

## **24/93 “Principles” of Catholic Order**

(A report from the Standing Committee)

1. Last year the Sydney Synod dissented from an assertion by the Primate in his supplementary address to the General Synod in November 1992 that certain matters were “principles of catholic order”. The report on which Synod resolution 24/93 is based is found on pages 400 to 402 of the 1994 Diocesan Year Book and resolution 24/93 is found on page 346.
2. Copies of resolution 24/93 were sent to the Primate and diocesan bishops, with a note that the Standing Committee would welcome discussions on this issue amongst the dioceses. Responses were received from the Primate, the Archbishop of Adelaide and the Bishops of Gippsland, North Queensland, The Murray and Tasmania.
3. The Primate asked that his response be made freely available among the members of our Synod and it is printed in the appendix to this report. The matter was left on the basis that members of the Standing Committee may take up the arguments direct if they so desired.

For and on behalf of the Standing Committee.

W.G.S. GOTLEY  
*Diocesan Secretary*

25 July 1994

## **Appendix**

*(Being a letter dated 16 November 1993 from The Most Rev K. Rayner AO, PhD, ThD, Archbishop of Melbourne and Primate of the Anglican Church of Australia.)*

Thank you for sending me a copy of the resolution of the Synod of the Diocese of Sydney concerning principles of Catholic Order to which I referred in my supplementary address to the General Synod on 21 November 1992. I note that your Standing Committee would welcome discussions on this issue and it is in that spirit that I respond to your Synod's resolution.

There are two difficulties in making an adequate response. One is that it is not clear to me whether your Synod dissents from everything in the statement quoted, or only from a part or parts of it. The other is that no reasons are given for the Standing Committee's recommendation upon which the Synod's resolution was based - certainly the opinion of the Legal Committee does not contain such reasons. Nevertheless, I shall respond in the light of the material sent to me.

It is important to place my statement in its context. I was responding to the request made at the July meeting of the General Synod for "a scheme or schemes to provide for minorities in each diocese who are unable to accept the adoption or rejection of the Provisional Canon (if made a Canon) by the Synod of the Diocese". I was not, therefore attempting to set up an overall picture of principles of Catholic Order, but was referring to principles which should guide our policy in relation to such minorities. I was emphasising that the pastoral sensitivity which should characterise the attitude of the bishops must accord with established principles of Catholic Order. I then listed the four which you quote "among such principles". Upon reflection I see that it might have been more precise to introduce my four statements by saying "among *the expression of* such principles are these". I think it is fair to say that the four statements which I make are in some cases expressions of more fundamental principles of Catholic Order. Having made this refinement of language, however, I would fully stand by these statements in themselves. Let me deal with each in turn.

*1. There can be no implication that a bishop who acts in accordance with the Constitution and Canons of this church is acting improperly.*

Your Legal Committee rightly says that impropriety is a wider concept than that of illegality because it does relate to our being bound to scripture, the creeds, the gospel sacraments and the historic ministry. As the Constitution includes the Fundamental Declarations and as the Canons are required to be in accordance with those Fundamental Declarations, a bishop who acts in accordance with them cannot be accused of acting improperly. If he is acting improperly, then the Constitution and Canons according to which he acts must themselves be improper and that impropriety must involve the whole church. This raises larger (and different) issues than those which I was addressing.

*2. No bishop may accept an invitation to minister in another diocese other than with the permission and under the authority of the bishop of that diocese.*

In the context I was thinking of the exercise of liturgical functions in licensed churches. Your Legal Committee implicitly agrees that this would require the consent of the bishop of the diocese. The whole procedure of licensing is an expression of the principle that an ordained minister is only entitled to exercise ministerial functions under the authority of the bishop of the diocese conveyed by a licence of an authority to officiate. It is true that this authority is often tacitly given. The bishop of a large diocese does not always give a formal authority to officiate to a visiting ordained minister from another diocese, but that authority must be at least implicitly accorded. It may be that there is *legal* doubt as to the extent of a bishop's authority other than in relation to church trust property. But there is a principle of order which I understand successive Archbishops of Sydney have always stood firm about, eg in relation to service chaplains who might minister in chapels which are not trust property of the diocese. I believe that such chaplains have always been expected to have the Archbishop's permission to officiate and to abide by the rules of the

diocese. This is perfectly proper and is in accordance with Catholic Order. As a further example, it would in my view, be quite contrary to Catholic Order for a bishop who favoured the ordination of women to seek to minister to minorities in the Diocese of Sydney and to come into that diocese and ordain women to the priesthood. It would be improper, even if such ordination took place on other than church trust property, and even if the women priests so ordained sought to minister as Anglican priests on other than church trust property. I am surprised that this principle should be questioned by your Synod.

*3. There can be no suggestion that the subsequent sacramental ministrations of a bishop who ordains women to the priesthood somehow became invalid.*

This is the expression of a principle which is expressed in another way in Article 26 of the Thirty-Nine Articles and which goes back in the history of the church at least to the attitude of St Augustine in respect of the Donatist schism. (In saying this I am not of course implying that a bishop who ordains women to the priesthood has done anything illegal or improper.)

*4. There can be no suggestion that the chief consecrator of a new bishop should be other than the Metropolitan or a bishop acting under the authority of the Metropolitan.*

As your Legal Committee points out, this is the principle expressed in Canon No. 3 of 1966 of General Synod. This Canon merely affirms what is already stated in the opening rubric of the Order of Consecration of a Bishop in the Ordinal attached to the Book of Common Prayer. This Canon has been adopted by your Synod and by every other Synod of the Australian Church, presumably because it is seen to be a proper expression of a principle of Catholic Order.

Obviously it has been necessary to restrict my response to the barest possible terms. Although serious issues of ecclesiology are raised by your Synod's resolution, it is scarcely practicable for me personally to engage in protracted debate on this subject. I would suggest, however, that serious dialogue on ecclesiology is called for among competent theologians from Sydney and elsewhere. Clearly different understandings of the nature of the church lie behind many of the differences among Australian Anglicans which are reflected in this resolution and elsewhere.

As your Synod has passed its resolution of dissent and has sent a copy to each Australian bishop, I request that you make my response freely available among the members of your Synod. I shall myself circulate my response to the other diocesan bishops.