

Anglican Orders: the controversy revisited

Michael Gray

Traditionalist Anglicans are tempted to take the easy view, that **Apostolicae curae** (the 1896 condemnation by the then Pope of Anglican orders) is true *now* as regards the Anglican Communion, since it has invented new orders and cannot claim to continue the old ones. We, on the other hand, claim all the protection of **Saepius officio** (the 1897 refutation put out by the then Archbishops of Canterbury and York) since we are continuers, not innovators. But is this a tenable posture? The analysis which follows is perhaps to be regarded as the case for the prosecution. It does not mean that there is no defence possible. But there is certainly a case to answer.

Apostolicae curae was not well argued and Saepius officio was in parts a very clever reply. But that does not end the matter. It should be remembered that the present Pope regards the *conclusion* of Apostolicae curae as still correct teaching (it is less clear that he would defend the *argumentation*) and that convert priests are received as laymen.

Both sides in the original controversy assumed that the issue was basically historical - was the Elizabethan state religion continuing Catholic orders and communion or not? The period under review might be somewhat uncertain, but essentially it was the first generation of the reform. The Pope certainly regarded changes made in 1662 as irrelevant (except as evidence of acknowledged errors). The Archbishops wrote (everyone says the true author was Bishop Wordsworth, who in turn depended on Denny and Lacey) as if the Common-Prayer Book of 1662 already existed in 1559. Both sides agree (almost without thinking) that this period is crucial and subsequent developments are irrelevant. It is necessary to begin with this assumption. As we shall see later, it might be possible to relax it.

There may be an issue about the logical status of Apostolicae curae. The Anglican tradition is to receive it as an *argument* "for once infallibility has ventured upon reasons" and so to attempt to *refute* it. But it might be more properly viewed as the confirmation of an established decision, or as a *performative* (which makes effective what it declares). In either case it could be obeyed or disobeyed (within the jurisdiction), but not refuted. The pope's own response to Saepius officio reads as if argument was almost if not completely irrelevant. This is not to say that Apostolicae curae meets the conditions for an infallible pronouncement - even if this were a concerning matter for Anglicans. But, as we know, it is *practically* binding on Roman Catholics. The rule is that Anglican "priests" are not priests; this rule is to be obeyed and so should, presumably, be thought to be wise by members of that jurisdiction. There is a difference between a wise rule and a valid argument, but nevertheless the association is close.

The pope probably did detect in his brief reply to Saepius officio its fundamental weakness. His critique may be expressed as follows. You left us, you changed all the practices which were once common to us; how can you assert that all these decisions made no difference? *Could the reformers have failed so completely in their self-appointed task?*

We have no practical choice, as continuing Anglicans, but to treat Apostolicae curae as an argument. All we need to do (all!) is to establish that there has been a time when the Church of England after the reformation was as fully a part of the One Holy Catholic and Apostolic Church as any of the other jurisdictions which were certainly then part of it (even while they excommunicated each other). If so, then all that continuing Anglicans need to do is to demonstrate that they (at least) have continued in that situation. But we may have to admit that we do not accept the defensive devices adopted by the Archbishops. If so, we need new arguments, not mere acceptance of the old ones.

The core of the attack on Anglican orders was that the change under Edward VI (repeated under Elizabeth I) in the rite of ordination, combined with the change in the rite of the Eucharist, were fatal both in themselves and also as indicative of discontinuity of intention. The second point roughly means that the Church of England no longer was no longer trying to do what the Universal Church did; this will be discussed at greater length later. The changes in the Eucharist are also evidence of the change in the ministry. On all three grounds (and any one of them would be enough), the Church of England was no longer part of the Catholic church. Nor had it any power "of itself to help itself". It could not subsequently make itself part of the Catholic church. Only existing members of that body could restore it (or not) should it decide to seek such restoration. (This is assumed rather than discussed, apart from the Pope's argument that the changes made in the 1662 Ordinal could do nothing to rescue the situation.)

Now the Archbishops' response that the new rite of Ordination was in itself within Catholic limits is well argued. Their response that the new Eucharistic prayer achieved much the same as the text (though not the customary understanding) of the Western rite as then current in the Church of Rome was clever, but, I fear, clever in the same way as Tract 90. But the gravest difficulty is continuity of intention. The argument about the texts and the argument about intention can however hardly be separated.

So far as the Ordinal is concerned, Saepius officio is able to establish that it falls within the limits of earlier rites and so to condemn it is to condemn most if not all Orders in the Catholic Church. I do not think further discussion is needed about the text of the Ordinal in itself. But of course context makes a difference. Early rites did not in many cases refer to the eucharistic role of the priest, true. But to *remove* such references (worse, to substitute for the merely medieval "porrectio instrumentorum" a newly invented superstitious gesture with the bible) is not the same as never to have had

them. It is radically to downplay the eucharistic role in the Church, though in fairness the Church of England did retain the rule that only priests could celebrate (on the rare occasions when there was a Communion). The pope had reason (maybe not sufficient reason) to believe that behind the ostensible retention of the name was concealed a substitution of a lay pastorate for the priesthood (even if we accept that defining the priesthood in *purely* sacerdotal terms, as the late medieval rites tend to do, is wrong and including the pastoral role is right).

