

## NOTES AND COMMENTS

### A RESCUE FOR ANGLICAN ORDERS?

Twenty years ago—or even less—the claim that the Edwardian Ordinal was drawn up precisely to exclude a sacrificing priesthood would have been hailed by Catholics as an Anglican admission of defeat: ‘That’s what we’ve been saying all along.’ Today Fr J. J. Hughes’ second book in defence of the validity of Anglican ordinations makes just this claim, and yet he leaves us wondering.<sup>1</sup> We may dislike much that is in this book: it is a piece of old-style polemic aimed at Dr Francis Clark’s two studies in support of *Apostolicae Curae*.<sup>2</sup> These provided the fullest historical and theological treatment to date of this thorny problem by a Catholic, and now they are pulled to pieces, weighed, and found wanting, especially in this fresh work of ruthless destruction.

For all our distaste of the manner, there may still be something of the matter which calls for attention. Of course, we may refuse to follow him on to his own ground. We may say that *Apostolicae Curae* has settled the question once and for all, we may say that the idea of ‘the sacrificing priesthood’ is the indispensable kernel of our thought about the Christian ministry, we may say that the exclusion of that idea from the Anglican Ordinal rendered the ordinations through it invalid and that this has not only been declared explicitly by the Bull but was already implicit in the Church’s consistent practice in disallowing such ordinations from the first. Is not the mere discussion of this cardinal point with Fr Hughes an admission that the Church has been mistaken for four centuries and more, not only about the validity of Anglican ordinations but, much more seriously, about the sacrificial character of the priesthood in the Church of Christ? Nor is it merely to question the highest authority in the Church, but to go against the *sensus fidelium*, of which the highest testimony is the blood of the forty martyrs and the sufferings of so many more who are never likely to be canonized.

To refuse to consider Fr Hughes’s thesis on such grounds is, however, to reject all that is to be found in the late Council’s *De Oecumenismo* and to avoid dialogue not merely with Christians, even the most widely separated from us, but with a Catholic brother-priest of exceptional experience, whose loyalty to the Church one cannot call in doubt.

What, then, is his main contention, so far as it can be summarized from his long and often repetitious discussion? As against Dr Clark’s repudiation of the accusations of late medieval corruptions of eucharistic practice and doctrine

<sup>1</sup> *Stewards of the Lord: a Reappraisal of Anglican Orders*. By JOHN JAY HUGHES. pp. xv, 352, London, Sheed and Ward, 1970, £4.20.

<sup>2</sup> *Anglican Orders and Defect of Intention* (London, 1956; referred to here as AODI); *Eucharistic Sacrifice and the Reformation* (London, 1960).

alleged in justification of the revolt of the Reformers against the priesthood as understood by the Catholic Church, he gives evidence to show that among Catholics before Luther's time not only was the Mass popularly regarded as a thing in itself, the benefits of which for oneself or others, alive or dead, could be secured by putting down the cash, but that, as this practice had become widespread in the Church, the theologians had constructed a theology to justify it, and the Church authorities were acting accordingly. With few exceptions the Mass was sundered from the death of Christ and its value not measured by Christ's presence there, but as a fresh 'sacrifice' of more or less value according to the dispositions of the celebrant, the stipend-giver, or the Church in general. That Christ's sacrifice was 'once for all' was either ignored or merely relegated to the past, as if the sacrifice of the Mass was all that mattered to contemporary man. (The two notable exceptions mentioned, Cardinal Cajetan and Caspar Schatzgeyer, seem to have had no followers in their handling of the question.)

If this sparked off the Continental Reformation, so that even 'bishop' and 'priest' were abolished and the sacrifice of the Mass repudiated, how far did the English Reformers go who at least preserved the nomenclature and the effective structure of bishops, priests, and deacons—albeit now in subordination to the throne instead of the papacy? They intended, so they said, to preserve the historic ministry; but was not this intention nullified by their exclusion from the description of the ministry of all reference to the offering of sacrifice in the Mass? Fr Hughes seems to have two ways of meeting this: the first is to call in question the basis of such a cultic understanding of the ministry whether in Scripture or in early tradition; the second is that even if this were an essential part of the Christian priesthood, Catholics on their own principle of the prevailing intention of the minister ought to admit the validity of Parker's consecration and the rest, because the intention to maintain the ministry as instituted by Christ would prevail over any other intention the consecrators might have had. It will be enough, for the present, to consider this second line of approach, even though it was regarded by him as a piece of supererogation.

It would be tedious and unprofitable to recapitulate the various arguments which surround the question of the 'prevailing intention' in the administration of the sacraments. But both Clark and Hughes make this question decisive for their opposed positions, and anyone reading the latter would think that Clark's own arguments had been completely demolished. Without necessarily endorsing all these arguments one can fairly question whether their presentation by Hughes is correct and whether the scorn which he pours on them is not too facile.

The trouble is that Hughes ignores what commands the whole of Clark's argumentation. This is the fact that the 'contrary intentions' of the minister of a sacrament constitute a problem which has received ever closer attention by theologians and moralists and that the earlier rough and ready solutions have been refined and superseded by more careful formulations and conclusions. In other words there has been a development in the handling and understanding of the problem—and that even before *Apostolicae Curae*. Neglecting this, Hughes

misses the significance of Clark's quotations from the older authors, De Lugo, Esparza, Lacroix, and others.

