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ISBN 0-315-53825-2

THE FOUNDATION AND DEVELOPMENT
OF THE
ENGLISH SEMINARIES:
A RESPONSE TO CANONICAL LEGISLATION

by

Rev. Richard Moth

A dissertation
submitted to the Faculty of Canon Law,
Saint Paul University, Ottawa,
in partial fulfilment of the requirements
for the degree of Master of Arts in Canon Law

ACKNOWLEDGEMENTS

i

In bringing this work to conclusion, I wish to express my thanks to The Most Rev. Michael G. Bowen, Ph.L., S.T.L., Archbishop of Southwark, for providing me with the opportunity to undertake further studies in Canon Law.

I wish also to thank the Faculty of Canon Law of Saint Paul University, Ottawa, and in particular the Dean, Rev. Jean Thorn, J.C.D., for his encouragement.

In the preparation of this work, thanks are due to Rev. Mgr. Peter Smith, J.C.D., LL.B., rector of St. John's Seminary, Womersley; Rev. Mgr. John Coughlan, rector of Allen Hall, Chelsea; Very Rev. Canon Peter Walton, B.A., president of Ushaw College, Durham and Rev. Michael J. Kirkham, Ph.L., S.T.L., rector of Oscott College, Birmingham, for their hospitality and co-operation in allowing access to archives. Miss Elizabeth Poyser, M.A., and Rev. Michael Clifton have also been most helpful in providing archive material from the Archdioceses of Westminster and Southwark.

Very special thanks are due to Rev. Francis G. Morrissey, O.M.I., J.C.D., who, as director of this dissertation, provided guidance, advice and encouragement invaluable to the completion of the work.

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The need for effective shepherds for the People of God has been recognised since the very beginning of the Church's history. St. Peter showed a concern in this regard:

Be the shepherds of the flock that is entrusted to you: watch over it not simply as a duty, but gladly, because God wants it, not for sordid money, but because you are eager to do it. Never be a dictator over any group that is put in your charge, but be an¹ example that the whole flock can follow.

The concern that the priests of the Church be effective witnesses of the Gospel and examples of the love of Christ has been expressed down through the ages in many documents and pieces of ecclesiastical legislation. The Council of Trent recognised that an effective clergy would be vital to the work of renewal. This has been re-echoed by the Second Vatican Council and has found legal expression in the 1983 Code of Canon Law.

In 1982, during his visit to England, Pope John Paul II dwelt on this same need. He called for the newly ordained to share in the joys and hopes of those in their

1. 1 Peter 5:2 - 4. Scriptural quotation from The Jerusalem Bible, Dartman, Longman and Todd, London, 1966.

care, to be vehicles of reconciliation and to proclaim the Gospel in their way of life.² He made reference also to the many good priests who had worked in England during times of persecution and restoration. The events that befell the Church in England during the post-reformation years have had a profound effect on methods of priestly formation. It has often been difficult, and at times impossible, to implement the Church's legislation regarding priestly formation. In more recent times it has been possible to follow patterns of priestly formation that are more faithful to the legislated requirements of the Church.

Arising from the difficulties under which the Church in England has laboured for much of recent history, a structure for the formation of priests has developed that has sought to form priests who would fulfill the requirements of their task. It has not always fulfilled exactly the ideal put forward in the general legislation of the Church.

2. John Paul II, Homily at Heaton Park, Manchester, England, May 31, 1982, in A.A.S., 74(1982), pp. 425 - 427; see also JOHN PAUL II, The Pope in Britain, Collected Homilies and Speeches, St. Paul, Slough, 1982, pp. 25 - 28.

The problems, successes and shortcomings can be seen in an examination of the ways in which the Church in England has been able to respond to the general legislation of the Church, both as regards establishment, governance and operation of the institutions responsible for priestly formation in England.

Our study will comprise three chapters: the first dealing with the establishment of the major seminaries in England; the second treating the development of episcopal control of those seminaries and the third describing the degree to which the general legislation of the Church since the Second Vatican Council has been put into effect in England.

CHAPTER I

ESTABLISHMENT OF MAJOR SEMINARIES IN ENGLAND

On November 16, 1793, at St. Edmund's College, Ware, Hertfordshire, the formation of priests began once more in England.¹ Such an undertaking had been impossible since the death of Mary Tudor in 1558. Indeed, this development in the life of the Church in England marked the beginning of the process that would lead to the restoration of the hierarchy some fifty-seven years later. Without the facility to train priests at home, there was indeed little prospect of England having its own hierarchy. Cardinal John Henry Newman, writing some time later, stated in the strongest terms that, without seminaries, the restoration of 1850 would be pointless.²

However, the events of November 16, and of the following year, when a second seminary for the north was

1. "He [Bishop Douglass] inaugurated the study of Theology on the Feast of St. Edmund, November 16th 1793", (B. WARD, The English Secular Clergy, London, Catholic Truth Society, 1910, p. 78).

2. "We are not ripe ourselves for a hierarchy. Now that we have one they can't fill up the sees, positively can't [...] We want Seminaries far more than sees." (From a private letter of Newman, February, 1851, in G. BECK, ed., The English Catholics, 1850 - 1950, London, Burns and Oates, 1950, p. 75).

founded,³ must not be viewed in isolation. The work of Cardinal Reginald Pole and of the Council of Trent are of great importance. The foundation and work of the English College at Douai is of vital significance to the foundations at Ware and Crook Hall in the north.

I. The Work of Cardinal Reginald Pole and the Council of Trent

Reginald Pole was born in 1500, the cousin of Henry VIII. He studied both at home and abroad, and his opposition to Henry's divorce from Catherine of Aragon caused him to leave the country and settle in Italy. In 1536 he was created cardinal by Pope Paul III, and in the same year was appointed to the very important Consilium de emendanda ecclesia, which held the mandate to investigate the problems facing the Church, in preparation for the Council of Trent. He was eventually to be appointed one of the three Legates to the Council itself. In 1553, Pope Julius III appointed Pole legate to England, with the task of restoring the Catholic faith to the country. To achieve this aim, he conceived of the Legatine Synod, which met in the winter of 1556. However, the great plans were to come to an abrupt end when, by coincidence, on November

3. The Northern College of St. Cuthbert began at Crook Hall, Tudhoe, Durham, in 1794; B. WARD, op.cit., p.77.

17, 1558, both the Queen and Pole died.⁴

When the Concilium de emendanda ecclesia was convoked by Paul III, its purpose was very clear: its members were to take a serious look at the state of the Church and delineate those areas where it most needed reform. Paul III also insisted that the findings of the commission be presented to him.⁵ One of the most important abuses outlined by that commission was the failure of the clergy to respond to its obligations, due in part to laxity in the admission of candidates for orders. As a result, it was suggested that a board of three prelates be established in each diocese, to ensure that those ordained would be properly incardinated into their dioceses. They also recommended that each bishop appoint a teacher who would be responsible for the training of minor clerics.⁶ Since Pole was a member of this commission it is not surprising that, as Legate to England only a short time afterward, he would give priority to the question of priestly formation.

4. For an extensive biography of Cardinal Reginald Pole, see M. HAILE, Life of Reginald Pole, London, Pitman, 1910. See also J. DONOHUE, Tridentine Seminary Legislation: its Source and its Foundation, Louvain, Presses universitaires de Louvain, 1957, pp. 90 - 96.

5. J. DONOHUE, op.cit., p. 21.

6. Ibid., pp. 22 - 23. See also J. ELLIS, Essays in Seminary Education, Notre Dame, Ind., Fides, 1967, p.22.

On December 2, 1555, the Legatine Synod began in London. The meetings were to continue until February of the following year.⁷ In this Synod, Pole sought to return England fully to the practice of the faith.

In the sixth decree of the Synod, the bishops were exhorted to be vigilant in the matter of orders, to ensure that no one without a benefice was ordained. There was also a call for an examination of candidates to ensure orthodoxy and to ascertain that there were no impediments to orders.⁸

The eleventh decree is still more important: a seminary is to be formed, attached to each Cathedral, where those who were at least eleven years of age and who could both read and write were to be trained. They were to be

7. J. DONOHUE, op.cit., p. 93.

8. "Qua propter omnes et singulos Episcopos in Domino hortamur, ac monemus, eisque, mandamus, ut ipsimet hoc munus examinandi omni studio, et diligentia exercent [...] in examinatione qua ii sint, haeresi infecti; ut sint legitimus natalibus orti, et in aetate a sacris canonibus requisita constituti; omnisque, defectu careant, propter quem iure ac ordinibus repellantur sintque vitae ac morum honestate, et probitate commendabiles, ac litterarum scientia pro cuiusque ordinis ratione praediti. Est etiam diligenter animadvertendum, ne simulato, aut minus sufficienti quisque titulo promoveatur [...]" (Decretum VI - R. POLE, De Concilio Liber. London, Gregg Press, 1962, ff. 18 - 19).

taught grammar to begin with, and later ecclesiastical doctrine and discipline. The children of the poor were to be favoured. Once the candidates had learned their skills, and had been attached to the Cathedral for a certain time, they were then to be presented for Orders. The bishop was to take one fortieth of his revenue to support the project. The whole was to be governed by the bishop, together with the Dean and Chapter. The bishop was to be vigilant in his choice of staff.⁹ This legislation was never applied in England because of historical circumstances. However, it is interesting to note how the Legatine Synod effectively took the problems brought out by the Concilium de emendanda ecclesia and produced a practical solution to the problem of priestly formation. The effect of this work on the Council of Trent was to be highly significant. Indeed, it is on this subject that Pole probably made his most

9. "Atque huic incommodo nulla ratione magis occurri possit, quam si soboles quaedam, et tamquam seminarium ministrorum saltem in cathedralibus Ecclesiis instituantur, et conservetur [...] In hoc vero qui cooptandi erunt, annos sint minimum undecim vel duodecim nati, qui et legere sciant, et scribere [...] statuimus, ut Archiepiscopi et Episcopi omnes fructuum annuorum, quos ex proventibus Episcopatum suorum percipiunt, deductis decimis susidiis et feudis, quadragesimam partem cum ad ipsos pueros alendos, tum etiam ad mercedem solvendam magistris, qui eos in grammatica, et ecclesiastica doctrina et disciplina erudiant, in singulos annos pendant. [...] Praeterea statuimus ut Episcopus et capitulum Cathedralis Ecclesiae huius puerorum scholae curam gerant" (ibid., ff. 23 - 25).

important contribution.

The Council of Trent was convoked by Pope Paul III as a response to the Church's need for reform, and as a measure to counteract the work of the protestant reformers. Trent studied the regulations on seminaries during the XXIII session under the pontificate of Pius IV. The acts of that session were promulgated on July 15, 1563.¹⁰

The work done by Pole and his Legatine Synod was available to the Fathers at Trent as a result of the efforts of St. Charles Borromeo, who was asked by the Fathers to obtain Pole's work in defence of the Church.¹¹ It is not surprising, therefore, that the Decrees promulgated by Trent show a great resemblance to his writings.¹²

The basis for the work regarding seminary education that was to follow the Council of Trent is found in the Decree of Reform of the XXIII session, chapter XIII. Here, the Council decreed that there was to be a college, or seminary, attached to each metropolitan church or cathedral,

10. H. SCHROEDER, (ed.), Canons and Decrees of the Council of Trent, St. Louis, Herder, 1941, p. 432.

11. For a full account of this episode, see J. DONOHUE, op.cit., pp. 142 - 145.

12. For a comparison of these documents, see ibid., pp. 134 - 141.

for the express purpose of training in religion and ecclesiastical discipline. Those to be admitted were to be aged at least twelve, and those who came from poorer backgrounds were to be favoured. To encourage them in discipline, they were to be tonsured and wear ecclesiastical garb. The course of study was to cover Sacred Scripture, grammar, the administering of the sacraments and the rites and ceremonies of the Church. Particular mention was made of the knowledge and skills necessary for the sacrament of Penance.¹³

The Council Fathers made the establishment of these colleges binding on every bishop.¹⁴ In the same chapter,

13. "[...] sancta synodus statuit, ut singulae cathedrales, metropolitanae atque his majores ecclesiae pro modo facultatum et diocesis amplitudine certum puerorum ipsius civitatis et diocesis, vel ejus provinciae, si ibi non reperiantur, numerum in collegio ad hoc prope ipsas ecclesias vel alio in loco convenienti ab episcopo eligendo alere, ac religiose educare et ecclesiasticis disciplinis instituere teneantur. In hoc vero collegio recipiantur qui ad minimum duodecim annos et ex legitimo matrimonio nati sint, ac legere et scribere competenter noverint, et quorum indoles et voluntas spem afferat, eos ecclesiasticis ministeriis perpetuo inservituros. [...] Ut vero in eadem disciplina ecclesiastica commodius instituatur, tonsura statim atque habitu clericali semper utentur; grammatices, cantus, computi ecclesiastici, aliarumque bonarum artium disciplinam discent, sacram scripturam, libros ecclesiasticos, homilias sanctorum, atque sacramentorum tradendorum, maxime quae ad confessiones audiendas videbantur opportuna, et rituum ac caeremoniarum formam ediscent" (H. SCHROEDER, op.cit., pp. 446 - 447).

14. Ibid.

however, an alternative prescription was put forward where dioceses were too poor to establish their own seminaries, the possibility for joint ventures or amalgamations was outlined.

Such a decision was to be made either by the Metropolitan, together with two of his senior suffragans, or by the Provincial Synod.¹⁵ The importance of this decree cannot be emphasised enough. Pius IV, writing at the end of 1563, expressed his feeling that it was a result of a special inspiration from God.¹⁶ This decree, with its aim of the good education of the clergy was a vital element in the renewal of the Church. Some have described it as the singular most important work of the entire council.¹⁷ Nevertheless, this prescription was to cause a good deal of controversy in England during the XIXth Century, as we shall see later.

15. "Si vero in aliqua provincia ecclesia tanta paupertate laborent, ut collegium in aliquibus erigi non possit, synodus provincialis, vel metropolitanus cum duobus antiquioribus suffraganeis, in ecclesia metropolitana vel aliae provinciae ecclesia commodiori unum aut plura collegia, prout opportunum judicabit, ex fructibus duarum aut plurium ecclesiarum, in quibus singulis collegium commode institui non potest, erigenda curabit, ubi pueri illarum ecclesiarum educantur" (ibid., p. 449).

16. C. PETERSON, Spiritual Care in Diocesan Seminaries: A Historical Synopsis and Commentary, Washington, D.C., Catholic University of America Press, 1966, p. 46.

17. C. ORSENIGO, Life of Saint Charles Borromeo, St. Louis, Herder, 1943, p. 80.

II. The Foundation and Influence of the English College, Douai

Despite the importance of the achievements of the Council of Trent, the situation in England made their implementation impossible. Alternative schemes for the survival of the Church during the time of persecution were necessary.

William Allen was most instrumental in this regard. He was born in 1532, the year in which Henry VIII married Anne Boleyn. In 1547 he went to Oxford, where he became a fellow of Oriel College. When Mary Tudor came to the Throne, he made the decision to enter the service of the Church, and in 1558 was made a canon of York. By 1561 his position in the country was threatened, and he left for Flanders.¹⁸ It was thus that Allen's work on the Continent began.

In 1559, Philip of Spain had petitioned Pope Paul IV for a Bull, giving him permission to establish, at Douai, a University. His aim in founding such an institution was the restoration of the faith in Germany and the Low Countries,

18. T. KNOX, The First and Second Diaries of the English College, Douai, and an Appendix of Unpublished Documents, London, D. Nutt, 1878, p. xxii.

following the protestant reformation. Paul wrote the Bull, but it was left to his successor, Pius IV, to promulgate it. Philip erected his university at Douai on January 6, 1560.¹⁹

It was at this same time that people such as William Allen were making their escape to the Continent. Many of these men were university dons from Oxford and Cambridge, and some of them came to Douai. In 1567, Allen spent the winter in Rome, and after his stay there returned to the Low Countries. He had travelled that winter with Dr. J. Vendeville, one of his former professors, and while on his travels decided that a college was needed specifically for English people.²⁰

The English College, Douai, began its work on Michaelmas Day, 1568.²¹ Allen's aims at this point are not entirely clear. He did not envisage that the college would be solely for the training of priests. Indeed, ten years after the founding of the college, in a letter to Dr. Vendeville, Allen spoke of three aims:

19. PIUS IV, Bull "Rationi congruit", January 6, 1559, in T. KNOX, op.cit., pp. 267 - 269.

20. T. KNOX, op.cit., p. xxv.

21. Ibid., p. xxviii.

Our first purpose was to establish a college in which our countrymen who were scattered abroad in different places might live and study together more profitably than apart. Our next intention was to secure from the college an unbroken and enduring existence by means of a constant succession of students coming and leaving; for we feared that if the schism should last much longer [...] no seed would be left hereafter for the restoration of religion. [...] Moreover, we were concerned that it would be to God's glory [...] to snatch from the jaws of death as many of our countrymen as in a few years might be educated in this country of ours.²²

Clearly Allen intended to provide a home for the escaped academics from England. He and the people of his time did not know when the restoration of the Church in England would take place. They considered that it would happen in God's good time. However, Allen intended to keep the faith alive, so that when the restoration did come there would be academics ready to return to their places in the universities. Although his letter is less clear concerning the matter of priestly formation, it would seem that the "students" whom he intended to be fitted to rebuild the faith in England when the troubles ended would be training for priesthood.²³ It has been said that in this foundation

22. Ibid., p. xxvi.

23. Ibid., p. xxvii.

at Douai, the work of the re-birth of the Catholic Church in England had begun.²⁴ Certainly, without the priests and men of letters that emerged from Douai between 1568 and the French Revolution, the restoration of the Church would have been a very different proposition.

The English College at Douai, and the work being done there, very soon won the approval of the Holy See. This is recorded in the first diary of the College.²⁵

The situation in England, however, indicated that the restoration would not be so soon in coming. The need of the "missionary" priests in England grew, since the struggle to keep that faith alive there became even more intense during the reign of Elizabeth I. Thus, the second of Allen's motives in founding the college took on more importance. From the moment when the founding of the college occurred, until the end of the XVI century, some four hundred priests had been trained at Douai. They worked under the express approval, and with the financial aid, of the Holy See.

One of the serious problems that faced the college throughout its existence was that of funds. In England,

24. J. BOSSY, The English Catholic Community, 1570 - 1850, London, Dartman, Longman and Todd, 1976, p.12.

25. T. KNOX, op.cit., p. xxx.

the crown had imposed a ban on the export of money. The students, regardless of their age when they came to the college, rarely had any funds to bring with them. They had often left the country in haste. There had also been a certain amount of financial aid from Belgium, but this had declined, due to the political wranglings between Belgium and the Netherlands. Thus, in 1575, Pope Gregory XIII granted an allowance of 100 crowns to the college.²⁶ With this grant from the Holy See, the college achieved, as it were, some type of pontifical recognition, although the point should not be pushed too far, at least in today's terms. Further arrangements were made for aid from Spain, and in 1582 Philip promised the sum of 2,000 crowns.²⁷ However, this grant never became a reality due to the wars in the Netherlands.

By 1576 the college had grown considerably and Allen felt the need to expand. He obtained further properties in Douai, and also appointed a Vice-President.²⁸ The college

26. Ibid., p. xxxv.

27. Ibid., p. xxxiv.

28. Ibid., p. xxxvi.

was beginning to acquire its own specific character. It was considered to be a Pontifical college, serving England from abroad. Allen himself, due to his charismatic personality, was able to govern the college with almost no rules.²⁹ This apparent freedom from regulation might have been facilitated by the advanced age of many of the students.

Furthermore, his position at Douai made him especially helpful to the Holy See in its efforts to maintain some form of contact with the "mission" in England. As time went by, nearly all the priests working in England had studied at Douai. Allen knew them and knew their situation. Thus, St. Pius V granted him extensive faculties, further extended by Gregory XIII, in 1575, both for the external and internal forum; he was empowered to extend these same faculties to the priests on the Mission, if he felt this necessary.³⁰

This meant that the President of Douai acquired great independence. This was to show itself in various ways, and was to remain a feature of the two successor seminaries to Douai in the years ahead.

