

“UNITED BUT NOT ABSORBED”

- An Australian Perspective -

The Pope has responded to the requests of many Anglicans (including the Traditional Anglican Communion) that some way might be found to welcome groups of clergy and faithful into communion with the Catholic Church (colloquially known as the “Roman Catholic Church”) (RCC) by publishing the Apostolic Constitution *Anglicanorum Coetibus* (AC) which, together with the accompanying *Complementary Norms* (CN), sets out how this is to take place.

What does this mean for the Anglican Catholic Church in Australia (ACCA), and how will it work in practice?

1 THE ORDINARIATE

The AC provides for the establishment of Personal Ordinariates.¹ In the RCC, regions are divided into various Conferences of Bishops. Thus there is a Conference of Bishops for Australia. Ordinariates will be erected by the Congregation for the Doctrine of the Faith of the RCC in consultation with the particular Conference of Bishops within whose territory the proposed Ordinate will lie.² It is envisaged that, within the territory of a particular Conference of Bishops, one or more Ordinariates may be erected as needed.³ The Bishops of the ACCA lodged a petition for the erection of an Ordinate for Australia with the Congregation for the Doctrine of the Faith some time ago.

For all intents and purposes an Ordinate is juridically comparable to a Roman Catholic Diocese as it is an autonomous structure.⁴ However, instead of having a Bishop at its head, it has an Ordinary who may be a bishop or a priest. Married bishops and priests of the ACCA are eligible to be appointed Ordinary, provided they are first ordained a priest in the RCC.⁵

Like all Roman Catholic Dioceses, Ordinariates are subject to the Code of Canon Law of the RCC (*CIC*) and are also subject to the Congregation for the Doctrine of the Faith and the other Dicasteries of the RCC in matters over which those bodies have jurisdiction. They are also governed by the CN as well as any other specific Norms given for them.⁶

An Ordinate may celebrate the Holy Eucharist and the other Sacraments and services of the Church according to the liturgical books proper to the Anglican tradition which have been approved by the Holy See, in order to maintain the liturgical, spiritual and pastoral traditions of the Anglican Communion, and according to the Roman Rite.⁷

Those of the clergy of the ACCA who fulfil the requisites of the *CIC* may be accepted by the Ordinary as candidates for Holy Orders. The general rule is that the Ordinary

¹ AC I §1.

² AC I §1.

³ AC I §2.

⁴ AC I §3.

⁵ AC IV; CN Art 4 §1, Art 11 §1.

⁶ AC II.

⁷ AC III.

will only admit celibate men as priests. He may, however, petition the Pope for a married man to be ordained.⁸

Personal parishes for the faithful who belong to an Ordinariate may be established by the Ordinary with the consent of the Holy See, the Ordinary having first sought the opinion of the local Roman diocesan bishop, and subject to the consent of the Governing Council. Each parish must have a Pastoral Council and a Finance Council.⁹

The Ordinariate is governed by the Ordinary with the assistance of a Governing Council in accordance with statutes which have been approved by the Ordinary and confirmed by the Holy See.¹⁰

The Ordinary presides over the Governing Council which is composed of at least six priests. Half of the members of the Governing Council is elected by the priests of the Ordinariate. Its functions are specified in the *CIC* and in the *CN*.¹¹

The Ordinariate is to have a Finance Council. It is appointed by the Ordinary and consists of at least three of the faithful who are expert in financial affairs and civil law. The Finance Council prepares the annual budget for the Ordinariate in accordance with the directions of the Ordinary.¹²

The Ordinary also appoints a Financial Administrator who is responsible for the administration of the goods of the Ordinariate in accordance with the plan of the Finance Council to which he/she must account annually.¹³

The Ordinariate is to have a Pastoral Council, the function of which is to offer advice to the Ordinary regarding the pastoral works of the Ordinariate. It is governed by statutes approved by the Ordinary who determines the composition of the Council (which is intended to be truly representative of the area it represents). The Council has a consultative vote only and must be convened at least once a year by the Ordinary who alone has the right to make public the matters dealt with in council.¹⁴

The Ordinary is required to go to Rome every five years to present a report on the status of the Ordinariate.¹⁵

2 THE LAITY

Lay people who wish to enter an Ordinariate must do so in writing and must first make a Profession of Faith and receive the Sacraments of Initiation.¹⁶ In effect this means that those who have been baptized will not be baptized again, but those who have been confirmed will have to be confirmed again.¹⁷ Those of the laity who were previously baptized in the RCC are not ordinarily eligible for membership of an Ordinariate, unless a member of their family is a member of the Ordinariate.¹⁸ They may, of course, attend the services of an Ordinariate and take Communion.

⁸ AC VI §1, 2.

⁹ AC VIII §1; *CN* Art 12 §2b, Art 14 §1.

¹⁰ AC X §1.

¹¹ AC X §2; *CN* Art 12.

¹² AC X §3; *CIC* can 492 §1; can 493.

¹³ *CIC* can 494.

¹⁴ AC X §4; *CIC* can 511; *CN* Art 13.

¹⁵ AC XI.

¹⁶ AC X; *CN* Art 5 §1.

¹⁷ *CN* Art 5 §1.

¹⁸ *CN* Art 5 §1.

