teach, to administer the sacraments, to absolve, to excommunicate, and such other things belonging to the office and administration of bishops and priests."

(5) The *King's Book* of 1543 says that

"the office and duty of ecclesiastical ministers consisteth in true preaching and teaching the word of God unto the people, in consecrating and offering the blessed Body and Blood of Christ in the sacrament of the altar, in loosing and assoiling from sin . . . excommunicating . . . and finally in praying for the whole Church of Christ."

(6) BISHOP BONNER, in his *Profitable and Necessary Doctrine*, written in 1554, says that the grace of the Sacrament of Order consists in three general points :

"The one to pray. . . . Another to preach and teach the Word of God to all people. The third to minister the sacraments, where ye may note that the priests being amongst other things called to the ministration of the sacraments, and the chiefest and most precious of all sacraments being the sacrament of the altar, in ministration whereof the priest ought both to consecrate and to offer. . . ."

(7) BISHOP WATSON, in his *Sermons on the Sacraments*, writes :

"What so excellent as to consecrate the Sacraments of God ? . . . As the sacraments be necessary to man's salvation, so it is necessary for certain men to be ordained and authorised by God to minister the same sacraments faithfully and effectually to man's salvation. Likewise, when Christ's Church, by the ministration of his holy Word and Sacraments, is gathered and collected . . . into one Body. . . . The public ministration of the Gospel of Christ standeth in three points : in the preaching of God's word, in the ministration of his holy sacraments, and in exercising of discipline and jurisdiction."



(8) ARCHBISHOP HEATH, in his speech against the Act of Supremacy in 1559, says that spiritual government consists in "these four points, as chief among many others : (1) power to loose and bind sins, (2) feed the flock of Christ, (3) confirm thy brethren, and ratify them in wholesome doctrine and administration of the sacraments. . . . But to preach and to administer the sacraments a woman may not be admitted to do ; (4) excommunication and spiritual punishment."

(9) To all these it may be added that the GREEK THEOLOGIANS who have written in favour of Anglican Orders have specifically recognised the "ministry of the word and of the sacraments" as an adequate description of the Catholic priesthood.<sup>1</sup>

Hence we might be tempted to conclude with Bishop Gore that "Be thou a faithful dispenser of the Word of God and of his Holy Sacraments includes, no doubt, the commission to celebrate the Eucharistic Sacrifice."<sup>2</sup>

We have deliberately made this case as strong as possible, and for the purpose we have quoted some sources which have not been utilised by Anglicans themselves. Having done this we must make the following observations :

(1) These quotations certainly seem to indicate that the phrase, "the ministry of the Word and the Sacraments," can be used in an orthodox sense, to describe the functions of the ministry *in general*. For it is to be noted that, as used in the above citations, they apply not only to the order of priesthood, but to other orders, such as the diaconate and episcopate, which may with equal truth be called "the ministry of the Word and the Sacraments." Thus, even if we grant that the phrase can describe the Christian ministry *in general*, it is not suitable for the description of any *particular order*, and the use of this *general* phrase in a *particular* ordination would seem to imply that the Anglican Reformers did not see any essential difference between the various grades of the ministry.

(2) But, secondly, it is to be noted that in many of the above citations, the Catholic authors quoted do not confine their description of the ministry to the mere phrase "the ministry of the Word and the Sacraments," but add further details, to make the description *more definite*. Pole speaks of the "consecrating of the Body of the Lord" ; the *Bishops' Book* likewise of "consecrating the blessed Body of Christ in the sacraments," etc., the *King's Book* adds "consecrating and offering the blessed

<sup>1</sup> See pp. 631, 635.

<sup>2</sup> *Roman Catholic Claims*, p. 201.

Body and Blood of Christ in the sacrament of the altar," Bishop Bonner goes on to specify "the chiefest and most precious of all sacraments, the sacrament of the altar, in ministration whereof the priest ought both to consecrate and to offer," and actually goes on immediately to say that the Edwardine clergy were given no such power.<sup>1</sup>

(3) With the addition of such phraseology, the formula in question has indeed an orthodox sound. But in estimating its meaning when used *without* such additions, we must bear in mind the following important fact which tells against the orthodox signification in the case of the Anglican Ordinal: *The phrase was in current use among the English and Continental Reformers, and was employed by them specifically to distinguish the functions of the ministry as these Protestants conceived it, from the sacrificial function of the Catholic priesthood.*

We will first give some instances of this from the CONTINENTAL Reformers :

(1) LUTHER, who rejected the Sacrifice of the Mass, and taught "the priesthood of all believers," says the congregation should use a minister for the preaching of the Gospel and the administration of the Sacraments.<sup>2</sup>

Again, he speaks of ordination as the institution of "ministers of the Word," and speaks of the "public ministry of the Word, by which the mysteries of God are dispensed." He adds that "instead of ministers of the Word, the Bishops ordain sacrificers, who sacrifice Masses and hear confessions. For that is what the Bishop intends when he puts the chalice in their hands and gives that power to consecrate and to sacrifice for the living and the dead. . . . Hence in no way do they act that they may ordain ministers of the Word, but only sacrificers of Masses and the hearers of confessions."<sup>3</sup>

(2) The AUGSBURG CONFESSION speaks of the "ministry of teaching the Gospel and of giving the Sacraments" (Article 5), and says that the Church is the congregation in which "the Gospel is rightly taught, and the sacraments rightly administered."<sup>4</sup>

(3) MELANCHTHON, in his *Apology for the Augsburg Confession*, wrote, "Our opponents (the Catholics) understand the priesthood

<sup>1</sup> See p. 108.

<sup>2</sup> *An den Bock zu Leipzig.* See Vol. I, p. 141.

<sup>3</sup> *De instituendis ministris.* See Vol. I, p. 142.

<sup>4</sup> Article 7. See Vol. I, pp. 143-144.

to be, not the ministry of the Word and the Sacraments to others, but the power to offer sacrifice. . . . Priests are called, not to sacrifice . . . but to preach the Gospel, and to administer sacraments to the people."<sup>1</sup>

Again, in his *Loci Communes*, he says he will allow Order to be considered a sacrament, "provided it is clearly understood to be simply a ministry of the Word and the Sacraments."<sup>2</sup>

(4) Similarly, the scheme of Church government signed by Luther, Bugenhagen, Melancthon, etc., says: "There is a strong persuasion that priests are ordained for sacrificing. . . . The mandate given in ordination should be to teach the Gospel and administer the Sacraments, and not other works, such as sacrificing for the living and the dead."<sup>3</sup>

(5) BUGENHAGEN says in his Ordination rite: "Ordination is nothing but an ecclesiastical rite for calling a person to the ministry of the Word and the Sacraments."<sup>4</sup>

(6) BUCER, though rejecting absolutely the Sacrifice of the Mass, speaks throughout of the "ministry of the Word and the Sacraments." Thus, he uses the phrase in the beginning of his *De Ordinatione Legitima*,<sup>5</sup> and also in the examination of the candidate for orders in his ordination rite, which in turn Cranmer took as the model for his new Ordinal.<sup>6</sup>

(7) CALVIN wrote that "the priesthood of the Catholics is a damnable sacrilege," adding that "true priests are ordained to be dispensers of the Gospel and of the Sacraments."<sup>7</sup>

(8) And the *Pia Consultatio* of the COLOGNE REFORMERS, while rejecting the Sacrifice of the Mass, describes the priesthood as "the ministry of preaching the Gospel and dispensing the sacraments and discipline of Christ."<sup>8</sup>

Lest it be urged that all this does not prove that the phrase was used in England, as well as on the Continent, in this Protestant sense, we will point out that these foreign works were well known in England, especially the Cologne *Pia Consultatio*, which appeared in two English editions at the beginning of the reign of Edward VI.<sup>9</sup>

<sup>1</sup> See Vol. I, pp. 145-146.

<sup>2</sup> See Vol. I, p. 149.

<sup>3</sup> See *The Lutheran Origin of the Anglican Ordinal*, by E. C. Messenger, p. 32.

<sup>4</sup> See *Lutheran Origin of the Anglican Ordinal*, p. 22, and also Vol. I of the present work, p. 472.

<sup>5</sup> See Vol. I, p. 176.

<sup>6</sup> See Vol. I, p. 188.

<sup>7</sup> *Ibid.*

<sup>8</sup> See Vol. I, p. 158.

<sup>9</sup> See Vol. I, p. 190.

And we have also pointed out the part played by Bucer in the composition of the Anglican Ordinal.<sup>1</sup>

In any case, it is easy to show that the phrase was employed in precisely the same Protestant sense by the *English* Reformers. Thus :

(9) CRANMER himself, in the very work in which he vehemently denies the Sacrifice of the Mass, speaks of "the ministers of Christ's word and sacraments."<sup>2</sup>

And it was Cranmer who introduced this phrase into the Anglican form for the ordination of priests !

(10) BISHOP HOOPER, of Gloucester, said in 1550, the very year the Ordinal was published, that the office of bishops and priests was "to be preachers of God's word and ministers of Christ's sacraments, not to sacrifice for dead nor live, nor to sing mass, or any such like."<sup>3</sup>

(11) And lastly, the *Reformatio Legum*, drawn up by a Committee of English Reformers, rejects the Sacrifice of the Mass, but speaks of the ministry as the office of teaching and governing the Church and of distributing the sacraments.<sup>4</sup>

Can there be any doubt, after this, as to the sense in which the phrase was used in the Edwardine Ordinal ?

In any case, it remains true that the phrase

- (1) does not specify the degree of the ministry which is being conferred ;
- (2) it does not signify the Catholic priesthood *explicitly* ; and
- (3) in view of its use by Protestant Reformers, here and abroad, who denied the Sacrifice of the Mass and the Sacrificial Priesthood, it cannot be said to signify the Catholic priesthood *implicitly*.

The most we could allow is that the phrase is *ambiguous*, and that in itself it is capable of either an orthodox or a heterodox meaning. In this case we must apply the ordinary theological rules already explained, and decide the significance of the phrase by the context in which it is used, and the known opinions of those using it. The result is, of course, fatal to the validity

<sup>1</sup> See Vol. I, pp. 468 *et seq.*, also *Lutheran Origin of the Anglican Ordinal*.

<sup>2</sup> See Vol. I, p. 435.

<sup>3</sup> See Vol. I, p. 478. Cf. also pp. 493, 537, 538.

<sup>4</sup> See Vol. I, p. 563.

of this Anglican ordination form, for the opinions of the Anglican Reformers are well known.

To all this we might add the observation made in the Holy Office examination in 1684, that the phrase has never been used elsewhere as an ordination form, that the Church has never recognised it as an adequate form, and that it is in point of fact inadequate, inasmuch as "to dispense" is not the same as "to consecrate and offer."<sup>1</sup>

If this vague form had indeed been used in some Catholic community at some time or other, there would be a presumption in favour of its validity, in that particular community. But there is no such presumption in the case of its use by Anglicans, for it has been used only by the heretical Church of England, and administered, in the sixteenth century at any rate, by bishops who disbelieved in the Catholic priesthood as Catholics understand it, and did not intend to confer it; moreover, it was administered to candidates who similarly disbelieved in that priesthood, and did not intend to receive it.

After the laying on of hands, in the Anglican Ordination rite, the Bishop gives the ordinand a Bible, saying, "Take thou authority to preach the Word of God, and to minister the Holy Sacraments in this congregation where thou shalt be so appointed."<sup>2</sup>

This formula is open to the same objection as the preceding formula, of which it is practically a repetition.

This ends the main portion of the rite. After the Communion there is a colourless prayer which has no sacramental significance whatever.<sup>3</sup>

Thus, *in the whole of the main part of the Ordination rite, i.e. in the part which follows the examination of the dispositions of the candidate to see if he is fit to receive orders, there is no prayer or formula which can be said even virtually or implicitly to contain the signification of the Catholic sacrificial priesthood.*

Would it, however, be possible to maintain that this lack of determinate signification, or ambiguity, is remedied by certain features of the first or introductory part of the Ordination rite?

<sup>1</sup> See pp. 476-8.

<sup>2</sup> In the First Ordinal of 1550, the chalice and paten were given as well as the Bible. This would indicate the intention to give power to "minister the Holy Sacrament" of the Eucharist, but not necessarily power to *offer the sacrifice*. The chalice and paten were used by those who disbelieved in the sacrifice, as well as by those who believed in it.

<sup>3</sup> See Vol. I, p. 480.

Anglicans do, in point of fact, urge that this part contains abundant indications that it is the *priesthood* that is to be conferred. Thus, the Archdeacon presents the candidates to the bishop "to be admitted to the order of priesthood"; the Bishop says the candidates are "they whom we purpose, God willing, to receive this day unto the holy office of priesthood"; the prayer at the end of the litany asks God to "behold these thy servants now called to the office of priesthood," and so on. Anglicans urge that these references make it clear that priesthood is being conferred. Now, priesthood betokens sacrifice. Hence it is the sacrificial priesthood which is conveyed by the Anglican Ordination rite.

It is further urged that the Preface to the Ordinal says that the pre-existing priesthood is to be continued.

To all this, we reply, in the first place, that it is one thing to say a person is going to be "admitted to the order of priesthood," and another thing to admit him to that order. Nothing in this preparatory part of the rite really forms part of the signification of the essential portion of the rite.

But let us suppose that this convincing argument can safely be set aside, and that one may really appeal to this preparatory portion of the rite, to give us the "sense" of the main part. In that case, if it is legitimate for Anglicans to appeal to the use of the word "priest" in this preparatory portion of the rite, it is equally legitimate for us to appeal to the address to and the examination of the candidate, both of which also occur in this preparatory part of the rite, and which describe in detail the functions of the office which is to be conferred.

Now we have seen that the Admonition says the dignity and office conferred is "to be the messengers, the watchmen, the pastors, and the stewards of the Lord, to teach, to premonish, to feed and provide for the Lord's family, to seek for Christ's sheep that be dispersed." That constitutes the "ministry of priesthood" which is being conferred by the rite, and the candidates are required to be diligent "to minister the doctrine, and sacraments, and the discipline of Christ as the Lord hath commanded and as this realm hath received the same." Note the definite limitation. The commission is not a *general* one, to administer the sacraments as any and every Church administers them, but as *the Church of England administers them*. That refers us to the rest of the Prayer Book, and we have seen that the sacrament of the Eucharist, as set forth in the Anglican Communion service,

is not the Sacrifice of the Mass, as Catholics understand and teach it.

Thus, the references to the "priesthood" in the preparatory portion of the rite, are determined by their context, to signify, not the Catholic priesthood, but the priesthood as conceived by sixteenth century Protestants.

Hence the appeal to the introductory portion of the rite is fatal to the Anglican contention. It does indeed remove any ambiguity there may be in the main part of the rite, but it does so in a Protestant, and not in a Catholic direction.

The appeal to the Preface to the Ordinal will not help matters. This Preface does indeed show that, in some sense, the existing ministry is to be continued. But it does not say in *what* sense. Obviously, it is not to be continued *quite* as it was before, but it is to be continued, subject to the changes which are being made in the Ordinal, Prayer Book, etc. The real question is, what was the extent and purport of those changes. Naturally, the Reformers considered that they were restoring the ministry to the pure conception held in the Primitive Church, and that they were retaining all the essentials, while excluding later corruptions, such as the supposed power to offer the sacrifice of the Mass. But if this power to offer the sacrifice is not a corruption, but an essential power of the priesthood—indeed, *the* essential power—then obviously the nature of the ministry was being fundamentally changed, whatever the Reformers might say or think.

We conclude that the Anglican rite for the priesthood is not adequate for the conferring of the Catholic priesthood, inasmuch as it does not signify that Priesthood. What it signifies is, instead, a Protestant evangelical or "pastoral" ministry. If the Protestant conception is the true one, i.e. if the Christian ministry is really of this purely pastoral or evangelical kind, then doubtless the Anglican rite is sufficient for its purpose. But we Catholics maintain that that Protestant conception of the ministry is false and untrue, and hence, as God did not institute such a ministry, a rite which aims at conferring such a ministry really confers nothing at all in the eyes of God, and thus Anglican clergy are, in the eyes of God, merely laymen.