29. "A little government there is and order, but no bondage or strictness in the world. There is neither oath nor statute nor other bridle or chastisement; but reason and every man's conscience in honest superiority and subalternation each towards the other" (in a letter of 1579, in ibid., p. lxxix).

30. Ibid., pp. xxxiii - xxxiv.

The missionary role of the college was affirmed in 1622, when it was placed under the direct supervision of Propaganda Fide in Rome. The nature of its work had led to this decision, and there was a firm aim on the part of many of the priests ordained to return the Church in England to the position it held at the time of the break from Rome.³¹

One of the most important ways in which the independence of the Douai President displayed itself was in the area of staffing. From the very beginning, Allen developed the practice of keeping some of his students in the college as staff. Indeed, the very first ordinand, Richard Bristow, was to remain at Douai and supervise the students and assist Allen until his own death.³² This practice was to be an important element in the life of the college, ensuring some staff, when there was a great need for priests to work in England. It was also to be a feature of the successors of Douai, when priestly formation eventually began in England itself.

There are some very clear differences, however, between the operation underway at Douai and the style of

31. J. BOSSY, op.cit., p. 43.

32. T. KNOX, op.cit., p. xxix.

seminary envisaged by the Fathers at Trent. True, although the prescription of the Council influenced the work at Douai, the college cannot be described as a "Tridentine Seminary" in the full sense of the word. Its method of functioning and the need it answered were both very different from those discussed at Trent.³³

In 1789, France was stricken with Revolution. This had a disastrous effect on the work at Douai, but was instrumental in the commencement of priestly formation in England. In 1793, the revolutionary forces invaded Douai and succeeded in taking over the college buildings. The staff and students managed to escape and made their way, often individually, back to England. The work at Douai would clearly never recommence, and alternative plans had to be made.³⁴

III. The First Foundation in England

By the time the exiles from Douai arrived in England, the situation in which the Church found itself was very different indeed from that which Allen and the like had

33. G. CULKIN, "The English Seminaries", in The Clergy Review, 35(1951), p. 74.

34. Ibid., p. 75.

left behind so many years before. Although the Penal times were still not over, the Church now laboured under significantly less difficulties. Times were relatively quiet; the Church was tolerated, and the days of violent persecution were finished. During the reign of James II there had been an opportunity for some consolidation. The Catholics in England were able to come to terms with their existence as a "non-conformist" Church.³⁵

One of the most important developments had occurred in 1685 when John Leyburn was appointed the first Vicar Apostolic in England. A former President at Douai, having served there from 1670 - 1676, he had been recommended for the post of Vicar Apostolic by James II himself. Very soon after his appointment, he realised that England was too big and too diverse a country to be cared for under the direction of only one man. He therefore petitioned Rome to set up four districts -- London, Midland, Western and Northern. He, himself, took charge of the London District,³⁶ while other bishops were appointed to fill the remaining

35. J. BOSSY, op.cit., p. 72.

36. For a full account of the establishment of the vicariates apostolic in England, see B. HEMPHILL, The Early Vicars Apostolic of England, 1685 - 1750, London, Burns and Oates, 1954.

posts. These divisions were to prove important when the question of priestly formation developed, particularly since each vicariate represented a different part of the country, with its own needs and expectations. By the time the exiles from Douai had arrived back in England, the Vicariates had been in existence for 107 years. Some form of stability was indeed coming to the Catholics of England.

One very interesting and helpful development was the arrival in England of a good number of exiles from France. They had fled as a result of the revolution and brought with them their own chaplains. These exiles were themselves royalists, which endeared them to the English people. They received a sympathetic reception and their lifestyle and faith, it would seem, often made a deep impression on their host country: subsequently, the once hard attitude to anything Catholic underwent a change.³⁷

Undoubtedly, the most important development at this time was that passing of the Catholic Relief Act, in 1791. By this act, which had been in preparation since 1789, the Mass was now permitted again in public. The legis-

37. The events surrounding the arrival of the French refugees, and their reception in England are described fully in B. WARD, The Dawn of the Catholic Revival in England, 1781 - 1803, London, Longmans, Green, 1909.

lation involved the registering of chapels and churches, and the taking of the Oath by priests and people alike. Strictly speaking, laypersons who did not take the oath had to attend protestant services on Sundays. In practice, however, the application of the Act proved to be somewhat less strict. It was somewhat non-committal in the matter of schools and colleges. On the one hand, there was to be no prosecution for teachers and instructors in the faith, provided they had taken the oath, and provided that no protestant children were accepted in the schools that were developing at that time. Headmasters were to register at Quarter Sessions. On the other hand, the Act was clear to point out that no religious order was to establish any form of Catholic College in the land.³⁸ Those schools that had already begun -- and St. Edmund's, Ware, was such a school -- could continue under the protection of the law. However, it would seem that Parliament wished to prevent the establishment of any colleges and seminaries.

The circumstances of the arrival of the exiles were far from ideal. They arrived in England with neither

38. Ibid., Vol. 1, pp. 297 - 315.

funds nor any of the goods from the college. But, the fact that they had been turned out of the college in this fashion helped their cause.

Bishop John Douglass, then Vicar Apostolic of the London District, felt he could now take a positive step with some speed. The Catholic Relief Act had permitted the existence of schools, provided that head teachers registered with the Sessions. Douglass had a school in his Vicariate at Ware in Hertfordshire. The easiest step he could possibly take was to install the remnant from Douai there, even as a temporary measure. Thus in November 1793, two years after the Relief Act, the work of priestly formation began at Ware.³⁹ The "Douai Substitute", as Douglass described it in his own diary,⁴⁰ shared the same buildings with the school. Very quickly, the students from Douai began to arrive and by the end of the year the number in residence at Ware reached nearly 60 (including the school boys).⁴¹

39. B. WARD, The English Secular Clergy, London, Catholic Truth Society, p. 78.

40. B. WARD, The Dawn of the Catholic Revival in England, 1781 - 1803, London, Longmans, Green, 1909, p. 99.

41. Ibid.

i. The General College

At the outset, the development at Ware was considered to be only a temporary solution. Very quickly, and while the Douai exiles were settling there, negotiations began with a view to developing a General College, to serve the whole country. These took place while both Ware and Crook Hall -- later to move to Ushaw -- were already opening their doors.

The establishment proposed therein was to be close to Douai in organisation and in episcopal control: the proposal expressly called for the same type of interventions from bishops as had been exercised at Douai. The assets of the college were to be held in the names of the President, the Procurator and the Agent. Any funds that came to the college from a particular district were to be held by the college in the name of that district, and a report was to be sent by the college to the district each year.⁴²

The outcome of these discussions appeared in the form of "Articles of Agreement", accepted by all the Vicars Apostolic. Their closeness to the Douai ideal is noteworthy. The bishops approved the establishment of a college for

42. Ibid., pp. 96 - 99.

the education of both clergy and youth in general. The college was to be subject both to Propaganda Fide in Rome and to the Vicars Apostolic collectively. The bishop in whose territory the college would be built would have no special jurisdiction, save in granting the necessary faculties. The powers of visitation were somewhat restricted. There was to be a collective visitation every five years -- unless there was a demand from the college. During the visitation, the bishops could investigate the accounts, the progress of the students and the observance of discipline and religious duties. The rules and customs of the college at Douai were to be used in their fullness, save for any adaptation required for local reasons. These changes were to be as few as possible.⁴³

These proposals suggest a number of anomalies. Firstly, it would seem that the Vicars Apostolic did not

43. "It is proposed that one general college should be established in England, for the purpose of perpetuating a succession of Catholic Clergy in this Kingdom and of educating the Catholic Youth in the principles and practice of religion and in various branches of useful and polite learning. The Vicars Apostolic [...] give it their full consent and approbation [...] they propose, agree and sign the following [...]" ("Articles of Agreement between the Vicars Apostolic on the establishment of a General College" in St. Edmund's College Archives, Vol.V: - Constitutions of the College, Letters of Rev. J. Daniel, Rev. W. Poynter, Rev. W. Coombes - 1795 - 1800).

avert in any significant way from the legislation of the Council of Trent. They looked only as far as the college at Douai, which was established to answer a particular need -- and a need that was passing away. Secondly, they insisted that the college be under the control of Propaganda Fide, in its own right, even though the country as a whole was still under that jurisdiction, and would remain thus for some time to come. Perhaps the Vicars Apostolic were becoming aware of the distinct needs and interests of the different districts -- an aspect of Church life in England that was already more evident. Thirdly, there is the question of presidential independence. The President at Douai had been quite independent; this had been necessary in the penal days, when he had fulfilled a very special service to Rome. It is a little surprising that the Vicars Apostolic did not feel that the time had come for more accountability on his part.

The question of a site for a General College then came to the fore. Bishop William Gibson, the Vicar Apostolic of the Northern District, was keen to have the General College in the North. There were good reasons for this. It should be remembered that, although the Relief Act had been passed, it was still not legal for the Church to start

seminaries. A site in the North, further away from London, would be safer. Also the Jesuit School at Liège was showing some interest in moving to England. If the two institutions -- Seminary and School -- could be started together, this would clearly help financially. There was some support for this scheme among the Catholic gentry who had been educated at Liège, but the time was not ripe for the move. A further draw-back lay in a move in the Midland District, on the part of Bishop James Talbot and the laity there, to start a district school. This would have caused financial strain for the foundation in the North. Even though he had already started the joint school and college at Ware, which was in the London district, Bishop Douglass showed personal interest in the proposal. The moment of decision came when the Jesuits started their college in the North, at Stonyhurst. Bishop Gibson could not hope to begin his joint school and seminary on the same scale, and Bishop Douglass turned his attention solely to Ware.⁴⁴

In March 1795, interest was aroused once more in the "General College Plan". A further group of men arrived from the Continent (including the embryo communities of

44. B. WARD, The Dawn of the Catholic Revival in England, 1781 - 1803, London, Longmans, Green, 1909, Vol. 2, pp. 99 - 104.

Downside and Ampleforth). Once again, there was talk of establishing a common building, and abandoning both Ware and Crook Hall, which had begun to receive students in 1794. This met with some opposition, not least of which came from William Pitt, the Prime Minister, who felt that a further building project would cause great troubles for the Church. By this time, John Daniel, the last President of Douai, was at Ushaw. Bishop Douglass sent Dr. Gregory Stapleton to the North, only to find that John Daniel had already been installed as President at Crook Hall. On Stapleton's arrival, Daniel left and went South. There were some efforts to persuade him to become President at Ware. However, he declined and eventually returned to the North. The foundation stone of the new building at Ware was laid, and St. Edmund's continued to carry on, in the South, the work begun at Douai. 45

ii. The Final Arrangement --
St. Edmund's and St. Cuthbert's

In 1795 the Rule of St. Edmund's was produced. In this rule, the aims and purposes of the college were

45. Ibid., pp. 106 - 109.

enunciated:

The College of St. Edmund is instituted for the purpose of promoting the good of Religion and society, by preparing the Catholic Youth, particularly of the London District, for the Sacred Ministry, or for the Christian performance of Civil Life, according to each one's respective vocation. The exercise of piety, the course of studies and rules of discipline to be followed for the attainment of those ends, shall be the same as were established for the College of Douai, with such accidental alterations and improvements as the change of circumstances requires.⁴⁶

The similarity between this text and Allen's expressed intentions at the founding of Douai, as well as with the thinking underlying the "Agreed Proposals" of the Vicars Apostolic, is remarkable. The intention of the time was to bring Douai to England.

When the hope of a General College faded, Bishop Gibson began to think along slightly different lines for his own college in the North. At the time of the proposed joint venture with Liège, he, along with Bishops Charles Walmesley and Douglass, had issued a letter, asking for

46. St. Edmund's College Archives, Vol. XIII: Rules and Constitutions from 1795.

funds for the college which would operate under the same scheme as had been in use at Douai.⁴⁷ The method already being followed at St. Edmund's would be employed in the North. Bishop Gibson, in abandoning the original scheme, simply moved his operation to nearby Crook Hall. This was something of a disappointment to Bishop Douglass, who had hoped for a single foundation. The students for the Northern District moved out of St. Edmund's during the first week of November, 1794. In a letter to Bishop Walmsley, Douglass even voiced the hope that the students from the North would one day return to Ware.⁴⁸ In the event, this was never to happen. The two colleges that can lay claim to being the successors to the English College, Douai, were founded.

The foundation at Crook Hall developed very quickly indeed. Soon the buildings were unable to accommodate the number of students, and there was evident need to find a new location. With this in mind, in a letter of 1804, Bishop Gibson asked his people for financial assistance for the

47. Ushaw College History, n. 6: Circular from Bishops Walmsley, Douglass and Gibson, 20th June, 1794.

48. B. WARD, op.cit., Vol. I., pp. 104 - 105.

building of a College.⁴⁹ He saw his mission, not to replace Crook Hall, but to replace Douai. This provides further evidence of the desire of the Vicars Apostolic to refound, on English soil, the college at which they had been trained.

The College at Ushaw opened its doors in 1808, and was dedicated to St. Cuthbert. The Constitutions of Douai, written in 1690, were adopted. The introduction to the Ushaw version throws much light on the understanding of the College's position:

The College of St. Cuthbert at Ushaw [...] is the lineal descendant from the Pontifical English College, Douai: indeed, it may be justly said that the college has been transferred from Douai to Ushaw. [...] The scattered remnants were reassembled at our small establishment at Crook Hall; the last President of Douai became the first President there. [...] Hence it happened that [...] the Pontifical Constitutions of Douai were adopted and scrupulously carried into effect as the Constitutions of Crook Hall and subsequently of Ushaw.⁵⁰

49. "[...] the necessity of a suitable establishment for education, to supply the heavy losses of our foreign ones [...] to elicit your assistance in an undertaking of such activity as the erection of a college or seminary [...]" (Ushaw College History, n. 24: Pastoral Letter of Bishop Gibson, September 17, 1804).

50. Ushaw College History, n. 397: The Preface to the Constitutions of Ushaw College.

Here, as at Ware, the firm understanding was that the college was the successor to Douai, and in the Ushaw case the evidence of the unbroken line of presidency was strengthened by the presence, even for the very short time, of John Daniel.

It must be asked to what extent the colleges at Ware and Ushaw fulfilled the Church's requirements for seminaries. Clearly, the intention of both Bishops Douglass and Gibson was to re-create Douai. However, there seems to have been very little attempt to enact the decree of Trent. Interestingly, in 1798, when the negotiations for the purchase of the Ushaw Estate were going through, a series of resolutions were passed, where it was stated that the College founded at Ushaw would be under the direction of the Bishop, according to the Tridentine legislation.⁵¹ Bearing in mind that when the Constitutions were drawn up shortly afterwards, the Douai Constitutions were accepted in their entirety, it is difficult to see how this could have been true.

51. "The said seminary and college [...] when completed shall be for ever under the direction of the aforesaid Bishop according to the Council of Trent" (Ushaw College History: Minsteracre Resolutions regarding the buying of the Ushaw Estate and the Building of the College, August 13, 1798, p. 1).

The colleges at Ware and Ushaw were also taking a number of boys who were not necessarily destined for Priesthood. This came about at Ware since the seminary was grafted onto the already existing school. At Ushaw, due to the financial problems after the move from Crook Hall, it was also felt necessary to take in a number of boys.⁵² The union of school and college was also desirable for political reasons, to draw attention away from the existence of the seminary. This too was a departure from the Tridentine norm, which envisaged an institution given solely to priestly formation.

IV. The Foundation at Oscott

The turn of the XIXth Century found a third college developing in England. However, this institution could not lay claim to a direct line from the old college on the continent.

When Ware and Crook Hall were opening their doors, the Midland District had no college of its own. The students destined for that part of the country were educated at Ware.

52. "[...] at the present time the College may be said to be moderately endowed, although not sufficiently so to enable it to be carried on without the assistance that is derived from the pensions of the lay students" (*ibid.*, p. 2).

However, towards the end of 1793, Bishop Talbot, who was then Vicar Apostolic in the district published a plan for a college to be sited at Oscott, near Birmingham. It was to take those who were intent on the ecclesiastical life, and the final aim -- a modest one -- was to provide one priest for the district each year. Only those boys who had some knowledge of Greek and Latin were to be taken, so that they could begin the study of Philosophy. The Bishop of the District was to be the superior of the establishment, and was responsible for appointing the superiors.⁵³

A very interesting factor in this proposed college was the existence of a board of governors who were to be responsible for the financial burdens of the college, and would also have some right of veto over the appointment of the President, upon presentation by the bishop.⁵⁴

The first years in the history of Oscott were not easy ones. There were financial difficulties and for some while the college itself was not a very successful venture.

53. For a more complete account, see W. STONE, The Oscott Annals, Vol. I, 1877.

54. B. WARD, op.cit., Vol. I, pp. 102 - 103.

As a result, the president, Dr. John Bew, handed in his resignation in 1808.⁵⁵ Bishop John Milner, by now Vicar Apostolic in the Midland District, took on responsibility for the college. The "Old Government" of Oscott came to its end, and the "New Government" began. Indeed, the new arrangements for the college entailed a greater role for the bishop in the life of the college, since it was now his direct responsibility. There was a school for the lay boys and also a college for ecclesiastical students.⁵⁶

These beginnings at Oscott show the emergence of a slightly different form of establishment from those at Ware and Ushaw. The Midland College was now firmly under the direction of the Vicar Apostolic for that district. There was no specific mention of the style of operation that had existed at Douai. Hence, it must not be imagined that the President of Oscott would have the same degree of independence enjoyed by the President of Douai. The Vicar Apostolic of the District was effectively responsible for the college. He appointed staff, and they were answerable

55. B. WARD, The Eve of Catholic Emancipation: vol.I, 1803 - 1812, New York, Longmans, 1911, pp. 206 - 207.

56. W. STONE, The Oscott Annals, Vol.II, 1879.

to him.⁵⁷ There were no cases of president-appointed staff as had been the case at Douai.

Following the original foundation of the College, important developments were to begin in 1836. By this time, Bishop Thomas Walsh had succeeded Milner as Vicar Apostolic in the Midlands. In a pastoral letter in January of that year, he reported to his people that plans were afoot to erect a new building for the College. He recognised that for a good supply of priests who would be suitably trained, a good seminary was needed. He therefore appealed for money. What is especially interesting about his letter is his reference to the Council of Trent and its legislation concerning the erection of seminaries in each diocese.⁵⁸ Walsh seems to have had in mind something of the vision of the diocesan seminary that was to figure extensively in the thought of bishops and seminary rectors in the later part of the century.

57. See note 55.

58. "We last year drew up and extensively circulated the particulars of a plan for the erection of a new college and Seminary for the Midland District [...]. The Sacred Council of Trent [...] could desire none more efficient than the establishment of seminaries in each diocese" (Oscott Archives: T. WALSH, Pastoral Letter of 6th February 1836).

In 1840, Nicholas Wiseman became President at Oscott. In that same year, the number of Vicariates Apostolic was increased to eight -- the Eastern, Central, Welsh and Lancashire Districts being added to the original four. This development was effectively to make way for the restoration of the hierarchy in 1850.⁵⁹

V. Diocesan or Central Formation

Two men in particular figure very strongly in both the restoration of the hierarchy and the seminary question in the first years after the restoration. They are Nicholas Wiseman and Henry Manning, the first two Archbishops of Westminster.