Intention, then, is not just derivable from textual analysis; context is relevant. Certainly full weight should be given to the stated intention in the text (the preface to the Ordinal) “that these orders may be continued and reverently used and esteemed” and to the continued use of the names of the threefold ministry. (One might add that there was no reordination in 1549 or 1559 of those ordained under the old rite, which would seem appropriate if there were a genuinely new beginning.) But in context that continuity is questionable, the more so when we consider the changes in the Eucharist.

Intentions are held not by texts (though texts may demonstrate intentions), but by individuals or corporate bodies. In this case the state religion is the body in question. (It is agreed that the intentions of individuals do not normally matter. But texts are written by individuals, and it is not absurd to elucidate the meaning of a text from the known views of its author. The determination of the Archbishops not to consider the theology of the Reformers at all seems evasive.) It is essential to the argument of Saepius Officio not merely that the Ordinal is adequate, not merely that the intention of the text is adequate, but crucially that this intention was consciously held at all material times by the Church of England. (In stable times, much can be assumed; in times of change and dispute, a higher standard is needed.) The Archbishops argue as if the Church of England reformed itself and took the critical decisions and therefore should naturally be taken to hold the intention stated in the Ordinal. This assertion (it is not discussed, just taken for granted) is false.

It might well be thought that after the “submission of the clergy” to Henry VIII there could *already* be no Church intention. This submission put in place the new state religion totally controlled by the king and marked the fundamental breach of unity with the universal Church (even though there was no immediate change in doctrine). However, some would like to think that even after accepting Henry as “Supreme Head” the Church might have retained some power of independent decision. There was a belief in 1897 that the Prayer Book of 1549 might have been approved by Convocation (the senior clergy, at least of the province of Canterbury). If that were true, then it could be said that the Church of England had made that book (which did *not* include the Ordinal) its own. It was also thought in 1897 that the 1549 Communion was more defensible than later rites - this is probably unfair to Cranmer but the controversy is focused on 1552 and 1559 anyway. However, the balance of probability is that *none* of the first Prayer Book of 1549, the Ordinal of 1550, the second Prayer Book of 1552 or its amended reissue in 1559 was approved by Convocation. *All were naked acts of state*, acts in which Cranmer participated (if at all) not as Archbishop but as a Privy Councillor and member of the House of Lords. Convocation did not *directly* approve a Prayer Book and Ordinal until 1662, and even then only under duress. Moreover, in 1559 the Bishops *rejected* the restored Prayer Book and Ordinal (nine out of nine who were present at the vote in the House of Lords!) In what possible sense then are the 1559 Prayer Book and Ordinal documents of the Church? How can they express its mind? Only if the sovereign, not the clergy and faithful, expresses the intention of the Church.

It is truly said that the Tudor state was widely obeyed, on the basis that the sovereign alone had all the responsibility and the subject could shelter behind that. So there is a sense in which the only intention that mattered in 1559 was that of Queen Elizabeth, and her intention was the intention of the Church. But who knows what that intention was? A subtle change (described below) was made in the Communion office - but hardly enough to prove that the whole text of 1552 has been subverted and now had an orthodox meaning. Even if this doctrine of the state explains how she could impose her modified reformation, which of us now accepts such a doctrine?

The serious possibility, then, is that the Church of England did not hold *any* intention regarding the Ordinal until (perhaps) 1662, by which time any continuity had been lost. However, Gregory Dix in “The Question of Anglican Orders” draws attention to the 39 Articles of 1562 (revised 1571). These are indeed acts of Convocation. Since these explicitly validate the Ordinal (Article XXXVI), it is *just* possible to assert that the Church of England did make the state text its own (albeit after the event) and so expressed a valid intention concerning Orders before it was too late. However, Convocation too was subject to duress. Queen Elizabeth was given what she demanded by those who had not been purged but knew they could be. Who, apart from (possibly) her, meant it? It is suspected that not even she could get the religion she wanted. Nevertheless, it *may* be held that the Ordinal was accepted rather than merely being used under duress and so the Elizabethan state religion did intend to continue Holy Orders in a Catholic sense, so far as the Ordinal is concerned.

It is now appropriate to consider the response of the Archbishops concerning the Eucharist in greater detail. I damned it above as “clever”. The art lies in not stating any positive doctrine, but in making a parallel *deconstruction* of the words contained in the Prayer Book and those of the Tridentine canon. The “words *contained in*” is not the same as the words *usable in* any single celebration of the Communion, for some of them are alternatives. There is also much muddying of

the waters as between 1552, 1559 and 1662. My own opinion is that if 1559 is adequate, then the case is made; otherwise not.

It is probably useful at this stage to cite the eucharistic material from Saepius officio, since many will not have seen it and, disgracefully, the centenary book about the controversy (Anglican Orders: Essays on the Centenary of Apostolicae Curae 1896-1996) selectively excised it. I reluctantly offer it in the customary translation. It must be remembered that the Latin is the authoritative text (as is also the case with the Articles) and that the English is not always a fully reliable rendering. Emphasis (bold text) is mine. I take it up at the point when they end the discussion of Orders.