In the first place Clark is held up to obloquy and scorn for truncating his quotations from these authors to serve his purpose. A serious accusation if it can be substantiated. But can it? Hardly, at least not in the way it is done here. The gravamen is that Clark has in each case omitted a preceding passage where it is stated that 'the common and true rule of the theologians is that the predominant of these two intentions determines the outcome' (p. 273, a quotation from De Lugo). Yet Clark had shown that since De Lugo theologians have come to see that there was more to the problem than the question 'which of two contrary intentions is the stronger?' One must first ask whether the general intention to do what Christ instituted (or the like) might not be neutralized by a positive intention to exclude—not merely the supposed effects—but something intrinsically essential to the constitution of the sacrament itself. De Lugo and the others generally considered only the first question—the straightforward traditional problem—with its ordinary straightforward solution. To this Clark refers when about to give his quotation from De Lugo: 'After discussing the usual norms for deciding the prevailing intention in the minister's mind, he (De Lugo) considers our case' (AODI p. 123). Clark has already dealt with 'the usual norms' and goes on to show that there is also in De Lugo, not a fully developed treatment of 'our case' but, as he says, 'an analysis . . . in which our principle is discernible in essentials.' In spite of this Hughes quotes at length what De Lugo had said of the usual norms as if it had been dishonestly suppressed by Clark, whereas in fact the latter had duly acknowledged its presence and wanted only to underline De Lugo's having at least adverted to the deeper problem which was only to be adequately dealt with in the future. Clark has here been somewhat misrepresented.

Indeed, Hughes misses the whole trend of Clark's argument, which is that the earlier treatment of sacramental intention has now been transcended as the result of further study and experience. The real issue is seen to be not so much which is the prevailing intention but whether there is intended anything which is destructive of the sacrament as it should be. De Lugo and Esparza had only shown an inkling of this when, after disposing of cases where one intention obviously prevailed over the other, they raised the question "but what if the two contrary intentions are equal?" giving as one example 'to consecrate the eucharist but not to offer sacrifice.' They answer that neither intention could prevail because one cannot 'bring about what is impossible,' or because it is 'as if there were no intention embracing the proper sacramental object.' One might perhaps query Clark's interpretation of 'equality' in this context, but he is right in spotting here a first suggestion of the 'principle of positive exclusion' which he abundantly and not unjustly illustrates from many modern matrimonial cases. It is this principle which has replaced, in most crucial sacramental problems of validity the more superficial discussion of 'prevailing,' not to mention 'equal' intentions. Such is Clark's contention and it is a parody of this to say e.g. of Haine's view (that 'equally held intentions cancel each other out'): 'this is of course the "prin-

ciple of positive exclusion" which Clark claims is now always applied in a case of contrary intentions' (Hughes, p. 277; cf. p. 270). On the contrary, Clark's principle does not turn on the equality of the intentions, but on the exclusion by one of them of something essential to the sacrament as such. But sticking to 'equally held intentions' makes it only too easy to ridicule its application to Parker's consecration (pp. 284-6).

Moreover if these consecrators admittedly did not believe in the possibility of a sacrificing priesthood, this is no reason for denying that they had the intention to exclude it from the 'priesthood' which they were conferring. According to Clark's demonstration, that intention was present and persevered from the moment that they decided to use the new already banned rite, and their doing so under those particular circumstances manifested that intention, as *Apostolicae Curae* expressly claimed. Clark wrote (AODI pp. 106-7): 'Their act of choosing to use that Ordinal in that historical setting shows that they elicited a positive intention against what is in fact essential to the sacrament of Order.' If the Ordinal was meant to expunge the belief in a 'sacrificing Priesthood' (as Hughes admits), it is quibbling to say that since Barlow and the others did not believe in its existence they would never have thought of positively intending to exclude it. Deeds speak louder than words; indeed they can even reveal secret intentions, as the Bull said.

There remains the contention that the offering of sacrifice is not an essential element in the Christian priesthood. Hughes is probably right in maintaining that the Reformers' opposition to it was not so much a consequence of their theological views on faith and justification as of the scandals connected with the penny-in-the-slot views of the benefits to be got from the Mass as a sacrifice. That theological justifications had been worked out in support of these practical abuses only made matters worse. That in the academic world a truer relationship between the Mass and the Cross persisted, as Clark was able to show, did not prevent a good deal of superstition manifesting itself in the Church at large alongside a genuine love of Christ and devotion to his passion. That more and better preaching of the Word was called for must surely be admitted. But to cut out from the Mass everything which implied that something was happening objectively, independently of the praise and thanksgiving of those sharing in the sacred meal, was to swing the pendulum too far, and that was what was done when 'non-sacrificing priests' replaced the priests of the past. Fr Hughes goes all the way with that swing, maintaining that Christ never intended that the ministers of his Church should be sacrificing priests. He raises interesting points in both history and theology, some of which have not yet been fully discussed and might lead to a happy solution, but they need to be discussed with a little less passion and emotion than he brings to them today. We can perhaps look forward to this when he has realized his ambition to be 'the first priest to sail single-handed round the world!'