Nicholas Wiseman was born in 1802, and sent to Ireland for schooling. He began his studies for the priesthood at Ushaw in 1810 and was one of the new students to enter the English College in Rome when it re-opened in 1818. He became Rector there in 1828. After some contact with the "Oxford Movement", he began to work for the restoration of the hierarchy, from his position in Rome, and in 1840 was appointed as Coadjutor for the Central District. It

59. G. BECK, ed., The English Catholics, 1850 - 1950, London, Burns and Oates, 1950, p. 87.

was at this same time that he took up his post as President at Oscott. In 1850, when the restoration of the hierarchy was finally achieved, he was made Archbishop of Westminster and, the following day, Cardinal. He died in 1865. There was some criticism of Wiseman's appointment in England, especially among some of the older-established Catholic families and the clergy who supported them since he had spent so much time out of England, and they felt he was not well enough acquainted with the country and its situation. Nevertheless, his very strong links with Rome and his deep awareness of the role of the Papacy and the Church's magisterium, at a time when there was a move towards a centralised form of government within the Church, prevailed in the choice and ultimately formed the basis for his plans for priestly formation.⁶⁰

His successor, Henry Manning, was six years his junior. He was born an Anglican and educated at Harrow and Balliol College, Oxford. In 1832 he was made a Fellow of Merton and ordained to the Anglican ministry. He enjoyed

60. For an extensive biography of Cardinal Nicholas Wiseman, see W. WARD, The Life and Times of Cardinal Wiseman, London, Longmans, Green, 1897, 2 vols.

rapid progress in that church, and became Archdeacon of Chichester at the early age of 33. Even in these years, he was noted for his own personal piety and was very keen to encourage personal sanctity amongst the clergy of the Anglican church. His links with the "Oxford Movement", and especially with John Henry Newman, brought him eventually to the Church, where he was received by Wiseman in 1851. Only ten days later he was ordained to the priesthood. He was later made Provost of Westminster Chapter, despite opposition from those who felt that his rise had been too quick and who were suspicious of his Anglican background. When Wiseman died, he succeeded him and was made Cardinal in 1875. His appointment as Archbishop was not popular at the start. As a recent convert, some questioned his knowledge of the Church's situation in England. His desire for an effective and spiritual priesthood is very evident. His own work for the eventual declaration of papal infallibility at the First Vatican Council in 1870, and his personal devotion to the Papacy, are significant signs of his own attitude towards priestly formation.⁶¹

61. A new biography of Cardinal Henry Manning has now been written: R. GRAY, Cardinal Manning: A Biography, London, Weidenfield and Nicholson, 1985, 366p.

In his assessment of the events that led to the restoration of the hierarchy, J. Bossy states that they were based on arguments whether the Church in England should be governed according to Trent or not.⁶² Wiseman had spent much of his life in Rome. He was not greatly steeped in the recusancy that had kept the faith alive through the persecution. His appointment might certainly be seen as a move towards tridentine control. The arrival of Wiseman as Cardinal Archbishop of Westminster, and the natural desire to strengthen the Church's ties with Rome, were to have a profound effect on the style of priestly formation in England.

In 1852, Wiseman began the series of Provincial councils of Westminster. The second and third met in 1855 and 1859 at Oscott. It was at the third one that the dispute regarding the style of seminary training for England began to become apparent. Wiseman was very keen to have the seminaries run according to the more strict interpretation of Trent. This would have involved the founding of a seminary for every diocese in the land, and the removal of all the school boys from the three existing ones. The Cardinal

62. J. BOSSY, op.cit., p. 53.

was not keen to accept the possibility that England might follow the alternative tridentine legislation, allowing provincial seminaries. He was supported in this position by Henry Manning.⁶³ The stand which these two men took has been viewed as a little insensitive. It seemed to set aside the successes achieved at Ware and Ushaw, and the many years of work at Douai. Wiseman himself did not really consider St. Edmund's, Ware, to be a seminary in the real sense of the word, since there was a school there.⁶⁴ It must be imagined that he felt the same way about Ushaw and Oscott, since both places combined seminary and school.

In the thirteenth chapter of the third council's decree, therefore, there was a lengthy consideration of the seminary question. No mention was made of the possible alternative suggested at Trent, nor of Ushaw, Ware and Oscott as seminaries. They were considered separately as colleges.⁶⁵ The Council document made mention of the legislation of

63. G. BECK, op.cit., p. 128.

64. R. GRAY, op.cit., p. 167.

65. Decreta Quatuor Conciliorum Provincialium Westmonsteriensium, 1852 - 1873, London, Burns and Oates, 1885, p. 160.

Benedict XIII,⁶⁶ Benedict XIV,⁶⁷ and Pius IX⁶⁸ re-enforcing the Tridentine decree. The bishops were called upon to follow the strict tridentine course, in so far as they were able.⁶⁹

In 1873, the fourth council took place, this time at St. Edmund's Ware. By now, Cardinal Manning had care

66. "[...] ut in Cathedralibus, in quibus Seminarium hactenus erectum non fuit, illud quamprimum eligi, ac omnino institui curent [...]" (BENEDICT XIII, Constitution Credite Nobis, May 9, 1725, in P. GASPARRI, (ed.), Codex iuris canonici fontes, Romae, Typis Polyglottis Vaticanis, 1926, Vol. I, no. 288, p. 618).

67. "[...] cordi idcirco vobis esse debet, ut ibi forsan nondum instituta fuerint Clericorum Seminarium, quam citissime instituantur [...]" (BENEDICT XIV, Encyclical Ubi Primum, December 3, 1740, ibid., no. 304, p. 670).

68. "Quare Vobis nihil antiquius, nihil potius esse debet, quam omni opera, sollertia, industria clericorum Seminarium ex Tridentinorum Patrum praescripto instituere, si nondum existunt [...]" (PIUS IX, Encyclical Qui pluribus, November 9, 1846, in Pii Pontificis maximi Acta, Vol. I, Romae, ex Typographia Bonarum artium, 1854, p. 19).

69. "Unusquisque Episcoporum sibi proposuit omni industria ac toto corde dehinc huic studio incumbere, quo meliore poterit modo, Seminarium in propria Dioecesi instituendi" (Decreta Quatuor Conciliorum Provincialium Westmonasteriensium, p. 159).

of the Archdiocese of Westminster and his aim was to continue the policy expressed by both Wiseman and himself at Oscott in 1859. The fourth decree makes little reference to the "alternative plan" allowed by Trent. Rather, the thrust of the document is towards a diocesan system.⁷⁰ In the recommendations to bishops that form the last part of the document, they are directed to establish seminaries that will separate ecclesiastical students from lay-boys. There is, however, mention of the possibility of inter-diocesan arrangements.⁷¹

Manning himself was not slow to put his ideals into action. He considered that Westminster needed a diocesan seminary, in the tridentine sense. Accordingly, in 1869, he moved the ecclesiastical students from St. Edmund's, Ware, to a newly-built seminary in Hammersmith, which was then a quiet suburb of London. In so doing he had a seminary

70. "In Tridentino decreto non solum praescriptum est ut erigantur Seminaria dioecesana, sed eo etiam cantum est ut in iisdem Seminariis illi soli recipiantur quorum indoles et voluntas spem afferat eos ecclesiasticis ministeriis perpetuo inservituros" (*ibid.*, p. 215).

71. "Episcopi, in sua quisque dioecesi, nihil intentantum relinquunt, ut erigatur Seminarium dioecesanum, in quo clerici a laicorum consortio separati philosophicis et theologiacis disciplinis imbuantur. Ubi autem aliquae dioeceses tanta paupertate laborant ut singulae singula Seminaria erigere non possint, a Tridentino provisum est ut plurimam dioecesium Episcopi communi consilio commune Seminarium constituent" (*ibid.*, p. 216).

that was much closer to the centre of his diocese, and therefore nearer to his own control. He also acquired a seminary where the students for the priesthood would not fall under any influence from lay students who remained at Ware. The Hammersmith Seminary proved to be very expensive and was closed by Cardinal Herbert Vaughan in 1892.⁷²

The move towards seminaries that were strictly diocesan and reserved for ecclesiastical students was also felt elsewhere.

In 1873, Bishop Bernard Ullathorne, the Benedictine bishop of Birmingham, decided to follow the legislation of the Councils of Westminster. He moved the students from his diocese out of Oscott, and established his own seminary at Olton. Meanwhile, Oscott continued with the lay-boys and the few ecclesiastical students that remained after the departure of the Birmingham men. Olton was never a very large house, with the number of students averaging around twenty; there were also financial strains. These financial difficulties were felt also at Oscott, deprived of a number of students. However, the two institutions were to struggle on for some sixteen years, until 1889 when the new bishop of Birmingham, Bishop Edward Isley, brought

72. G. BECK, op.cit., p. 160.

the mixed college at Oscott to an end, and closed down the seminary at Olton. Oscott was then left to the ecclesiastical students alone.

In retrospect, this move on the part of Bishop Isley was clearly a wise one. The stricter interpretation of the tridentine decree, enjoined on the bishops at the Councils, was difficult. In closing the mixed college and amalgamating all the students for priesthood under the one roof at Oscott, he was fulfilling the "alternative" plan that Trent had given as an option. This would also leave the way open for the policy adopted by Cardinal Vaughan, when, in 1897, he attempted the foundation of a central seminary for England.

The Diocese of Liverpool also followed the prescriptions of the Council, and Bishop Bernard O'Reilly succeeded in establishing his diocesan seminary, of St. Joseph's, at Upholland in 1880.⁷³ This venture caused a good deal of difficulty in relations between the diocese of Liverpool and Ushaw College, since the withdrawal of the Liverpool students from Ushaw caused a financial worry for the college. The seminary at Upholland continued its work until recent times.

73. Ibid., p. 215.

Other dioceses also attempted their own foundations. Leeds, Salford, Nottingham, Northampton and Clifton followed Manning's wishes. These foundations have not remained, and the candidates are now sent to other seminaries.⁷⁴

Cardinal Manning died in 1892. His successor, Herbert Vaughan, adopted a completely different position regarding the seminaries.

i. The Central Seminary

Herbert Vaughan was born in 1832, and educated at Downside and Stonyhurst, before training for the priesthood.⁷⁵ His dealings with priestly formation began early, when, at the age of 23, he was sent to St. Edmund's as Vice-President. Even at this early stage, he had very strong ideas about the education of clergy and was particularly favourable towards the Sulpician methods of training, which he had experienced on the Continent.⁷⁶ He was an admirer

74. Ibid., p. 36.

75. For an extensive biography of Cardinal Herbert Vaughan, see J. SNEAD-COX, The Life of Cardinal Vaughan, London, Herbert and Daniel, 1910, 2 vols.

76. "Let us transplant the Sulpician or German plant to England with enough earth to keep it alive, but then let it be planted in English soil and develop according to the genius of that country" (From Vaughan's Diary, ibid., vol. I, p. 60).

of Manning, accepting his ideal of an austere clergy. His efforts to reform the seminary at Ware were not always popular. He had brought with him the ideals of the Roman Seminaries, which were strange to the English methods in use there. He was particularly opposed to the employment of W.G. Ward, a layman and convert, as a professor of theology. When appointed Bishop of Salford in 1872 he established a "Pastoral Seminary" where the newly ordained could develop their pastoral skills. By this time, he had developed his own theories concerning the training of priests for England, and these were to have a profound effect on the development of priestly formation when he was appointed Archbishop of Westminster.

When the third council of Westminster had affirmed the intention to work towards diocesan seminaries, Vaughan, although not in a position to oppose the motion at that time, was not in favour. In this he turned from the opinions of Manning, whom he followed in all other things. Despite the recognition of Trent's "Alternative Plan", the fourth council took the same basic stand as the previous one had done. Vaughan became even more adamant. As Bishop of Salford, his insistence that effective preparation for priesthood did not depend on the number of seminaries, but rather on high standards and the length of training, is an eloquent

illustration of the stand he would take later at Westminster.⁷⁷ Indeed, before his move to Westminster, he had already decided that, should the occasion arise, he would close the Hammersmith Seminary, and seek alternative arrangements for the students there. This he achieved in 1892, the year he arrived at Westminster.

However, this development did not take him far enough. He knew that the problems of staffing and financing seminaries were great. He decided to take the position of the "Alternative Plan" of Trent, and attempt the founding of an inter-diocesan seminary -- a Central Seminary.

St. Cuthbert's, at Ushaw, was to form something of a model for his venture. In 1850 a letter had passed from the clergy of the Northern Vicariate to those of the Lancashire Vicariate, speaking of the "Alternative Plan" of Trent. This was being followed in the North. Ushaw

77. "Proficiency will not come by multiplying theological seminaries, but rather by increasing the number of their students, raising the standards of their studies, and prolonging the years of culture and training" (from Vaughan's Preface to the "Life of St. John Baptist de Rossi", *ibid.*, Vol. II, p. 42).

was well established and servicing the North very well.⁷⁸

Vaughan saw in it a seminary that was supported very strongly by the bishops who sent their students there for training. Ushaw also enjoyed the fervent support of the clergy of the North. They considered it to be very much "their" seminary, since in the early years their money and that of their people had gone to establish the college. Vaughan decided that it would be possible to establish a similar college for the Midlands and the South. He hoped that this would bring stability to the system of formation. There had been the moves away from Ware, and then the closure of Hammersmith. Similar events had taken place with the attempted diocesan seminary at Olton. A more permanent and larger seminary would restore public confidence, and perhaps increase the number of vocations.⁷⁹

78. "Does the Council of Trent require each bishop to have a separate college? No. The council expressly directs that in the case of dioceses being unable to maintain separate colleges, then several should unite for the support of an ecclesiastical college" (Ushaw College History, n. 77: from a letter from the Clergy of Durham to the Clergy of the Lancashire Vicariate, May 27, 1850).

79. J. SNEAD-COX, op.cit., Vol. II, p. 60.

Vaughan therefore set about convincing the bishops in the South of his plan. This was not such an easy task. In the Diocese of Southwark, Bishop John Butt had already established the diocesan seminary at Wonersh. Butt had no intention of reversing his plan. Indeed, Vaughan had attempted to unite Hammersmith with Wonersh when he closed the former in 1892.⁸⁰ This had not been accepted. He therefore set about persuading the remaining bishops of the South of the wisdom of his plan.

He established some correspondence with the Holy See, and in 1893 received a letter of consent and support from Leo XIII. This was a great encouragement to Vaughan and the other bishops who had decided to take part in the scheme, since it condoned their adoption of the "Alternative Plan" of Trent.⁸¹ In 1897, Vaughan's plan was brought to

80. Ibid., Vol. II, p. 44.

81. "Since, therefore, this wise project, if carried into effect will secure these and other advantages, such as you have well pointed out, it behoves us not only to give a well deserved tribute of praise to you and to the other bishops acting in consent with you in this matter, but further earnestly to exhort you to join forces [...]" (ibid., vol. II, p. 57).

fruition, and the Central Seminary was established at Oscott.⁸² Since Southwark did not take any part in the scheme, the new venture took care of the remaining seven dioceses of the South.⁸³ This arrangement was to continue until the beginning of the XXth century when Francis Bourne succeeded Vaughan at Westminster. He brought his students back to Ware and strove to recommence the diocesan system advocated by the councils of the previous century. With the Westminster students gone from Oscott, it would have been exceedingly difficult for the venture to continue. The Central Seminary experience thus ended in 1909.

ii. The Foundation at Womersley

The foundation of St. John's Seminary, Womersley, did, in fact, pre-date the death of Cardinal Vaughan. In

82. "Knowing the excellent results of the joint ecclesiastical seminary of St. Cuthbert at Ushaw for the Northern bishops, His Eminence the Cardinal Archbishop and most of the southern bishops determined to found, if possible, a like seminary at St. Mary's, Oscott [...] it has now become fact, and we rejoice on a joint seminary under control of the co-interested bishops [...]" (Oscott College Archives: Bishop John Virtue, [Portsmouth]. Pastoral Letter Number 49. 10th October 1897).

83. The dioceses that were involved at Oscott were, therefore: Westminster, Birmingham, Clifton, Newport, Portsmouth, Northampton and the Vicariate of Wales (G. BECK, op.cit., p. 166).

his Rosary Sunday Pastoral of 1889, Bishop Butt announced to the people that work had begun on the building of the diocesan seminary at Wonersh.⁸⁴ A small beginning had already been made at Henfield, in Sussex, with Francis Bourne as rector.

Francis Bourne was born in London in 1861. After studies at Ushaw, Ware, Hammersmith and Saint-Sulpice in Paris, he was ordained in 1884. His Sulpician background was to have an important effect on his attitudes towards priestly formation, and was evident in his work at Henfield and later as first rector at Wonersh itself.⁸⁵

In 1891 the new building at Wonersh, though still without its chapel, was ready for the first students.⁸⁶ Since there had never been any lay-school at Wonersh, and

84. "The most important work undertaken during the present year is the establishment of a Diocesan Seminary [...]" (Archives of Archbishop's House, Southwark: J. BUTT, Pastoral Letter of Rosary Sunday, 1889). For a full account of the foundation and early years of St. John's Seminary, see T. HOOLEY, A Seminary in the Making, London, Longman, Green, 1927, 195p.

85. For a complete biography of Cardinal Francis Bourne, see E. OLDMEADOW, Francis Cardinal Bourne, London, Burns, Oates and Washbourne, 1940 - 1944, 2 vols.

86. Archives of Archbishop's House, Southwark: J. BUTT, Pastoral Letter of Rosary Sunday, 1891.

since the venture, at its start, was strictly diocesan, St. John's Seminary has been classified as the only strictly tridentine seminary in England.⁸⁷ E. Oldmeadow, in his biography of Bourne, describes the position as the rector of a tridentine seminary in somewhat exalted terms.⁸⁸ However, Bourne's experience there was to have a profound effect on the work at Ware and Oscott when, after a time as bishop of Southwark, he succeeded Vaughan at Westminster.

He resolved at once to remove the Westminster students from Oscott, and bring them back to Ware. It was to become his life's interest to build up the seminary there. Only sixteen weeks after his arrival in his new diocese, work began on a new wing for the ecclesiastical students. Once withdrawn from Oscott and the English colleges on the continent, they returned to Ware in 1904. Studies began there on September 22nd.⁸⁹ The Seminary came to be called "Allen Hall", after the founder of Douai.⁹⁰

87. "It is to be noted that [...] Womersley [...] is the only strictly Tridentine Seminary that has ever existed in England" (J. SNEAD-COX, op.cit., vol. II, p. 58).

88. "It was his destiny to emerge from obscurity as head of a seminary and to become the first Rector of England's first seminary. ad mentem Concilii Tridentini" (E. OLDMEADOW, op.cit., vol. I, p. 76).

89. Ibid., pp. 246ff.

90. The Westminster Seminary retained this name when, in 1975, the move was made to Chelsea.

Conclusions

The years between the French Revolution and 1904, therefore, saw the establishment of major seminaries in England. The style of these foundations hinged on one basic question, or dispute: the proper interpretation of the tridentine decree that would be most appropriate to the needs of the country. The answer to this question was governed either by a desire to be faithful to the stricter, and perhaps more ideal, demands of Trent, or by a more nationally minded approach. Questions of finance, support from bishops, clergy and faithful, availability of staff and numbers of students also played important parts in the resulting structure of priestly formation.

With this in mind, it will now be possible to consider the operation of the seminaries presently at the service of the Church in England, with a particular focus on episcopal control and the extent to which canonical legislation has been put into practice therein.

CHAPTER II

EPISCOPAL CONTROL OF THE SEMINARIES

In the first chapter, the foundation of the four seminaries currently training candidates for the diocesan priesthood in England was examined. It is now possible to examine in greater detail their development towards the current system of episcopal control and governance, and the method whereby staffing of seminaries was arranged.

To appreciate the current structures, however, it will first be necessary to examine previous legislation, notably that of the Council of Trent, the Councils of Westminster and the 1917 Code of Canon Law. This is the object of the present chapter.