“XI. 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 (*Session XXIII. On the Sacrament of Order, canon I., and Session XXII. On the sacrifice of the Mass, canon III.*) which were promulgated after our Ordinal was composed, 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.** The authority of that Council has certainly never been admitted in our country, and we find that by it many truths were mixed with falsehoods, much that is uncertain with what is certain.

But we answer as regards the passages quoted by the Pope, that **we make provision with the greatest reverence for the consecration of the holy Eucharist and commit it only to properly ordained Priests** and to no other ministers of the Church.

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," an opinion which seems to be attributed to us by the quotation made at that Council. But we think it sufficient in the Liturgy **which we use** in celebrating the holy Eucharist, - while lifting up our hearts to the Lord, and 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, according to His precept, until His coming again. **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 for all the whole Church; and lastly we offer the sacrifice of ourselves to the Creator of all things which we have already signified by the oblation 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.**

Further, since the Pope reminds us somewhat severely of "the necessary connection between faith and worship, between *the law of believing and the law of praying*," it seems fair to call closer attention, both on your part and ours, to the Roman Liturgy. And when we look carefully into the "Canon of the Mass," what do we see clearly exhibited there as to the idea of sacrifice? **It agrees sufficiently with our Eucharistic formularies, but scarcely or not at all with the determinations of the Council of Trent.** Or rather it should be said that two methods of explaining the sacrifice are put forth at the same time by that Council, one which agrees with liturgical science and Christian wisdom, the other which is under the influence of dangerous popular theology on the subject of Eucharistic propitiation.

Now in the Canon of the Mass the sacrifice which is offered is described in four ways. Firstly it is a "sacrifice of praise," which idea runs through the whole action and so to say supports it and makes it all of a piece. Secondly it is the offering made by God's servants and His whole family, about which offering request is made that it "may become to us the Body and Blood" of His Son our Lord. Thirdly it is an offering to His Majesty of His "own gifts and boons" (that is, as Innocent IIIrd rightly explains it, of the fruits of the fields and trees, although the words of the Lord have already been said over them by the Priest), which are called the holy Bread of eternal life and the Chalice of everlasting salvation. Fourthly and lastly (in the prayer *Supra quas propitio*) the sacrifice already offered in three ways, and according to Roman opinion now fully consecrated, is compared with the sacrifices of the patriarchs Abel and Abraham, and with that offered by Melchisedech. This last, being called "holy sacrifice, unblemished victim," shows that the comparison is not only in respect to the offerer, but also to the things offered. Then the Church prays that they may be carried up by the hands of the holy Angel to the altar of God on high. Lastly, after the second series of names of Saints, there occurs the piece of a prayer (*Per quem haec omnia*) which appears rather suitable to a benediction of fruits of the earth, than to the Eucharistic sacrifice.

It is clear therefore from what has been already said that the *law of believing*, set forth by the Council of Trent, has gone some distance beyond the boundaries of the *law of praying*. The matter is indeed one full of mystery and fitted to draw onwards the minds of men by strong feelings of love and piety to high and deep thoughts. But, inasmuch as it ought to be treated with the highest reverence and to be considered a bond of Christian charity rather than an occasion for subtle disputations, too precise definitions of the matter 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.”

A few analytical points to this lengthy citation. The Archbishops assert that the Church of England confines celebration of the Eucharist to the priesthood (a former Bishop of Ely has alleged some counterexamples, but they are right so far as the text of the Ordinal goes). They are convinced that there is a "Eucharistic Sacrifice" (*sacrificium Eucharisticum solemus nominare*) and that this is a normal Church of England title for it, in common use in official documents! This is simply not true yet it is the natural meaning of the Latin. The most they could truthfully say, following Pusey in Tract 81, was that some Anglican teachers had used the term and this had not been made into a ground for formally repudiating them. Later in the text (XV) there is a reference "Neque enim nomen ipsum "sacerdotis" et similia declinamus" to the University Prayer Book (in Latin) and to other Latin texts as using the term "sacerdos", thus alleging that the term "priest" is meant seriously and not as a mere corruption of "presbyter" and so by implication giving a distant colour for talk of the Eucharistic sacrifice. The textual facts are right, but these are at best peripheral and rather sloppy documents. The inference is strained.

They insist (rightly) that there is an offering of the Bread and Wine at the 1662 Offertory. But this is a dishonest argument, for there is none in 1552 or 1559. Nothing in the text of those rites requires the bread and wine to be even in the church, much less upon "God's board" until they are distributed. There are no "manual acts". Indeed, these defects were pointed out by Calvinists and remedied for that reason (not very competently) in 1662. But the Pope could fairly say that by then the rite had been seriously defective for over a century, whatever individuals may in some cases have done to improve on it. Pusey in Tract 81 reports all these problems; they could not be ignorant of them.