10. The Anglican rite for the episcopate is constructed in a way similar to that for the priesthood, i.e. it consists of a preparatory portion, and then the main part, consisting of the actual episcopal consecration. The introductory portion concludes

with an examination, to test the "orthodoxy" of the candidate, from the Protestant point of view. After this, the consecration proper begins with a prayer, "Almighty God and most merciful Father." The first part of this corresponds to the beginning of the prayer for priests, which, as we saw, was translated from Bucer's Lutheran rite. But in contrast to the prayer for priests, the prayer for a bishop here has a special petition for the ordinand, which has obviously been adapted from certain phrases used in the great consecratory prayer for a bishop in the Catholic rite. But whereas this Catholic prayer was full of references to the high priesthood (*summum sacerdotium*), and also begged God to grant to the candidate the "cathedra episcopalis," the new Anglican prayer excludes all these Catholic sentiments, and merely prays for grace that the ordinand "may be ever more ready to spread abroad Thy gospel and glad tidings of reconciliation to God, and to use the authority given unto him, not to destroy but to save, not to hurt but to help." Thus, as we said before, Cranmer selects certain portions of the Pontifical prayer, and rejects others. Those he accepts speak of the pastoral side of the ministry, those he rejects speak of the sacerdotal side. He omits all the comparisons with the Old Testament priesthood, he excludes the petition, "give him the episcopal chair," and does not even once use the word "priest" or "bishop." The prayer does indeed speak of "authority given," but does not specify what this authority is. But it is clear that this authority is of a pastoral as distinct from a high-priestly kind.

This prayer obviously does not signify the Pontificate, or Catholic High Priesthood, *explicitly*, and it is equally clear that it does not *imply* it either. Rather, the deliberate exclusion of all references to the high priesthood, etc., found in the corresponding prayer in the Catholic rite shows that implicitly it rejects the Catholic High Priesthood. Thus, so far we have nothing which can possibly serve as a form for the Catholic episcopate.

This prayer is followed by the imposition of hands, the Archbishop saying, "Take the Holy Ghost, and remember that thou stir up the grace of God which is in thee by imposition of hands, for God hath not given us the spirit of fear, but of power, and love, and of soberness."

We have pointed out that the words "Take the Holy Ghost" cannot be regarded in themselves alone as a sufficient form for the episcopate, except in so far as they are determined to this



purpose by the context. The rest of this formula speaks of a "grace" which is given by imposition of hands—presumably the actual imposition of hands which is then taking place. But the grace is not specified. The previous prayer spoke of "grace to spread abroad the Gospel and glad tidings of reconciliation," and we can only suppose that *this is the grace referred to here*.

Against this, Anglicans urge that the text is taken from Scripture, and was supposed at that time to refer to the grace given to Timothy when he was consecrated bishop.<sup>1</sup> And accordingly, it is argued that the purpose of the quotation here is obviously to make the candidate a bishop. Thus, just as the elders chosen by Moses were in the early Church a recognised type for the presbyterate, and Stephen the type of a deacon, so also Timothy is the typical bishop, and the plain reference to Timothy is equivalent to a reference to the episcopate, with its proper grace.

In answer to this, we would allow that a *plain* reference to Timothy, in the sacramental form, might suffice, if it were an accepted convention in the community in question that Timothy was the type of the Catholic episcopate. But have we here in fact a plain reference to Timothy, to begin with? He is not even mentioned by name, and all that one can say is that the archbishop is addressing to the bishop-elect certain words that St. Paul addressed to St. Timothy. But do not these words refer to the grace received when Timothy was consecrated a bishop by St. Paul? Probably they do: probably they exhort him to stir up the grace then received. But this does not mean that the words constitute a suitable formula for the actual *conveying* of the grace in question, and further, their applicability is by no means limited to the grace of the *episcopate*, but might be extended to *any* grace received by the laying on of hands. Note again that in the immediate context in the Anglican rite there is no other reference to Timothy or to his episcopate, and that the only other reference to "grace," which occurs in the prayer immediately preceding this formula, is *the grace of preaching the gospel*. If there really is an obscure and oblique reference here to Timothy and his episcopate, it seems at the same time to be clearly implied that the main function of such "episcopate" as Timothy possessed was that of *preaching*. To this we may also add, on the strength of the preceding prayer, a certain pastoral "authority." But there is absolutely no

<sup>1</sup> See Vol. I, p. 487.

reference to any high priestly functions, and we know *aliunde* that in the sixteenth century, the Anglican episcopate was not regarded by anyone as a "high priesthood." Even if we grant that the Reformers regarded Timothy as the typical "bishop," it is plain that they regarded him as the type of a *Protestant* bishop, or superintendent, and not as the type of a *Catholic* High Priest. Thus, while we grant that a plain reference to Timothy as a Bishop might suffice in an ordination rite for a Catholic community, where it was accepted by all that "bishop" means "high priest," we cannot allow that this far from plain reference to Timothy's episcopate is a clear and sufficiently determined form for the Catholic episcopate. At best, it is ambiguous, and we are forced to determine its real meaning from the context, etc.

After this formula, the Archbishop gives a Bible and tells the new Bishop to give heed unto reading, exhortation and doctrine. Then<sup>1</sup> the new bishop is told to "be to the flock of Christ a shepherd, not a wolf." That is the explanation of the authority given to him, which he was warned in the first prayer to use "not to destroy, but to save." It is the *pastoral authority of jurisdiction*, and there is no reference whatever to any power of *order*. But jurisdiction is possessed even before episcopal consecration, and so it is quite impossible that the formal direction as to how the new bishop is to use his jurisdiction, implicitly includes the conveying of the power of the episcopal *order*.

Thus, the only "grace" referred to in the rite is the grace to preach the gospel. Together with this grace, he is exhorted to use his pastoral authority wisely. And that constitutes the whole of the episcopate so far as this rite is concerned! It is painfully evident that there is nothing in this portion of the rite which can be regarded as a sufficient and adequate form for the conveying of the true Catholic High Priesthood.

Reference to the earlier or preparatory portion of the rite will not help. The Examination is aimed at eliciting the statement that the bishop elect is persuaded that he is "truly called to this ministration according to the will of Our Lord Jesus Christ *and the order of this realm*." In other words, the episcopate which is to be conferred upon him is the episcopate *as understood in the Church of England at that time* (i.e. the sixteenth century) and no other. The other questions confine themselves to

<sup>1</sup> At this point, in the first Ordinal, a pastoral staff was given—which in itself makes plain that the words here refer to pastoral jurisdiction or authority.

preaching, and the use of pastoral authority, and confirm our view that these two points constitute the sum total of the Anglican episcopate. There is not the faintest suggestion anywhere in the Ordination rite either that the High Priesthood is being conferred, or indeed that any real power is being conferred which was not already possessed by the Anglican priest. He is given additional pastoral authority: that is all.

Thus, as a result of our examination of the Anglican rites for the ordaining of priests and bishops, in the light of Catholic theological teaching, we must conclude that in neither case is there any adequate or sufficient indication that it is the *Catholic* priesthood and episcopate which is being conferred. Now once more, sacramental rites effect what they signify. Hence, as these Anglican ordination forms do not signify the Catholic orders, they cannot possibly confer them. They do indeed signify a Protestant "presbyterate," and a Protestant "episcopate," and if our Lord had really instituted such a ministry, there is no doubt that it would be adequately transmitted by the Anglican Ordinal. But as our Lord did not institute a Protestant ministry, but a Catholic priesthood, in varying degrees, the Anglican Ordinal confers nothing at all in the sight of God.

In other words, the Anglican Ordination rites suffer from a fundamental defect of form. In Leo XIII's words, "non ea forma esse apta et sufficiens sacramento potest, quæ id nempe reticet quod deberet proprium significare."<sup>1</sup>

We now pass on to consider the defect of *intention*.

11. The Anglican Ordination rite also manifests a defective *intention* in those who composed and used it. We have already pointed out that the minister of a sacrament must actually do what the Roman Church does, or its equivalent, and must also intend, at least in general, to do what "the Church" does. A conditioned and particular intention not to do what the Roman Church does may be present, but the general intention to do what "the Church" does must be such that it prevails over the particular erroneous intention.

We have also pointed out that the Church can only judge of intention if this is manifested externally. *De internis Ecclesia non judicat*. Now intention is obviously manifested by deliberate changes in the rite, and the character of the changes made will

<sup>1</sup> *Apostolica Cura*.

in general manifest the character of the intention. We have seen that a new rite, not used in the Church, will not necessarily be invalid, for it may conserve the essential matter and form, or its equivalent, and hence, the intention to introduce a new rite is not destructive of the necessary general intention to do what "the Church" does, for this may be manifested by the actual doing of what the Church does. Similarly, a heresy may be introduced into the rite, but it does not invalidate it unless the heresy affects the essence of the rite, and influences the matter and form. Hence the intention to introduce heresy into the rite is not destructive of the necessary intention to do what the Church does, unless the heresy affects the essence of the sacrament, for then the intention to introduce the heresy is tantamount to the intention to destroy the essence of the sacrament, i.e. *not* to do what the Church does.

But as we have seen, intention may also be studied from another point of view. Theologians say that the meaning of an ambiguous rite is to be determined by an examination of the intention of the persons drawing it up and using it. Obviously, if we were to argue that a form is defective because of a defective intention, and that the intention is defective because it manifests itself in a defective form, we should be guilty of arguing in a circle. In point of fact, Anglicans have made this charge against Pope Leo's *Apostolica Cura*, but quite unjustifiably. What Pope Leo, and we ourselves have done, is to show that the Anglican form of ordination is, to say the least, ambiguous, taken in itself. Hence we must go outside the rite itself to determine its meaning. This meaning can indeed be established by examining the intention of the Anglican Reformers, but obviously only because this intention has been manifested externally, not only in the ordination rite (which is supposed to be ambiguous), but in other ways which are not at all ambiguous.

The question of "intention," then, as applied to the Anglican Ordination rite, may be set forth thus: Did the Anglican Reformers intend, by their Ordination rite, to do what "the Church" does, and/or what Christ instituted, in such a way that they could be said virtually to intend to do what the Roman Church does, even though, with a particular and conditioned intention, they intended *not* to do what the Roman Church does?

The intention of the Anglican Reformers must be determined partly by what they did, and partly by what we know they meant to do—i.e. partly from the rites they drew up, and partly from

their *expressed* intentions. For, once more, the Church can only judge of an intention in so far as it is manifested externally.

Now in our historical parts, we have shown that the Anglican Reformers

- (1) abolished the Latin sacrificial rite of the Mass ;
- (2) substituted a non-sacrificial English Communion service ;
- (3) destroyed the Catholic altars, and replaced them by wooden " communion tables " ;
- (4) put forth Articles of Religion expressly denying the Real Objective Presence and the Sacrifice of the Mass, and also setting forth an " evangelical " conception of the ministry.
- (5) In their written works, they lost no opportunity of repudiating the Sacrifice of the Mass, and what they called the Romish or Popish priesthood.
- (6) They set forth the same doctrine in the Homilies, Catechisms, etc.
- (7) They countenanced the practice of treating the remains of the consecrated elements with the grossest irreverence.

Now it is in the light of these facts that we must interpret the silence of the Anglican Ordination rite on the sacrificial function of the priesthood and episcopate.

We have already pointed out that, not only is the main part of the ordination service silent on this matter, but that also, in the preparatory part of the rites, where the nature of the office is explained, all the functions are specified which belong to the " pastoral " side of the office, but there is not one word of any " sacrificial " function. This, in itself, would surely be sufficient to determine the meaning of the " ambiguity " of the main portion of the rite. But if any doubt could remain on this head, the above facts, which clearly manifest the real " intention " of the Reformers, make the matter absolutely certain. They *intended* to exclude the sacrificial function from their new ministry. And as the rite they drew up is in agreement with that intention, inasmuch as it contains no mention of any such sacrificial function, and by implication excludes it, we are justified in concluding that they did in point of fact just what they intended.

Now, if Catholic teaching is correct, i.e. if the power to offer the Holy Sacrifice is an essential feature of the Christian priesthood—and after all, priesthood and sacrifice are as we have seen, correlative terms—then it must be admitted that (1) the Anglican Ordinal excludes something which, by Christ's institution,

pertains to the sacrament of Order, and that (2) the Reformers intended to exclude this essential power.

Now we have seen that the intention necessary for the validity of a sacrament must be a general intention to do what the Church does which is so strong that it prevails over a particular intention, also present, not to do what the Roman Church does, and that it *virtually* includes the intention to do what the Roman Church does, in spite of this particular intention to the contrary. And we have further pointed out that this general intention manifests itself by the performance, in fact, of what the Roman Church does, or its equivalent.

But it must be clear that, if what is done is not the equivalent of what the Roman Church does, and is intentionally not that equivalent, but something which differs from what the Roman Church does, inasmuch as it deliberately excludes something which the Roman Church regards as essential, then the minister cannot possess in reality that general intention of "doing what the Church does," which virtually includes an intention of doing "what the Roman Church does." The Anglican Reformers did not mean to do what in point of fact Christ instituted, and what in point of fact the Church does, but something different. The fact that they thought this something different to be in reality what Christ instituted, and what, at any rate, the Primitive Church did, is irrelevant. They did not, in fact, intend to do what, in fact, the Church does, and hence they had not that intention which theologians denote by the phrase, "the intention to do what the Church does."

12. Against all this, the Anglicans urge that in the Preface to the Ordinal the Anglican Reformers gave public expression to their intention to "continue" the pre-existing orders of bishops, priests, and deacons, as they had existed since Apostolic times. This is a strong statement, and we must give it its full weight. Indeed, we will go so far as to say that if this intention thus to "continue" the pre-existing ministry had really been present, and had been carried out in practice, there would be no reason to doubt the validity of Anglican Orders on this particular ground of intention. But the Anglican intention is manifested, not merely by this express declaration, but also by what Anglicans really did, and deliberately did. It is obvious that, in spite of the statement in the Preface to the Ordinal, the Anglicans did *not* intend to continue the pre-existing ministry in all respects,

exactly as it was before. After all, they deliberately changed the doctrinal standard which had hitherto held good, and altered the liturgical rites accordingly. And when they say they intend to continue the pre-existing ministry, this must be understood as an intention to continue it subject to the changes which the Anglican Reformers were then and there making. Now we have seen that those changes included the rejection of an important element in the pre-existing conception of the ministry, and indeed an element which Catholic theology regards as an essential one.

Hence, in spite of the phrase in the Ordinal, it is clear that the Anglican Reformers did not in fact intend to carry on the pre-existing Catholic ministry, with its supposed sacrificial powers. What they intended to do was to carry on, or rather revive, the ministry as they supposed it to have existed in the Primitive Church, before it was overlaid with the "corruptions" of the Popish Middle Ages, such as the Sacrifice of the Mass.

Some Anglicans urge that (1) exclusion is not negation, and that (2) the Reformers merely aimed at setting forth a "wider view" of the Priesthood, and, in order to emphasize the pastoral aspect of the ministry, which had been put too much in the background in the pre-Reformation Church, they stressed this aspect in their Ordinal, and put the sacrificial aspect merely in the background, without, however, intending either to deny it, or to exclude it altogether.

To this we answer that exclusion is, indeed, not negation, if what is omitted can nevertheless be shown to be really *implied*. But a reference to the previous chapters, in which the views of the Anglican Reformers are set forth in detail, show that the Reformers did in fact exclude *and deny* the Catholic doctrine of the sacrificial priesthood, and did not merely "put it into the background." The pastoral "aspect" of the ministry was the only aspect they allowed at all. It was something more than a mere desire to emphasize the pastoral functions, that led to the drawing up of the new Communion services, the destruction of altars, the abolition of the Mass vestments, etc., etc !

Another argument is advanced, to the effect that, while Cranmer and others doubtless used the Ordinal in a heretical sense, and with a heretical intention, there may have been, and indeed were, some more orthodox bishops who interpreted the Ordinal in a Catholic sense, and, as used by them, it might surely be valid. To this we reply that the sense of the Ordinal itself is surely that given to it by those who drew it up, and who made

clear its meaning by their writings and their acts. It is true that there were some *comparatively* orthodox bishops who used the Ordinal in Edward VI's reign, but we have seen that these acquiesced in the reordinations which took place in Mary's reign, and in one case at least, the same bishop reordained by the Catholic Pontifical some to whom he had given Edwardine orders—a sufficient proof that even these comparatively orthodox bishops realised the character of the rite they had been using. Also, the definite condemnation of the Edwardine Ordinal by the Catholic authorities in England, and by the Holy See itself, in Mary's reign, left no room for any doubt as to its insufficiency, and any "comparatively orthodox" bishop who used the Ordinal in Elizabeth's reign, was certainly aware that it was regarded as invalid by all Catholics on the one hand, but welcomed and accepted by the Protestant heretics on the other hand. It is really impossible to suppose that any "comparatively orthodox" bishop using the Ordinal under such circumstances can have regarded it as equivalent to the Catholic rite.