I. Episcopal Control following the Council of Trent

i. Universal Legislation

The reform decrees of the XXIII session of the Council of Trent placed the bishop at the very centre of concern for vocations and care for candidates for ordination. Due to the problems arising in pre-reformation times because of the fact that episcopal residence in dioceses was sometimes deficient, the first chapter of the reform decree reminded

the bishops of their obligation of residence.¹ It was in the context of this attachment to his diocese that the bishop's work regarding candidates for priesthood was to take place. This new insistence upon pastoral concern exhibited itself in a number of ways throughout the reform decree. For instance, bishops personally were to ordain their candidates to priesthood, and were to be extremely careful in sending their candidates to other bishops.² They were to be concerned with enquiries made before ordination, being themselves involved both in the pre-ordination examinations³ and in the one required for the granting of faculties for hearing confessions.⁴

This concern for ordination to priesthood is seen most clearly in the prescriptions regarding seminaries them-

1. "[...] illis inhaerendo declarat sacrosancta synodus, omnes patriarchalibus, primatialibus, metropolitanis ac cathedralibus ecclesiis quibuscumque quocumque nomine et titulo praefectos, etiamsi sanctae Romanae ecclesiae cardinales sint, obligari ad personalem in sua ecclesia vel dioecesi residentiam, ubi injunctio sibi officio defungi teneantur, neque abesse posse, nisi ex causis et modis infra scriptis" (H. SCHROEDER, Canons and Decrees of the Council of Trent, St. Louis, Missouri, Herder Book Co., 1941, p. 436).

2. Ibid., p. 439.

3. Ibid., p. 440.

4. Ibid., p. 444.

selves, and is a consequence of the norms found in earlier chapters of the decree. The close proximity to the cathedral church of the diocesan bishop is an eloquent illustration of his expected concern. However, his involvement was intended to be even greater than this. It was his task to divide his seminary into classes, and to call the students either to various forms of service for the church, or to make the decision to leave them there for further studies. He also had the responsibility of ensuring the continuity of the seminary itself through the acceptance of new candidates.⁵

The bishop was responsible for the teaching in the seminary, and was called upon to appoint suitable staff for this purpose; those chosen were to teach the students according to the mind of the bishop.⁶

It was also his duty to ensure that the students

5. "Hos pueros episcopus in tot classes, quod ei videbitur, divisos juxta eorum numerum, aetatem ac in disciplina ecclesiastica progressum, partim, cum ei opportunum videbitur, ecclesiarum ministerio addicet, partim in collegio erudiendos retinebit; aliosque in locum eductorum sufficiet, ita ut hoc collegium Dei ministrorum perpetuum seminarium sit" (ibid., pp. 446 - 447).

6. "Docebunt autem praedicti, quae videbuntur episcopo expedire" (ibid., p. 449).

were present at daily Mass, made a monthly Confession and received Communion in accordance with the advice of their director.⁷ The bishop was to choose two of his chapter canons to assist him in his work of visitation of the seminary.⁸

The measure of episcopal involvement also extended to the financial support for the seminary. While acknowledging that in some places funds already existed for education of candidates to priesthood, the council gave wide-ranging powers to the bishop for the collection of additional revenue. Having sought the advice of two members of the chapter, he was to deduct part of the revenues of all offices and benefices, including those belonging to religious, and of colleges (save those involved in priestly formation), in order to finance his seminary.⁹ Trent went so far as to say that the secular

7. "Curet episcopus, ut singuis diebus missae sacrificio intersint, ac saltem singulis mensibus confiteantur peccata, et juxta confessoris judicium sumant corpus Domini nostri Jesu Christi [...]" (*ibid.*, p. 447).

8. "Quae omnia atque alia ad hanc rem opportuna et necessaria episcopi singuli cum consilio duorum canonicorum seniorum et graviorum, quos ipsi elegerint, prout Spiritus Sanctus suggesserit, constituent, eaque ut semper observentur saepis visitando operam dabunt" (*ibid.*, p. 447).

9. *Ibid.*, pp. 447 - 448.

power could even be employed to help in this taxation.¹⁰

Where cases of laxity arose in the payment of these dues, it was the task of the metropolitan and the provincial council to rebuke those concerned.¹¹ The seminary itself was also accountable; accounts were to be reviewed annually by the bishop, who once again had the assistance of two members of the chapter, and of two clergy of the city in which the seminary was situated.¹²

The position of the bishop in relation to this seminary was clear. He had the responsibility for admissions, staffing, teaching and the development of the spiritual life. He was likewise responsible for the establishment and continuation of its financial support.

There also appears in the decree the beginnings of governing bodies for seminaries. Members of the Chapter were to be employed as advisers in financial matters. In addition, two other priests from the diocese were to be involved

10. "[...] ab episcopo loci per censuras ecclesiasticas ac alia juris remedia compellantur, etiam vocato ad hoc, si videbitur, auxilio brachii saecularis" (ibid., p. 448).

11. Ibid., p. 448.

12. "Rationes autem redituum hujus seminarii episcopus annis singulis accipiat, praesentibus duobus a capitulo et totidem a clero civitatis deputatis" (ibid., p. 449).

in the annual inspection of seminary accounts. In the subsequent development of seminaries, including those in England, the place of these governing bodies was to prove important.

The Tridentine decree is also notable for some of its omissions. For instance, the academic curriculum and the requirements of rules for each seminary were not dealt with in any great detail.¹³ The major officers of the seminary, Rector, Vice-Rector, Spiritual Director, Dean of Studies, Prefect of Discipline and Procurator, found no mention in the decree. This might illustrate two possible positions. The first is that, since the seminary system was a new one, the roles of such staff were still unclear. The second possibility is that the fathers of the council recognised that the needs of the different parts of the world would lead to slightly differing approaches. The absence of detail at this point allowed for local adaptations. In various cases, such as the seminary founded by St. Charles Borromeo at Milan, the individual bishops "enfleshed" the tridentine decree with their own regulations of operation and government.

13. C. PETERSON, Spiritual Care in the Diocesan Seminary: A Historical Synopsis and Commentary, Washington, D.C., Catholic University of America Press, 1966, p. 46.

In this particular case, such formulations were to form the basis of later legislation, even that of the 1917 Code of Canon Law.¹⁴ Thus, the bishop's role in his diocesan seminary was expressed in the regulations approved by him, in accordance with the mind of Trent.

In the years following Trent, there was little new seminary legislation. There were exhortations from Popes Benedict XIII, Benedict XIV and Pius IX concerning foundation of seminaries. The bishops were also reminded that they should exercise proper control of their seminaries, especially regarding spiritual formation. In 1740, Pope Benedict XIV reminded them of their responsibilities in this area.¹⁵ A similar exhortation to bishops to be thorough in their implementation of the tridentine decree was repeated by later

14. Ibid., p. 49.

15. "Melius enim profecto est pauciores, habere Ministros, sed probos, sed idoneos, atque utiles, quam plures, qui in aedificationem Corporis Christi, quod est Ecclesia, nequaquam sint valituri" (BENEDICT XIV, Encyclical Ubi primum, December 3, 1740, in P. GASPARRI, (ed.), Codex iuris canonici fontes, Romae, Typis Polyglottis Vaticanis, 1926, Vol. I, n. 304, p. 671).

popes,¹⁶ but there were effectively no further additions to the prescriptions of Trent in the years preceding the promulgation of the 1917 Code of Canon Law.

In the circumstances that prevailed in England prior to the appointment of Vicars Apostolic, consideration of episcopal control was a moot point. Even with the appointment of the Vicars Apostolic, the situation was little changed, since Douai was a Pontifical institution, and England remained under the special direction of Propaganda Fide. However, when the bishops had to establish seminaries, following the arrival of the Douai students in 1793, they had the decrees of Trent, and the exhortations of intervening centuries as a basis for their work. The fact that they chose to employ the constitutions of Douai in the cases of Ware and Ushaw was to influence very significantly the relationship of the bishops to these two houses.

16. Further messages regarding care over spiritual formation, and the bishop's responsibility in that area were issued by: PIUS IV, Encyclical Inscrutabile, December 25, 1775, in P. GASPARRI, (ed.), Codex iuris canonici fontes, Romae, Typis Polyglottis Vaticanis, 1928, Vol. II, n. 470, p. 649; and PIUS IX, Encyclical Qui pluribus, November 9, 1846, in Pii IX Pontificis maximi acta, Romae, ex Typographia Bonarum Artium, 1854, Vol. I, p. 19.

ii. English Legislation before the Councils
of Westminster

Those concerned with the development of priestly formation in England chose to adopt the Constitutions of Douai after 1793. Closer consideration of these early English constitutions, therefore, will indicate the role entrusted to the bishops during the years before 1850, when the hierarchy was re-established.¹⁷

The Ushaw Constitutions, which borrowed so heavily from those of Douai, are remarkable in that there is but one mention of the vicar apostolic and two mentions of diocesan bishops in the entire text. It may be true that the compilers of the document wished to ensure continuity with Douai, even though they would have been in possession of the tridentine reform decree and the letters of subsequent pontiffs on episcopal supervision. In the Douai tradition, however, much power was placed in the hands of the president. The compiler of the Constitutions explains that, while the president of Douai was appointed by the Roman Pontiff, that of Ushaw was

17. For the purpose of this examination, the Constitutions of Ushaw College will be employed. (U.C.H. 397). The writer of the Constitutions provides cross-references to the Constitutions of Douai that were written in 1690.

appointed by the vicar apostolic.¹⁸ Once this appointment had been made, however, the power rested with the President, and this for his life-time.¹⁹

The President was to report to the diocesan bishop on two occasions: to provide him with a semi-annual financial statement and an annual account of the progress of the students.²⁰ The fact that the diocesan bishop is expressly mentioned here accommodated those bishops from outside the vicariate apostolic who chose to send their students to Ushaw.

In the other areas mentioned in the tridentine decree, power was placed firmly in the hands of the president himself. He was to appoint the staff, the bishop's approval being

18. "Since the establishment of the college in England, the election of the President has been made by the Vicar Apostolic" (*ibid.*, p. 17).

19. *Ibid.*, p. 17.

20. "He will furnish to each bishop connected with the College, a half-yearly account of the funds and students, and once every year an account of the ability, diligence, conduct and health of each student" (*ibid.*, p. 17; Douai Constitutions: p. 25, n. 9).

required only for the professors of divinity and philosophy.²¹ The president could employ students as teachers whenever he saw fit and could even retain any members of the college after their ordination, as he thought suitable for the continuation of the academic programme in the college.²²

The President was responsible for the acceptance of students at the beginning of their course, and it was his task to make enquiries of other colleges in cases of transfer.²³ On arrival at the college, students were to take the college oath, as had been the custom at Douai. This too was arranged by the president. During the time a student was in the college, he was to be obedient in all

21. "He has power to retain in the College after his ordination any one whom he judges necessary for carrying on the function of the house. He has also the power to retain in the College at any time during the course of the studies such as he foresees will be required for masters or minor professors" (ibid., p. 18; Douai Constitutions: p. 14, n. 6; p. 18, nn. 3 and 4).

22. Ibid., p. 12; Douai Constitutions: p. 17, n. 1.

23. Loc.cit.

things to the president.²⁴ There is no mention in the constitutions of the fact that students were to be imbued with a spirit of obedience to the vicar apostolic or to the bishop. The president was responsible for the pre-ordination examination, and it was only with his permission that students could be promoted to Sacred Orders.²⁵

The norms at Ware were, similarly, a reproduction of those at Douai. The president was considered the superior of all without exception.²⁶ It was his task to give the final word on interpretations of the Rule.²⁷ Almost the same words are used here as at Ushaw to express his power

24. "All should manifest a ready obedience [...] to the President, whose office it is to act in all things that, although for better information he may ask the opinion and advice of any or of all of them [the staff] in any matter, but may do that which appears to him best in the Lord" (ibid., p. 12; Douai Constitutions: p. 17, n. 1).

25. Ibid.; p. 16; Douai Constitutions: p. 22, n. 2.

26. "The President is the general, immediate superior of all without exception who belong as members to the College" (from St. Edmund's College Archives: Vol. XIII - Rules and Constitutions from 1795, p. 9. This prescription was repeated verbatim in The Rule of The College of St. Edmund, June 4, 1840, p. 6, Archives of the Archdiocese of Westminster, 3/19/4).

27. "In doubts concerning the meaning of the Rule, the decision of the President is absolute" (ibid., p. 9. Also repeated in the 1840 Rule, p. 6).

and relationship towards the staff in consultations.²⁸ As at Ushaw, it was his task to admit or dismiss students.²⁹ He had responsibility for the appointment of staff to the college and of assigning them their various tasks within the house.³⁰

It is evident from these examples that there was significant divergence between the practice at Ushaw and Ware and the prescriptions of Trent. In nearly every case, the tasks assigned by the council to the bishop were assumed by the president of the college. Such autonomy, although required in the days when students were trained on the continent, was no longer as necessary once the Catholic Church

28. "Such is the authority of the President in all things that, tho' he should ask advice in very important affairs relating to the College; yet he is not bound to stand by any number of voices in his decisions; but after he has heard the opinion of others, he may determine, according to what he should judge best, all things concerned" (*ibid.*, p. 9; also repeated in the 1840 Rule, p. 6).

29. "It belongs exclusively to the office of President to admit and dismiss the members or subjects of the college in whatever capacity or quality they may be" (Archives of the Archdiocese of Westminster, 3/19/4: The Rule of The College of St. Edmund. June 4, 1840, pp. 7 - 8).

30. "[...] to appoint and discharge the Vice President, Prefect of Studies, General Prefect, Procurator, Professors and masters [...]" (*ibid.*, p. 8; see also p. 4).

in England became more stable in the early years of the XIXth Century.

II. The Councils of Westminster

i. The Conciliar Legislation

The four councils of Westminster were held in 1852, 1855, 1859 and 1873. Their particular concern for the foundation and control of seminaries must now be studied.

The first council, held in 1852, made a brief reference to the required episcopal control: the rectors of the colleges were to send to the respective bishops a report on the progress of their students.³¹

The third council, held in 1859, devoted much time to the foundation of seminaries. Not surprisingly, therefore, many points were decreed regarding the role of the bishops. On June 27, 1855, Cardinal G. Fransoni, Prefect of Propaganda Fide, wrote to Cardinal Wiseman, expressing some concern about the state of the seminaries in England. He made reference to the curriculum and pointed out that it would be opportune for the bishops to discuss the matter when they met together. He stressed in quite plain terms that they should work towards

31. Decreta Quatuor Conciliorum Provincialium Westminsteriensium, London, Burns and Oates, 1873, p. 34.

fulfillment of the tridentine prescriptions.³² The fact that he made specific mention of the bishops is of interest. It was evidently the intention of Propaganda Fide that the bishops take a full part in the control of their seminaries, rather than leave the matter so completely in the hands of the presidents. In a footnote appended to the letter, reference is made to a two-fold task for the bishops: to examine the present state of their colleges, and to see if the system could be made more effective; where necessary they were to lay down principles to that end.³³

The bishops had set about their task since a significant part of Title II of the council was devoted to their report, both on the state of the seminaries and on suggestions for improvement. Indeed, there was a real attempt on the part of the hierarchy to take interest in their seminaries.

32. "Nella circostanza, che tutti i Vescovi si troveranno riuniti, sarebbe molto opportuno considerare il metodo usato ne Collegi e Seminari per ben formare i giovani Ecclesiastici nella pietà e nella scienza, e determinare almeno le basi dei miglioramenti da introdursi per ottenere più felici risultati. Non occorre ricordare all' Emza. Vostra le sapientissime prescrizioni Tridentine su tal materia, e le regole introdotte dai santi Prelati e raccomandate da una felice esperienza [...]" (ibid., p. 161).

33. Ibid., p. 161.

The bishops themselves had, in large part, been trained in the colleges at home.³⁴ They reported, therefore, on their own experiences of formation, and admitted that there had been no change in the basic structures, including that of management of the colleges. They stated that any changes that had occurred were for reasons of improvement.³⁵

Reference was made to the presence of lay students in the three colleges. It would seem that, at that time, there were a few lay students at Ushaw, a larger number at Oscott, and very few at Ware (where they were housed and educated separately from the ecclesiastical students). The report acknowledged that this situation was not necessarily the best, but that it was required for various reasons, not least of which was that of finance.³⁶ The report then went on to recognise that in some areas the system in use in England at the time was not as close to the general prescriptions

34. Of the 13 bishops at the council, one was educated at Oscott, six at Ushaw.

35. "Accedit vero quod regimen internum istorum Collegiorum, studiorum curriculum, disciplina scholastica, parum aut nihil temporis lapsu fuerint immutata [...] si quid mutationis temporis lapsu in ipsis occurrunt, illud in melius semper fuisse" (*ibid.*, p. 162).

36. *Ibid.*, p. 163.

of law as it might have been.³⁷ The bishops were somewhat defensive in their stand and pointed out that, should the seminaries stop taking lay students, little alteration to the programme would be required. They based this statement on the fact that the English seminaries descended from Douai, where the system was effective.³⁸ The concern regarding the mixture of lay and ecclesiastical teaching was resolved in 1889 at Oscott when, under the direction of Bishop John Isley, the lay students were removed and the college became solely concerned with the education of priests.

In passing, it could be noted that an interesting observation was made by the bishops in the section of the document entitled "Suggestions for the Greater Efficiency of the Ecclesiastical Colleges", regarding the study of Canon Law. The bishops saw the need for such a study arising from the restoration of the hierarchy. Indeed, there seemed to be a new concern that all things in the dioceses would now

37. "Bases ergo totius educationis sunt ferme illae, quae in Collegiis pure Ecclesiasticis seu Seminariis generatium statuuntur" (*ibid.*, p. 164).

38. *Ibid.*, p. 164.

be done in accord with the law.³⁹ This would necessarily have an effect on the management of the seminaries themselves.

The most influential portion of the bishop's work was the fifteenth chapter of the decrees of the third council. Although not united on the subject, they finally voted to ensure the correct degree of control over the seminary for the bishop in the diocese, and those other bishops who might be concerned. To achieve this, they set down a scheme for government that could be employed in the three seminaries then operating.⁴⁰

They placed jurisdiction and spiritual care directly in the hands of the diocesan bishop,⁴¹ and called for the establishment of boards of governors. These boards were to include those bishops who had a direct interest in the college: the document spelled out in detail who were those concerned with each seminary.⁴² A problem to some extent

39. "Cum per Hierarchiam Ecclesiasticam feliciter in Angliae restitutam, administratio Dioecesanum juxta regulas iuris sit gerenda" (ibid., p. 168).

40. This scheme of government, entitled Government of the College, is reproduced in Appendix V. [Hereafter referred to as G.C.].

41. G.C., n. 1.

42. G.C., n. 2.

still unresolved was the apportioning of the assets of the colleges. In particular, Ushaw and Ware were involved in the question of assets taken over from Douai. It was decided that the Holy See should deal with this problem. To assist in the matter, the concerned bishops were to appoint a team of three persons with the task of drawing up an account for the Holy See. The governing body was to meet annually, and the council called for the first meeting within one year.⁴³

Where a majority of the concerned bishops wished for any extra meeting, the bishop of the diocese in which the seminary was situated was bound to call one.⁴⁴ The diocesan bishop was to chair meetings, and had a casting vote.⁴⁵

There was some concern as to the speed with which action could be taken in a particular situation. To deal with this question, immediate power of action was vested with the diocesan bishop, who was bound to follow the rules laid down by the bishops at the annual meeting. No innovation or extraordinary expenditure was possible outside the governors' meeting.⁴⁶

43. G.C., n. 3.

44. G.C., n. 4.

45. G.C., n. 5.

46. G.C., n. 6.

Appointments were also the subject of the scheme. The rector (or president) of any seminary was to be appointed by majority vote of the bishops concerned.⁴⁷ A significant departure was taken with regard to the appointment of the vice-rector. Whereas this had been left to the president in the Douai constitution, and was therefore enshrined in the original rules of Ushaw and Ware, he was now to be appointed by the rector with the concurrence of the bishops.⁴⁸ The appointment of professors of Theology and Philosophy and of the procurator were the responsibility of the diocesan bishop, with the majority consent of the other bishops concerned. Other staff members were appointed by the rector, with the consent of the diocesan bishop.⁴⁹

The final change, and this too a signal one, was the prescription that students were to be accepted by the bishop of the diocese, not by the rector. Without a document of approval from the bishop concerned, no student could commence studies.⁵⁰ Similarly, unless circumstances were extraordinary, no student could be dismissed by the rector without the consent

47. G.C., n. 8.

48. G.C., n. 9.

49. G.C., nn. 10, 11.

50. G.C., n. 10.

of the student's own bishop.⁵¹

The fourth council, held at Ware in 1873, further developed the policy of the previous councils. Episcopal control was vested in the hands of the diocesan bishop alone.⁵² There was further mention of the bishop's responsibility in selecting candidates for the seminary,⁵³ and the appointment of the spiritual director being made by the bishop.⁵⁴

Some detailed treatment of the curriculum and lifestyle of the students was mentioned, one aspect of which was to be the development of respect and devotion to the bishops.⁵⁵ This would have been one way of further strengthening the link between bishops and seminaries, as well as serving the good of the diocese in the longer term.⁵⁶

51. G.C., n. 12.

52. G.C., n. 13.

53. "Seminarium dioecesanum juxta Ecclesiae mentem ab Episcopo unice dependere" (Decreta Quatuor Conciliorum Provincialium Westmonasteriensium, p. 215).