It was shrewdly pointed out (E. C. Messenger: *The Reformation, the Mass, and the Priesthood*) that there is a false implication in their summary of the Prayer Book. I quoted in the citation above "that they may become to us the Body and Blood of our Lord Jesus Christ" for which the Latin is "ut nobis corpus et sanguis fiant Domini nostri Jesu Christi". Messenger comments: "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." . . . 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." It could be said in their defence, however, that some reformers argued that the "nobis" in the Missal disproved a Presence in (or transubstantiation of) the elements in themselves as opposed to for us devoutly receiving them. It is possible that the Archbishops were relying on this argument, though it would have been prudent to say so.

They defend the 1662 (not 1559) canon *as it stands* (perhaps, disingenuously, including what some call the Prayer of Oblation though this is only an *optional and alternative* post-communion, not part of the Eucharistic Prayer) as adequately similar to the Roman Canon *viewed as a text* (and not in the light of counterreformation Roman theology). They point out that there is no verbally clear offering of Christ as opposed to of the consecrated Gifts in the Roman Canon, which they argue that Canon merely equates to the offerings made by Abel, Abraham and Melchisedech. This seems to be an implausible analysis of the Roman Canon, particularly when the gestures involved are considered, though there is some truth in it. Mascall comments of the Roman rite and other ancient liturgies that "what the Church appears to be offering to God is not the Body and Blood of Christ but simply bread and wine, though it dignifies these by the most exalted terms" (Corpus Christi). So the inherent weakness of 1559 (viewed in a historical context) is less the lack of a verbal offering of Christ than the lack of any expression of an offering of the elements so dignified. Again, they do not address the problem that 1552 and 1559 do not have a canon - the text is not in the form of a prayer as it has no doxology or even Amen (an Amen was bolted on in 1662). It is further disingenuous in the Archbishops to imply that even 1662, let alone 1559, had a Communion rite in which the Prayer of Oblation (it is not so named in the Prayer Book!) was an essential part of the canon. (Pusey however claimed in Tract 81 that the Prayer of Oblation was always used and the Prayer of Thanksgiving never used in practice in the Church of England, whatever the book said!)

Now (to jump ahead in liturgical history) it is possible to make a half-decent liturgy by putting the Prayer of Oblation after the Institution Narrative, with the Amen to follow, and by retaining the Prayer of Thanksgiving in the post-Communion position, and using rubrics to strain the meaning of the words into a Catholic sense - but this remodelling (given episcopal support much later, in the 1940s, not least by Kirk) is a distortion of the Prayer Book (though wise at the time). It does not seem to have been current practice in the 1890s, though there are traces of it being occasionally done much earlier.

The Archbishops insist that the Eucharist is an *action of the whole People of God, incomplete without them*, even though a priest must lead it (*actionem totam, in qua plebs cum sacerdote partem suam necessario sumit*). The recognition of an action, not a mere commemoration, is correct and valuable in itself, though it cannot be derived from 1552 and 1559 because nothing happens in these rites. Again, they are reading 1662 back into the earlier rites. Talk of the laity is not very convincing. The People has nothing to say in these rites except the responses to the Ten Commandments and the Lord's Prayer, and nothing to do except contribute money and receive. (However, it remained

until quite recent times a powerful argument against Rome that the laity rarely received the Sacrament *as part of the Mass*, contrary to primitive practice. So reception *in the course of the Communion service* is a positive point.)

They cautiously assert that the Eucharist is related to the sacrifice of Christ (definitiones curiosae de modo sacrificii et **de ratione qua coniunguntur sacrificium aeterni sacerdotis et sacrificium Ecclesiae, quae aliquo certe modo unum sunt**, nostro iudicio, vitandae sunt potius quam promovendae). But just where we might hope for some constructive theology, they stop. Indeed, they seem to think that it is bad form to try constructive theology.

They do not give any support to the theology of then current Anglo-Catholicism (as seen even in Hymns Ancient and Modern) "And now, O Father . . . We here present, we here set forth to thee, The only offering perfect in thine eyes, The one true pure immortal Sacrifice" but rather they attempt to demonstrate that that theology is not in the Roman canon. So they suggest to the wild men of the Church of England (probably a far more important audience than the Pope!) that the recitation of the Roman Canon doctrinally adds nothing to the Book of Common Prayer (unless you have determined to read into that Canon a propitiatory theology which they hint is not in its text). But if so, what was the Reformation about?

We may grant that theirs' is not the religion of Thomas Cranmer (they drag in a pointed reference to his combustion but ignore his teaching). We might extract some positive teaching from the complex analysis of what they call Eucharistic Sacrifice, though I suspect the purpose is mere polemic. It may be that the papal attack on the 1552 and 1559 communion service was not anticipated and therefore a defence had to be rushed - contrast the rest of the text which largely builds on Denny and Lacey's 1895 dissertation "De Hierarchi Anglicana" and so is much better argued.

A part of the weakness of the eucharistic teaching may be that Temple, the newly appointed Archbishop of Canterbury was determined to leave open the possibility of denying the "objectiveness of the presence" of Christ in the elements. These words are from Gore's critique of Temple's first visitation charge, two years after Saepius officio, in "The Body of Christ". As soon as the issue of such a presence was raised in the debate after Saepius officio, Temple made a conventional denunciation of transubstantiation, even though that was not the issue. He was still locked into the mindset of the reformers, as if to admit any presence was to restore popery.