The faith of the members of the Ordinariate is that expressed in *The Catechism of the Catholic Church*.¹⁹ Those who become members of an Ordinariate become Roman Catholics (technically, “Catholics of the Roman Rite”)²⁰ and accept all the teachings of the RCC on faith and morals.²¹

3 THE CLERGY

An Ordinary needs the consent of the Governing Council to admit candidates (who fulfil the requisites of the *CIC*) to Holy Orders.²² He may present to the Pope a request for married men to be admitted to Holy Orders on a case by case basis after a process of discernment based on “objective criteria”²³ and the needs of the Ordinariate. These “objective criteria” are determined by the Ordinary in consultation with the local Conference of Bishops and must be approved by the Holy See.²⁴

As the RCC has declared Anglican Orders to be “absolutely null and utterly void”²⁵ and “requires absolute certainty in the matter of future sacramental life”,²⁶ all priests of the ACCA will have to be confirmed again and also ordained again.²⁷

Those who were previously ordained in the RCC and subsequently became Anglicans, may not exercise sacred ministry in an Ordinariate and those of the clergy of the ACCA who are in “irregular marriage situations” may not be accepted for Holy Orders in an Ordinariate.²⁸

Those of the clergy who are not married, may not marry once they have been ordained again.²⁹ If one of the married clergy is ordained again, and his wife dies, he is not allowed to marry again.

4 FINANCES

It is intended that an Ordinariate should be self funding and that it will be responsible for its own financial affairs.³⁰

5 THE ALTERNATIVE

What arrangements have been made for those members of the ACCA who, in good conscience, find that they cannot become members of an Ordinariate? Despite the fact that Archbishop Hepworth has, on several occasions, said that provision will be made for such people,³¹ it is now clear that no provision will be made.³²

¹⁹ AC I § 5.

²⁰ Bishop Peter Elliott, Roman Catholic Auxiliary Bishop, Archdiocese of Melbourne, delegate of the Australian Bishop’s Conference for the project of establishing a Personal Ordinariate in Australia.

²¹ Bishop Elliott.

²² CN Art 12 §2a.

²³ These have not been defined.

²⁴ AC VI §2; CN Art 6 §1.

²⁵ Leo XIII, *Apostolicae Curae* (1896); on 29 June 1998, Cardinal Joseph Ratzinger, the future Pope Benedict XVI, issued a “doctrinal commentary” which listed *Apostolicae Curae* as one of the irreversible teachings to which Roman Catholics must give “firm and definitive consent”. Those who failed to give “firm and definitive consent” would “no longer be in full communion with the Catholic church.”

²⁶ Archbishop Hepworth, *A Pastoral Letter to the Bishops, Clergy and Faithful of the Traditional Communion*, dated 20 January 2010.

²⁷ AC VI §1; CN Art 5 §1.

²⁸ CN Art 6 §2.

²⁹ AC VI §1.

³⁰ AC X §3; CN 7 §1; *CIC* can 492 §1; can 493.

³¹ See, for example, *A Pastoral Letter to the Bishops, Clergy and Faithful of the Traditional Communion*, dated 20 January 2010.

³² Bishop Entwistle of the ACCA has said, “there cannot be a continuing Continuing Church” and those who did not enter an Ordinariate “would have to decide where to go.”

6

SOME OF THE PROS

- It is undoubtedly God's Will that His Church should be one. In the world in which we live, where Christianity is under attack, not only from atheists, but also from members of other religions, it is important that Christians should be united
- Though an Ordinariate will be part of the RCC, those elements of Anglican worship, spirituality and culture (which are compatible with Roman Catholic faith and morals) will be preserved
- Married clergy will be permitted
- The Ordinariate will have control over its financial affairs
- The Ordinariate will be part of a world wide Church.

7

SOME OF THE CONS

- The Ordinary will not be elected by Synod, as the Bishops of the ACCA presently are, but will be appointed by the Pope from a list of three names drawn up by the Governing Council³³
- Instead of a Synod there will be a Governing Council, which will be comprised solely of priests, and a Pastoral Council, which has no power as it is consultative only. Consequently, the laity will have no say in the running of the secular affairs of the Ordinariate (although they will have some say in its financial affairs)
- The Ordinary alone has the right to make public the matters dealt with by the Pastoral Council
- A bishop must be celibate
- All the clergy will have to be confirmed again and will have to be ordained again
- The laity will have to be confirmed again
- Those who enter into an Ordinariate must accept all the teachings of the RCC on faith and morals
- No provision is being made for those who, in good conscience, find themselves unable to become Roman Catholics
- Those who wish to enter an Ordinariate and are in "irregular marriage situations" (for example, those who have remarried after divorce and whose previous spouse is still alive) will have to apply to the appropriate tribunal to have their first marriages annulled,³⁴ even if this may already have been done
- Married priests are the exception, rather than the norm³⁵
- The Ordinary has to seek the opinion of the local Roman diocesan before establishing a parish and cannot even establish a parish without first obtaining the consent of the Holy See
- The erection of an Ordinariate in Australia will result in the fragmentation of the ACCA and the Traditional Anglican Communion.³⁶

*The Revd Fr Brian Tee of The Continuing Anglican Church in Australia
(formerly a priest in the Anglican Catholic Church in Australia)*

³³ CN Art 4 §1.

³⁴ Bishop Elliott.

³⁵ Indeed, they are only a temporary aberration, according to Cardinal Bertoni.

³⁶ It already has.