54. Ibid., p. 216.

55. "Quam maxime conferret ad bonum spirituale alumnorum, si praefectus spiritualis in Seminario ab Episcopo constituitur" (ibid., p. 217).

56. Ibid., p. 219.

Finally, the text made specific reference to Benedict XIV's admonition that bishops visit their students regularly, and that the rector provide the respective bishops with a full annual report of the welfare and progress of students.⁵⁷

ii. The Effects of the Legislation in the Seminaries

i. Ushaw

The situation in the seminaries themselves was related to the conciliar decrees in various ways. At Ushaw, problems of a particularly acute nature, with regard to the control of the College, had already arisen in the 1840's. The bishop of Hexham and Newcastle, where the seminary was located, had not exercised much control.⁵⁸ The division of the Northern District was recent at this time, and the clergy, who were concerned about the whole question of any episcopal control, were especially worried about the possibility of Ushaw's being controlled by a bishop far removed from the College.

57. Ibid., p. 220.

58. D. MILBURN, A History of Ushaw College, Durham, Ushaw College, 1964, p. 183. Fr. Milburn provides a very detailed account of the developments at Ushaw.

They were therefore anxious to sustain the Douai system of government.⁵⁹ However, at the end of December 1840, the bishops concerned met at Ushaw and a series of proposals were discussed which would have made great changes to the system of government. They wanted to be able to appoint the president ad nutum, to appoint the vice-president⁶⁰ and to be able to conduct visitations at will. These proposals were not well received at the College, and a disagreement between Dr. Charles Newsham (the president) and the bishops, regarding the financial arrangements for the college, led to a very poor atmosphere for future negotiations. Feelings ran exceptionally high on this matter; the main object being to prevent the college from falling under the control of either the bishops or Propaganda Fide in Rome.⁶¹

59. "The resolutions were broadcast as being nothing more than the hereditary, established customs of the house presented to the bishops for sanction as there were now three instead of one who shared an interest in the college" (ibid., p. 184. The author quotes from a letter from Newsham to Thompson, dated January 10, 1841).

60. The reaction to this situation from one of the benefactors illustrates the feeling against episcopal control. T.A. Slater felt that the College belonged not to the bishops, but to the clergy of the North, and this feeling should be made known to the bishops, ibid., p. 185.

61. Ibid., pp. 186 ff.

Some sign of reconciliation between bishops and clergy of the North finally came in 1846. In that year a meeting was held at Durham, at which the clergy themselves proposed a system of visitation in which both bishops and clergy would share. The suggestion put forward was that a governing body be established, consisting of the bishops involved in the college and one member of the clergy from each district. The president and vice-president would also be involved, ex officio. It is particularly significant to note that no decision of the committee was to have any force if the bishops dissented among themselves on the matter in hand.⁶²

In fact, the agreement of 1846 went further than the question of the visitation. There was still much disagreement regarding the positions of the three vicars apostolic in relation to the College. When the Northern District had been but one area, things were more straightforward. Thus,

62. The extensive powers of the president at Ushaw were to remain an area of question for a long time. An interesting example of this lay in the question of student-teachers, and the powers of the president to keep men in the college as he thought fit. Thus, in 1852, Dr. Newsham wrote the following memo: "The President petitions for: a confirmation of the power already granted to retain and employ as teacher to the College any student whose services he requires" (U.C.H. 203).

in an agreement signed by Bishops John Briggs, Francis Mostyn and George Brown (the vicars apostolic of the three Northern areas), the dispute regarding apportioning of funds was also settled.⁶³

However, the scheme laid down in 1846 -- although surprisingly close to the legislation that would later arise from the councils -- was not very successful. There were many problems arising from the joint sharing in government held by all the bishops of the North. During these same years, the bishop in Lancashire was beginning to establish a seminary at Upholland. This was neither popular with the staff at Ushaw, nor with the clergy of the North, who had so much allegiance to the College. One of the most signal examples of this discord lay in the Northern bishops' meeting, held in London in 1854, from which the bishop of Hexham was excluded. This led to a spirited attack on his part regarding his position as the diocesan bishop under whose jurisdiction Ushaw lay.⁶⁴ This resulted in Bishop William Gibson travelling

63. Ibid., p. 194.

64. See Appendix 6 for the resolutions of the 1846 meeting.

to Rome in an effort to find a settlement to the dispute.⁶⁵

Wiseman, who was concerned about joint episcopal control of seminaries, had hoped to deal with the Ushaw question independently of any other. This proved impossible since Cardinal Barnabo had called for the bishops to deal with the seminary question on a national basis.⁶⁶ In the event, Wiseman did not succeed in limiting the extent of episcopal joint government in seminaries. Dr. Charles Newsham felt his college would not be best served by joint control. He was totally committed to the Douai ideal, including the education of lay students as a part thereof. He greatly feared

65. The document is undated. It is presumably written by William Hogarth, Bishop of Hexham and Newcastle from 1850 until 1866. He attempts to place the government of the college within the understanding of the tridentine decrees: "4. That the College of St. Cuthbert at Ushaw falls thereby under the ordinary jurisdiction of the Bishop of Hexham to whom, according to the provisions of the Council of Trent (Sess. XIII, cc. VIII, IX) the administration and visitation of all colleges and loca pia are reserved. 5. That a claim has been made by the Bishops of Liverpool, Beverley, Salford and Shrewsbury, not only to a participation in the administration, government and visitation of the same on the grounds that the College was founded by the Vicar Apostolic of the Northern Vicariate [...]. 6. The Bishop of Hexham hereby declares that except in obedience to the Holy See he can in no way consent to this claim of the above named bishops" (U.C.H., 393).

66. D. MILBURN, op.cit., p. 237.

divided control of the college and was anxious to preserve the longstanding support from the clergy, which would certainly have diminished had the move towards joint control been successful.⁶⁷ He therefore supported Wiseman when he left for Rome in an attempt to persuade Propaganda Fide not to approve the results of the council.⁶⁸

Initially, Wiseman was successful in his attempt to prevent the approval of Chapter XV of the third council. However, this was to prove only a temporary situation, and on September 14, 1863, Propaganda Fide finally approved the scheme. This decision brought the problem at Ushaw to an effective close.⁶⁹

The Ushaw case is illustrative of the major problems that were faced in the implementation of the tridentine formula: the adherence to the Douai ideal, and its position in the development of the Catholic Church in England in the post-reformation years was to be a very real block to developments

67. See above, footnote 62.

68. D. MILBURN, op.cit., p. 252.

69. Ibid., p. 241 - 243.

along more "roman" lines. The powerful position of the president, especially in the case of Dr. Newsham, was an element not to be forgotten. Thirdly, the position of the clergy in relation to their seminary, and their willingness to stand against the bishops, was of major significance. In the final analysis, however, the bishops were to win the day -- and the system of government in use at Ushaw today is close to that which came about as a result of the deliberations of the XIXth Century.

ii. Oscott

The situation that prevailed at Oscott was rather different. The change from the "Old Government" to the "New Government" of the college took place in 1808. With that change, Bishop John Milner had brought the college under his direct control. The link between the president at Oscott and the bishop of the district remained unchanged during the reign of Thomas Walsh. He had been spiritual director and then president of the college before becoming bishop. Perhaps even more significant was the fact that Nicholas Wiseman was made president in 1840.⁷⁰ As the first Archbishop of Westminster in 1850, the connection between college and

70. Ibid., p. 272.

bishops was to be further crystallized. In Oscott, therefore, can be found an example of a college which, although not tridentine in the strict sense, since it took in lay students at the time, possessed a very important element of the tridentine ideal: a controlling position for the bishop of the diocese.

Following the councils of Westminster, Bishop Bernard Ullathorne began a diocesan seminary for Birmingham at Olton, withdrawing his students from Oscott. This experiment failed, and in 1889 Bishop Edward Isley determined that Oscott was to be for ecclesiastical students alone. Not only was the college under the direct control of the bishop, but he was also its rector. Although Trent had not called for such close control, the extent to which the decree was being observed at Oscott is remarkable. The college was exclusively dedicated to the training of ecclesiastical students and the bishop of the diocese had sole control, both financially and in practical terms. Such direct influence on the part of the bishop in Birmingham could hardly have been imagined at Ushaw in the same years.

When Cardinal Vaughan succeeded Cardinal Manning as Archbishop of Westminster and put into action his plan for the Central Seminary, a new set of constitutions for

the proposed College was required. A draft version of these appeared on August 29, 1895.⁷¹

The Central Seminary was intended to function under joint episcopal control. Vaughan's desire for a combined effort on the part of the bishops was reflected in the very first paragraph of the document.⁷² It was then stated that one of the main objectives of the scheme would be the provision for the joint control of the bishops, accompanied by a just division of the financial responsibilities.⁷³ The writers of the scheme envisaged certain difficulties, notably the decisions that would be necessary for the bishops to assume their fair share of the expenses, and the working out of

71. These draft constitutions, "A Scheme for the formation of a Central Seminary by a system of joint control and responsibility", are to be found in the Archives at Oscott, (hereafter referred to as O.D.C.). There is a pencil note added to the front page: "Which was not realised."

72. "[...] the all important work of Higher Ecclesiastical Education cannot be successfully carried on in this country, except by a combination of the resources of the Episcopate, it only remains to determine the manner [...]" (O.D.C., n. 1).

73. O.D.C., n. 2.

joint control.⁷⁴ The first proviso was that the entire property at Oscott, together with all "fixtures and fittings" would remain the sole property of the bishop of Birmingham.⁷⁵ It would seem, therefore, that no other bishop would have any say in the management of the buildings. This provides an interesting point of comparison to the problems and difficulties faced in the management of the estates at Ushaw, where all the bishops were involved.⁷⁶

The basis of the joint control was seen in very realistic terms. A merely "moral interest" would not be enough if the bishops were to have a sufficient interest in the college. Their agreement could not be expressed only verbally; there had to be a formal commitment to the financial support of the institution -- beyond paying the fees for the students.⁷⁷ The compilers of the document also concerned themselves with the problem of the succession of bishops.

74. O.D.C., n. 3.

75. O.D.C., n. 5.

76. The problems at Ushaw regarding the financial interests and properties -- such as that at Cornsay Farm -- are well documented in D. MILBURN, op.cit., p. 236.

77. O.D.C., n. 6.

Since bishops are not permanent in their dioceses, the approval of the Holy See for the work of the college was recognised as necessary, if any permanence were to prevail.⁷⁸

The document then went on to outline the system of joint control. The Board of Bishops was to consist of the interested parties.⁷⁹ The Archbishop of Westminster was ex officio chairman; the bishop of Birmingham ex officio vice-chairman.⁸⁰ Each bishop was to have one vote, and they could not withdraw from the project, except with the permission of the Holy See.⁸¹

The powers and responsibilities of the bishops involved were to be wide-ranging. They were to approve the constitutions and rule of the college, and choose the books for use there. The appointment of staff was to be their prerogative,

78. O.D.C., n. 8. The approval of Pope Leo XIII for the work at Oscott has already been noted.

79. Those concerned were the Archbishop of Westminster and the bishops of Birmingham, Portsmouth, Newport and Menevia, Northampton and Plymouth, O.D.C., n. 9. Cardinal Vaughan had hoped to interest the Diocese of Southwark in the project, but work had already begun in earnest on the Seminary at Womersley.

80. O.D.C., n. 10.

81. O.D.C., nn. 16 and 18.

with the important exception of the procurator, whose concern was the financial management of the house and estates, and whose appointment rested with the bishop of Birmingham.⁸² They were to determine and pay the required fees for the students at the college which was to be managed so as to be non-profit making.⁸³ They were to establish a consolidated fund to cover the maintenance of the buildings, provide for the library, and produce an "emergency fund" which would meet the running costs of the college, should there be any loss.⁸⁴

These prescriptions show far-sightedness in that they approach the question of joint control in a realistic fashion, while respecting the right of the bishop of Birmingham to retain control of the buildings and estates. This proved fortuitous. Cardinal Bourne abandoned the idea of the central seminary and concentrated all effort on the diocesan system. Had the buildings and estates been tied up in the joint control agreement, the working out of the situation would surely have been more difficult.

82. O.D.C., n. 11.

83. O.D.C., n. 12.

84. O.D.C., n. 13. The establishment of the fund was to take place through initial contributions, a fee based on the number of students a diocese might have in residence, and by any extraordinary contributions needed from time to time. These too were to be based on the number of students present in the college from any given diocese, O.D.C., n. 14.

iii. Wonersh

Episcopal control was a characteristic of the system at Wonersh from the very beginning. The seminary had been founded as a response to the decrees of Trent, and followed the wishes of Cardinals Wiseman and Manning at the Westminster councils. The commencement of the seminary had, initially, been the concern of Bishop James Dannel, the second bishop of Southwark.⁸⁵ The seminary was, from the beginning, a responsibility of the bishop and would remain so.

Bishop John Butt made it his particular concern to complete the work begun by Danell. By 1891 the seminary buildings were nearing completion. In April of that year, in a letter to the clergy, he called for a "vocations drive" on their part and for the financial support of the whole diocese. There is a reference to the position of the bishop regarding the acceptance of students. It would seem that, in the Southwark diocese at least, the bishop had for some time been the one to accept students for the seminary, and

85. "The funds which have enabled us to carry out this important work so far were provided almost entirely by the indefatigable exertions of our venerated predecessor, Bishop Dannel" (Archives of the Archdiocese of Southwark: Bishop John Butt, Pastoral Letter for Rosary Sunday, October 1891).

this at a time when the priests for the diocese were being trained at Ware.⁸⁶ This was certainly to be the continued pattern of admissions to the seminary until recent times.

Bishop Butt had appointed Fr. Francis Bourne the first rector of the seminary. During his time at the seminary, Bourne laid down much of the patterns of training that would continue for a long time. Later, as bishop of Southwark, he produced a document entitled "The Government of the Seminary" which was marked "confidential". The document displays clearly the relationship between bishop and seminary; more specifically between bishop and rector. Although produced after his time as rector, it derives from his experience at Womersley. It is therefore of some importance.

The first article of this document expresses the basis for the relationship between the bishop and his seminary: it is seen to rest in the person of the rector, who is appointed by the bishop. The rector is responsible for the running of the seminary in every aspect, with the temporalities entrusted to the procurator. No alteration could be made to

86. "In accordance with a practice which has existed in this diocese from the days of my venerated predecessor, Bishop Grant, the names of Church student candidates are submitted to the Cathedral Chapter, and from among those recommended by the Canons a selection is made by the Bishop." (Archives of the Archdiocese of Southwark: Bishop John Butt, Letter to the Clergy, April 18, 1891).

the buildings without the permission of the bishop himself.⁸⁷

The document lays down in some detail the method by which the rector is to govern the seminary, and the means to be used in assessing candidates for orders. Since the rector is seen to act in loco episcopi in many areas, there are few direct references to the bishop himself. However, it was stated that whenever, according to the provincial councils, the intervention of the bishop was required, consultation between the two was to take place.⁸⁸ Furthermore, episcopal control extended to the work of the seminary staff, in that they were not expected to undertake any external ministry whatsoever, or be absent on Sundays, without the permission of the bishop.⁸⁹ Such a prescription expressed the concern of the bishop for the community of the seminary, as well as the pastoral control of the diocese.

— This approach illustrates something of an important departure from previous measures: the bishop was to hold a controlling influence through the person of the rector

87. Archives of the Archdiocese of Southwark: Francis BOURNE, "The Government of the Seminary", n. 1.

88. Ibid., n. 7.

89. Ibid., n. 10.

of the seminary, to whom, in turn, the staff were responsible. In fact, it is this method of episcopal control that has become most prevalent.

iv. Ware

The situation at Ware during the latter half of the XIXth Century strongly reflects the opinions and intentions of the various archbishops of Westminster. This arose as a result of the pre-eminent position of the Westminster Diocese, and the role of the Archbishop in the councils. Thus, when Manning had the care of the diocese, and was attempting to impose a more literal following of the Tridentine scheme, the degree of episcopal control in seminary formation was great.

The fortunes of the seminary at Ware changed yet again when Vaughan made the policy decision to work towards the Central Seminary. His degree of personal control was as great as that of his predecessor, and his intentions regarding his own diocesan seminary were as dramatic, but they were focused in a different direction. It might be said that the position of the Archbishops of Westminster led them to take a stand that was more concerned with the Church in the country as a whole. Their intentions were not directed

only to the needs of the Westminster diocese: this led them to their differing policies with regard to priestly formation. Hence, during both these episcopates, the role of St. Edmund's as a place of formation for the clergy of the specific dioceses concerned was somewhat diminished.

St. Edmund's took a further turn in 1903, with the arrival of Francis Bourne as archbishop. His background at Womersley and as bishop of Southwark was to have a profound effect on the seminary. Bourne was firmly convinced of the value of the tridentine scheme. This was seen in his complete reversal of the position taken by Vaughan and his removal of the Westminster students from Oscott and their return to Ware and the diocese they were intended to serve.⁹⁰

The rule in use at Ware at the time of Bourne's arrival was, in large part, taken from Douai. The president of the college held total power in all things, including

90. E. OLDMEADOW, Francis Cardinal Bourne, vol. I, London, Burns, Oates and Washbourne, 1940, p. 220.

the decision to admit and to remove students.⁹¹ The appointment of the president was the task of the archbishop, while other appointments within the college were to be made by the president himself, with the approval of the archbishop and Chapter.⁹² The similarity between the rules in use at Ware and at Ushaw is not surprising, due to their common heritage.

In the time leading to the promulgation of the 1917 Code of Canon Law, therefore, three slightly different approaches to seminary governance were emerging. Firstly, the one stemming from the Douai tradition (Ushaw and Ware), where the bishop had less immediate power than was envisaged at Trent. The president of the college was vested with very great powers of governance over the institution: these at

91. "The President is the general and immediate superior of all without exception who belong as members to the college" (Archives of Archdiocese of Westminster: "Extracts from the Rules of the College of St. Edmund's", n. II). This document was drawn up during the time when the Central Seminary was in operation at Oscott, but refers to the structure of the College as if formation of ecclesiastical students was taking place.

92. "It belongs exclusively to the office of President to admit and discharge all members or subjects of this college in whatever capacity or quality they may be; likewise to appoint and discharge the Vice-President [...]" (*ibid.*, n. IX). There is a footnote attached to this regulation regarding the role of the Archbishop and Chapter in their approval of appointments.

times -- notably at Ushaw -- were closely guarded. In the situation at Ware the powers were somewhat tempered by the intentions of the Archbishop of Westminster with regard to priestly training throughout the country. Secondly, there was the very close episcopal control deployed at Oscott in the period leading to the proposed Central Seminary, which was expressed in realistic concern for diocesan property in the joint control proposals. Thirdly, there was the strictly tridentine model in use at Womersley, with the rector of the seminary acting under the direction and approval of the diocesan bishop, who held control over appointments of staff and also over the admission and removal of students.