It is not for me at this stage to attempt to make good the defects in Saepius officio. To some extent, Michael Silver's separate reflections on the Eucharist in the Church of England will do this (when available).

It is inevitable in the nature of the 1897 argument, which needed to demonstrate that Anglicanism had been adequate at all times from 1549, that no significant defect could be acknowledged in the Prayer Book. In proportion as "Saepius officio" was *the answer* to the papal challenge *as put*, the myth of the entirely adequate, if not "incomparable" liturgy was inevitable and it had to be pretended, in the face of the evidence, that there had been no defect in that liturgy since (at latest) 1559. To change anything important was to admit the former inadequacy or indeed invalidity of the Church of England's liturgy - and, as the Pope made clear, even if the change were for the better, it would now be too late now to remedy the defect. So the logic of "Saepius officio" made it all the harder to improve the Prayer Book. As I have argued, 1662 was much changed from 1552 and 1559, and it is not possible to justify the Elizabethan reformation by using material first present in 1662. This trap works forwards as well as backwards. The members of Parliament who rejected 1928 were not fools; they recognised that the alternative 1928 Communion involved a new practice and doctrine (epiclesis) for the Church of England and so cast doubt on the validity of the 1662 form.

Surely it is more plausible to admit that the theology of the Western liturgy (even if we ignore the later development of transubstantiation) was clearly *abandoned* in the text of 1559 as well as 1552. Cranmer's text does express his opinion - that there is no action in the Eucharist, we merely recite or hear words in the context of receiving bread and wine (albeit this does lead to profound spiritual benefits). It is therefore necessary to prove that his text was being used with a specific (and distorting) meaning and intention. This is arguably true of 1662, with its "hocus pocus" manual acts. But these are not in 1552; the priest says words, but these have nothing (detectable from the text) to do with the elements. In 1559, we have to build a huge conjectural theology on the reintroduction (by the state, not the Church) of the 1548-49 words at the delivery of the Sacrament, words which Cranmer did not when he wrote them think implied any change in the bread and wine. (Of course, he *might* have been wrong about his own work!) It should also be added that the "Black Rubric" was not included in 1559. This in 1552 as finally printed (it was a panic addition) denied that "any adoracion is doone, or oughte to be doone, eyther unto the Sacramentall bread or wyne there bodily receyved, or unto anye reall and essencial presence there beeyng of Christ's naturall fleshe and bloude. For as concernynge the Sacramentall bread and wyne, they remayne styll in theyr verye naturall substaunces, and therefore may not be adored, for that were Idolatrye to be abhorred of all faythfull christians." We may be thankful for the non-inclusion, but we must remember that Cranmer had considered his work complete without the rubric, so the removal does not necessarily change the doctrine of the rite. (1662 reinstates the rubric in a clever form which virtually reverses the meaning; it is not there a panic addition and the editors of the English Missals were wrong to print it in black.)

Could one demonstrate that the intention was the same because the one rite replaced the other? This would at best be a weak argument. In this case it is manifestly false. The mass had been the daily, or at least weekly, prayer of the church

in every parish without exception. The communion service could only be described as occasional. This is not just a statistical statement - that in many parishes it was only used four times a year. It is also inherent in the text - that it is so occasional that it must be prepared for, on each occasion, by the "exhortations". The normal form of worship had ceased to be the mass and had become matins, litany and ante-communion plus homily.

Will the Articles come to the rescue? They are less effective as a source of an intention for the Eucharist than for the Ordinal. They do negate the "naked commemoration of Calvary" in favour of a more primitive doctrine of what is received in Holy Communion (Article XXVIII "rite, digne, et cum fide sumentibus, panis quem frangimus est communicatio corporis Christi"), but they have nothing positive to say about what is done in the Eucharist as opposed to in the worthy recipient. "Corpus Christi datur, accipitur et manducatur in Coena tantum coelesti et spirituali ratione" is not at first sight distinct from Cranmer's opinions, though it does replace earlier even more negative wording and its author claimed not to "exclude the Presence of Christ's Body from the Sacrament, but only the grossness and sensibleness in the receiving thereof." The Articles do not assert the validity of the 1559 rite (whereas Article XXXVI specifically upholds the Edwardian Ordinal.) There is thus no Elizabethan decision of the Church of England in favour of the Communion rite imposed on it. But there cannot be a valid church without a valid liturgy.

The Articles do approve the Homilies (Article XXXV) as a "godly and wholesome doctrine". Take note of the following quotations from Homily 15 (Of the worthy receiving of the Sacrament), which might be argued, as we have seen with the Ordinal, to be approved by Convocation and so to express the intention of the state religion. For once, the English is the authoritative text.

"We must then take heed, lest of the memory, it be made a sacrifice, lest of a communion, it be made a priuate eating, lest of two partes, we haue but one, lest applying it for the dead, we lose the fruit that be aliuie."