The question is, of course, of special importance in the matter of the consecration of Matthew Parker, which initiated the new Anglican hierarchy. Parker was consecrated according to the Edwardine rite by Barlow, Scory, Coverdale, and Hodgkin. Barlow was most probably a bishop, properly consecrated according to the Pontifical, but on the other hand, he was clearly a heretic. So were Scory and Coverdale, who had, moreover, been consecrated by the Edwardine rite. This leaves us with Hodgkin, who was indeed a Pontifical bishop, and may have retained Catholic sentiments at heart. Supposing this to be the case, could we allow that his presumed "orthodox" intention would, in conjunction with the use of the Edwardine Ordinal, suffice to make Dr. Parker a valid Catholic bishop? It is difficult to regard this as possible. To begin with, Hodgkin was not the principal consecrator, but only an assistant, at the ceremony. Now it is not certain, but only "probable"<sup>1</sup> that an assistant bishop consecrates the bishop-elect in such a way that his action will make good any deficiency in the principal consecrator. For it is clear that in the early Church, the principal consecrator alone said the consecratory prayer, and this still seems to be the case in the Greek, Nestorian, and other rites.<sup>2</sup> It would seem

<sup>1</sup> "Probable" in theological language means a "possible," or a tenable view. The word has not its customary English sense.

<sup>2</sup> See F. G. Lee, *Validity of the Holy Orders of the Church of England*, p. 228, and references there given.



to be only in the present Roman rite that the three bishops all say the consecratory prayers, and the "Accipe Spiritum Sanctum." Also, it is agreed that three bishops are not necessary for an episcopal consecration, for one can consecrate validly, and there are many theologians who hold that the two assistant bishops are in fact only "testes." But even if they are more than witnesses, and are even "co-operatores" in the consecration, it is still true that they take a subordinate part. A deacon may be said truly to "co-operate" in the offering of the Holy Sacrifice, and yet his co-operation would be of no use if the celebrant were not a priest. It might indeed be urged that a more suitable analogy would be that of concelebration of Mass, in which all the priests equally consecrate. We admit that this is true, and it is possible that the assistant bishops at an episcopal consecration are to be regarded in the same light: it is possible, but not certain. In any case, if the Lambeth Register gives us a correct account of what took place—as we may suppose—then Hodgkin, together with the three other bishops, laid hands on Parker and said the formula, "Take the Holy Ghost, and remember, etc." He assisted at the rest of the rite, but said no prayers. Hence, the validity of Parker's consecration would depend upon the question whether this formula was sufficient, when said by an assistant bishop who had orthodox sentiments, but who nevertheless assisted at the performance of this very unorthodox rite. Surely, if Hodgkin's intention is to be judged by his saying the words "Take the Holy Ghost, etc.," it is also to be judged by his participation, even though silent, in the rest of the service, with its prayers and examination displaying a heretical conception of the episcopate. Is this not an indication that, in this particular instance, Hodgkin was acting contrary to his inmost sentiments, i.e. that his intention did not correspond to his (supposed) "orthodox" belief, but was itself unorthodox on this occasion?

After all, even an "orthodox" intention is insufficient unless it manifests itself in the use of the Catholic sacramental rite, or its equivalent, and we have seen that we cannot regard the Anglican Ordinal as the equivalent of any Catholic Ordination rite. These all include, or imply, the conferring of the true Sacerdotium, as understood by Catholics. But the Anglican Ordinal, in its essential part, does not include the conferring of any sacrificial power, and in its preparatory part, sets forth a

conception of the ministry which deliberately omits this power, and again expressly speaks of the ministry conferred as the ministry "according to the order of this Church of England," and "the order of this realm." This means the ministry, as set forth in the Book of Common Prayer, with its Communion Service in place of the Mass, and in the Articles of Religion, with their denial of the Real Objective Presence and the Sacrifice of the Mass. The use of the Anglican Ordinal, with its sense thus objectively determined, is in itself an indication that, whatever orthodox opinions individual bishops may at times have entertained, their intention, as governed and manifested by their external act, was not orthodox when they ordained Anglican bishops and priests.

The case of Hodgkin has had to be discussed, because of the statement in the Lambeth Register that he, together with the others, said the words of episcopal consecration, and laid hands on Matthew Parker. It must be evident that a bishop who merely joined in the laying on of hands, but not in the recitation of the form, could not be said to consecrate a new bishop himself adequately, apart from the others. Now, the rubric in the Anglican Ordinal distinctly contemplates that only the Archbishop will say the formula accompanying the laying on of hands. And though this direction was departed from in the case of the consecration of Parker, and in another instance,<sup>1</sup> there seems no reason to suppose that it has not been observed on other occasions, in the absence of any positive evidence. This at once rules out any possible revalidation of Anglican Orders through the fact that the notorious apostate, Archbishop De Dominis, assisted in the consecration of Montaigne, Bishop of Lincoln, in 1617, quite apart from the question of the sufficiency of the form then in use, for, whether sufficient or not, it is to be presumed that De Dominis did not say it!

Lastly, even if Hodgkin's intention was orthodox and sufficient, when he consecrated Parker, it must be remembered that a sacrament will be invalid if there is an absence of a sufficient intention in the person receiving it. Did Matthew Parker intend to become anything else but a Protestant Bishop? His known doctrinal position gives us every reason to doubt it. And when in turn he consecrated other bishops, it is to be supposed that he intended to make other Protestant bishops,

<sup>1</sup> i.e. in the consecration of Curteys, Bishop of Chichester, in succession to Barlow, at Canterbury Cathedral, in 1570. (Parker Register, folios 125B and 126.)

like himself, and not Catholic bishops, i.e. bishops as understood in the Catholic Church.

Thus, we can sum up as follows: The Anglican Ordinal was a new rite introduced to take the place of the Old Catholic Ordinal. As it was a new composition, and not a revival or adaptation of some previous Catholic form, it calls for very careful examination, in order to determine its signification, in virtue of the theological principle that sacraments effect what they signify. The essential parts of the two rites for the priesthood and the episcopate in the Edwardine Ordinal fail to signify adequately and clearly the Catholic priesthood and episcopate, but rather seem to signify the Protestant ministry. At best, their signification is ambiguous, and therefore, in accordance with the principles theologians lay down in the case of ambiguous sacramental forms, they must be determined by their context, and by the meaning given them by those who drew them up and who used them. This context and meaning confirm the view that the signification of the new rites is, not the signification of the old Catholic sacrificial priesthood, but that of the new Protestant evangelical ministry. In other words from the Catholic standpoint, these new rites are defective as sacramental forms, and cannot convey the Catholic priesthood or episcopate. This external defect in a form which was deliberately introduced in place of the pre-existing Catholic rite, interpreted in the light of the known views of the Anglican Reformers, manifests the presence in the Reformers of an intention contrary to the "intention to do what the Church does," and therefore Anglican Orders are invalid also by reason of the absence in the minister of the required intention.<sup>1</sup>

13. Against these conclusions, however, we have

- (1) the opinions of certain Catholics who were more or less favourable to Anglican Orders;
- (2) the Anglican defences of their Orders;
- (3) the recent recognition of Anglican Orders by the Old Catholics; and by the Eastern Orthodox.

What precisely is the theological weight and value of these?

<sup>1</sup> It should by now be abundantly clear that the theology of intention which we have used and applied is the traditional theology of the Catholic Church, as set forth by her great theologians. It was the same traditional theology that was used by Pope Leo in his Bull *Apostolica Curae*. And yet Canon Wilfred Knox, reviewing our first volume in the *Cambridge Review* (May 8th, 1936), speaks of the "special theology of intention invented by Leo XIII for the express purpose of condemning Anglican Orders." (!)

(1) We have seen that COURAYER, the first Catholic defender of Anglican Orders, held unorthodox views on the Eucharist, and especially as regards the Sacrifice. And by reading into the Anglican rites a higher doctrine than is really contained in them, it was quite easy for him to maintain that the Anglican Ordinal possesses in a sufficient degree that signification which, in his view, an Ordination rite ought to have.

As to the Catholics who defended Anglican Orders in the latter half of the last century, their orthodoxy cannot be impugned. Nor is there any reason to disagree with their exposition of the theological principles which govern the question. Their error seems to have arisen rather from a mistaken conception of the actual facts of the case. In particular, it seems clear that they were unacquainted with the details of the history of the Anglican Reformation, and in consequence, they gave to the Anglican ordination rite a significance which historically it did not possess. They were also led astray by the specious statements made by certain High Anglicans, to the effect that the Anglican Church never repudiated the Real Objective Presence, merely excluded certain unorthodox conceptions of the Sacrifice of the Mass, etc., etc. And also they erroneously came to the conclusion that Pope Paul IV equivalently recognised the validity of the Anglican rite for the priesthood. Small wonder that, with such an inaccurate knowledge of the facts, they should, although making use of correct theological principles, have arrived at incorrect conclusions.

As to the somewhat hesitating attitude manifested by some members of the Catholic Church at *Malines*, we can only suggest that it resulted from some misconception of the character of previous Papal decisions on Anglican Orders.

(2) We come to the *Anglican defence*, as found in the reply of the Anglican Archbishops to Pope Leo. They allow that the laying on of hands is the "matter" of ordination, and agree that the "form is prayer, or benediction appropriate to the ministry to be conferred."<sup>1</sup> In other words, they more or less accept the Catholic idea of the matter and form of the sacrament. They also agree that "it is right to investigate the intention of a Church in conferring Holy Orders, in so far as it is manifested externally."<sup>2</sup> But they wrongly go on to say that "the intention of the Church" is not to be ascertained "from its omissions and reforms."<sup>3</sup> In other words they do not realise that the meaning of the Anglican rite is to be determined by what it

<sup>1</sup> C.H.S., edn., p. 31.

<sup>2</sup> *Ibid.*

<sup>3</sup> Page 32.

excludes, as well as by what it includes. Also, they differ from the Catholic Church as to the real nature of the Sacraments of the Eucharist and of Holy Order, for they expressly reject the Tridentine decrees, and obviously do not regard the essential power of the priesthood as the power to consecrate and offer the Body and Blood of Christ in the Sacrifice of the Mass. This is clear from their own exposition of what they call the "Eucharistic Sacrifice," and from the fact that they distinguish between Anglican "Eucharistic formularies" and the "determinations of the Council of Trent."<sup>1</sup> As to Order and Ordination, they have nothing but praise for Bucer's "noble address" and "the very serious examination which follows" it in the Anglican rite for priests.<sup>2</sup> That address and that examination, as we have seen, sets forth the purely evangelical or pastoral conception of the ministry. As to bishops, the Anglican Archbishops seem to deprecate the use of the term "high priests," and regard it as unnecessary. Small wonder, then, that the Archbishops consider the Anglican forms "appropriate"<sup>3</sup> to the ministry to be conferred.<sup>4</sup> They differ from Catholics as to the significance which is to be attached to the sacramental rites in question. In other words, as Leo XIII pointed out in his letter to them, what they said about "the Priesthood, the Eucharist, and the Sacrifice" was "far removed from what is laid down by the Catholic and Roman Church." But the Pope himself "could not have settled the question otherwise than by the rules of Catholic doctrine."<sup>5</sup>

(3) Turning now to the recent recognitions of Anglican Orders by Old Catholics and Eastern Orthodox, we would call attention to the following facts :

(a) The Catholic condemnation of Anglican Orders has resulted from three centuries of most careful theological discussion and historical investigation. We have seen that the many official decisions were not at all based on the Nag's Head, or the question of Barlow's consecration, but that throughout the long history of the case the official condemnation has been based upon the twofold defect of form and intention.

(b) The recent recognitions of Anglican Orders by Old Catholics and Easterns cannot pretend to be based upon anything like so careful and complete an examination.

(c) The *Old Catholics* do not seem to have published to the world

<sup>1</sup> Pages 35, 36.

<sup>2</sup> Page 43.

<sup>3</sup> Page 55.

<sup>4</sup> Page 40.

<sup>5</sup> Cf. *supra*, p. 596.

the reasons for their formal recognition of Anglican Orders. But it is significant that this body has abandoned the Catholic standard of Eucharistic doctrine, as defined at Trent, and it would seem clear that their conception of the "signification" of Holy Order is not the same as that of the Catholic Church.

(d) We have more information as to the reasons which underlie the decision of the *Orthodox Churches* which have recognised Anglican Orders. It is clear that the Orthodox consider that all sacraments are invalidated by heresy and schism, and hence all Anglican sacraments are in themselves invalid. It is also clear that they consider that by an extraordinary power of dispensation, the Orthodox Church can validate retrospectively sacraments which are in themselves invalid. They have applied these two principles to Anglican Orders, and by an act of economy have validated them. Without that act of economy, they would regard Anglican Orders as invalid. The Easterns have evidently satisfied themselves that the external rite (or what we call the matter and form) and the "purpose" (or what we call intention) of the Anglicans is sufficient to justify this exercise of "economy." Divorcing the Anglican Ordination rite from its historical context, of which they are obviously ignorant, they have given to its expressions a meaning which historically these did not bear. And as to the "purpose" or "intention," they seem, paradoxically enough, to think that a declaration of purpose or intention by present-day Anglicans affords a justification for an act of dispensation which shall validate Anglican Orders in the past, as well as in the present. And we have noted that, to provide them with this declaration of the mind of present-day Anglicanism, the High Church party have not hesitated to set forth a statement of doctrine which runs counter to the whole historic doctrine of their Church, and that also they have succeeded in persuading their Eastern friends that the Thirty-nine Articles have little or no doctrinal significance for the Church of England!

It must be obvious that this Eastern recognition of Anglican Orders, based as it is upon principles which are accepted neither by Anglicans nor by ourselves, and resulting in part from a travesty of the facts of the Anglican Reformation, and a misrepresentation of the doctrinal position of the Church of England, cannot be taken very seriously by Catholics.

#### 14. Conclusion.

It is to be hoped that any Catholic-minded Anglican who has

read through this work will realise that, even from his own standpoint, Anglican Orders must be, to say the least, of extremely doubtful validity. Rome, indeed, has over and over again condemned them absolutely, and her condemnation is, in our opinion, justified. But an Anglican who does not acknowledge the full claims of Rome may not be prepared to accept the Roman verdict in its full force. But he cannot possibly ignore it altogether; he must surely take it into account. He can hardly think that the tardy and ambiguous recognition of Anglican Orders by Old Catholics and Eastern Orthodox completely demolishes the foundation of Rome's rejection of them. Rome's case is as strong as ever, and historical and theological research have but confirmed it. Hence, to put matters at their very lowest, and apart from the question of the authority of the Roman Church and of its decision, Anglican Orders ought to be regarded by a Catholic-minded Anglican as, objectively, at least of doubtful validity, if not, as we ourselves hold, and as the Holy See has decided, absolutely null and void.

We would ask our Anglican friends to consider what kind of Church it is that possesses merely a ministry of doubtful validity? A doubtful ministry means a doubtful Church, even from the Anglican point of view. And on the principles of Catholic theology, doubtful orders may never be exercised.

The Anglican defence of orders is based upon a highly improbable combination of possibilities, and "probable opinions," which could not, on any Catholic principles, give any real certitude as to the validity of Anglican Orders. Let us enumerate some of these:

The Anglican case takes it for granted that Barlow was really consecrated. Let us say that this is highly probable. It cannot be said to be absolutely certain, in the absence of evidence.

Secondly, the Anglican case supposes that in spite of the admitted errors and heresies on the Mass and the Priesthood held by Cranmer and his colleagues, these nevertheless drew up a rite which, in fact, and in spite of their intentions, was sufficient to confer the Catholic priesthood and episcopate. The probabilities of this are surely very small indeed!

Thirdly, even granted the sufficiency of the rite, Anglicans also have to assume the presence of a sufficient intention in Parker's consecrators, and in Parker himself. There is no evidence in favour of this, and a great deal against it.

Fourthly, Anglicans appeal to the possibility that Hodgkin may, by reason of his orthodox sentiments, have made up for any deficiencies in the other consecrators of Parker. This takes it for granted that an assistant bishop can consecrate validly if the principal bishop does not, which is by no means certain. It is also supposed that on this occasion Hodgkin's intention was really orthodox.

Fifthly, Anglicans say that, even if the Elizabethan hierarchy was invalid, Anglican Orders were put right by the participation of De Dominis in an Anglican consecration. This supposes either that De Dominis said the formula of consecration, for which there is no evidence whatever, or else that it is sufficient to use the matter of a sacrament without the form—an improbable view held by no Catholic theologian. In addition, there would still be the question whether an assistant bishop makes up the deficiency of the principal consecrator.

Sixthly, the participation by De Dominis in the seventeenth century would presuppose that a man can be validly consecrated bishop who has received no other orders whatever. The reality of the episcopate thus conferred *per saltum* may be "probable," but it cannot be said to be certain.

Seventhly, all this presupposes that all the Anglican bishops in question were validly baptised. Granted that the Anglican rite of baptism is valid, if properly administered, it is unfortunately true that there have been many irregularities in its administration in the past. But an unbaptised person cannot be given holy orders, and a "probably" baptised person cannot be more than a "probable" priest or bishop.<sup>1</sup>

Eighthly, it is urged that at any rate Anglican Orders are now being righted by the participation of Old Catholic bishops in Anglican episcopal consecrations. This raises further points.