III. The 1917 Code of Canon Law

The next major legislative impact on the English seminaries came with the promulgation of the 1917 Code of Canon Law. There had been some intermediate activity, notably in the encyclicals of Leo XIII and Pius X, but these followed the previous pattern of legislation, re-enforcing the desire

for conformity with Trent, and the importance of adequate seminary formation.⁹³

The 1917 Code also called for seminaries in each diocese. In the larger dioceses there were to be two seminaries, one for junior students, the other for seniors. Here too, however, the legislator allowed that when it was impossible for one diocese to manage alone, there could be interdiocesan seminaries established, or the bishop could simply choose to make use of the seminary in a neighbouring diocese.⁹⁴ It is interesting to note that a bishop could simply employ the seminary of another diocese. The terms "interdiocesan" and "regional" illustrate the number of systems of training that had evolved over the years. Any such system was to be approved by the Apostolic See.

93. "Quamobrem pars potior diligentiarum vestrarum sit de seminariis sacris rite ordinandis moderandisque, ut pariter integritate doctrinae et morum sanctitate floreant. Seminarium cordis quisque vestris delicias habetote, nihil plene ad eius utilitatem omittentes, quod est a Tridentina Synodo providentissime constitutum" (PIUS X. Encyclical E supremi, October 4, 1903, in A.S.S., 36(1903), p. 135).

94. Codex Iuris Canonici. Pii X Pontificis Maximi iussu digestus Benedicti Papae XV auctoritate promulgatus, Rome, Typis Polyglottis Vaticanis, 1917, c. 1354. (hereafter referred to as C.I.C. (1917)).

The 1917 Code also described the seminary itself in juridic terms, recognising it to be a "non-collegiate moral person", designed to take care of its own estates and properties with a view to the training of priests.⁹⁵

The first aspect of episcopal control with which the Code was concerned was financial support. It was envisaged that the seminary would have a certain endowment. However, when revenues did not meet expenses, the bishop had three other methods of collecting the balance. He could call for a collection in the churches of the diocese; or he could impose a tax; or he could grant non-residential benefices to the seminary.⁹⁶

Flowing from this general financial control, the bishop had the overall responsibility for the running of his seminary. It was his task to approve the rules and ensure their observance by means of visitations. Just as Trent had specified his particular areas of concern, so too the 1917 Code expressly mentioned the piety, progress and dispositions of the students. Special care was to be taken when

95. C.I.C. (1917), c. 99.

96. C.I.C. (1917), c. 1355.

proximate preparation for ordination was taking place.⁹⁷ Where interdiocesan or regional seminaries were in existence, the regulations laid down by the Holy See were to be followed.⁹⁸

To assist him in his task, there were to be two boards of governors for each seminary. One of these was to be concerned with the financial aspects, the other with the discipline of the house. The bishop was to consult with the chapter before appointing his boards, and each was to consist of two priests, appointed for six years. If the bishop felt it necessary, he could consult with both groups.⁹⁹

Particular mention was made of the bishop's role in the supervision of the spiritual training in the seminary. The canons enunciate the areas of special concern: daily Mass, meditation and prayer; weekly Confession and frequent Communion; assistance at the Solemn liturgies on Sundays and Holy days; annual retreat and weekly spiritual conference.¹⁰⁰

97. C.I.C. (1917), c. 1357. 1-3.

98. C.I.C. (1917), c. 1357. 4.

99. C.I.C. (1917), c. 1359.

100. C.I.C. (1917), c. 1367.

The appointment of staff to the seminary was also to be the concern of the bishop, with the assistance of the governing boards. Staff were to be properly trained in the discipline they were to study, preferably holding doctorates.¹⁰¹ In all things, the major assistant to the bishop in the running of his seminary was recognised to be the rector. He was made responsible for ensuring that the rules of the seminary were observed, and that the professors fulfilled their work adequately.¹⁰²

It was this firm body of legislation that was eventually to form the basis for renewed episcopal control of the seminaries in England. While each house was very careful to maintain its own traditions, a somewhat more common approach to priestly formation emerged. The rules for the internal governance of the seminaries written after the promulgation of the 1917 Code showed a certain degree of uniformity and were to remain unchanged for many years.¹⁰³

101. C.I.C. (1917), c. 1366. 1.

102. C.I.C. (1917), c. 1369. 1.

103. The Rule of St. Edmund's, Ware, written in 1935 remained unchanged up to, and including, the edition issued in 1964.

One important area to which the new legislation brought some clarity was the designation of the seminaries. The differing situations of the four seminaries in England might have raised the question: are they regional, provincial or diocesan? With the canons of the 1917 Code in mind, this question could be solved.

The situation at Wonersh was clear enough. The seminary had been founded as a diocesan seminary, in accordance with a strict interpretation of Trent. The fact that students from the dioceses of Portsmouth, Plymouth, Menevia, and Brentwood were at times sent to Wonersh for their studies was in accord with the prescription that dioceses without their own seminaries could use that of another.¹⁰⁴ The position at Ware was similar. The seminary there was archdiocesan, under the control of the archbishop of Westminster, accepting students from other dioceses, in accord with their various needs.

The situations at Ushaw and at Oscott were slightly different. There was a definite element of joint control among the bishops who sent their students to these seminaries.

104. C.I.C. (1917), c. 1354. 3.

However, neither of these colleges was inter-diocesan in the strict sense of the word. Their erection as inter-diocesan seminaries had not been approved by the Holy See -- they were inter-diocesan de facto, rather than de iure. Clearly, this situation was the result of historical circumstances. It provides an interesting variation -- albeit an effective one -- on the law of the Church as promulgated in the 1917 Code.

Conclusions

The years following the councils of Westminster, therefore, saw the development of varying forms of episcopal control and governance of seminaries. Each form was, in large part, a result of the historical developments and traditions of former times, tempered by the intentions of the bishops currently involved in the dioceses concerned. These forms of governance were to remain, in large part, into recent times. With this background in mind, it will now be possible to examine more recent legislation and its implementation, as well as to consider the requirements of the Second Vatican Council regarding a Ratio sacerdotalis institutionis.¹⁰⁵

105. VATICAN II, Decree "Optatam totius", De institutione sacerdotali, October 28, 1965, in A.A.S., 58(1966), n. 1., p. 713.

CHAPTER III

POST VATICAN II LEGISLATION AND ITS IMPLEMENTATION IN THE ENGLISH SEMINARIES

The 1983 Code of Canon Law was promulgated on January 25, 1983, by the Apostolic Constitution Sacrae disciplinae leges where Pope John Paul II described the link between the Code and the Second Vatican Council. It notes that Pope John XXIII had called for the revision of the Code of Canon Law and this call was reiterated by the Council fathers. Thus, the 1983 Code is inextricably linked with the work of the Council itself -- a work that was a prerequisite for its preparation.¹ In approaching the question of seminary legislation in the 1983 Code, therefore, it will first be necessary to examine the understanding that emerged from the Council itself.

I. The Second Vatican Council

The Second Vatican Council opened on October 11, 1962. This saw the beginning of an event in the life of

1. "Quapropter novus Codex, qui hodie in publicum prodit, praevidiam Concilii operam necessario postulavit [...]" (JOHN PAUL II, Apostolic Constitution Sacrae disciplinae leges, January 25, 1983, in Codex Iuris Canonici, auctoritate Ioannis Paulii II promulgatus, Vatican City, Libreria Editrice Vaticana, 1983, p. viii; English translation in The Code of Canon Law in English Translation, London, Collins, 1983, p. xi. (Hereafter referred to as C.I.C., (1983)).

the Church that would, over a four-year period, bring about many changes and lead it to consider with renewed vigour the responsibilities and obligations arising from its mission to preach the Gospel. At Trent, the fathers had recognised the need for an effective and well-trained clergy for the success of renewal in their own time. A similar element was present in the work of the Second Vatican Council. While the Council was in session, Pope Paul VI, in the Apostolic Letter Summi Dei Verbum, issued in 1963 to commemorate the fourth centenary of the tridentine decree on seminaries, called for the support of the seminary as an institution, and for Ordinaries to assume their responsibilities with regard to the acceptance of candidates.² He spoke also of the preparation of the document on priestly formation that was under way at the time and of the intention of the Council to bring about a synthesis and an updating of the tridentine

2. "Scilicet universos catholicae Ecclesiae filios commonere cupimus, ut se communi officio divinctos sentiant, auxiliatricem operam, quaecumque ea est Seminariis navandi. [...] Ex quo consequantur ut formidandum gravissimumque onus atque periculum in Ordinarios cadere dicendum sit [...]" (PAUL VI, Apostolic Letter Summi Dei Verbum, November 4, 1963, in A.A.S., 55(1963), pp. 984 and 988; English translation in T.P.S., 9(1963), pp. 243 and 245).

decree and the intervening legislation.³

i. The development of Optatam totius

The path of Optatam totius towards its final approval proved to be a long one. The commission on studies and seminaries handed its first draft to the Central Preparatory Commission in 1962. As with the first drafts of other documents, the text reflected previous thought rather than offering a new outlook. While it did call for better preparation of seminary staffs and made mention of pastoral training, it was in many respects judged unsatisfactory.⁴ Presented together with this proposal was the text of another possible document on vocations; the Central Commission decided to merge the two, thus forming the second draft.

A third draft of the document was issued in March 1963. This was a better document in many ways: it was shorter

3. "Praetera ad Oecumenicum Concilium Vaticanum II lata est Constitutio De sacrorum alumnis formandis quae, com probata erit, opportuna Concilii Tridentini decreta, aliaque subsequentia Apostolicae Sedis praescripta perficiet [...]", (A.A.S., loc.cit., p. 989; T.P.S., loc.cit., p. 246).

4. An examination of the progress of Optatam totius can be found in J. BARRY, Ecclesial Norms for Priestly Formation, St. Paul University, Ottawa, 1982, pp. 10 - 15. See also D. HURLEY and J. CUNNANE, Vatican II on Priests and Seminaries, Dublin, Sceptre, 1967. The treatment of this document in this paper will necessarily be more limited in scope.

than its predecessor and expressed the central concern of the writers in the section entitled "The aim of formation and the organisation of seminaries".

Here, the three goals of preaching, worship and "pastoral" ministry were outlined, together with the structures necessary for their development. This third schema became the effective basis for the final document, although by the time it reached its fifth draft in March 1964, some significant changes in structure had been introduced.

In January 1964, the Co-ordinating Commission called for a reduction in the size of the document, in order that it be prepared for voting purposes. The result of this shortening process was a series of nineteen propositions.

The part of the document calling for local legislation was placed at the beginning of the text; the section on spiritual formation was improved somewhat and seminary discipline was included therein. This reduced schema was discussed during the third session of the Council in September 1964. The overall reaction of the Council fathers was that it had now become too brief.

The commission produced a sixth schema which was

favourably received.⁵ Nevertheless, a number of suggested revisions were incorporated into the definitive version, which was completed on May 3, 1965. The individual propositions were put to the Council fathers once again and the final text was voted upon.⁶ The result was a convincing one in favour of the completed document.⁷ The Decree was finally approved and promulgated by Pope Paul VI on October 28, 1965.⁸

ii. Characteristics of the Text

The text of Optatam totius⁹ is divided into twenty-two paragraphs, in the following manner:

5. The voting on the schema took place by groups of articles. For the results, see Acta Synodalia Sacrosancti Concilii Oecumenici Vaticani II, Romae, Typis Polyglottis Vaticanis, 1970, 4-4-4, p. 32.

6. For the results on the final revisions, see ibid., 4-4-4, pp. 171 - 172 and 225 - 226.

7. The result of the final vote on the text was: Placet: 2196; Non placet: 15; Nulla: 1; see ibid., 4-4-4, p. 392.

8. The result of the vote preceding promulgation was: Placet: 2318; Non placet: 3; see ibid., 4-4-5, p. 674.

9. VATICAN COUNCIL II, Decree "Optatam totius", De institutione sacerdotali, October 28, 1965, in A.A.S., 58(1966) pp. 713 - 727; English translation in A. FLANNERY, (ed.), Vatican Council II, The Conciliar and Post-Conciliar Documents, Leominster, Fowler Wright, 1981, pp. 707 - 724. (Hereafter referred to as O.T.).

- i) Priestly Training in different countries.
- ii) More intensive fostering of vocations.
- iii) Major Seminaries.
- iv) Greater attention to spiritual training.
- v) The revision of ecclesiastical studies.
- vi) Attention to strictly pastoral training.
- vii) Later studies.¹⁰

These are preceded by an introduction and are followed by a conclusion. The introduction places the whole document in the context of the Council's concern for a well-formed clergy whose lives are centred on Christ and who would play a vital part of the renewal of the whole Church.¹¹

One of the most far-reaching prescriptions of the document was contained in the first paragraph, where the call was made to each nation to have its own Ratio institutionis sacerdotalis; this document was to be drawn up by the Episcopal Conference and approved by the Holy See,¹² thus adapting priestly training to the culture and needs of the country concerned.

10. Titles as given in A. FLANNERY, op.cit., pp. 707 - 724.

11. "Optatam totius Ecclesiae renovationem probe noscens Sancta Synodus a sacerdotum ministerio, Christi spiritu animato, magna ex parte pendere, gravissimum institutionis sacerdotali momentum proclamat [...]" (O.T. Introduction).

12. "[...] in singulis nationibus vel ritibus peculiaris "Sacerdotalis Institutionis Ratio" ineatur [...]" (O.T., n. 1).

The decree treated of the fostering of vocations in general terms in paragraph 2. The bishops were called upon to encourage concern for vocations,¹³ although the general duty was seen to rest upon all. There was also, within the context of fostering vocations, a treatment of minor seminaries. However, in England this is of little practical concern, since there has been a total move away from the minor seminary.

The desire of the Council that the major seminary remain the normal place for the formation of candidates for the priesthood was stated in unequivocal terms,¹⁴ responding to many criticisms about the value of the seminary as a viable institution.¹⁵ The fundamental aim of the institution was spelled out: to train candidates in the ministries of Word, worship, sanctification and shepherding. These elements

13. "Episcoporum autem est in vocationibus provehendis gregem suum excitare arctamque omnium virium laborumque curare coniunctionem [...]" (O.T., n. 2).

14. "Seminaria Maiora ad sacerdotalem conformationem necessaria sunt" (O.T., n. 4).

15. It is not within the scope of this paper to investigate the various opinions of the time. A short assessment of the tension between "discipline and experience" is outlined in D. HURLEY and J. CUNNANE, op.cit., p. 186.

were to be undertaken in a pastoral perspective.¹⁶ The role of the bishop was recognised as central in this process: the work of the seminary staff, under the direction of the rector, was placed firmly under the overall guidance of the bishop. The relationship between the bishop and his students was also to be fostered.¹⁷

Just as Trent and the 1917 Code of Canon Law had addressed the question of joint efforts among dioceses, so too Optatam totius allowed for the establishment of inter-diocesan seminaries, either on a regional or a national basis. The regulations concerning their government were to be drawn up by the bishops concerned and approved by the Holy See.¹⁸ This represents a departure from the legislation of the 1917 Code of Canon Law, in that the responsibility for the required

16. "[...] praeparantur ergo ministerium verbi [...] ad ministerium cultus et sanctificationis [...] ad ministerium Pastoris [...] Quare omnes institutionis rationes, spiritualis, intellectualis, disciplinaris, consociata actione ad hunc finem pastorem ordinentur [...]" (O.T., n. 4).

17. "Episcopus autem assidua praedilectionis cura animet eos qui in seminario laborant ac ipsis alumnis se demonstret verum in Christo Patrem" (O.T., n. 5).

18. "Haec vero Seminaria, si regionalia sint vel nationalia, regantur iuxta statuta ab Episcopis quorum interest condita et ab Apostolica Sede probata" (O.T., n. 7).

norms was now placed firmly in the hands of the bishops, rather than with the Apostolic See.¹⁹ This was a consequence of the principle of subsidiarity that was such a key element in the work of the Council.²⁰

Spiritual formation was treated at some length in the document, with particular attention being paid to the link between the spiritual and the other areas of formation. The place of the bishop in the overall scheme was again made evident: the student was to be formed to see Christ in his bishop and to respect him. The Eucharist, the Scriptures and the Liturgy of the Hours were recognised as central to the life of the student, and development in love for the Church and in an understanding of the evangelical counsels -- especially celibacy -- were further vital elements. The question of seminary discipline was seen to be rooted in

19. "Seminarii interdiocesani vel regionalis regimen universum et administratio regitur normis a Sancta Sede statutis" (C.I.C. (1917), c. 1357. 4).

20. VATICAN COUNCIL II, Decree "Christus Dominus" De pastorali episcoporum munere in ecclesia, October 28, 1965, in A.A.S., 58(1966), pp. 673 - 701; English translation in A. FLANNERY, op.cit., p. 569. (Hereafter referred to as C.D.).

both community life and the development of self-discipline.²¹ The principle of subsidiarity was expressed here also, in that the bishop was called to establish norms for extended spiritual preparation and, if it was considered necessary, to raise the minimum age for ordination.²²

The Council fathers considered the curricula in use in the seminaries and called for revisions. The document addressed each of the disciplines involved in the programme of studies and prescribed a better inter-relationship among them.²³ The final aim was to achieve an overall training that would lead to a thorough formation of the student.²⁴ Once again, the pastoral aim was kept in view. Particular mention was made of the bishop's responsibility to prepare priests to assist in the work of formation.²⁵

21. O.T., nn. 8 - 11.

22. "Episcoporum erit congruum instaurare temporis intervallum pro impensiore tirocinio spirituali [...] Pro singularum regionum condicionibus Episcoporum pariter erit decernere de protrahenda aetate a iure communi in praesenti pro sacris ordinibus expositulata [...]" (O.T., n. 12).

23. O.T., nn. 113 - 116.

24. "Cum vero doctrinalis institutio non ad meram notionum communicationem, sed ad veram intimamque alumnorum formationem tendere debeat" (O.T., n. 17).

25. O.T., n. 18.

The other significant development in this document lay in the prescriptions concerning pastoral training. Although this had been prescribed in a very limited form in the 1917 Code of Canon Law,²⁶ in Optatam totius the prescriptions went considerably further. The document provided a wide-ranging list of the disciplines required in pastoral training, and laid down the principle that students were to experience pastoral work in its various forms, under the direction of suitable priests.²⁷ Such an undertaking would require the support and involvement of the bishop.

The emphasis of this document, therefore, was on the "wholeness" required in priestly formation. The various aspects of the programme are to be inter-related with this in mind. The most important single development, from the point of view of episcopal control of the seminaries, lay in the requirement for each Episcopal Conference to produce a Ratio institutionis sacerdotalis. Much of the documentation concerning priestly formation to emerge from the Holy See in the years since the Council has been concerned with the implementation of these principles.

26. C.I.C. (1917), c. 1365.

27. O.T., nn. 19 - 21.

II. The Post Conciliar Documents

i. The Ratio fundamentalis

The most important of the documents to follow Optatam totius was the Ratio fundamentalis institutionis sacerdotalis, issued by the Sacred Congregation for Catholic Education on March 16, 1970.²⁸ This document came as a response to Optatam totius itself, and the call therein for national Rationes;²⁹ it followed the wishes of the 1967 Council of Bishops that a "Basic Plan" be produced, to serve as a norm, as a means to a certain conformity, and as a guide for future Rationes.³⁰ In every way, the Ratio fundamentalis followed the thinking and intentions of the Council.

The essential elements of the final work were to be regarded as normative.³¹ If any episcopal conference felt

28. SACRED CONGREGATION FOR CATHOLIC EDUCATION, Ratio fundamentalis institutionis sacerdotalis, March 16, 1970, in A.A.S., 62(1970), pp. 321 - 384; English translation in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, Norms for Priestly Formation, Washington D.C., N.C.C.B., 1982, pp. 15 - 60. (Hereafter referred to as R.F.).

29. O.T., n. 1.

30. "Ad opportunum videatur ut, enumeratis thematibus quae cunctis Rationibus institutionis sacerdotalis inserantur oportet, praeparetur [...] ita ut norma fiat omnibus Rationibus conficiendis, ad unitatem servandum simulque sanam varietatam admittendam" (R.F., preliminary remarks).