"Let vs therefore so trauaile to vnderstand the Lords Supper, that we be no cause of the decay of GODS worship, of no Idolatry, of no dumbe Massing, of no hate and malice: so may we the boldlier haue accesse thither to our comfort. Neither need wee to thinke that such exact knowledge is required of euery man, that hee be able to discusse all high points in the doctrine thereof: But thus much we must be sure to hold, that in the Supper of the Lord, there is no vaine Ceremonie, no bare signe, no vntrue figure of a thing absent (Matthew 26.26): But (as the Scripture saith) the Table of the Lord, the Bread and Cup of the Lord, the memorie of Christ, the Annuntiation of his death, yea the Communion of the Body and Blood of the Lord, in a marueilous incorporation, which by the operation of the holy Ghost (the very bond of our coniunction with Christ) is through faith wrought in the soules of the faithfull, whereby not onely their soules liue to eternall life, but they surely trust to win their bodies a resurrection to immortalitie (1 Corinthians 10.16-17). The true vnderstanding of this fruition and vnion, which is betwixt the body & the head betwixt the true beleeuers and Christ, the ancient Catholike Fathers, both perceiuing themselues, and commending to their people, were not afraid to call this Supper, some of them, the salue of immortalitie and soueraigne preseruatiue against death: other, a deificall Communion: other, the sweet dainties of our Sauour, the pledge of eternall health, the defence of Faith, the hope of the Resurrection: other, the food of immortalitie, the healthfull grace, and the conseruatorie to euerlasting life."

"For this is to sticke fast to Christs promise made in his Institution, to make Christ thine owne, and to apply his merits vnto thy selfe. Herein thou needest no other mans helpe, no other Sacrifice, or oblation, no sacrificing Priest, no Masse, no meanes established by mans inuention."

It can truly be said that the "naked commemoration" is explicitly rejected (but so is the eucharistic sacrifice), and there are many enthusiastic words. But the intention is certainly to do something very different from the Mass, which is condemned as an idolatrous sacrifice. And the concerning problem (perhaps inherent in a homily about worthy receiving) is that the emphasis is on what happens directly in the soul of the receiver, not via the elements, albeit in the context of the Eucharist. There is no talk of the action of the Church nor of the action of the Trinity through the Elements. But the Eucharist should not be reduced to a (necessarily individual) reception of justification by faith.

Essentially, the issue is this. The reformers were very afraid of giving any scope for transubstantiation or for a sacrifice separate from Calvary. Therefore they were bound to create a form of service in which there is no Presence related to the Elements and in which nothing happens (other than within the believer). Cranmer had experienced, in Gardiner's deconstruction of 1549, the risk of even the slightest ambiguity. Is it credible that he and his fellows made the same mistakes twice? For them, reformed Catholicism was too dangerous an option to pursue. Only by the utmost incompetence, or miracle, could 1552 (and so 1559) have contained a valid communion rite.

I think it doubtful that the Elizabethan state religion had either a valid Eucharist or a valid intention concerning that Sacrament. After 1559 the *words* of the parliamentary rites were spoken, under the most dire threats and with constant supervision by the magistracy. (It is profitable to read the Act for the Uniformity of Common Prayer in order to appreciate that pressure. Fortunately, most copies of 1662 do include that Act in the prefatory material.) Even the speaking of the words was not always achieved in the more reform-minded parishes. The Holy Communion was rarely celebrated (in most parishes) and little received, and many clergy would not even preach for fear that their own words would be used against them. What sort of continuing Catholicity was this, where, notwithstanding some fine words in

the Ordinal, most clergy were reduced to a mechanical reciting of set texts, the laity to pretending to listen?

Under these circumstances, what can be said of the “intention” of the Church? The Church did not form an intention, and even if the intention of individual clergy (and laity) were relevant in determining the mind of the Church as a corporate body, their intention had more to do with survival under coercion than with continuing the faith.

While we have concentrated on the topics raised in the controversy, we should not forget the determined *isolationism* of the state religion (Elizabeth was a true follower of her father in this respect). It was *of set purpose* not Catholic, and this alone is a condemnation.

We cannot confidently talk of the intention of the Church, and must not seek to establish the intention of mere documents (a category mistake) or of individuals instead. We will not validate Anglican orders by finding a few people with the right ideas (at any time). The Pope was right to criticise that approach, albeit unwise to seem to reject Anglican orders on the basis that some people, however senior, held the wrong ideas.

My concern then is that *Apostolicae curae*, even if viewed as an argument, came too near to success for comfort. There was no Catholic intention of the Elizabethan Church of England. The Catholic Church was replaced by a *local* state religion, in practice neither Catholic nor Reformed, which many outwardly obeyed but few embraced. Eventually this changed as mere habit and the lack of alternatives, plus some more constructive theology, had an effect. But the genesis of the various conflicting forms of Anglicanism is not the same as the restoration of Catholicism.