(1) Is the present Anglican Ordinal sufficient? We grant that the form, as revised in 1661, would be sufficient, if used in

<sup>1</sup> Cardinal Newman wrote: "When I was in the Anglican Church I saw enough of the lax administration of baptism, even among high churchmen, though they did not of course intend it, to fill me with great uneasiness. . . . What I have seen in the Anglican Church makes it very difficult for me to deny that every now and then a Bishop was a consecrator who had never been baptised. Some Bishops have been brought up in the north as Presbyterians, others as Dissenters, others as Low Churchmen, others have been baptized in the careless perfunctory way once so common; there is then much reason to believe that some consecrators were not Bishops, for the simple reason that, formally speaking, they were not Christians" (*Month*, 1868, quoted by Lee, *Validity of Anglican Orders*, p. 490). To this we may add the story found in the *Letters of J. M. Neale* (Longmans, 1910, p. 33), of the parson in Somerset who, in the forties of the last century, was accustomed to administer baptisms without water!



a Catholic rite, in a Catholic church. But in our discussion of the sufficiency of the Edwardine formula we have allowed the plea that the form must be interpreted by the rest of the rite. It is surely arguable that this principle still holds good. In that case, it remains true that the kind of "priesthood" and "episcopate" which is conferred by the Anglican Ordinal is the kind described in the Address and the Examination, i.e. it is still a pastoral, evangelical, or "Lutheran" kind of order that is contemplated.

If Anglicans insist that we must interpret the rite by the form, and not *vice versa*, then they must concede this principle of interpretation for the Edwardine Ordinal itself, in which case all the Orders in the Church of England for the first hundred years at any rate, collapse! The form was then manifestly insufficient.

(2) Next, we have seen that what actually happened was that an Old Catholic bishop "assisted" at the ceremony, laid on hands, and said "Accipe Spiritum Sanctum," but nothing more. The rest of the rite was the ordinary Anglican rite, said by the Archbishop of Canterbury. Now this raises once more the question whether an assistant bishop makes up for the deficiencies of the principal consecrator. It also raises the question as to the validity of episcopal consecration *per saltum*. And in particular, it raises the question of the sufficiency of the formula "Accipe Spiritum Sanctum" said in such circumstances. It is one thing to maintain, as many scholastic theologians have done, that "Accipe Spiritum Sanctum" is a sufficient form of consecration when said in conjunction with the prayers of the Pontifical, which give the formula its meaning; it is quite another to say that it suffices when thus interpolated into the Anglican rite. As a form it needs determination. What determines it in this particular case is the rest of the Anglican rite, which plainly regards the episcopate as the highest grade of the evangelical and pastoral ministry.

At the most, one might say that there is just a bare possibility that such an episcopal consecration might be valid: there is and can be no certainty on the point.

Thus, we see that the Anglican case is built upon a monstrous combination of probabilities and possibilities. Now let us suppose that the probability of each of these is each one-half. Then the probability of two occurring together is the product of the two separate probabilities, i.e. one-quarter. And we will

leave the Anglican reader to work out for himself the mathematical probability of Anglican Orders being valid, when all the above probabilities and possibilities are taken into consideration !

A fair number of Anglican clergy take refuge in a *subjective* argument for the validity of their Orders, based upon their religious experience. They tell us that they have felt the reality of their Eucharistic consecrations, of their absolutions, etc., and that it is simply impossible for them to deny the manifest reality of these events in their spiritual life.

As to this, we say at once that the realities of the spiritual life are very important indeed, and it would certainly be wrong to deny them. But is there not room here for a distinction between the facts of experience, and the inference which they are being made to bear? Are there not Presbyterians, and Nonconformists, clerical and lay, who have had spiritual experiences in the administration of their Communion rite? But would that justify an inference that the Presbyterian Church is a true part of the Catholic Church of Christ, and that Presbyterian orders are valid? Or that Nonconformist orders are valid? Surely, in all these cases, allowance must be made, on the one hand, for the good faith of those in question, and for the truth that God gives his grace to all men of good will. There is no more reason to deny the reality of grace received by both minister and people, *on the occasion of* the administration of the Anglican Communion rite, than there is to deny the reality of grace given to those who make an act of contrition at a Salvation Army penitent form. But here of course we must distinguish between grace given on the occasion of a certain rite, and grace truly given *through* that rite. Grace may and doubtless has been given and received on the occasion of Anglican communions and absolutions, but that does not mean that it was truly given *through* them.

Further, does this argument from experience, admitting its full value, really destroy the force of the historical and theological arguments against Anglican Orders which we have set forth in this work? Would it make Anglican Orders certainly valid?

Lastly, the argument from experience can with equal truth be urged *against* the reality of Anglican Orders. Are there not many Evangelicals and Broad Church people who are convinced, from their "spiritual" experience, such as it is, that there is *no* real Objective Presence in the Eucharist, *no* Sacrifice offered

there to God, and *no* mediatorial priesthood in the Church, but only a representative ministry? Why should their experience be regarded as untrustworthy, and that of High Church clergy and people convincing? And is not this High Church conception a comparatively new feature of Anglicanism? Has not historical Anglicanism been, on the whole, of a very different character? As Cardinal Newman wrote :

“ Who is the *custos* of the Anglican Eucharist? The Anglican clergy? Could I, without distressing an Anglican, describe what sort of *custodes* they have been and are to their Eucharist? *O bone custos*, in the words of the poet, *cui commendavi Filium meum!* Is it not charitable to believe that so great a treasure has not been given to their keeping? And would our Lord leave himself for centuries in such hands?<sup>1</sup>

And again :

“ As the matter stands, all we see is a hierarchical body, whose opinions through three hundred years compromise their acts, who do not themselves believe that they have the gifts which their zealous adherents ascribe to them, who in their hearts deny those sacramental formulas which their country's law obliges them to use, who conscientiously shudder at assuming real episcopal or sacerdotal power, who resolve ‘Receive the Holy Ghost’ into a prayer, ‘Whose sins ye remit they are remitted’ into a licence to preach, and ‘This is my Body, this is my Blood,’ into an allegory. . . . If indeed earnestness of mind and purity of purpose could ever be a substitute for the formal conditions of a sacrament which Apostles have instituted and the Church maintains, certainly in that case one might imagine it to be so accepted in many an Anglican ordination. . . . But devotion cannot reverse the past, nor can good faith fulfil its own aspirations.”<sup>2</sup>

In conclusion, is it not clear that the historical state of the Anglican Communion has resulted from its acceptance of a Protestant theology, and this in turn from its separation from Rome? Anglo-Catholics are in great part abandoning their former Protestant standards of their Church, and many indeed are looking with wistful eyes at the See of Peter. Well may they gaze upon the rock from which they were hewn! May they realise that the one way to remedy their sad state is to return once more to their Father's House!

<sup>1</sup> *Month*, September, 1868, p. 270.

<sup>2</sup> *Essays Critical and Historical*, II, pp. 76-84.



## APPENDICES



## APPENDIX I

### ON THE PRECISE FORCE OF "APOSTOLICÆ CURÆ"

From *Epistle from the Romans*, by the Rev. E. C. Messenger, 1933, pp. 1, 2 :—

"It is indeed an open question amongst us Catholics whether *Apostolicæ Curæ* is an infallible pronouncement. All our theologians are, I think, agreed that it is not an infallible definition of doctrine in the sense of the Vatican Decree. But in this connection it must be remembered that practically all Catholic theologians teach as certain that the Church (and therefore also the Pope) is infallible, not merely in defining doctrines of faith and morals, but also in what are called 'dogmatic facts.' Hence the question arises whether the Pope here is determining infallibly a 'dogmatic fact.' On this opinions would seem to differ. Billot, for instance, seems to think that the Church is not infallible when she condemns the orders of some particular sect,<sup>1</sup> and Dublanchy<sup>2</sup> does not include *Apostolicæ Curæ* in his list of acts manifesting the infallible ordinary magisterium of the Pope (as distinct from his solemn magisterium with which the Vatican Decree is concerned).

"The question is not whether the Pope has decided the matter infallibly, but whether he has decided the matter with his supreme authority, infallible or not : i.e. whether he has decided it with the utmost authority that he possesses in such matters. And to this question the answer must be in the affirmative. This was made plain by Pope Leo XIII in his letter to Cardinal Richard, Archbishop of Paris, in which he wrote as follows concerning *Apostolicæ Curæ* :

'It was our intention thereby to deliver a final judgement, and to settle absolutely that most grave question. . . . All Catholics are bound to receive it with the utmost respect, as being finally settled and determined without any possible appeal.'

So far as the Pope can settle the question, then, it is to be regarded as settled, finally and without appeal. The document confirms the past practice of the Roman Church with regard to Anglican Orders, and makes it quite certain that the practice will always remain the law of the Church for the future."

To the above we may add that Cappello, in his recently published treatise, *De Sacra Ordinatione*, maintains that *Apostolicæ Curæ* is an infallible pronouncement : "Agitur de sententia infallibili ex cathedra prolata, ita ut de nullitate ordinationum anglicanarum dubium ullum haberi nequeat." With the last part of the phrase we are in cordial agreement, but we dissent from the view that *Apostolicæ Curæ* is technically an *ex cathedra* pronouncement. We would call attention to the fact that in the Bull itself, Leo XIII describes the subject as a "caput disciplinæ."

In any case the Pope has made it clear that his sentence is final and irrevocable.

<sup>1</sup> See *De Ecclesia*, fourth edition, p. 631.    <sup>2</sup> *Dict. de Théol. Cath.*, s.v. *Infailibilité*.

## APPENDIX II

### ABYSSINIAN ORDINATIONS

As these have figured largely in the controversy on Anglican Orders, because of a supposed Decree of the Holy Office in 1704, we think it well to give this account of the real facts of this case.

At the beginning of the eighteenth century, a "Dubium" concerning Abyssinian ordinations and other matters was sent in to the Congregation of Propaganda Fide by Fr. Joseph de Jerusalem, the Prefect of the Ethiopian Mission. Propaganda sent on the dubium to the Holy Office on October 20th, 1703. Six questions were submitted in all, but only one concerns ordinations, i.e. the second of the six. The others concern the wine provided for the celebration of Mass, etc. As first submitted, the dubium about ordinations ran as follows :

"Whether the priests or monks in Abyssinia are legitimately ordained, and consequently whether, when they become Catholics, they may and should be admitted to the exercise of their orders?"<sup>1</sup>

Before we discuss the sequel, it will be well to explain that the early Jesuit missionaries in Abyssinia had treated Abyssinian Orders as null and void, and had reordained converted clergy, in spite of violent protests. From an investigation made in Rome in 1594, by order of Pope Sixtus V, it would appear that the reason for these reordinations was the absence of a tradition of instruments in the Abyssinian rite.<sup>2</sup> But a practice of reordination based on these grounds could hardly be long maintained, in view of the fact that there was no tradition of instruments in other Oriental rites, which were nevertheless regarded as valid by the Catholic Church, and hence it is not surprising that the question of the validity of the Abyssinian rite should once more have been raised, in 1703.

The Cardinals of the Holy Office passed on the dubia received on the subject to a certain Padre Damasceno, a Consultor, "ut referat et sententiam suam exprimat de quæsitis." Padre Damasceno in due course drew up his "votum," and answered the question about Abyssinian Orders as follows :

"Quatenus Aethiopes Jacobitarum vel alio ritu utantur, in quo eorum sacerdotes seu monachi per manuum impositionem ordinentur, eorum ordinatio est valida."<sup>3</sup>

This Votum was read out at the meeting of the Holy Office, in the presence of the Pope, on Feria V, February 14th, 1704, but it did not receive the approval of the Supreme Pontiff. The Secretary

<sup>1</sup> Brandi, *Delle Ordinazioni Anglicane*, p. 66 note.

<sup>2</sup> See Votum of Assemani, in Cardinal Mai's *Scriptorum Veterum Nova Collectio*, Vol. V, pp. 224 *et seq.*

<sup>3</sup> Brandi, *op. cit.*, p. 66 n.



of the Holy Office records the Pope's instructions on the matter in the following terms :

" Sanctissimus mandavit pariter per me exquiri ab eodem P. Josepho, et ab aliis peritis rituum Abissinorum, qua præsertim forma conferantur ordines, etiam sacri et præbyteratus, ab episcopis schismaticis, et deinde confici et proponi novum quæsitum."<sup>1</sup>

The Pope wisely and prudently decided that further information was necessary as to the rite employed, before issuing a formal approval of these Abyssinian ordinations.

In accordance with the Pope's instructions, the Vicar Apostolic of Ethiopia sent in an explanation of the dubium on ordinations, and also of his other queries. This explanation was put before the consultors of the Holy Office at their meeting on February 18th, 1704. The result was that it was then decided to get still more information on the point : " Circa ordinationem, alii periti Abissinorum audiantur."

As the Copts and Abyssinians had long possessed a Church in Rome—San Stefano, near to St. Peter's, it was presumably not too difficult to obtain the desired information.

As a result of the information received, the " dubia " submitted by the Vicar Apostolic were drawn up in a new form. The question about ordinations now ran as follows :

" In Ethiopia, as it is necessary that the persons to be ordained should assemble from very distant parts, in the city in which the schismatic Archbishop resides, in order that they may be ordained, and as the Archbishop will hold an ordination only when the ordinands number eight or ten thousand in the above city in which he resides, he has in consequence at such a time to ordain three or four thousand or even more in one day. When those who are to receive the priesthood have been arranged in ranks in the Church, the Archbishop very quickly passes in front of them, and lays his hands on the head of each, saying, ' Accipe Spiritum Sanctum.' And in the case of those who are to be ordained deacons, he merely imposes the patriarchal cross on the head of each. And by reason of the great multitude and the confusion and haste with which he proceeds, it happens that the Archbishop does not lay his hands on some at all, and to others he does not say the words of the form, and others again are passed over without the one or the other. Accordingly, it is asked whether the priests and deacons ordained in such a way and form are validly ordained."<sup>2</sup>

Now it is obvious that this " Dubium " is a somewhat abbreviated presentation of the case, and must have been considered in the light of the additional information as to the ordination rite which was doubtless obtained through the " alii periti Abissinorum." For to begin with, it must have been known at the Holy Office that there are distinct ordination rites for the diaconate and the priesthood in

<sup>1</sup> Brandi, *op. cit.*, p. 66 n.

<sup>2</sup> Brandi, *op. cit.*, p. 66 n.

Abyssinia, as everywhere else. Yet at first sight the *dubium* seems to suggest that priests and deacons are ordained promiscuously at one and the same time.

But there is another and far more important point. In the Abyssinian rite, as in other Eastern rites, there are certain *general* ordination prayers, to be said on the occasion of the laying on of hands. We have given these general ordination prayers for the Abyssinian rite in our first volume.<sup>1</sup> The saying of the words "Accipe Spiritum Sanctum" at the individual laying on of hands was evidently a supplement to, and not a substitute for, the general prayers for the ordinands. It is hardly conceivable that the enquiries made from the "periti Abissinorum" had not revealed this fact. And yet there is no reference to them in the new "Dubium," though their existence must have been known.<sup>2</sup> Indeed, it would seem safe to say that these Abyssinian ordination prayers were implicitly recognised as valid at the Council of Florence, when the Abyssinian Church was temporarily reunited to the Holy See. Doubts had later been expressed by Jesuit missionaries, but, as we have said, that was due to the absence of a tradition of instruments. That specific question was not raised in 1703. Instead, the precise point of the doubt seems to be in the careless way in which a new "form," "Accipe Spiritum Sanctum," was said at the individual laying on of hands.

The new "Dubium" was once more submitted to Padre Damasceno for his report. His answer was this time as follows :

"Ordinatio presbyteri, cum manuum impositione et formæ prolatione, prout in dubio, est valida ; sed diaconi ordinatio cum simplici crucis patriarchalis impositione, omnino invalida est."

And to this he added the following "Instructio" :

"Quo vero ad praxim admittendi Presbiteros et Diaconos ad exercitium Sacrorum Ordinum postquam Catholicam fidem susceperint, sequentia observanda sunt.

"Si sacerdos absolute dicat se ordinatum fuisse cum manuum impositione ac verborum prolatione, et nil aliud obstat, poterit

<sup>1</sup> See pages 54-6.

<sup>2</sup> Fortescue, in his *Lesser Eastern Churches*, p. 311, quotes a sixteenth century account of Abyssinian ordinations, written by Fr. Alvarez, of the Portuguese Mission. "Alvarez says that 2,356 men were waiting to be ordained. . . Abuna laid his hand on each one's head, said several prayers, and blessed him repeatedly with his little bronze cross." Note the reference to "several prayers." This shows quite clearly that other prayers were said in connection with the laying on of hands, and it is surely reasonable to suppose that this was known to the "periti Abyssinorum" in Rome in 1703 ! Furthermore, Ludolf, in his *Historia Aethiopiae*, published at Frankfurt in 1681, had actually printed a Latin translation of the Abyssinian ordination prayer for priests. This was quoted by Courayer in his *Défense de la Dissertation* in 1726. (See p. 497). Incidentally, Courayer remarked that no one doubted the validity of Abyssinian ordinations. Le Quien, replying to Courayer in 1730, suggested that the prayer given by Ludolf was not the true Abyssinian prayer, or else that it had been altered, adding that missionaries testified that Abyssinian ordinations were carried out in a very casual manner (see p. 501). If this Abyssinian prayer was thus known in 1681, and discussed in Catholic circles in 1726 and 1730, is it likely that it was unknown to the "periti Abyssinorum" in Rome in 1703 ? Let it be remembered that all during this time there was an Ethiopian colony just outside St. Peter's. (See p. 735.)