31. R.F., Preliminary remarks, n. 2.

the necessity to depart from the basic scheme to any major extent, the matter was to be brought to the attention of the Sacred Congregation for Catholic Education.³²

From the very beginning, the clear aim of the Ratio fundamentalis was to develop the principles outlined in the Council document. The central part of this process was to be the development of the national Rationes to be drawn up by the episcopal conferences and approved by the Sacred Congregation for Catholic Education ad experimentum. The responsibility for this was placed with the conference, not with the individual bishops. During this experimental period, the conference was to assess its document and make any adjustments thought necessary, before seeking final approbation by the Holy See. Further revisions and approvals were also envisaged.³³ While the resulting Ratio was to be followed throughout the territory concerned (in the case of the United Kingdom, the episcopal conference takes in the territories of England and Wales), each seminary was to have its own individual

32. "Quod si in aliquibus Nationibus vel Regionibus rerum condiciones eiusmodi sint [...] res inter Sacram Congregationem pro Institutione Catholica et eorum locorum Conferentias Episcopales pertractanda est" (R.F., Preliminary remarks, n. 2).

33. R.F., n. 1.

rule, approved by the bishop, in order that the Ratio be put into practice at the local level.³⁴

There is found in the document a significant development over previous legislation. The intervention of the episcopal conference in the whole plan of formation assumes a new importance, so as to develop a certain uniformity within each region. It also means that there is a further stage in the legislative process with regard to seminaries. In the case of the diocesan seminary, the diocesan bishop no longer merely implements the universal legislation in isolation from the dioceses around him. He now acts in union with his brother bishops in the territory of the conference. Likewise, in the case of the regional seminary, the situation is similar in many ways: the bishops concerned must still take into account the Ratio of their territory, even though control of such institutions is more closely entrusted to the Holy See.³⁵ The over-riding concern of the Holy See

34. R.F., n. 2. Note also: "In unoquoque Seminario disciplinae Ordinatio [...] habeatur, ab Episcopo [...] approbata, qua indicentur potiora disciplinae capita quae ad alumnorum cotidianam vitam et totius Instituti ordinem spectant" (R.F., n. 25).

35. O.T., n. 7.

was that all legislation concerning priestly formation be in accord with Optatam totius.³⁶

In the establishment of major seminaries, the requirements of suitable staff, buildings and a sufficient number of students were laid down, and the possibility of dioceses joining together in the undertaking was recognised.³⁷

The question of staffing was addressed in the document and the role of the bishop in this area was recognised as central. The document distinguished between two "grades" of staff: those in authority -- namely the rector, vice-rector, spiritual director, prefect of studies, prefect of discipline, pastoral director, bursar and librarian -- and the professors. The "officers" were to be appointed by the bishops concerned.³⁸ Although, as a general rule, professors were to be appointed by the bishops, the possibility of other methods of appointment was envisaged.³⁹ In each case, the

36. R.F., n. 4.

37. R.F., n. 21.

38. R.F., n. 27.

39. R.F., n. 28.

bishop was to consult the rector and staff before making an appointment and provision was made for suggestions coming from the staff itself.⁴⁰ Indeed, the importance of its role was emphasised; the professors were to take on no work that would keep them from their primary task.⁴¹

A further task for the bishop stemmed from the concern regarding spiritual formation. In the Ratio fundamentalis, the bishop was called upon to appoint a number of suitable directors for the seminary.⁴² Students were to have total freedom of choice of a director from those on the list. The spiritual programme was to consist of the elements mentioned in previous legislation: daily celebration of the Eucharist, the prayer of the Divine Office, frequent recourse to the Sacrament of Penance, spiritual conferences, retreats, time of recollection and so forth.⁴³

The whole programme of studies was envisaged, therefore, as taking place under the guidance of superiors and

40. R.F., n. 33.

41. "Professores officia ne sibi sumant, quibus a suo munere rite implendo impediuntur; ideo etiam aequa remuneratione donari debent [...] laudabiliter tamen quaedam ministeria moderate exercebuntur [...]" (R.F., n. 37).

42. R.F., n. 55.

43. R.F., nn. 52 - 56.

professors, who performed their functions at the behest of the bishops concerned with the seminary. The rector, in particular, was responsible to the bishop for what took place in the seminary. In this document, therefore, the assessment of students approaching ordination was left in the hands of the rector and staff, who were called to make themselves as knowledgeable as possible about each student.⁴⁴

The role of episcopal conferences in the production of legislation was also recognised in other areas. For instance, the conference was provided with the opportunity to consider regional variations with regard either to periods spent considering the priestly vocation before the start of the seminary course, or to interruptions in the course for the purposes of pastoral experience, or to the feasibility of a pastoral diaconate.⁴⁵ If the latter opportunity were to be taken up, then some time for the "drawing together" of the entire study programme was suggested for the period after the pastoral internship.⁴⁶ The conference was also given the opportunity

44. R.F., n. 41.

45. R.F., n. 42.

46. R.F., n. 63.

to raise the age of ordination above that foreseen in the universal law.⁴⁷

Clearly, the effects of this document were potentially very wide-ranging. The implementation of the principles contained therein has taken place in various ways in different countries, and with varying speed and effectiveness.⁴⁸

ii. Documents since the Ratio fundamentalis

Following the publication of the Ratio fundamentalis, a series of documents has been promulgated. The first of these⁴⁹ treated of philosophical formation and made explicit reference to the need of preserving a fitting place for the

47. R.F., n. 43. At the time of promulgation of the document, the ages for the reception of Orders were 22 for the diaconate and 24 for the priesthood. (C.I.C. (1917), c. 975).

48. For a thorough survey of the implementation of Optatam totius and the Ratio fundamentalis in the varying situations, see J. BARRY, op.cit., and "The Implementation by the Episcopal Conferences of the Conciliar Decree Optatam totius", in Studia Canonica, 18(1982), pp. 291 - 324.

49. SACRED CONGREGATION FOR CATHOLIC EDUCATION, "L'Enseignement de la Philosophie dans les Séminaires", January 20, 1972, in La documentation catholique, 69(1972), pp. 262 - 267; English translation in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., pp. 99 - 107.

study of philosophy in priestly formation.⁵⁰ Cardinal G.M. Garrone, in the document, spoke of the problems arising from abuse and neglect in this area of study.⁵¹

The next document in the series concerned training in priestly celibacy. It was a response to the Encyclical of Pope Paul VI, Sacerdotalis caelibatus, of June 24, 1967.⁵² It did not appear until 1974 since consultation with the episcopal conferences formed part of its preparation.⁵³ The document was offered to the bishops in order to help them in their responsibilities in formation,⁵⁴ recognising the fact that the discipline of celibacy was not always well understood.⁵⁵

50. "[...] tout en maintenant intégralement le temps assigné à la philosophie, c'est-à-dire les deux ans prévus au n. 61c de la Ratio fundamentalis" (ibid., n. III,1, p.266).

51. "La S. Congrégation pour l'Education catholique [...] a pu [...] relever des signes inquiétants, capables d'engendrer quelquefois défiance et découragement" (ibid., p. 262 covering letter of Cardinal Garrone).

52. POPE PAUL VI, Encyclical Letter Sacerdotalis caelibatus, June 24, 1967, in A.A.S., 59(1967), pp. 657 - 697, n. 61; English translation in T.P.S., 12(1967), pp. 291 - 319.

53. "This lateness can be explained by a concern to submit the text to the episcopal conferences [...]" (SACRED CONGREGATION FOR CATHOLIC EDUCATION, "A Guide to Formation in Priestly Celibacy", April 11, 1974, presentation by Cardinal Garrone, in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., pp. 155 - 205).

54. Ibid., presentation by Cardinal Garrone.

55. Ibid., n. 15.

In 1975, a third document treating the place of canon law in the seminary programme was issued.⁵⁶ It reminded bishops and seminary staffs that the 1917 Code was not abrogated⁵⁷ and that no seminary should be without a professor of canon law.⁵⁸

This was followed by a further document concerning theological formation.⁵⁹ It was a "sequel" to that on philosophy and was addressed to bishops and seminary staffs.⁶⁰ Following the principle of "generic study" laid down in Optatam totius,⁶¹ the topic was addressed from the standpoint of

56. SACRED CONGREGATION FOR CATHOLIC EDUCATION, "On the Teaching of Canon Law to those preparing to be Priests", April 2, 1975, in Commentarium pro Religiosis, 56(1975), pp. 279 - 283; English translation in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., pp. 147 - 151.

57. Ibid., Introduction.

58. Ibid., III, n. 1.

59. SACRED CONGREGATION FOR CATHOLIC EDUCATION, "The Theological formation of Future Priests", February 22, 1976, in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., pp. 63 - 95.

60. "In recent years, numerous problems have arisen that demand attention and consideration of all responsible. For this reason the Sacred Congregation for Catholic Education feels compelled to address bishops and their collaborators in priestly formation [...]" (ibid., nn. 1 - 2).

61. "The generic method laid for Dogmatic Theology by Vatican Council II consists of five stages: Sacred Scripture, the patristic tradition, history, speculation, the liturgical life and life of the Church with an application to the problems of today" (ibid., n. 89. This follows O.T., n. 16).

the pastoral demands of the priesthood. The call was made for a well co-ordinated regime of theological study.⁶²

In 1979 a document on liturgical formation was issued.⁶³ While laying down fundamental principles, it called for the episcopal conferences to apply them to the local situation.⁶⁴ In 1980 a circular letter on Spiritual formation was sent to all local Ordinaries. By the time this document was issued there had been some experience of the national Rationes and the congregation pointed out that the episcopal conferences had responded to many of the needs.⁶⁵ However, it was felt that some matters were worthy of attention and the document called for a wider use of periods of pre-seminary formation.⁶⁶

62. Ibid., n. 71.

63. SACRED CONGREGATION FOR CATHOLIC EDUCATION, "Instructio de Institutione Liturgica in Seminariis", June 3, 1979, in Notitiae, 15(1979), pp. 526 - 565; English translation in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., pp. 111 - 144.

64. Ibid., n. 6.

65. SACRED CONGREGATION FOR CATHOLIC EDUCATION, "Circular Letter concerning Some of the More Urgent Aspects of Spiritual Formation in Seminaries", January 6, 1980, in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., pp. 209 - 223.

66. Ibid., Introduction.

The continuing development of seminary curricula has led to further documents. In 1986, a text concerning training in social communication was issued.⁶⁷ In 1987, another one concerning awareness of the traditions of the Eastern Churches was issued.⁶⁸

In all these documents there are a number of common elements. Firstly, the role of the episcopal conferences and the bishops in implementing the general prescriptions is heavily emphasised. Secondly, the desired integration of the various elements of priestly training, always with the pastoral aim in view, is paramount.

iii. The Apostolic Constitution Sapientia christiana

On April 15, 1979, Pope John Paul II promulgated the Apostolic Constitution Sapientia christiana, concerning ecclesiastical universities and faculties. On April 29,

67. CONGREGATION FOR CATHOLIC EDUCATION, Guide to the Training of Future Priests concerning the Instruments of Social Communication, London, Catholic Truth Society, 1986, 55p.

68. CONGREGATION FOR CATHOLIC EDUCATION, "Appel au développement des études sur les Eglises Orientales", January 6, 1987, in La documentation catholique, 84(1987), pp. 769 - 771.

the Sacred Congregation for Catholic Education issued norms for implementation to accompany the constitution.⁶⁹

Although the document was largely concerned with universities and faculties, there were some prescriptions of significance for seminaries. For instance, the document recognised the pre-eminent place of the ecclesiastical faculty in the academic formation of candidates for the priesthood.⁷⁰

The question of governance of universities and seminaries was also addressed, in order that the specific nature and requirements of the seminary community be safeguarded. Administration of a faculty of theology was to be kept separate from that of the seminary.⁷¹

69. JOHN PAUL II, Apostolic Constitution "Sapientia christiana", on Ecclesiastical Universities and Faculties, April 15, 1979, in A.A.S., 71(1979), pp 469 - 521; English Translation: London, Catholic Truth Society, 1979, 92p. The norms for implementation of the constitution were printed together with the constitution.

70. "His facultatibus imprimi gravissimum concredidit officium proprios studentes peculiari cura praeparandi ad ministerium sacerdotale [...]" (ibid., n. III, see also nn. 3.2 and 74).

71. "Si facultas cum aliquo seminario vel collegio coniuncta sit, salva debita cooperatione in omnibus, quae ad bonum studentium pertinent, statuta clara et efficaciter provideant ut rectio academica et administratio facultatis a regimine et administratione seminarii vel collegii rite distinguantur" (ibid., n. 21).

The relationship between seminarians involved in ecclesiastical faculties was explored in the norms for the application of the constitution. For those who were being sent to such faculties for study, it was the Ordinary's responsibility to furnish the faculty with the necessary testimonials.⁷² It was left to the faculties themselves to decide on the requirements for students who had already completed their philosophy or theology.⁷³

III. The 1983 Code of Canon Law

The Code of Canon Law placed the canons concerning priestly formation in Book II, De populo Dei. This represents a departure from the 1917 legislation, which placed them under the heading De magisterio ecclesiastico. There was some discussion regarding the placing of these canons, and two distinct positions emerged. Some felt that, since the seminaries were places of education, the legislation belonged in Book III -- De munere docendi. Others felt that since the task of the seminary was more than a purely didactic

72. Norms, n. 24.

73. Norms, nn. 53 and 62.

one, it would be wrong to place the canons in Book III and they should be placed elsewhere. As the promulgated text shows, the second opinion prevailed.⁷⁴

The law relating to the formation of clerics is found in canons 232 - 264. The first principle to be expressed is that the Church has the inalienable right to train those called to the sacred ministry;⁷⁵ the responsibility for fostering vocations is placed with the entire Church, particularly priests and bishops.⁷⁶ Training for priesthood is normally to take place in a major seminary for the whole period of formation, although at the discretion of the bishop this may be reduced to four years.⁷⁷ In accordance with these provisions, each diocese is called upon to have its own seminary

74. One opinion was expressed thus: "Respondet Relator ordinationem seminariorum non respicere ipsam institutionem, sed integram formationem clericorum" (Communicationes, 8(1976), p. 108). Later discussions showed the two varying positions rather more clearly. See Communicationes, 14(1982), pp. 31 - 32.

75. "Ecclesiae officium est atque ius proprium et exclusivum eos instituendi, qui ad ministeria sacra deputantur" (C.I.C. (1983), c. 232).

76. C.I.C. (1983), c. 233.

77. C.I.C. (1983), c. 235.

although, as in the previous legislation, the possibility of inter-diocesan seminaries is envisaged.⁷⁸ If, however, such seminaries are to be established, the approval of the Holy See is required for their erection. If the seminary is for the entire region, the episcopal conference must give approval; if for a number of dioceses, approval comes from the bishops concerned. Matters of governance are to be decided, in the first instance, by the bishops concerned.⁷⁹ The bishop is given the task of overseer regarding the formation of students and the instruction given in his seminary. The Code also exhorts him to be acquainted with the students, especially when the conferral of orders becomes proximate. In order to facilitate this there are to be visitations of the seminary.⁸⁰ Lawfully established seminaries have juridic personality;⁸¹ they are exempt from parochial governance, and the rector fulfills the function of parish priest for

78. "In singulis dioecesisibus sit seminarium maius, ubi id fieri possit atque expediat; secus concredantur alumni, qui ad sacra ministeria sese praeparent, alieno seminario aut erigatur seminarium interdiocesanum" (C.I.C. (1983), c. 237.1).

79. C.I.C. (1983), c. 237.2.

80. C.I.C. (1983), c. 259.

81. C.I.C. (1983), c. 238.1.

those in his care, save with regard to marriage. Special provisions were also made for the sacrament of penance.⁸²

The distinction made between "officers" and "professors" in Optatam totius is also found in the canons. The "officers" are now designated as the rector, the vice-rector and the financial administrator.⁸³ The rector is responsible for the running of the seminary, he is to ensure that the principles laid down in the "Charter" and the rule of the seminary are observed.⁸⁴ The staff and students perform their various tasks under his direction.⁸⁵ The instructors in the various subjects are designated as "professors". Each member of the staff is to have at least a licentiate in his subject and is to be appointed by the bishops concerned. The Code envisaged that there be separate professors for each discipline; these can be removed by the appointing authority, should they seriously fail in their task.⁸⁶ There is no direct mention of a prefect of discipline in the Code;

82. C.I.C. (1983), c. 262. See also c. 985.

83. C.I.C. (1983), c. 239.1.

84. C.I.C. (1983), c. 261.

85. C.I.C. (1983), c. 260.

86. C.I.C. (1983), c. 253.3.

rather, the maintenance of discipline is to be managed according to the statutes of the seminary.⁸⁷ Regarding spiritual formation, each seminary is to have a spiritual director, and the bishop is to appoint others from whom the students may seek guidance.⁸⁸ In addition to those confessors available in the seminary, provision is to be made for others to visit, and students are to be allowed freedom in their choice of a confessor.⁸⁹

The admission of students was made the duty of the diocesan bishop. It is his responsibility to admit students, having made a suitable enquiry about the candidate's psychological, moral, spiritual, intellectual and physical state, and the quality of his intention.⁹⁰

The prescriptions of Optatum totius regarding the Rationes found their place in canon 242 of the Code. Each country is to have a "Charter of priestly formation", drawn up by the episcopal conference and approved by the Holy See. Such a charter is to follow the norms laid down by the pertinent

87. C.I.C. (1983), c. 239.3.

88. C.I.C. (1983), c. 239.2.

89. C.I.C. (1983), c. 240.1.

90. "Ad seminarium maius ab episcopo diocesani admit-
tantur [...]" (C.I.C. (1983), c. 241.1).

documents, with appropriate adaptations. These too are to be approved by the Holy See, in accordance with the prescriptions of the Ratio fundamentalis.⁹¹ The "Charter" thus produced is to concern itself with the overall systems of government to be observed in the seminaries of the territory, whether they be diocesan or inter-diocesan.⁹² Furthermore, each seminary is to have its own "Rule", which is to be approved by the bishops concerned. The purpose of this rule is to facilitate the observance of the general legislation and the "Charter" at the local level.⁹³

The formation programme is then spelled out under its various aspects: spiritual, doctrinal, pastoral. As with previous documents, the need for integration in formation is recognised.⁹⁴ The spiritual formation is centred on the Eucharist, along with frequent recourse to the Sacrament of Penance, the praying of the Divine Office, devotion to

91. R.F., Preliminary remarks, n. 2.

92. C.I.C. (1983), c. 242.

93. C.I.C. (1983), c. 243.

94. "Alumnorum in seminario formatio spiritualis et institutio doctrinalis harmonice componantur [...]" (C.I.C. (1983), c. 244). "Per formationem spiritualem alumni idonei fiant ad ministerium pastorale fructuose exercendum et ad spiritum missionalem efformentur [...]" (C.I.C. (1983), c. 245.1. See also c. 254.1).

Our Lady and the annual retreat which all take their appropriate place.⁹⁵ Particular attention is to be paid to formation for the celibate life.⁹⁶ In the matter of doctrinal formation, the Code, while laying down the basic requirements,⁹⁷ leaves the apportioning of the study programme to the "Charter", provided that it extends over six years.⁹⁸ Specifically pastoral formation is also required in order that integration be better achieved.⁹⁹ Pastoral experience during the time of formation is to be offered and to be carried out under the guidance of specifically chosen priests; the specific appointments are to be made by the local Ordinary.¹⁰⁰

The final canons concern the financial support and maintenance of the seminary. Once again, the Code places the responsibility with the bishop. He must ensure that the buildings are maintained and that staff and students have the necessary support. If the government of the seminary

95. C.I.C. (1983), c. 246.

96. C.I.C. (1983), c. 247.

97. C.I.C. (1983), cc. 249, 251, 252.

98. "[...] eadem completum saltem sexennium complectantur [...]" (C.I.C. (1983), c. 250).

99. "[...] institutio stricte pastoralis in eodem ordinetur [...]" (C.I.C. (1983), c. 255. See also c. 258).