Was subsequent recovery possible? Some Anglican apologists allege that if Catholicity was lost, it was recovered at one or another time by non-Anglican consecrators, who themselves had valid orders, being involved in Anglican consecrations. Laud (and so his successors) has been argued to be a beneficiary, and for a time between the wars Old Catholic bishops took part in Church of England consecrations, until it was realised that this practice seemed to admit that without such participation Anglican orders were invalid. It is not clear that this latter practice was discussed and approved by the Church of England; it seems to have been a private initiative into which no intention *of the Church of England* can be read.

Such a recovery might be possible *if there were a clear decision to seize the opportunity and restore Catholicity, which could only be done by the cooperation of those already within the Catholic fold*. But the attitude of the Church of England (and the former Anglican Communion) has always been that there is no defect, so no need for a remedy. Such an intention would have required a decision by the Convocations (possibly with the Church Assembly or, in earlier days when Parliament was solely Anglican, Parliament provided this included the overwhelming consent of the Bishops). And if it had happened, then it would have been necessary to remedy the inadequacy of all existing orders (and rites). It has not happened. The Restoration is the nearest approach to such an occasion, but non-Anglican consecrators were not used and only those not episcopally ordained were required to receive such ordination or leave the ministry. It may be allowed, however, that an effort was made, within the narrow limits Parliament would allow, to impose a Catholic meaning on the Communion service.

We do not accept a mechanical (pipeline) theory of apostolic grace (which is another reason why the Old Catholic saga is unimportant). But rather than taking the forgiving line of Porvoo, that the lack of episcopal succession is not fatal, I think the demands are stronger. If we are to argue that there was a restoration of Orders, this should not have been a casual act by renegade bishops or their descendants, but a considered act of the Universal Church, as much as might be. The requirement is not just retaining (or recovering) more or less accidentally a valid succession of bishops but also having a valid liturgy and, at all pertinent times and as a corporate body, a minimally adequate view of the Universal Church and the intention to act as part of it. An intention must be freely formed - it cannot be externally imposed. Even now, it is arguable that the Church of England is a mere creature of state, whose doctrine, worship and bishops are politically regulated. At any moment Parliament could resume full control. To the extent that this remains true, the English state religion *cannot* have any intention. Duress and intention are incompatible. The state religion has never (except when it was illegal, under the military dictatorship) existed except under the legal duress of the state and has only existed because of the state's enactments.

This particular problem is confined to England. But most or all of the former Anglican Communion - and TAC - depends on what happened in England and presumably stands or falls with it. The Nonjurors may well have had the right intention, but their orders could be no better than those of the parent body at the time of the schism.

Perhaps *Saepius officio* in itself implies a valid intention (though its studied ambiguities on the Eucharist make this doubtful) - but it is not a document of the Church as a corporate body, merely the private opinion of two individuals, however eminent. And it is not associated with a fresh start. It is not clear what authority it ever had in the Church of England - probably none. At least one Bishop rejected it. Two godly Archbishops could no more as individuals make the church than Cranmer as an individual (as distinct from by his liturgical texts) could destroy it.

This point can be generalised. As the pope recognised, over time a few individuals in the state religion came to hold higher (Catholic) views of the church. This is irrelevant to the question of Anglican orders and the status of the Church

of England (though not to the salvation of the individuals concerned) unless that body endorsed those views by taking the practical steps indicated. It never did.

Were some other parts of the Anglican Communion sound? If so, can TAC depend on them? This kind of argument largely turns on the Scottish and American succession from the Nonjurors. It might be valid though I have expressed doubts above. But we have to notice the consequences. If we took this line, we are saying that though TAC is part of the Catholic church, the Church of England since the reformation has never been a part of it. For granted that Anglican Bishops from outside England have frequently taken part in English consecrations, this has not been coupled with a clear recovery of Catholic intention by the state religion. It has been a mere (far from valueless) gesture of a unity which has now been fractured and is no more effective than the Old Catholic participation discussed above.

Should we take the view that God does restore the penitent body and human intervention by the rest of the Church is not needed? (The rest of the Catholic Church should on this assumption recognise that this has happened, but if they fail to do so that is their sin, their problem and not a problem for the prodigal son.) If we attempt this line, we have passed from the historical analysis. This is perhaps the best argument that can be made - that 1662 was a new beginning (as well as repentance for the immediate errors of the military dictatorship) in which all pertinent authorities (King, Parliament and Convocations) were for once of a common mind. This is not what those involved thought they were doing - the emphasis was on "restoration" and not on a new beginning on better principles. But perhaps they were all confused! Certainly, various minor initiatives (like the Laudian treatment of the altar and the Jacobean addition of the sacramental section to the Catechism) now can be seen as part of a programme. This is certainly a vital phase on the development of Anglicanism, whether we call it a recovery of non-papal Catholicism or not. But even on the strongest construction, it is hardly surprising that the subtle changes made in 1662 (not affecting the anti-papal and anti-Roman content of the Articles) did not convince the papacy of the return to Catholicity, both at the time and later.

Certainly there is no later moment than 1662 available as a new beginning. Subsequent to 1662, the Church of England has usually been divided and now it (with much of the former Anglican Communion) has rejected Catholicity in practice, though of course they deny it. Note that this conjecture is about "corporate reunion" of a whole body with the Catholic Church, not about the opinions of individuals within or without the state religion.