Missionarius postquam cum illo super irregularitatem dispensaverit, eumque ab excommunicatione absolverit, eundem ad exercitium suorum Ordinum admittere juxta ritum approbatum et expurgatum in quo fuit ordinatus.

"Si vero idem sacerdos ingenue fateatur se non recordari de materia et forma suæ ordinationis vel de una aut altera dubitare, non potest admitti ad exercitium suorum Ordinum donec sub conditione fuerit reordinatus.

"Tandem, si absolute asserat vel manuum impositionem vel formæ prolationem, sive utramque omissam fuisse, reordinandus erit absolute antequam ad exercitium suorum ordinum admittatur.

"Quia vero quilibet sacerdos, etiam valide ad Sacerdotium ordinatus, fuit invalide ad Diaconatum promotus, idcirco ut possit suos Ordines exercere, debet (si Sanctissimo placuerit facultatem dispensandi Missionariis impertiri) cum illo tamquam per saltum ordinato, ac etiam suspenso propter subsequens suorum Ordinum exercitium, super irregularitatem dispensari, donec et quousque per Episcopum Catholicum ad Diaconatus Ordinem valide promoveatur."

And lastly, Padre Damasceno gives the "Ratio Resolutionis" or motive for his decision :

"Haec Resolutio fundatur super praxi Ecclesiæ in similibus casibus, ut videri poterit in Decreto super Ordinationibus Episcopi Abellinensis coram Innoc. XII emanato, et etiam respective colligitur ex cap. 'Tunc nobis' de clerico per saltum promotus."<sup>1</sup>

We note that Padre Damasceno evidently regards the "Accipe Spiritum Sanctum" as at any rate a *part* of the essential form, which must be said individually to each candidate for the priesthood when hands are laid on him. It does not necessarily follow from his Votum that he regarded these words as the whole of the form. But in any case the absence of the individual recitation of "Accipe Spiritum Sanctum," or again the absence of the individual laying on of hands, invalidates the ordination, in his view. The ordination to the diaconate, as practised, is completely invalid, in his opinion, not because the "form" is insufficient, but because there is no laying on of hands, but only the imposition of a cross instead.

This Votum of Padre Damasceno was duly read out to the Pope in the meeting of the Holy Office on April 10th, 1704. But against this second "Dubium," in the Holy Office records, there is written :

"Dilata ad mentem."<sup>2</sup>

This means that, for the second time, the "Resolutio" or Votum of Padre Damasceno was held over, and was not approved by the Sovereign Pontiff. The reason for this, however, is not specified.<sup>3</sup> Padre Damasceno's "resolutio" concerning altar wine was similarly

<sup>1</sup> Brandi, *op. cit.*, pp. 202-3.

<sup>2</sup> Brandi, *op. cit.*, p. 202.

<sup>3</sup> Possibly there was a discussion of the ordination prayer for priests, and there may have been a difference of opinion as to its adequacy.

"dilata." But two answers on other questions were duly approved. The question about altar wine was further discussed, and settled finally on July 22nd, 1706.<sup>1</sup>

But the question about the validity of Abyssinian ordinations remained undecided.<sup>2</sup>

In the year 1733, a dubium was submitted to Rome as to the validity of the orders of two Coptic monks who had received orders, up to the diaconate, from a schismatic Coptic bishop. This time a long Votum was obtained from the great Oriental scholar, Assemani, in which he went into the whole matter at great length. The immediate question was the validity of the pure Coptic rite, but Assemani deals also incidentally with the Abyssinian rite. Thus, he remarks that

"the nature of the matter and form of Orders among the Easterns, whether Greeks, Syrians, Copts, or Abyssinians, is set forth clearly in (their) Councils, Fathers, and Pontificals. That is to say, it consists in the imposition of the hands of the bishop, and the prayer which is at the same time said over the ordinand."<sup>3</sup>

He also points out that in previous centuries there was no question of the validity of the Coptic or Abyssinian rite :

"The Popes granted to the Abyssinian nation, which is of the same rite as the Copts, the Church and Hospice of St. Stephen the Protomartyr, near to the Vatican Basilica, in which the monks freely carried out their sacred rites."<sup>4</sup>

Assemani then explains that the doubts which arose subsequently as to the validity of Abyssinian ordinations was motived by the absence of a tradition of instruments. Eventually he comes to the special question of the validity of the Coptic rite itself, and concludes that there can be no doubt that it contains the proper matter and form, i.e. the imposition of hands, and a prayer suitable for the order to be conferred. Assemani does not deal specially with the Abyssinian rite, but it would seem that he regarded it as valid, if properly administered.

Next we may mention that in 1745, Benedict XIV issued an Instruction to the Vicar Apostolic and priests of the Coptic Mission, in which he stated that, after consulting the Cardinals of the Holy Office and expert authorities on Oriental rites :

"Aequum visum est, ut parochi ritus Copti, valide tamen ac rite ordinati, qui . . . in lucem catholicæ veritatis emergunt, capaces sint etiam inter catholicos administrationis sacramentorum."<sup>5</sup>

This reply, as before, confines the authorisation to cases in which the rite was properly carried out. But it seems to imply that the rite itself is adequate, and though only the pure Coptic rite is directly

<sup>1</sup> Brandi, *op. cit.*, pp. 200-1, n.

<sup>2</sup> Padre Joseph de Jerusalem returned to the Ethiopian Mission in 1704, and did not wait for an answer to his questions.

<sup>3</sup> *Scriptorum Veterum Nova Collectio*, Vol. V, p. 189.

<sup>4</sup> *Ibid.*, p. 224.

<sup>5</sup> *Collectanea Prop. Fid.*, III, p. 223.

under consideration, it is possible that the Abyssinian variant would be treated in the same way.

In practice, ordinations were evidently carried out very carelessly in Egypt as in Abyssinia, and strangely enough, an innovation was introduced into the Coptic ordination rite similar to that introduced into the Abyssinian rite. This innovation is described in a "Relazione" sent to the Holy Office in 1803 by Mgr. Righetti, Prefect Apostolic of the Copts :

"When the ordinandi are many in number, as say twenty or thirty, the Bishop does not put his hand upon the head of all, but holds his hand extended a little on high over their heads, without touching them, and recites the form for all ; then, before communicating them *sub utraque specie*, he puts his hands on the two cheeks of each of them, and breathes three times upon their face and mouth, saying in Coptic, 'Ci imbneuma csuab,' that is, 'Accipe Spiritum Sanctum.'"<sup>1</sup>

Note that there is one prayer which is the form said for all, in addition to the separate recitation of "Accipe Spiritum Sanctum," just as in the Abyssinian rite.

In 1860, two Monophysite Coptic priests wished to be received into the Catholic Church, and the Holy Office was consulted as to their ordination. Enquiries elicited the fact that though "the Coptic Rituals prescribe in the clearest terms the proper matter and form . . . for the conferring of the diaconate and the priesthood, prescribing that the ordainer shall lay his hands on the ordinand, enquiries made among the Monophysite Copts as to their practice show that . . . the sacrament is not always certainly valid. . . . Two disorders have been introduced into their way of conferring sacred orders. The first is that the ordainer does not impose hands on the ordinand, but only a silver cross. . . . Again, the Monophysites think that the essence of ordination consists in the insufflation which the ordainer makes when he says 'Accipe Spiritum Sanctum' . . . though this insufflation is not mentioned in the Ritual."<sup>2</sup>

Accordingly, the following dubia on the subject were submitted to the Holy Office :

"Is the collation of sacred orders by the Monophysites, as set forth above, absolutely null, either when conferred by force, or through the absence of the imposition of hands, or is it simply doubtful ?

"Ought it to be repeated *sub conditione*, or absolutely ? . . ."<sup>3</sup>

On this occasion, the Holy Office submitted the matter to a consultor, Mgr. Paulo Micallef, afterwards Archbishop of Pisa. Mgr. Micallef in preparing his "Votum" on the subject found in an edition of Antoine's *Theologia Moralis* the previous Votum given by Padre Damasceno in 1703. Antoine's work, indeed, merely quoted it as a reply of the Consultors of the Holy Office : "Ad hæc, Supremæ Inquisitionis Consultores 10 aprilis 1704 ita responderunt, etc."<sup>4</sup>

<sup>1</sup> Brandi, *op. cit.*, pp. 67-8.

<sup>2</sup> Brandi, *op. cit.*, p. 206.

<sup>3</sup> Brandi, *op. cit.*, pp. 205-6,

<sup>4</sup> *Theologia Moralis*, 1818, p. 409.

Mgr. Micallef, however, wrongly concluded that this was a reply of the Holy Office as such, and said this in his own *Votum*: "Nel dì dieci Aprile 1704, questa Suprema Inquisizione rispose etc."<sup>1</sup> Unfortunately, Mgr. Micallef's mistake was followed by the other Consultors of the Holy Office, at their meeting on April 30th, 1860, when they decided: "Detur responsio Supremæ Inquisitionis diē 10 Aprilis 1704," i.e. they followed Micallef in regarding Damasceno's "*Votum*" as a "*Responsio*." And finally, the mistake was copied by the Cardinals of the Holy Office, for at their meeting on May 9th, they answered the dubium as follows: "Juxta exposita, ordinationem esse invalidam, et detur responsio ut Feria IV, 9 Aprilis 1704."<sup>2</sup> That is to say, the Holy Office on this occasion in 1860 decided that the ordination of the two candidates to the priesthood, who had been ordained, not by the laying on of hands, but by the imposition of a silver cross and an insufflation, was invalid. Its invalidity was evidently due to the absence of the imposition of *hands*. The imposition of a silver cross is no substitute for this. This is now laid down definitely by the Cardinals of the Holy Office. And to confirm this, they refer to this previous supposed decision of the Holy Office, i.e. the "*Votum*" of Padre Damasceno, in which he had pronounced the ordination to the diaconate by imposition of a similar cross to be invalid. It might be said that, in thus adopting this "*Votum*" of Padre Damasceno, the Holy Office in 1860 did in fact give it the value of a decree which it had not previously possessed. This is arguable, but in any case it will apply only to that part of Padre Damasceno's "*votum*" which was *ad rem*, i.e. his rejection of ordination by the imposition of a cross. The Holy Office did not formally adopt the part of Padre Damasceno's resolution concerning ordination to the priesthood by the form "*Accipe Spiritum Sanctum*."

But though in point of fact the *Votum* of Padre Damasceno was not adopted, either in 1704, or in 1860, except perhaps in part, as explained above, it had nevertheless come to be regarded as a Reply of the Holy Office, and influenced some theologians accordingly. It was, as we have said, quoted in an edition of Antoine's *Theologia Moralis*, and many other authors did the same. In particular, we may mention that Estcourt, in his work on *Anglican Ordinations*, published in 1873, considered that the supposed "*Decrees*" made it clear that "*Accipe Spiritum Sanctum*" was in itself a sufficient form for ordination to the priesthood.<sup>3</sup> In consequence of this, Anglican writers quite naturally urged that in this case their own rite for the priesthood ought to be accepted as valid, seeing that their "*form*" contains these words, "*Accipe Spiritum Sanctum*."

Accordingly, a "*Dubium*" was sent to the Holy Office by Cardinal Manning. He asked whether from the alleged decision in the Abyssinian case in 1704 anything could be inferred in favour of the sufficiency of the form used for Anglican Orders.

This time the consultor chosen was Padre, afterwards Cardinal Franzelin, the learned Professor of the Gregorian University.

<sup>1</sup> Brandi, *Delle ordinazioni anglicane*, p. 211.

<sup>2</sup> A mistake. It was on April 10th. See above.

<sup>3</sup> Page 147.

He went into the whole of this complicated question, and explained it thoroughly in a *Votum* in 1875. Long extracts from his "*Votum*" are printed by Brandi,<sup>1</sup> and have been utilised in the present Appendix. He made it perfectly clear that the "*Votum*" of Padre Damasceno had not been approved by the Holy Office in 1704, and also that the approbation given to the *Votum* by the Answer in 1860 was limited to the section which condemned ordinations by the imposition of a cross.<sup>2</sup> He also stressed the fact that the Abyssinian form could not possibly consist merely of the words "*Accipe Spiritum Sanctum*" :

"*Quid enim totusne ritus ordinationis apud Coptos consistit in cursoria illa manus impositione, et tribus istis verbis omnino indeterminatæ significationis? Incredibile id erat, et falsum esse constat ex Ritualibus Copticis apud Morinum et Assemanium.*"<sup>3</sup>

Franzelin's conclusion was as follows :

"*Si igitur secundum plenam rei veritatem respondendum est interrogationi Illustrissimi Westmonasteriensis, negari debet suppositum, et simpliciter dici, illud quod citatur pro sufficientia formæ, 'Accipe Spiritum Sanctum,' non esse desumptum ex aliquo decreto S. Congregationis, sed ex voto Consultoris numquam a S.C. approbato.*"<sup>4</sup>

In accordance with this *Votum*, Cardinal Patrizi wrote as follows to Cardinal Manning, on April 30th, 1875 :

"*Litteris diei 24 Aug. anni nuper elapsi referebat Eminentia vestra quæstionem istic exortam inter aliquos scriptores circa sensum cujusdam, ut appellat, decreti, ab hac suprema C. U. Inquis. die 10 apr. anni 1704 editi, quod valorem respicit ordinationis in quodam casu Abyssinorum expletæ per verba : 'Accipe Spiritum Sanctum,' manuum impositioni conjuncta, ex eoque Anglicanos præsumere ac jactitare nullum jam posse a catholicis moveri dubium de eorum ordinum validitate. Proinde ad anxietates eliminandas veritatemque securius defendendam quærebat Eminentia vestra sequentis dubii declarationem, scilicet, an in supra asserto decreto explicite vel implicite contineatur doctrina ad validitatem ordinis presbyteratus sufficere impositionem manuum cum iis dumtaxat verbis, 'Accipe Spiritum Sanctum.'*"

"*Jam vero Emi. PP. Cardinales una mecum Inquisitores Generales, articulo formaliter ac mature discussio in feria iv. die 21 labentis mensis, rogationi ejusmodi respondendum duxerunt : Negative. Atque ad hujus decreti justitiam protuendam pauca ex mente Sacri Ordinis Eminentie Vestre innuisse sufficiat : scilicet ex ipso Coptorum ritu, ut in eorum libris pontificalibus habetur, manifestum esse illa verba : 'Accipe Spiritum Sanctum,'*"

<sup>1</sup> *Op. cit.*, pp. 210-216.

<sup>2</sup> See quotation from Franzelin in Brandi, *op. cit.*, p. 146.

<sup>3</sup> Brandi, *op. cit.*, p. 211. Franzelin evidently regarded the Abyssinian rite as a variant of the Coptic form.

<sup>4</sup> Brandi, *op. cit.*, pp. 215-6.

non integram formam constituere, nec sensum documenti quod ex anno 1704 profertur, quodque non est decretum S.C. uti ex ejus tabulario patet, alio modo intelligendum esse, nisi quod penes Coptos ordinatio presbyteri cum impositione manuum episcopi et prolatione formæ in antiquo eorum ritu præscriptæ valida sit habenda; nunquam vero Sanctam Supremam Congregationem sive explicite sive implicite declarasse ad validitatem ordinis presbyteratus sufficere manuum impositionem cum iis dumtaxat verbis, 'Accipe Spiritum Sanctum.'<sup>1</sup>

Unfortunately, even this Reply of Cardinal Patrizi did not prevent the original mistake from being repeated once more. For in the *Collectanea* of the Congregation of Propaganda Fidei, as published in 1893, the supposed Decree was once more quoted.<sup>2</sup> But this time the mistake did not pass unnoticed, and a letter from the Archivist of the Congregation to the Editor of the *Civiltà Cattolica* on April 27th, 1897, acknowledged the error, and promised that it should be rectified in subsequent editions.<sup>3</sup>

It should, at any rate, be clear now that the Holy See has never countenanced the theory that the "form" for the priesthood is the words "Accipe Spiritum Sanctum," as has so often been stated by Anglican writers.

As to the Abyssinian rite itself, we have expressed the opinion that it might be regarded as valid, if properly carried out. But there has been no formal decision by the Holy See either for or against its validity. In practice, such grave irregularities have occurred in Abyssinian ordinations that converted clergy are usually reordained *sub conditione*.

