

THE SEVENTH COLLOQUIUM OF ANGLICAN AND ROMAN CATHOLIC CANON LAWYERS

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The seventh Colloquium of Anglican and Roman Catholic Canon Lawyers met at the Anglican Seminary in St. Peter's Place, Rosettenville, Johannesburg, on 2-5 February 2006, to continue the discussions originating at the sixth Colloquium in Rome concerning the mutual recognition of ordained ministry.¹ In attendance at the 2006 Johannesburg meeting were, from the Roman Catholic Communion, Professor Aidan McGrath, Professor James Conn, and Professor Michael Hilbert from the Gregorian University in Rome. The team from the Anglican Communion were Canon Gregory Cameron, Professor Norman Doe, Chancellor Mark Hill, and Anthony Jeremy.

The purpose of the Colloquia is to explore ways in which the respective laws of each communion either facilitate or inhibit unity, and at the sixth Colloquium much attention had been addressed to the position of the Roman Catholic Church that Anglican Orders are invalid, by reference to the questions of intent, matter, form and minister. It was then agreed that: (1) the practice of ordained ministry in historic succession is essential to ecclesiality; (2) the rite of Ordination is about the transmission of sacred ministry and the commission to service involving the presence of the teaching of the faith, the celebration of the sacraments, and the exercise of governance; (3) for Roman Catholics, the primary manifestation of the priestly ministry is presidency at the celebration of the Eucharist; (4) for Anglicans, the primary manifestation of priestly ministry lies in the preaching of the Word (at least in the Reformation period), though its modern expression is much more about 'Word and Sacrament'; (5) there are juridical and theological grounds on which the question of the current validity of Anglican Orders could be considered, and ecumenical grounds on which it should be considered; (6) the ordination of women in the Anglican Communion creates additional difficulties on the Catholic side which need to be addressed; (7) it is possible for there to be a consideration of validity of male Anglican Orders on an individual basis, but not currently on a generic basis (it would be possible to elucidate generic principles which can be applied to individual ordination); (8) recognition is being given to the value of the exercise of ministry in each other's respective churches; (9) it is desirable for both communions to collaborate on the development of such processes; (10) it is desirable to have a clear canonical statement as to

¹ For a report on the Sixth Colloquium, see (2006) 8 Ecc LJ 358.

what co-operation is canonically possible between Roman Catholic and Anglican ordained ministries.

On the basis of these understandings, the seventh Colloquium proceeded to consider papers by Norman Doe, comparing the respective appreciations of the Anglican and Roman Catholic Churches as to what happens spiritually in their Ordinations and the role and impact of the Holy Spirit upon the process as understood from liturgical texts.² Aidan McGrath presented a paper on Apostolic Succession and Ordination, emphasising the teaching of Vatican II and the Code of Canon Law that for the formal claim to be successors of the Apostles it is necessary to demonstrate both episcopal consecration and hierarchical communion which involves the Pontifical mandate. Anthony Jeremy presented a short paper on faith and authority and addressed the question of whether valid ordination could properly be tested by the criteria of unity and authority and that validity might be predicated upon the exercise of ministry in bodies which confess the apostolic faith.

The Roman Catholic members reaffirmed that *Apostolicae curiae* was a valid statement for its time and that it was teaching which was to be definitively held. Equally, the ordination of women came within the category of definitive teaching (which was that the Church does not have the authority to ordain women).

It was recognised that the application of too narrow a test for establishing apostolic succession leads nowhere ecumenically, and that the arguments of *Apostolicae curiae* were met by equally cogent arguments from the Anglican bishops, particularly that the Roman approach would result necessarily in the conclusion that all ordinations of the first millennium were 'invalid'. So a wider approach was needed and in particular criteria of governance and teaching the historic faith were appropriate for the purpose of recognising whether other ecclesial communities are 'Churches'. Thus it was noted that the non-catholic Eastern Churches speak of Anglican Orders having a 'spiritual' validity. The Anglican side of the argument was that Apostolicity is possible without Communion with the Pope and resides not only in tactile succession but also in continuity of the ecclesial communities under episcopal leadership. It was agreed that the main challenge was how to define apostolic faith and how much of it should be present to justify recognition.

On the question of the role of law in recognition of Anglican Orders, we needed to identify those laws which were clearly obstacles (such as the Roman Canons providing that only male baptised persons can be ordained), and to examine those laws and related matters which did not constitute obstacles to recognition of each other's ministries. To that end the following conclusions were agreed:

² See N Doe, 'Ordination, Canon Law and Pneumatology: Validity and Vitality in Anglican-Roman Catholic Dialogue' at p 406 of this Issue.

1. Rite of Ordination: The fundamental elements prescribed for the Rite of Ordination are common to both traditions. From these fundamental elements we are led to a deeper common understanding of the nature and basis of sacred ordination.
2. Work of the Holy Spirit: Both Roman Catholics and Anglicans agree in the belief that the Holy Spirit is active in ordination. The essential ecclesial acts performed in the liturgy provide assurance that ordination is the action of God through his Church. The juridical act is a visible affirmation of the work of the Spirit.
3. Definition of Ordination: Roman Catholics and Anglicans agree that in canon law ordination is of divine institution, confers an indelible character, and consists in fulfilment of what the Church intends, with the free consent of the ordinand, through the imposition of hands by a bishop together with prayer invoking the Holy Spirit to give grace for the work of a deacon, priest or bishop, whichever particular order is bestowed.
4. Ministerial Law: There are substantive similarities between Roman Catholic and Anglican canon law on the qualifications for admission to Holy Orders, suitability and formation for ordination, the functions of ministry and clerical discipline.
5. Anglican Order: In the light of the definitive Roman Catholic teaching contained in the apostolic letter *Apostolicae curae*, the Roman Catholic Church cannot under canon law generically affirm the validity of Anglican Orders.
6. Apostolicity: Anglican and Roman Catholic canonists share an interest in discovering how new theological formulations of apostolicity and apostolic succession can be expressed in classical canonical categories. Neither Roman Catholic nor Anglican canon laws provide a clear definition of apostolicity, nor do they prevent a shared understanding of apostolic succession that may provide an opportunity for recognition of ministries.
7. Vitality: Roman Catholic canon law recognises Anglicans as members of the Christian faithful. There are normative positive affirmations of the vitality of Anglican ministry within the Roman Catholic Ecumenical Directory.
8. Collaborative Ministry: It is agreed that it would be fruitful to explore the canonical scope for practical collaboration between ordained ministers of respective churches with regard to, for example, preparation for mixed marriages, care of the sick, baptism etc.

In its final session the Colloquium made arrangements for the next meeting in Rome in April 2007, for the purpose of considering collaboration between

the two Communion and its effect on the practice of Sacred Ministry, on formation and admission to Orders, on the relationship between the local autonomy of Anglican Churches and the Universal Church, on formation for Ecumenism for both students and serving ministers and to examine the degree to which people are fostered for the purpose of ecumenical relations.

Our third day concluded with lunch given by Bishop David Beetge, Bishop of the Diocese of the Highveld, at his home where there was a gathering of local people, including the Roman Catholic Archbishop of Pretoria who is interested in the proposal to establish a course of comparative Canon Law for the benefit of the Church of the Province of Southern Africa and for clergy and lawyers in both Communion there.