The 1996 centenary essays already mentioned are in many cases a lament (by those involved in the ARCIC discussions) for their failure. I doubt that ARCIC is now worthy of further consideration. It is enough that whatever smooth words were invented there and whatever welcoming words were said, these were not *taken into the life* of the various Anglican bodies; indeed, they were effectively *repudiated* by the simultaneous adoption of ever vaguer eucharistic liturgies, the pursuit of pan-protestant unity schemes and the ordination of women. I doubt that future unity discussions will find the ARCIC *formulae* fruitful. There *might* of course be some useful theology in ARCIC.

Much has changed since 1896. Rome has itself made radical changes in all its rites. Some would even allege that Vatican II is a new religion with a doubtful Eucharist and ordination rites. This does not prove that either continuing or deformed Anglicanism should now be accepted by Rome. At the most extreme case, it may make some traditional Anglicans conclude that there is no point in reunion with modern Rome. But it does make the arguments used in the original controversy of limited value. Rome has little choice but to focus on continued (even if changing) defective intention in those who call themselves Anglican, or on the lack of episcopal succession in any Catholic sense, since the modern texts used by Rome and deformed Anglicanism are less divergent than in the sixteenth century. But traditional Anglicans are not interested in modern texts, since in most countries they use the last (generally quite good) local Prayer Book revision before the modern disasters. It is a standing risk for traditional Anglicans that they talk as if 1662 were their standard both for doctrine and practice. That is to create an artificial difficulty for Rome - and it is not as if 1662 is even approximately followed by most traditionalists.

The Affirmation of St Louis is a new beginning for those traditionalists who have adopted it. It brings the argument behind ARCIC and behind the reformation into an earlier Catholic faith. This is indeed the better way forward. Perhaps it might be thought to be a new beginning, sufficient to constitute a fresh start and justify a new consideration of the validity, not just of our orders but of our whole church life. Perhaps Rome will accept this. But I suspect many traditional Anglicans will be deeply unhappy at such a validation. For where is our so vaunted continuity? Do we want unity at the price of admitting that the Church of England (to name but one) was never (between 1559 and the modern apostasy) part of the Catholic Church?

In the context of the present TAC approach to Rome, we can see that there are two possible views. One view is that *Apostolicae curae* and its predecessor rulings were always wrong, or at least that there was a period (say 1662 to 1965) in respect of which they were wrong. It is from that period that we continue. Therefore we are claiming "our just inheritance of old" (let the reader understand) and have a proper expectation that Rome will *recognise* us. Of course, some tidying up may be appropriate on our part, but on this view there is no fundamental defect. For much of TAC does not have the Articles (if their occasional anti-Roman expressions be considered a problem) and does have reasonably good Eucharistic (and ordination) rites. The alternative view is that *Apostolicae curae* was right (perhaps for

the wrong reasons) and that we must plead to *be made Catholic, since we have recognised that we are not* (except in desire, since otherwise we would not be pleading). These are very different approaches.

Locally, TTAC Anglicanism does need a much more clearly Catholic liturgy than 1662, even though it is likely that all TTAC congregations use forms, whether related to "Series 1" or incorporating usages from the "English Missal" or from more exotic sources, which are better than that. Most, not all, individual Continuing churches in TAC have such liturgies, but TTAC *as a body* has nothing better than 1662. The same difficulty applies to TAC itself viewed as a body, which it may be presumed is how Rome would see it. It is essential that the faith and practice of TAC is seen to be as expressed at St Louis - "continuing" must not be a licence to continue almost every vagary of Anglicanism except the recent defects, fatal as they are. And it must be established conclusively that our intention is to *belong* wholeheartedly to the Catholic church. We do not merely seek a status as if we could enjoy it in isolation - we must *intend to live a common life* with the rest of the Catholic church. With the West, because we are ourselves Western. Through the West, with the Eastern and Oriental rites, as God may allow success to other initiatives.

A summary of the main points in this article may be useful. The Archbishops made a workmanlike defence of the Ordinal, which would have been stronger were it not for the pointless gesture with the bible therein introduced with no ancient precedent. They do not face up to the weaknesses of the 1559 Communion rite, partly but not completely remedied in 1662, and resort to an implausible comparison with the Tridentine rite. They do not consider the effects of the Submission of the Clergy and of the undeniable intention in 1552 and 1559 to have a radically different Communion rite from Rome whatever the consequent defects. The challenge therefore remains that even though the Ordinal expresses the intention to preserve bishops, priests and deacons, there was no valid Communion for them to celebrate. The argument that the faith was later recovered was not available to the Archbishops or to Continuers now, because of the determination to validate the whole history of Anglicanism. Consequently, the core of the challenge to Anglican orders retains considerable force. To simplify even further: the Pope (and his successors) had good reason not to be convinced by *Saepius officio*. That does not of itself prove that Anglican orders were in the critical period after 1559 invalid, or that they have never been valid anywhere subsequently. But that is a far wider question than whether *Saepius officio* was a compelling response to *Apostolicae curae*.