<sup>1</sup> *Priesthood in the English Church*, p. 67.

<sup>2</sup> Brandi, *op. cit.*, p. 147.

<sup>3</sup> No. 1170.



## APPENDIX III

### ADDITIONAL NOTES

#### VOL. I

- p. viii, line 1, etc. For "Lollardry" read "Lollardy." Line 15 from bottom. Dr. Darwell Stone should be described as "some-time Librarian of Pusey House, Oxford," and not as "Warden."
- p. 10. The first quotation from St. Justin Martyr (*Apol.*, I, 66) is in Migne, *P.G.*, Vol. 6, col. 428. The phrases from St. Ignatius of Antioch are taken from his *Epistle to the Ephesians*, V and XX (Migne, *P.G.*, Vol. 5, cols. 469, 661).  
The reference to the Docetic heretics is in Migne, *P.G.*, Vol. 5, col. 713.  
The quotation from St. Irenæus (*Adv. Haer.*, Lib. IV, xviii. 4-5) is in Migne, *P.G.*, Vol. 7, cols. 1026-1029.
- p. 11. The quotation from Tertullian (*Adv. Marcion*, Lib. IV, c. 40) is in Migne, *P.L.*, Vol. 2, cols. 460-2.
- p. 12. The quotation from *De Idololatria* (cap. vii) is in Migne, *P.L.*, Vol. 1, col. 669.  
The first quotation from St. Cyril of Jerusalem (note 2) is in Migne, *P.G.*, Vol. 33, col. 1072. The second quotation (note 3), i.e. from *Catech.* xxii, is in Migne, *P.G.*, Vol. 33, cols. 1097-1104. The *Catechetical Lectures* were delivered A.D. 348. The year 386 is the date of St. Cyril's death.
- p. 13. The *Month* reviewer (July, 1936) complains that I have included no treatment of St. Augustine's doctrine on the Eucharist. I abstained from doing so because of his comparatively late date, and because of the difficulty in giving an adequate account of his teaching in a few lines. I can plead that, at any rate, I also omitted the very clear teaching of St. Ambrose and the *De Sacramentis*. St. Ambrose says definitely that the bread and wine are changed (*mutare naturas*) by the words of Christ ("Christi sermo species mutat elementorum. Christi sermo ea quae sunt in id mutat quod non erant"—*De Mysteriis*). St. Augustine likewise clearly teaches the Real Objective Presence, and says that the bread and wine are made the Body and Blood by the Word of Christ: "accedente verbo, fiat corpus et sanguis Christi. Nam tolle verbum, panis est et vinum; adde verbum, et jam aliud est. Et ipsum aliud quid est? Corpus Christi et Sanguis Christi. Tolle ergo verbum, panis est et vinum; adde verbum, et fiet sacramentum" (*Sermon. inedit.* VI, 3,

Migne, *P.L.*, Vol. 46, col. 836). But St. Augustine delighted to dwell on the Eucharist viewed as the Sacrament of Unity, and actually said that, in receiving the Eucharist, we receive the Mystical Body, i.e. ourselves. That does not, however, mean that we do not also receive the natural, though glorified, Body of Christ. But St. Augustine's language lent itself unfortunately to this interpretation, and was so interpreted by some in the early Middle Ages, and also by the Protestant Reformers. For a detailed discussion of St. Augustine's views, see articles by Portalie and Bareille in the *Dictionnaire de Théologie Catholique*, s.v. *Augustin* and *Eucharistie*, Vols. I (cols. 2418-2426) and V (cols. 1173-1179), also Batiffol *L'Eucharistie*, 1930, pp. 422-453, and Franzelin's *De Eucharistia*.

- p. 16. Line 3 from bottom. For "Venedig" read the English form, "Venice."
- p. 18. Add to note 1 : Migne, *P.G.*, Vol. 6, col. 564.
- p. 22. Add to note 3 : Migne, *P.G.*, Vol. I, cols. 288-9. Father Congar, O.P., in *Blackfriars* (Sept., 1936) considers my discussion of this passage of St. Clement unsatisfactory, but does not say why. Actually, St. Clement first says that *Christians* are to "perform both the oblations and the liturgical duties" at fixed times, and then describes the liturgical laws of the Old Testament, in the latter part of the passage quoted. But these are evidently quoted for their typical value, and accordingly, shortly afterwards, he speaks of the dispossessed rulers of the Church at Corinth as "those who have offered the gifts" (44). Again, earlier in the same epistle, St. Clement calls Our Lord "the High Priest of our oblations" (35-36). Taken together, these references surely imply a Christian Sacrifice, and a sacrificial ministry.
- p. 23. Lines 10-11. The references to the "new oblation," etc., occur, not in St. Ignatius, but in St. Irenæus (*Adv. Hæreses*, loc. cit., in note 4). There is no express reference to the Eucharistic Sacrifice in St. Ignatius, but that he believed in it is evident from his use of the word "altar," *thusiasterion*, in connection with the Eucharist.  
 Add to note 1 : Migne, *P.G.*, Vol. 6, col. 564.  
 Add to note 5 : Migne, *P.G.*, Vol. 12, col. 547.  
 Add to note 6 : Migne, *P.G.*, Vol. 7, cols. 1023-9.
- p. 24. Add to note 1 : Migne, *P.L.*, Vol. 4, cols. 375-387.
- p. 25. Add to note 1 : Migne, *P.G.*, Vol. 31, cols. 1581-5.  
 Add to note 2 : Migne, *P.L.*, Vol. 14, col. 1102.  
 Add to note 3 : Migne, *P.G.*, Vol. 56, col. 138.  
 Add to note 4 : Migne, *P.G.*, Vol. 63, col. 131.  
 Add to note 5 : Migne, *P.G.*, Vol. 76, col. 312.
- p. 27. Note 1. For "c. xi" read "cxl."  
 Note 2. Read : *Apol.*, I, 67, in Migne, *P.G.*, Vol. 6, col. 429.
- p. 28. Note 1 : read, *Apol.*, I, 65, in Migne, *P.G.*, Vol. 6, col. 428.  
 Line 9 from bottom. For "anaphora" read "anaphoræ."

- St. Hippolytus was probably an anti-Pope, but he apparently made his peace with the Church eventually.
- pp. 32 *et seq.* For a treatment of the question of the Hierarchy in the Early Church, and the origin of the episcopate, see Michiels, *L'origine de l'épiscopat* (Louvain, 1900), and his article *Evêques* in the *Dictionnaire Apologétique*; also the article *Hierarchy*, by S. de D. Borkowski, S.J., in *Catholic Encyclopedia*, Vol. VII, and the Appendix on *The Ministry in the Apostolic Church* in the Westminster Version of the New Testament, Vol. III, pp. 224-253.
- p. 33. The Rev. Canon Wilfred Knox, in his notice of my first volume in the *Cambridge Review* for May 5th, 1936, says: "Dr. Messenger accepts the *obiter dictum* of Trent that Our Lord ordained His disciples to this office (of priesthood) at the Last Supper (he regards the *obiter dictum* as of faith)." But, as I point out, this was "solemnly defined by the Council of Trent" in Session XXII, cap. 1, and imposed under anathema: "Si quis dixerit, illis verbis 'Hoc facite in meam commemorationem,' Christum non instituisse Apostolos sacerdotes, aut non ordinasse ut ipsi, alique sacerdotes offerrent corpus et sanguinem suum, A.S." But doubtless Canon Knox regards all the Tridentine decrees as *obiter dicta*!
- p. 59. The form of the *Deus sanctificationum omnium* here printed varies slightly from that found in the Vatican MS. and printed by H. A. Wilson. This version omits the "Deus," puts a comma after "auctor" instead of after "omnium," and omits the "his" in line 4 ("probeat" at the end of the same line should be "proben"). But the relevant part of the prayer is that which I have printed in italics, and there is no difference between this and the form in the Vatican MS. and in Wilson.
- pp. 62-63. Delete "e" at end of "Magdalene."
- p. 67. Line 15. Omit "i" before "an" at end of line.  
Line 17. For "rght" read "right."
- p. 69. In the quotation from St. Augustine, in paragraph 2, "detra" should be "detrahe." Father Beck has pointed out in the *Clergy Review* for September, 1936, that in this particular text "sacramentum" probably means only the blessed water, and "verbum" does not mean the form. He gives a much more apposite quotation, which I have utilised in my additional note for p. 13, above.
- p. 70. Lines 5 and 9 from bottom. For "Cornelius" read "Stephen."
- p. 71. Line 18. For "sixteenth" read "seventeenth."
- p. 77. It was not Abbot Fofi who discovered the document purporting to give the Abbot of St. Osyth authority to ordain priests. This attribution, made by Canon Mahoney in the *Clergy Review* for October, 1932, was corrected in the issue for November of the same year. The Bull was published in full, apparently for the first time, by Mr. Egerton Beck

in the *English Historical Review* for 1911 (p. 125). The document was discovered in the Vatican Archives by Mr. Twemlow and entered by him in the Calendar of Papal Letters (V, 334). Some isolated theologians hold even now that, with a Papal delegation, priests can ordain other priests. E.g., C. Baisi. *Il Ministro Straordinario degli Ordini Sacramentali*, Rome, 1935.

- p. 79. Scotus did not himself write the *Summa Theologica*, but this was a compilation made by a disciple, Jerome de Montefortino. The head of each article gives, however, the source in Scotus's own works. That heretical bishops can consecrate validly is asserted by Scotus in the *Reportata Parisiensia*, Dist. 25, q. 1, ad. 3: "Ad aliud de hæreticis, dico quod non est ablata ab eis potestas, sed tantum jurisdictio et executio potestatis, et ita hæretici et irregulares possunt conferre ordines, quantum ad absolutam potestatem ordinum, sed non quantum ad executionem."
- p. 81. Line 4. For "Ivo Carnotensis," read the English form, "Ivo of Chartres."
- p. 84. On the *Summa Theologica* of Scotus, see previous note on p. 79. The two views are set forth in the *Reportata Parisiensia*, as follows: "Sacerdoti quidam confertur duplex potestas in ordine sacerdotii, in aliquo signo sensibili uno, scilicet, ad conficiendum corpus Christi verum, et absolvendum corpus Christi mysticum, secundum unam opinionem; si vero non simul, nec in uno signo sensibili sed in pluribus confertur illa duplex potestas, ut dicit alia opinio, tunc debet dici quod episcopus primo confert ei auctoritatem conficiendi corpus Christi verum, deinde auctoritatem absolvendi corpus Christi mysticum, sicut Christus prius fecit apostolos sacerdotes in cena, ubi dedit eis potestatem super corpus Christi verum conficiendum, et si tunc fuissent mortui, fuissent veri sacerdotes Christi sine auctoritate absolvendi corpus Christi mysticum, quam postea dedit eis post resurrectionem" (*In IV Sent.*, dist. 24, scholium iii).
- p. 90. Line 15. For "est" read "et."
- p. 92. Line 5. For "diffinitio" read "definitio."
- p. 97. Bottom of page. This mediæval gloss was, in point of fact, quoted by Bishop Hooper of Gloucester, the sixteenth century reformer (see *Early Works*, Parker Society, p. 526). The Editor merely gives as a reference: "Decretum Gratiani, col. 2022, gloss on *Dentibus*," without specifying the edition. But the gloss will be found (on *Decret. Grat.*, III Pars, *De Consecratione*, Dist. 2, can. 42) in the edition of the *Corpus Juris* published at Lyons in 1584 (col. 1932), and in the edition published at Paris in 1612 (col. 2104). The author of the gloss is not specified.
- p. 102. In the last quotation from Peter d'Ailly, for "communio opinio" read "communis opinio."
- p. 108. Line 8. For "episcopi" read "episcopis."
- p. 110. Line 6, last word. Insert "e" in "sacrd."
- p. 111. Line 18. For "corporale" read "corporali."

- p. 112. Line 10. For 1312 read 1382.
- p. 122. Line 11. For "testimonia" read "testimonia."  
 Line 14. For "eleemosynem" read "eleemosynam."  
 This extract from Melanchthon is from *Corpus Reformatorum*, Vol. 27, col. 571.
- p. 123. Line 9. The first word should be "in," not "et" (cf. Le Plat, *Monumenta Conc. Trident.*, II, p. 350).
- p. 127. Quotation from Albertus Magnus in note 3. The *Guardian* reviewer (May 1st, 1936) says that this quotation "contains nearly as many mistakes as lines." In point of fact, I took the quotation from Maclear and Williams' *Historical Introduction to the Thirty-nine Articles*, 1909 edition, p. 366, note, and my text corresponds to theirs, save for two slight errors: "quotidianum" in line 2 should be "quotidianam," and the "m" has dropped out in front of "munus" in the last line. But Maclear and Williams have omitted two words, "in cruce," in one part of the passage, and put "delicto" instead of "debito" in another. I unwittingly copied their wrong version. The passage is found both in the works of Albert and those of Thomas Aquinas. Here is the version found in pseudo-Albert: "Secunda causa institutionis hujus sacramenti est sacrificium altaris, contra quamdam quotidianam delictorum nostrorum rapinam; ut sicut Corpus Domini semel oblatum est in cruce pro debito originali, sic offeratur jugiter pro nostris quotidianis delictis in altari, et habeat in hoc Ecclesia munus ad placandum sibi Deum, super omnia legis sacramenta vel sacrificia pretiosum et acceptum" (*Opera*, Lyons, 1561, Vol. xii, p. 250). The pseudo-Aquinas version omits "hujus sacramenti" after "institutionis." The *Guardian* reviewer adds that my "interesting discussion" of the passage "seems to save the mediæval writer's orthodoxy at the expense of his intelligence or that of his readers." This is doubtless because I suggest that the writer of the sermons cannot be presumed to contradict in one passage what he asserts over and over again in other passages!
- p. 133. Line 12. For "Concianator" read "Concionator."  
 Line 15. For "facti" read "facta."  
 Line 16. For "Apostolic" read "Apostolis."  
 Line 17. For "institutum" read "institutam."
- p. 137. The *Concord of Wittenberg* goes on to deny that the Body of Christ is present apart from communion: "Extra usum, cum asservatur in pixide aut ostendatur in processionibus, ut fit a Papistis, sentiunt non adesse corpus Christi" (*Corpus Reformatorum*, III, col. 75). Thus Lutheran and Bucerian theologians agreed that the reserved sacrament is not the Body of Christ.
- p. 221. The Abbé Constant urges (*Downside Review*, October, 1936, p. 526) that the Calixtins who could thus be ordained were, not pastors, but laymen. But see my reply in the *Downside Review* for January, 1937.
- p. 229. The Abbé Constant has been rash enough to describe my

statement that the German High Church Lutherans derive their orders from the Syrian Jacobites of Antioch, through the Gallican Church of the South of France, as a myth and a legend (*Downside Review*, Oct., 1936, p. 527). The Abbé is strangely unaware of what has been happening in his own country. See the proofs of my original statement, quoted in the *Downside Review* for January, 1937.

p. 233. Line 14. The actual title of St. John Fisher's work is *Sacri Sacerdotii Defensio contra Lutherum*. It was reprinted in 1925 in the *Corpus Catholicorum* (Munster), and an English translation by the Right Rev. Mgr. Hallett appeared in 1935.

p. 235. Line 12 from bottom. For "allow" read "allows."

p. 242. Note 1, line 4. For "respondemus" read "responderemus."

p. 246. The *Guardian* reviewer (May 1st, 1936) complains that I make Gairdner say expressly something which is my own inference, "and, it would seem, a wrong one." He is evidently referring to my statement, "Gairdner expressly says that the Ten Articles were elaborated out of the Wittenberg Articles." Gairdner's actual words are as follows: "How the Ten Articles for English use were elaborated out of the sixteen Articles of Wittenberg we cannot trace in detail. But certain it is that the Bishops did something, etc." (*Lollardy*, II, p. 317). I submit that if I have made an inference, it is a correct one.

p. 247. Line 3 of footnote. Delete comma after "good."

p. 250. Line 1. Mr. Belloc maintains (*History of England*, IV, p. 154) that "the Ten Articles were a strong affirmation of Catholic doctrine, and were welcomed as such by the one man who was regarded by Englishmen at least as typical of orthodoxy, Reginald Pole." Mr. Belloc quotes no authority, but the following statement is made by Gairdner (*Lollardy*, II, p. 310): "Reginald Pole, who was then at Venice, ardently hoped when he received a copy (of the Ten Articles), that they indicated a design on the King's part to restore true principles of religion, if not even to return to the unity of the Church." Gairdner gives in a footnote the reference: "Letters and Papers, XI, 1197." This is a misprint for X, 1197, which gives an analysis of a letter from Pole to Cardinal Contarini, as follows:

"Has read certain articles of religion which the King is said to have signed. These appear to indicate a hope of restoring religious matters. Would have rejoiced still more if the King's opinion about the Unity of the Church and the only Vicar of Christ had been also expressed. Believes he will at length subscribe this point also."

The marginal reference here is to Pole's *Epistles*, I, 458. Here we find the following:

"Quamquam quæ alia, mea sententia esse potest, quam gaudium et gratulatio, cum video cursum illum, quo homines nostri recta præcipites ad pervertenda religionis præcipua dogmata ferri videbantur, sic interruptum esse,

ut jam consistere videantur, et cursum suum melius considerare, sic, ut tantum eos progressos esse quasi poenitere videantur. Hoc enim judico ex quibusdam Capitibus quæ ad me missa sunt. . . . Multo solidius hoc gaudium fuisset, si in eo, quod reliqua dogmata omnia continet . . . id est, de unitate Ecclesiæ et uno in terris Christi Vicario, de quo nullum verbum est in illis Capitibus, quæ vidi. Spero vero tandem huic etiam Regem subscripturum."

This letter is dated "Festo S. Joannis Baptistæ." Gairdner (II, 311 note) suggests that this means August 29th, the Feast of the Beheading of St. John Baptist. The Ten Articles were introduced into Convocation only on July 11th.

In *Letters and Papers*, XI (No. 376, p. 150), there is another letter from Pole to Contarini, not mentioned by Gairdner. It is thus analysed :

"I have also read some printed Articles of Religion in English, in which I find nothing much at variance with the Catholic standard, except that their authorship is ascribed to the King in the title. . . . They treat of the Sacraments, Invocation of Saints, and Purgatory, much after the old manner. The mercy of God has protected the faith of the people."

The marginal reference is to Pole's *Epistles*, I, 479. Here we read :

"De rebus religionis accepi Capita quædam . . . in quibus a vetere et Catholico more Ecclesiæ nihil dissonum video, nisi quod hoc maxime dissonum est . . . quod Rex . . . se quasi authorem facit. . . . Si vero quæras, quales ii Articuli sunt, Sacramenta Ecclesiæ sunt, nihil enim aliud continent ii Articuli præter quædam de Invocatione Sanctorum et de Purgatorio, in quibus etiam eandem cum vetere Ecclesia sententiam tenere videtur."

This letter is dated "pridie kal. Sept. 1536."

These two communications certainly bear out Belloc's contention that Pole regarded the Ten Articles as orthodox. But even so, we think that an examination of the Articles themselves shows that Pole was mistaken. How could Pole say that "the Sacraments of the Church" were taught in the Articles, seeing that only three are mentioned? The Articles were, in my opinion, a compromise between the two parties. Pole had evidently feared a wholly Lutheran formula, and because the Articles were rather ambiguous, hastily concluded that the King was returning to Catholicism, and would even subscribe to the Pope's Supremacy once more! The publication of the Bishops' Book, with its definite repudiation of the Papacy, must have revealed to him the true state of affairs. Gairdner himself says: "How, it will be asked, if there was Lutheran language in these Articles, could the Articles themselves have struck minds like that of Reginald

- Pole, as tending to favour orthodoxy ? " (*Lollardy*, II, p. 311). He fails to give a satisfactory answer to this question. We can only repeat that these Reformation documents are significant not only in what they say, but also in what they omit. Pole was led to take too favourable a view of the Articles by concentrating on what they said (and giving a benevolent interpretation to deliberately ambiguous phraseology), and he did not realise the significance of the omissions.
- p. 262. The reference for the quotation is : Gairdner, *History of the English Church*, etc., p. 188. The *Guardian* reviewer, supposing that I had in mind *Lollardy and the Reformation*, accused me of giving as a citation from Gairdner something which is really a *précis* of my own.
- p. 289. Fr. Beck, in the *Clergy Review* for Sept., 1936 (p. 196 note), suggests that the anonymous set of answers may have been by Bishop Gardiner.
- p. 295. In the *Downside Review* for October, 1936, the Abbé Constant attempts to vindicate the orthodoxy of the teaching of the Henrician Books on the Sacrament of Matrimony. See my reply in the same *Review*, January, 1937.
- p. 301, note 2, line 4. The Committee comprised two Anglo-Catholics, not one as here stated. The two were J. Clerk and Sampson. But even so there were still three Reformers and one "trimmer" !
- p. 308. Last line. For "Stokeley" read "Stokesley."
- p. 310 *et seq.* For "Jenkyns" read "Jenkins."
- p. 311, middle of page. For "Haddon" read "Haddan."  
Line 16 from bottom. Mgr. Barnes, in his notice in the *Dublin Review* (July, 1936) asks who these eight bishops were whose consecrations are omitted from the Lambeth Register, and suggests that perhaps they included some bishops consecrated in Rome, such as Clerk, Pate and Goldwell. But in point of fact, the eight consecrations referred to by Haddan (*Bramhall, Works*, III, Preface) were those of Fox (Hereford, 1535), Latimer (Worcester, 1535), Sampson (Chichester, 1536), King (Boven, 1539), Bell (Worcester, 1539), Skyp (Hereford, 1539) and Day (Chichester, 1543). Of these all except King were certainly consecrated by Cranmer in England, and should have been entered in his register. As to King, he was apparently consecrated in 1527, not in 1539, and probably by Archbishop Warham. According to the *Dictionary of National Biography*, King was made Bishop of Osney and Thame "probably in 1541," though letters patent were not issued till 1542. In 1545 he was appointed to Oxford.
- p. 317. Line 2 from bottom. Delete "of" before "de."
- p. 331, note 1. The statement concerning the vacancy at Bath and Wells is an error. Clerk, who died in January, 1541, was succeeded in May of the same year by Knight, who died in 1547, and was succeeded in 1548 by Barlow.
- p. 333, etc. For "Ferrer" read "Ferrar."



p. 334, bottom of page. By an unfortunate confusion in the transcribing of manuscript notes, some details have been given here for Wharton of St. Asaph which really belong to Bush of Bristol. Wharton's own record is correctly stated elsewhere in Vol. I, and is as follows: He voted for the Communion Book; was absent from the House of Lords when the First Prayer Book was voted, but appointed as his proxies an Opportunist (Salcot) and a Protestant (Goodrich). He voted for the new Ordinal but was absent when the Second Prayer Book was voted. He did not marry, and was reconciled under Mary. According to the *Dictionary of National Biography*, in 1539 Wharton "cautiously commended confession as very requisite and expedient, *though not enjoined by the Word of God*" (italics ours). In view of his record, it seems quite safe to classify him as an Opportunist.

p. 336, line 8. For "Catechism. In" read "Catechism, in."

Coverdale's ideas on the ministry are presumably those set forth in his translation of *The Defence of a Certain Poor Christian Man* (1535). Here Catholics are condemned "specially because they put such difference between priests and lay people, not considering the priestly office that is committed unto all faithful believers. For in the law of Moses the office of priests was to offer and pray for the people. But now, forasmuch as Christ, being once offered up for us, hath abrogated all other sacrifices, and not only permitted, but also commanded all men to pray; I cannot see what difference can be between priests and lay people, except the governance of the church and ministration of God's word." (*Works*, P.S., p. 471.)

p. 364. The *Church Times* reviewer (July 17th, 1936) quotes as an example of my "slipshod scholarship" the statement on this page, that "the Catholic Church has always taught that the twofold consecration is necessary for the Sacrifice, and consecration under one kind has never been allowed." The reviewer advises me to "study the Cautels of the Sarum Missal, and the rubrics of the present Roman Missal (*De defectibus*, X, 6, 13)." Similar advice is tendered by Dr. Cross in *Theology* for August, 1936, and by the Rev. H. Beevor in *Theology* for September, 1936. The rubrics in question prescribe the consecration of a second chalice, or of a second host, if after consecration the first chalice or host has come into contact with some poisonous matter, which prevents the communion of the celebrant. But note that this second chalice (or host) is then treated as *the chalice* (or host) *of the Sacrifice*. Cf. St. Thomas, *Summa Theologica*, III, q. 83, art. 6, ad 3: "ne sacramentum remaneat imperfectum, debet aliud vinum apponere in calicem, et denuo resumere a consecratione et sacrificium perficere." There is all the difference in the world between this and the Anglican rubric prescribing that, if necessary, after his own Communion (i.e. after the Sacrifice has been completed) the celebrant

may consecrate more bread or more wine, merely for the communion of the people !

Another supposed "analogy" to the consecrating under one kind allowed in the Anglican Communion service, is sought in the practice of "Commixtion." When Communion was still being given under both kinds, at Rome and elsewhere, and the supply of consecrated wine was insufficient, it was customary to place drops of the Precious Blood into chalices containing ordinary wine, and to communicate the faithful from these. Some theologians and liturgical writers of the early Middle Ages, such as Amalarius of Metz (A.D. 837) held that this wine was thereby really consecrated into the Precious Blood. Not all agreed as to this, and in any case, the view was advanced at a time when sacramental theology, and in particular, the theology of transubstantiation, had not as yet received its full development. When this took place, in the twelfth and thirteenth centuries, it was realised that true consecration can only be brought about by the recital of the Words of Institution, and that the "commixtion" was not a consecration at all. As this view is undoubtedly correct, the supposed analogy with the Anglican practice collapses. On this early Catholic practice, see article on *Immixtion* in *Dictionnaire d'Archéologie et de Liturgie*, by Abbot Cabrol, the shorter account by the same writer in *Eucharistia* (Bloud & Gay, 1934, pp. 569-70), also *Dictionnaire de Théologie Catholique*, Vol. III, cols. 562-3.

- p. 365, line 7. The requiem referred to was for Henry VII.
- p. 379, line 13 from bottom. Delete "s" at the end of "seems."
- p. 388. In line 3 of the quotation from the *Antididagma*, for "quosque" read "quousque."
- p. 398. Dr. Cross, in his review in *Theology*, August, 1936, urges that the Anglican rubric in question is "taken straight from the Sarum Manual." The Rev. H. Beevor, in his article in the September number, is more modest, and merely claims that the Anglican rubric is "based upon a direction" in the Sarum Manual. In point of fact, the Sarum book directs that the priest shall ask the sick man whether he believes "quod sacramentum quod tractatur in altari sub forma panis est verum corpus et sanguis Domini nostri Jesu Christi." The sick man replies "Credo," and is then given the Sacred Host, "nisi de vomitu vel alia irreverentia probabiliter timeatur, in quo casu dicat sacerdos infirmo: 'Frater, in hoc casu sufficit tibi vera fides et bona voluntas: tantum crede, et manducasti.'" There is a world of difference between this and the direction in the Anglican rite in which the sick man is not required to make any act of faith in the Real Presence, but is told that if he believes that Christ died for him, "he doth eat and drink spiritually the body and blood of our Saviour Christ." In any case, the point is that the sick man who does not receive the elements receives exactly as much as the man who does receive them, i.e. both make only a

- "spiritual" Communion. See also additional note on p. 529, below.
- Line 17, and footnote. For "Mr. Harris" read "Dr. Harris."
- p. 399. Line 12 from bottom. For "thay" read "they."
- p. 417. Line 14 from bottom. For "an arrow" read "a narrow." Line 13 from bottom. For "or" read "our."
- p. 449. Ruge of Norwich was not dead at this time (January, 1550), but had just resigned his see (i.e. in December, 1549). He died on Sept. 21st, 1550. Thirlby was translated from Westminster to Norwich on April 1st, 1550.
- p. 460. Estcourt (*Question of Anglican Ordinations*, p. 212) argued that "admitted" was "a perfectly novel word that came in with the Lutheran doctrine." Dr. Firminger (*Liturgy and Worship*, p. 671) replies that the Council of Lambeth, A.D. 1330, speaks of "admitti ad ordines." He does not, however, deny the use of the word by the Lutherans, in a Lutheran sense. It is surely significant that where the Pontifical rite had: "Reverend Father, this Holy Church asks that these men should be consecrated . . ." the Anglican rite has "Reverend Father in God, I present unto you these persons present to be admitted" deacons or priests. (Only Anglican bishops are said to be "consecrated.") The argument is not perhaps of much weight taken by itself, but it has its value when taken in conjunction with the other characteristics of the Anglican Ordinal.
- p. 471. Line 12 from bottom. Delete "of" before "as."
- p. 479, footnote. Mr. Joseph Clayton has since explained that though his printed text speaks of "the Ordinal of 1550," this was a misprint for 1552, and that in any case he did not think it necessary in a popular work to explain the differences between the first and second Ordinals.
- p. 487. Line 4. Delete comma after "sacerdotium."
- p. 496. Line 3. For "than" read "that."
- p. 498. Line 22. First word should be "because."
- p. 520. Last line. For "chrism" read "chrysom." This is the white garment given in the Catholic baptismal rite.
- p. 524. Line 15. Second word from end should be "receive."
- p. 525. There was also a significant change in the revised version of the Prayer of Humble Access in the Second Prayer Book. In the First Book, the prayer was: "Grant us therefore, gracious Lord, so to eat the flesh of thy dear son Jesus Christ, and to drink his blood in these holy mysteries, that we may continually dwell in him and he in us, that our sinful bodies may be made clean by his body, and our souls washed through his most precious blood." In the Second Prayer Book, the phrase "in these holy mysteries" is omitted altogether, and the petition "that we may continually dwell in him and he in us" is postponed till the end of the prayer. Thus, whereas the first form of the prayer had a direct reference to the "holy mysteries," this is excluded from the

second form, which thus obviously refers only to the "spiritual" reception of Christ "by faith," and does not imply any kind of presence or reception in or by "holy mysteries." Note that it is this second form of the prayer that has ever since been in use in the Anglican Church.

- p. 529. The rubric at the end of the office for the Communion of the Sick in the Second Book modifies the phraseology of the corresponding rubric in the First Book. The First Book said that the sick man who cannot receive the elements "doth eat and drink spiritually the body and blood of our Saviour Christ profitably to his soul's health, although he do not receive the sacrament with his mouth." The Second Book says he "doth eat and drink the body and blood of our Saviour Christ profitably to his soul's health, etc.," omitting the word "spiritually." The precise point of this modification is not clear. Probably it was thought that the two adverbs "spiritually" and "profitably" were practically synonymous, and that therefore one might well be omitted.
- p. 541. Last line. For "ignora" read "ignota."
- p. 546. Line 9 from bottom. For "elevebatur" read "elevabatur."
- p. 548. Last line. Insert "pro" between "alia" and "peccatis."
- p. 550. Line 3 from bottom. The reference is to footnote No. 4, not to No. 1.
- p. 561. Line 9 from bottom. For "itidem" read "ibidem."

#### INDEX TO VOL. I

For xii read viii.

For vi read vii.

For v read vi.

p. 569. Line 12 from bottom. "page" should be "Page."

p. 574. "Mozarabis" should be "Mozarabic."

p. 575. Salcot. For "241 n" read "244 n."

#### NOTES TO VOL. II

##### ADDITIONAL NOTE ON PETER DE LAUNE. (See p. 393.)

Peter de Laune was a Calvinist minister who translated the Anglican Liturgy into French. A letter written by Bishop Cosin, some time secretary to Bishop Overall of Norwich, and printed by Birch in his *Life of Tillotson* (prefixed to his *Works*, 1820, p. cxvii), states that :

"being presented to a living, and coming to the bishop then at Norwich with his presentation, his lordship asked him where he had his orders. He answered that he was ordained by the presbytery at Leyden. The bishop upon this, advised him to take the opinion of counsel whether by the laws of England he was capable of a benefice without being ordained by a bishop. The doctor replied that he thought his lordship would be unwilling to reordain him if his counsel should say that he was not otherwise capable of the living by law. The Bishop rejoined : 'Re-ordination we must not admit, no more than a re-baptisation ;

but in case you find it doubtful whether you be a priest capable to receive a benefice among us or no, I will do the same office for you, if you desire it, that I should do for one who doubts of his baptism, when all things belonging essentially unto it have not been duly observed in the administration of it, according to the rule in the Book of Common Prayer, "If thou hast not already," etc. Yet, for mine own part, if you will adventure the orders that you have, I will admit your presentation, and give you institution unto the living howsoever." But the title which this presentation had from the patron proving not good, there were no further proceedings in it, yet afterwards Dr. de Laune was admitted into another benefice without any new ordination."

This letter was copied by Child, in his *Church and State under the Tudors*, 1890, p. 298.

Dr. Firminger, in his *Attitude of the Church of England to non-Episcopal Ordinations* (Oxford, 1894), mentions Cosin's account, but remarks (p. 48) :

"The narrative requires further investigation before it can be accepted as even approximately accurate."

Denny, in his *English Church and the Ministry of the Reformed Churches* (S.P.C.K., 1900), ignores the matter altogether.

Canon A. J. Mason, in his *Church of England and Episcopacy* (Cambridge University Press, 1914), remarked (p. 505) :

"At present the closing statement of Birch, or Cosin . . . that De Laune was admitted to a benefice without reordination stands unverified. But it may be accepted as true. Bishop Overall—and probably other bishops of the period—was willing to institute the man at the man's own peril."

In the *Church Family Newspaper* for September 28th, 1917, there was a note saying that an entry in the Norwich Register of Institutions had recently been found which testified to the admission of Peter de Laune to the Rectory of Redenhall on the strength of his presbyterian Ordination. This statement was subsequently made also by Bishop John Dowden, in his printed paper on *The Doctrinal Standards of the Church of England*.<sup>1</sup>

Mr. Percy O. Bramble, of Caister-on-Sea, has very kindly examined the Norwich Registers. The entry concerning Peter de Laune occurs, not in the Bishop's Register of Institutions, but in the *Consignation Book*. (Some folios seem to be missing from the Institution Book for this period.) The entry is as follows :—

"Mr. Petrus de Lawne sacræ theo : professor Rector ordinatus prsheter p Doctores et Professores Colegij de Laydon 26 Junij 1595 Institutus p Franciscum Epum Norwic 12 Novembr 1629."<sup>2</sup>

Against this it might be urged that Blomefield in his *History of Norfolk*<sup>3</sup> says that the Bishop of Norwich gave De Laune Anglican Orders in 1630 : "in sacros diaconatus et presbyteratus ordines juxta

<sup>1</sup> *Historical Papers submitted to the Christian Unity Association of Scotland*, 1914, p. 33.

<sup>2</sup> *Consignation Book*, Year 1636, Deanery of Redenhall, folio 77.

<sup>3</sup> Vol. V ; published posthumously after 1752.

morem et ritum ecclesie Anglicane cooptatus est.”<sup>1</sup> Unfortunately there is no Ordination Book at Norwich for this period, but in any case the categorical statement in the *Consignation Book* for 1536 that De Laune was instituted in 1529 on the strength of his presbyterian orders, taken in conjunction with the affirmation made by Cosin, is of far greater weight than the unsupported statement in Blomefield, who is not always reliable. If De Laune had really received Anglican Orders some time between 1529 and 1536, it is inconceivable that the *Consignation Book* should not have mentioned this fact.

#### ADDITIONAL NOTE ON THE ANGLO-RUMANIAN NEGOTIATIONS.

On pages 655 *et seq.*, we have accepted at its face value the statement by the Bishop of Lincoln that the Rumanian Synod has recognized Anglican Orders. It seems, however, that this is not quite accurate. According to Canon Douglas (*Christian East*, Jan.-July, 1936), the Resolution of the Synod required that before the Rumanian recognition of Anglican Orders becomes definitive, the final authority of the Anglican Church must ratify the statements of the Delegation. The Resolutions of the Convocations of Canterbury and York, accepting the Rumanian Report, are steps in this direction, and they will presumably be followed by an equally ambiguous “ratification” by the Lambeth Conference of 1940. The Rumanian recognition of Anglican Orders will then be an established fact. (I am indebted to Dom Bede Winslow, O.S.B., for calling my attention to this point.)

<sup>1</sup> Vol. V, p. 360.

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# THE REFORMATION, THE MASS AND THE PRIESTHOOD

A REPLY

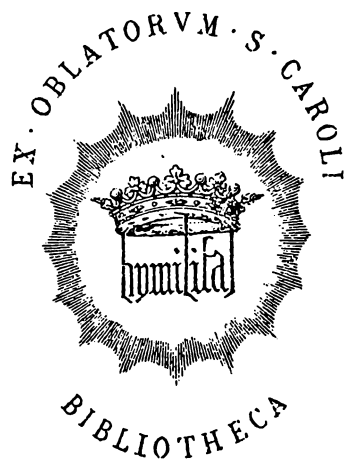
BY

THE REV. E. C. MESSENGER

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# THE REFORMATION, THE MASS AND THE PRIESTHOOD

A REPLY.

By the REV E. C. MESSENGER

THE Abbé Constant, in his article on my book in the DOWNSIDE REVIEW for October 1936, concentrates on four special points. I beg to make the following observations on these in reply.

1. The first point concerns the doctrine of the Henrician books on matrimony, which doctrine, the Abbé maintains, is perfectly orthodox. In this he is, of course, adhering to his well-known position. He does, however, now allow that "Cromwell and Cranmer, with some bishops of their following, entertained the desire, and made some attempt, to introduce the new ideas" of the Continental Protestants (DOWNSIDE REVIEW, p. 523). Even so, the Abbé is apparently still unwilling to allow that there is any trace of Protestant influence in these Henrician formularies, and holds that the treatment of marriage in particular is perfectly correct. Let us examine this matter carefully.

The *Institution of a Christian Man* of 1537 states, as I point out in my book, that Matrimony is a Sacrament, instituted by God in the Garden of Eden :

Almighty God, at the first creation of man in Paradise . . . did not only then and there conjoin Adam and Eve together in marriage, and instituted the said Sacrament of Matrimony, but also described the virtue and efficacy of the said sacrament . . . (*Formularies of Faith*, p. 82).<sup>1</sup>

The formulary goes on to claim that this institution of the sacrament in Paradise is taught by St Paul :

Concerning the sacrament of matrimony, his (St Paul's) sentence and doctrine was that the same was instituted by God at the first creation of man (*Formularies of Faith*, p. 86).

<sup>1</sup>The Abbé, in his DOWNSIDE REVIEW article, wrongly attributes *Formularies of Faith* to Cardwell. In point of fact, it was compiled by Charles Lloyd, afterwards Bishop of Oxford, whose name appears at the end of the Introduction.

No such statement is to be found in any formulary of Henry's reign.

In judging the orthodoxy of these Henrician formulae, the following points must be borne in mind. Some early Scholastics had held that the Sacrament of Matrimony was instituted in the Garden of Eden, and merely confirmed by Christ. Others, such as Scotus, said that Christ was its true *institutor*, and this was the doctrine ultimately defined at Trent. Yet other Scholastics, including St Thomas, spoke of two institutions, one in the Old Law and the other in the New. Henry VIII, in his *Assertio Septem Sacramentorum*, says in one place that the sacrament of matrimony was "a Deo institutum, a Christo traditum," but elsewhere he says, "haec Christum fecisse, haec sacramenta instituisse." At the time of the Reformation, the vagueness of the Scholastics was giving place to two definite views: one that *Christ* instituted the Christian Sacrament of Matrimony (the doctrine defined at Trent), the other, that Matrimony was not really instituted as a sacrament by Christ, but that it always was a sacrament in a *vague* sense of the word. The latter was the doctrine of the moderate Protestants. Thus, Melanchthon said in 1531 that:

Matrimonium non est primum institutum in Novo Testamento, sed statim initio, creato genere humano, adding, Habet mandatum Dei, habet et promissiones, non quidem proprie ad Novum Testamentum pertinentes, sed magis pertinentes ad vitam corporalem. Quare, si quis volet sacramentum vocare, discernere tamen a prioribus illis (sacramentis baptismatis, eucharistiae et poenitentiae) debet, quae proprie sunt signa Novi Testamenti, et sunt testimoniae gratiae et remissionis peccatorum (*Apologia, in Corpus Reformatorum*, XXVII, col. 571).

Bucer similarly wrote:

Si sacramentum est . . . omne quod rem sacram designat et repraesentat, et ad quod Dominus gratiam suam largitur, neque hac ratione quisquam negat Christianum Matrimonium bene posse Sacramentum appellari.

He adds :

... verum, hoc modo oportet omnes ordines et status divinae vocationis, etiam sacramenta appellare. . . . Si vero sacramentum ita accipitur ut significet idem quod sacrum signum, *a Domino ipso commentatum et institutum* . . . hac ratione Matrimonium non est sacramentum. (*Constans Defensio*, p. 387, italics mine).

Here, by way of contrast, are two contemporary Catholic statements on the subject. The first is from the Cologne *Enchiridion*, published in 1537 :

Sciendum est, aliud esse Matrimonium, aliud Matrimonii Sacramentum . . . Matrimonium mundo jam recens condito, a Deo institutum et benedictum esse constat (p. 174, 1550 edn.).

Then, after speaking of heathen, Jewish and Christian marriages, the author writes :

Hoc solo ab utrisque, tam Ethnico quam Judaico, Matrimonium distat Christianum, quod est novae legis Sacramentum, gratiam conferens iis qui id rite auspiciantur. . . . Fueritne Matrimonium apud Judaeos Sacramentum ? . . . Responderemus Matrimonium apud Judaeos Sacramentum fuisse quemadmodum aliae quoque veteris legis caeremoniae ac mysteria. . . . sacramenta fuerunt . . . Judaica illa, id quod repraesentabant, jam in Christo futurum figurabant. . . . Christiana vero idipsum quod repraesentant jam in Christo adimpletum signant. nec tantum (ut illa) signant, sed et rite accipientes virtute Spiritus assistente, sanctificant et mundant (p. 178).

The second statement is from the Cologne *Antididagma* published in 1549:

Christus Sacramentum istud Matrimonii non solum confirmat sed et gratiam conjugalis castitatis . . . fidelibus promittitur. . . . Sancta Catholica Ecclesia huiusque servavit et docuit Matrimonium Christianum Sacramentum esse Ecclesiae Christi. Et longe aliam rem esse conjugium Ethnorum, Juadaeorum, sive Matrimonium Christianorum. Apud Ethnicos, conjugium fuit honesta quaedam politia, apud Judaeos etiam res sancta, verum apud Christianos res altior est, nempe externum et visibile signum invisibilis cujusdam gratiae. . . . (p. 120 v).

Now, it seems evident that the doctrine of the Henrician

“it was not a case of ordaining again those who had already been through a heretical rite,” but that the Emperor and the Archbishop wanted “to ordain young candidates for orders.” Hence, the Abbé says my “whole argument is thus here undermined.”

The Abbé is, of course, a recognised authority on the Calixtins. Unfortunately, I followed as my authority the very latest edition of Hefele-Leclerc's *Histoire des Conciles*, quoted the volume edited by P. Richard in 1931. In fact, it is Richard who says that the Emperor asked for “an authorisation to ordain as priests certain Calixtin pastors,” and if I have erred, it is in following Richard.

The Abbé's implication as to the orthodoxy of the Calixtins is hardly borne out by the Emperor's petition, which says that those to be ordained are first to abjure all their heresies—“omnibus prius haeresibus abjuratis.” The Emperor's petition also says : “timendum ne statim opportuna remedia afferantur, ne ex Calixtinis . . . Lutherani Calvinistaeque efficiantur.” And Constant, in his own work on the subject, says (I, p. 178), that in Bohemia, “le nombre de sectes était devenu très grand . . . les hétérodoxes de toutes provenance et de toute doctrine pullulaient. . . Nombre de seigneurs et de nobles favorisaient les novateurs, les introduisaient dans les paroisses, leur permettant de prêcher . . . et les autorisaient à célébrer leurs offices dans les églises catholiques.” Again, on p. 181, note 4, he says that “parmi les utraquistes, les uns, plus timorés, respectueux de la tradition, étaient restés fidèles aux anciens rites, les autres, plus hardis, sans attaches aux cérémonies anciennes, avaient suivi les idées reformatrices.” On p. 189 he says that “vers 1560 les pasteurs hétérodoxes et n'observant plus les cérémonies de l'Eglise sont promus aux doyennés,” adding in a footnote, “en certains endroits on introduit et soutient les luthériens,” and that Zwinglian and other heretics were also to be found. Then, on p. 531, he speaks of the request for “la faculté d'ordonner le

clergé du rite utraquiste," adding on p. 533 : " Brus . . . demande-t-il au pape la faculté de consacrer les utraquistes. . . . Autrement, pensait-il, ces malheureux auront recours à des pasteurs ordonnés par des sacramentaires ou des luthériens," and again on p. 539, that Brus wrote to Morone in 1563 saying that if the permission was not granted "on peut craindre qu'ils ne s'imposent les mains entre eux."

The Abbé admits that some of those actually ordained priests proved unsatisfactory, and on p. 544 says that a few years later "les utraquistes . . . commencèrent à recevoir l'ordination de Frankfort et de Leipzig . . . c'est à dire celle des ministres luthériens." Finally, as the Abbé says on p. 545, "en 1609, le Consistoire . . . imposa définitivement le nouveau mode d'ordination," i.e. the Lutheran form.

From all this it seems to me to follow that :

(1) there really were some Utraquist pastors, ordained by a Lutheran rite, and that

(2) in view of his faculties, which were quite general, the Archbishop could have raised such to the priesthood, if suitable, and

(3) in doing so he would have disregarded their Lutheran orders.

Whether in fact any of those he ordained were already in Lutheran orders seems to me to be of comparatively little importance.

4. The Abbé's last criticism concerns my statement that "the High Church Lutheran pastors of Germany and Switzerland, who recently concluded that their own orders were insufficient, received fresh orders not from the Lutheran priests of Sweden, but from the Gallican Church of the South of France, which in turn derives its orders from the Syrian Jacobites of Antioch."

On this the Abbé remarks that :

'The Gallican Church of the South of France' has no existence, and never has had. History informs us that the

Gallican Church disappeared nearly a century and a half ago. That there are or have been in the South of France bishops or priests deriving their orders 'from the Syrian Jacobites of Antioch' is a myth engendered in Scandinavian mists.

He adds :

Nothing would have been easier than to check this series of false statements before incorporating them into a professedly scientific work. I consulted Mgr Chaptal, Auxiliary Bishop of Paris. . . . He knows of absolutely nothing—*absolument rien*—which could have given rise to such legends (DOWNSIDE REVIEW, vol. liv, p. 527).

The statement in my book was taken from an article on the High Church movement in the German Lutheran Church, written by Bishop Friedrich Heiler, of Marburg. I gave a reference to this article in my footnote. I have communicated the Abbé Constant's criticism to Bishop Heiler, who authorises me to publish the contents of his reply. He says :

My statements on the Gallican Church are absolutely true. . . . The Gallican Church is a *real* Church body. The centre of it is at Gasinet, near Bordeaux, where the leader of the Gallican Church, Mgr Louis François Giraud (consecrated 1911 by Mgr Housaye) is living. There are other parishes at Bordeaux, Dines, Restigne (Loire) etc. The curé at Restigne is Bishop Pierre Gaston Vigue, who consecrated me at Ruschlikon, near Zurich (Switzerland) 1930.

Thus, though the Abbé Constant is so singularly unaware of its very existence, there *is* a small schismatic body in the South of France which calls itself the Gallican Church. It has at least two bishops, and one of these has consecrated Bishop Friedrich Heiler, of the German Lutheran Church. There was also an "evangelical Catholic" bishop in Switzerland, Mgr Glinz, but I think he is now dead.

As for the "myth, engendered in Scandinavian mists," that these orders have come from the Syrian Jacobites, I beg to inform the Abbé that Mgr Giraud, who calls himself "Archbishop of Almyra and Primate of the Three Churches, by the Grace of God and the good will



of the Holy Apostolic See of Antioch," was consecrated on June 21st, 1911, by Mgr Houssaye. The latter had been consecrated bishop on December 4th, 1900 in the Old Catholic Church at Thiengen, in Baden, by Bishop Miraglia. Mgr Miraglia was consecrated on May 6th, 1900 by the famous Mgr Vilatte. This ecclesiastic received the minor orders and subdiaconate on June 5th, 1885, the diaconate on June 6th, and the priesthood the following day, from Bishop Herzog, of the Old Catholics, at Berne; and was consecrated bishop on May 29th, 1892 by three Jacobite bishops<sup>1</sup> in the Church of Our Lady of a Happy Death, at Colombo in Ceylon, by authority from Mar Ignatius Peter III, Jacobite Patriarch of Antioch.

Mgr Vilatte returned to the Catholic Church in 1925, and then signed an act of submission, in which he professed regret "for having obtained holy orders and having conferred them upon others, contrary to the teaching and laws of the Holy Roman Church." This act of submission was imposed upon him by the late Cardinal Ceretti, then Nuncio in Paris. The particulars of Mgr Vilatte's ecclesiastical career were published at the time of his submission in a letter written to a Munich paper by the Papal Nuncio (*Bavarian Courier*, July 11th, 1925).

Thus, the orders of the "Gallican Church of the South of France" (and therefore of the High Church Lutherans) are derived, through Mgr Vilatte, from the Syrian Jacobites of Antioch, as stated by Bishop Heiler and myself.

To conclude. The Abbé ends by saying that the instances he has chosen "will suffice to show that it would be as well for the prudent reader to verify more than one historical fact unhesitatingly stated by the author," i.e., by myself, in my book. I shall be only too happy if the reader will verify, not only my statements, but also those of the Abbé Constant.

<sup>1</sup> Alvarez Julius I, Mar Athanasius, and Mar Timotheus. The Latin rite was used. I have in my possession a copy of the certificate of the consecration ceremony, translated from the Syriac.