100. C.I.C. (1983), c. 258.

devolves upon a number of bishops, then they must come to an appropriate arrangement in this regard.¹⁰¹ To ensure this care the bishop can, by the law itself, impose a levy in the diocese.¹⁰² In the case of the seminary, every juridic person, even a private one, is subject to such a levy which should be calculated both according to the need of the seminary itself and to the revenue of those who will contribute.¹⁰³

It is clear that the legislation provided in the Code follows the prescriptions of Optatam totius, the Ratio fundamentalis and the documents that emerged in the intervening years. The principle of subsidiarity, which was a key element in the revision of the Code, is present here as elsewhere, and manifests itself particularly in the roles of the episcopal conference and the diocesan bishop with regard to seminary legislation. With these principles in mind, it will now be possible to consider the implementation of the legislation as it has taken place in England.

IV. Implementation of the Legislation in England

In the wake of the Second Vatican Council, the methods

101. C.I.C. (1983), c. 263.

102. C.I.C. (1983), c. 264.1. See also c. 1266.

103. C.I.C. (1983), c. 264.2.

of priestly formation underwent fundamental changes. Although, in England, these have not yet found their expression in the form of a Ratio, the intentions of the Council fathers have been addressed. The call to a more nationally effective method of training, made by Optatam totius and the Ratio fundamentalis, has been implemented.

i. The Draft Charters

In 1971, following very closely on the publication of the Ratio fundamentalis, the Commission for Priestly Formation produced the first draft of a national "Charter". The work was done with great speed: the Ratio fundamentalis appeared in January and the first English draft was circulated only fifteen months later. After some consultations within the Commission, the draft was presented to the Sacred Congregation for Catholic Education on June 30, 1971.¹⁰⁴

The Sacred Congregation was not dissatisfied with the result. However, it felt that the text did not apply itself directly enough to some of the aspects of formation. It had been the desire of the Commission to produce a document that would be "open" enough to make way for continued develop-

104. COMMISSION FOR PRIESTLY FORMATION, Draft National Charter for Priestly Formation, 1971, Archives of Oscott College.

ment. There was a desire to avoid giving a "final word" on anything.

Also, in many respects, the document was hardly more than a translation of the Ratio fundamentalis with very little added in terms of practical application for England and Wales. The Ratio had been given to a team of consultants drawn from the various seminaries. In large part they had merely translated their portion of the document, adding some comments where they felt it appropriate.

One of the major contributions made by this first draft was the expression of the desire that there be a greater dialogue between seminaries and the bishops concerned with their government.

As a result of this work, the commission set about producing a further draft text, which was completed in 1972. 105 At the very outset of this document the insistence on developing legislation, to keep in line with the new approaches to

105. COMMISSION FOR PRIESTLY FORMATION, Draft National Charter for Priestly Formation, 1972, Archives of Oscott College. This draft text was left without date of completion. The introduction to the document was worded with a view to approval by the Sacred Congregation for Catholic Education. However, the document was never submitted to them.

priestly formation, was made clear.¹⁰⁶ The consultors also insisted upon the need to view the document in the light of all other conciliar documents concerned with formation.¹⁰⁷

In the production of the programme, the commission had a three-fold aim in mind, expressed in the following terms:

- i) To understand as far as possible the ministerial priesthood in the reality of the world today.
- ii) To learn from the experience already gained since the Second Vatican Council.
- iii) To attempt to orientate the programme for the future.¹⁰⁸

The document then went on to consider the matter of priestly formation in fourteen further chapters. These set out to fulfill the aims outlined in the introduction, and covered the question of priestly vocation in relation to the common priesthood of all the baptised, the need for fostering of vocations and the methods of selection; in

106. "The dynamic quality of priestly formation must always be recognised and any attempt to crystallize it into a static state would nullify the real purpose" (ibid., p. ii).

107. Ibid., p. ii.

108. Ibid., n. 2.

addition, formal seminary training and the desire for post-ordination formation were discussed.

In the early beginning of the programme, therefore, the first of these aims was investigated. The ministerial priesthood was placed firmly within the context of the Christian vocation in the priestly people of the Church. Two key concepts were seen to be central to priesthood -- the ecclesial and the missionary dimensions -- both reflecting the need for sustaining the Church and for evangelisation.¹⁰⁹ In order to realise these concepts, the priest was seen to be modelled on Christ, priest, prophet and king. Here the document drew on Optatam totius.¹¹⁰ There was an over-riding concern that any form of training undergone by the candidate be suited to the times, both present and future. Therefore, just as the Church had sought for a new vitality in the Council, so the priest was called upon to seek for a new vitality in his priesthood.¹¹¹ The lesson learned from the Council

109. Ibid., n. 8.

110. Ibid., n. 9.

111. Ibid., n. 14.

and expressed in this document was the priest's need to be totally imbued with the Spirit of Christ.¹¹²

It was with this basic understanding that the remainder of the document sought to provide the means necessary to achieve this end. A whole chapter was dedicated to an investigation of the priest and his growth into Christ and the tenth chapter -- concerning Spiritual Formation -- was very extensive.

One of the areas in which the document was particularly strong was in outlining the role of the bishops. The bishop was called upon to work for vocations in his own diocese, and to keep the ideal of the priesthood before his priests.¹¹³ The document made reference to previous methods of training -- particularly the bishop's relationship with the Tridentine seminary -- and called for increased dialogue with staff in the supervision of training.¹¹⁴ In this provision, the move towards "Instruments of Government" can be seen. These have become an intrinsic part of seminary structures in more recent years.

112. Ibid., n. 20.

113. Ibid., n. 26.

114. Ibid., n. 27.

Great attention was paid to the question of selection of candidates. Final decisions regarding candidates were to rest with the bishop concerned. To assist him in this task, however, comprehensive selection procedures were advocated. This is one area in which a good deal of work has taken place in recent years and all the seminaries in England now employ thorough selection procedures.¹¹⁵ The commission saw seminary formation as being in line with tertiary education and therefore decided upon eighteen years as the minimum age for admission. For those beyond thirty, formation within the bishop's house was suggested as a possible alternative to the course offered at the Beda College in Rome.¹¹⁶

Since the document was clearly based upon the understanding of the Council and on the work of the Congregation for Catholic Education in the years since the Council, it should be asked why it was not sent to Rome for approval. The reason for this lies in the "climate" of the time. There was much concern that the moment for consolidation in seminary formation had not yet arrived. There was, perhaps, a fear that a Charter would cause a return to the standardised approach

115. Ibid., n. 65.

116. Ibid., n. 60.

to formation that had been the hallmark of the pre-conciliar years. Indeed, this feeling was expressed at the outset of the document with the provision that the document be an "open-ended" one, allowing for development on a large scale. In the event, therefore, the document was apparently put aside in favour of further discussion and development within the seminaries themselves.

This aspect of continued development and discussion found some expression in a short report, circulated in 1974,¹¹⁷ which reflected the developments that had taken place since the Council and expressed the concerns for the future. With the almost total passing of the junior seminaries by this time, there was some concern about the faith-experience of candidates for the senior seminaries. It was felt that much less could be taken for granted than had been the case formerly.¹¹⁸ This had repercussions for the life of the seminary as a whole. Individualism was taking a greater part in formation and this, in turn, imposed a greater demand on staff and on curriculum. Life-styles in the seminaries had changed in response to these developments and this was reflected

117. A Report on the Life Style in the Senior Seminaries, 1974, Archives of St. John's Seminary, Womersley.

118. Ibid., p. 1.

in house rules.¹¹⁹

The need for a pastoral orientation in studies had led to the introduction of greater periods of "pastoral work" in the seminary timetable. There was a call for yet more experience in this area,¹²⁰ while, at the same time, a concern was expressed about the way in which the whole programme was being integrated into a "whole". A further development was the widespread introduction of university courses into the seminary curriculum. This had brought greater academic pressure on both staff and students.¹²¹

Some areas of special concern were outlined. It was felt that the need for a greater awareness of individual responsibility was needed, while maintaining the balance with the community life of the seminary itself. The document took up the "missionary concept" of the draft charter, calling for a greater investigation of evangelisation and ecumenical concerns. The development of staff/student relationships was mentioned, along with the need for a different approach to discipline for different year-groups in the seminaries.

119. Ibid., p. 2.

120. Ibid., p. 3.

121. Ibid., p. 2.

It was felt that more progress was needed in this area. Finally, the question of in-service training for those already ordained was mentioned. Developments in this regard were seen to bring about a rather different expectation on the part of the candidate approaching ordination. Seminary formation was seen more as a part of a life-long formation, rather than a "once-and-for-all" event that would stand in isolation in the life of the priest.¹²²

The concerns expressed in the report indicated that much work was yet to be done and that more discussion was needed before a further draft "Charter" could be circulated for consideration.

ii. The Cherwell Report

On June 3, 1976, the Commission for Priestly Formation formed a working party whose mandate it was to examine seminary formation in England and Wales and to consider the question of alternative methods. The fact that the need was felt for such work, when there had already been so much done in preparation for a "Charter" is indicative of the feeling that further development was needed before any new document be sent to Rome. The work of the group resulted in "The

122. Ibid., p. 4.

Cherwell Report", published three years later.¹²³ In the event, the effects of this document have been slight, although it does provide some material for more current work. The text merits attention since the concerns arising from the Council are expressed therein and it is the only document produced so far in England that has been formally published.

The basic understanding beneath the document was a reflection of Optatam totius: namely that the system of training be an "integral" one, with a good inter-relationship between academic and pastoral disciplines.¹²⁴ From this followed four further principles:

- i) Formation for the priesthood should be associated with training and education in the Church and country at large.
- ii) Formation should be seen as an integrated whole, including the pre- and post-ordination periods.
- iii) Responsibility for oversight of formation of individual students and priests should be assigned to a selected person in each diocese.

123. COMMISSION FOR PRIESTLY FORMATION, The Cherwell Report, Catholic Information Services, Abbots Langley, 1979, p. ix.

124. Ibid., n. 8.

- iv) The policy and organisation of formation in England and Wales should be centrally co-ordinated.¹²⁵

In order to realise these aims, the document advocated the establishment of a "Central Council", to be responsible for overseeing all formation. It was envisaged that such a council would ensure the development of a consistent scheme of formation¹²⁶ and fulfill the prescriptions of Optatam totius, n. 1.¹²⁷ Such overseeing was intended to provide greater flexibility, through the co-ordination of resources and allocation of staff on a national basis, according to individual needs.¹²⁸ This latter proposal introduces an interesting concept, since it would seem to suggest that a "Charter" might be superfluous if a body of people took on the task of overseeing on a permanent basis.

One very important development suggested in the report was the introduction of a "foundation period", preferably

125. Ibid., n. 9.

126. Ibid., n. 26.

127. "Such a council would be a sound way for the Bishop's Conference to continue to carry out its responsibilities as outlined in Paragraph 1 of Optatam totius" (ibid., n. 42).

128. Ibid., nn. 39 - 40.

distinct from the seminary period itself.¹²⁹ In this way, some of the problems arising from a group of students drawn from widely differing backgrounds and experience could be overcome before the major part of the formation began. It is worthy of note that a similar prescription was made in 1980, in the circular letter regarding spiritual formation, issued by the Sacred Congregation for Catholic Education.¹³⁰

The document also treated the areas of spiritual and pastoral formation, emphasising the importance of the spiritual director in the seminary and the need for effective pastoral information, continuing into the early years after ordination.¹³¹ In addressing the academic disciplines, the report stated that the university courses available to many students did not, in themselves, meet the requirements of formation.¹³²

129. Ibid., n. 49.

130. SACRED CONGREGATION FOR CATHOLIC EDUCATION, "Circular Letter concerning Some of the More Urgent Aspects of Spiritual Formation in Seminaries", January 6, 1980, in NATIONAL CONFERENCE OF CATHOLIC BISHOPS, op.cit., p. 223.

131. COMMISSION FOR PRIESTLY FORMATION, op.cit., nn. 74 and 79.

132. Ibid., n. 83.

While "The Cherwell Report" reflected some important elements of the conciliar thought, there were many shortcomings. Even though the Ratio fundamentalis had been available for many years, there was no mention thereof anywhere in the text. Neither was there reference to any of the other documents issued by the Holy See in the intervening years. Even though the working party had been established by the Commission for Priestly Formation, the commission did not formally accept the report. It has remained something of a "fringe" document in the development of English legislation.

iii. The National Policy for Priestly Formation

In 1980, an event took place in Liverpool which was significant for the whole Church in England: the National Pastoral Congress. The work of the Congress bore fruit in two documents, firstly, "The Easter People" which was a message from the Episcopal Conference and, secondly, in the form of a complete account of the Congress proceedings, entitled "Liverpool 1980". In the first of these documents, there was a very clear call for the priest to be a man of prayer,

continually renewing his understanding of theology and scripture.¹³³ Concern in this area was expressed further in the final report, where a call was made for a complete re-assessment of the whole method of priestly formation.¹³⁴

This re-assessment has borne fruit in the form of the "National Policy" which was circulated in December 1986.¹³⁵ The document is seen to be a direct result of "The Easter People" and an expression of the Church's desire to rediscover the two concepts of mission and ministry. It is not considered to be a draft "Charter", but aims simply to describe the elements that would be present in a national policy for formation.¹³⁶ The document sees the individual seminaries and dioceses fulfilling the task of producing detailed programmes for use in their own circumstances.¹³⁷ This suggests a direct

133. ROMAN CATHOLIC BISHOPS OF ENGLAND AND WALES, The Easter People, St. Paul, Slough, 1980, n. 93.

134. ROMAN CATHOLIC BISHOPS OF ENGLAND AND WALES, Liverpool 1980: Official Report of the National Pastoral Congress, St. Paul, London, 1980, p. 138.

135. COMMITTEE FOR MINISTERIAL FORMATION, A National Policy for Priestly Formation, December 1986. This work has not been published, but made available to seminaries for consideration and consultation.

136. Ibid., nn. 4 - 5.

137. Ibid., n. 7.

departure from the suggestion in "Cherwell" that there would be a central committee for the co-ordination of formation; rather, it would seem to aim for a greater degree of freedom than that envisaged in the Ratio fundamentalis.

Following the example of the draft charter of 1972, the document began with a consideration of priestly ministry within the whole context of the Christian vocation and with the place of the priest in the life of the Church. The desire for the integrated programme was also given some attention.¹³⁸ In the process of achieving this integration, the liturgy was seen to hold a special place, as the summit and centre of the priestly life.¹³⁹

The role of the bishops in priestly formation was given particular attention. The structure of the governing bodies of the seminaries -- where the bishops hold the chief place -- was assessed and it was suggested that these be broadened to include all those bishops with an interest in the seminary in question.¹⁴⁰ At present this is not the

138. "All the elements in the programme must be integrated by the focus on personal formation for conformity with Christ" (ibid., n. 26; see also n. 35).

139. Ibid., n. 40.

140. "The governing body of each seminary should be widened so that it includes all those bishops who have a legitimate interest in it through contributing members of staff and students" (ibid., n. 51).

case in every seminary. Alongside the governing body the existence of an "Advisory Council" was foreseen. Through this body, which would be presided over by the chairman of the governing body, the integration of the syllabus might be better achieved. The membership of such a body would include the rector, some staff, vocations directors, lay people, parish clergy, religious and also students. Such a body could also develop the links between seminary and diocese.¹⁴¹

The need for some form of national co-ordination would be met through annual meetings of those involved in advisory councils in all the seminaries. Such a meeting would have an advisory role only.¹⁴²

In treating the syllabus for the seminaries, the programme for formal seminary formation was seen to take place as a part of the whole, beginning with selection and continuing into the post-ordination years. This programme was divided into four periods of time: 1) selection, dealing with the selection conference procedure and the role of the director of vocations; 2) initiation, dealing with the first two years of formation, leading to candidature; 3) pre-ordination, being the specific formation for ordination and

141. Ibid., nn. 52 - 54.

142. Ibid., n. 56.

covering a four-year period; 4) ordination, being the time from ordination to diaconate, through ordination to priesthood and into the first five years of priesthood. The recognition of the need for life-long formation was also seen as a part of this fourth stage.¹⁴³

In drawing the document to its conclusion, the committee called for flexibility in training, with co-operation between bishop, staff and the students.¹⁴⁴ Attention was also given to the role of the universities in seminary formation; many links have been forged between the seminaries and universities in more recent years, and the fact that university courses would not fulfill totally the requirements of priestly formation was stressed in the document.¹⁴⁵

The document was seen not as a draft Ratio, but merely as a discussion paper, to be assessed carefully in preparation for a draft Ratio nationalis which will be given attention following the meeting of the Episcopal Conference in 1988.

The foundations of this document lie very clearly

143. Ibid., n. 60.

144. Ibid., n. 141.

145. Ibid., n. 147.

in the work of the Second Vatican Council and in the developing practice of the seminaries in England and Wales. The desire for a more integrated approach to formation, continuing into the years following ordination, and the importance of effective use of governing bodies and some form of advisory body for each seminary provide clear indications of the way in which development is envisaged.

V. Current Practice in the English Seminaries

While England has yet to produce a "Charter", much work has gone on in an effort to implement the principles laid down in the Council documents and those subsequent thereto. There has been a de facto development, even though the documentation to accompany it has been lacking in some respects.

i. Developments in Government

The first element that must be considered is the development in government. At Allen Hall, the Westminster seminary, and at Oscott this has been less pronounced than at Ushaw and Womersley. Allen Hall is under the direct control of the Cardinal Archbishop of Westminster; Oscott under the control of the Archbishop of Birmingham. Thus, in terms of government, these are diocesan seminaries in the sense

of the Code.¹⁴⁶ This is so even though these seminaries do take students from other dioceses and from religious institutes.

The situations at Ushaw and at Womersley are somewhat different. Ushaw is governed by the bishops of the Northern Province and of Shrewsbury, since it is from these areas that the students are drawn.¹⁴⁷ However, Ushaw is not an inter-diocesan seminary in the sense of the Code.¹⁴⁸ The development that has taken place there has come about as a result of historical considerations. Ushaw was not established originally as an inter-diocesan establishment, but as the refuge for the English College at Douai. The delicate negotiations between the bishops and clergy of the North in times preceding our own have already been outlined.

The situation at Womersley is different again. Until 1965 the seminary there was a diocesan one, for the Diocese of Southwark. However, in that year the diocese was divided

146. C.I.C. (1983), cc. 237.1 and 259.1.

147. Ushaw College, Ordination Course for the Roman Catholic Priesthood, Ushaw, 1985 (ms.). Introduction.

148. C.I.C. (1983), c. 237.2.

and the new diocese of Arundel and Brighton was formed.¹⁴⁹ As a result of the erection of the new diocese, the Southwark seminary was now situated outside the territorial limits of the diocese. As had been the case in previous years, the seminary would continue to serve the diocese of Portsmouth and also the new diocese. As a result, a governing body has been established involving the Archbishop of Southwark, the bishops of Arundel and Brighton, Portsmouth, Plymouth, and any assistant bishops thereof.¹⁵⁰

Bishops of other dioceses who make use of the seminary for the training of their candidates may be co-opted onto this governing body.¹⁵¹ Wonersh was not erected as an inter-diocesan seminary. However, as a result of events, it has fallen under the government of the bishops of the province in which it is situated. Both Wonersh and Ushaw, therefore, might be considered somewhat "hybrid" when compared to the legislation of the Code.

149. PAUL VI, Apostolic Constitution Romanorum Pontificum, May 12, 1965, establishing the division of the Southwark Diocese, in A.A.S., 58(1966), pp. 260 - 262.

150. St. John's Seminary, Instrument of Government, 1980 (ms.), n. 1.1. (See Appendix VII for the complete text of this Instrument).

151. Ibid., n. 1.3.

ii. Pastoral and Academic Developments

The call to a greater pastoral element in the programme of seminary formation had led to sweeping developments in all the seminaries in England. Work in parishes now forms an integral part of all programmes and the diaconate is marked by a significant amount of time being spent in parish work, under the direction of parish priests chosen for such work by the bishops. This is a very clear reflection of legislation and the general policy of the church.¹⁵²

One of the most significant moves in this area has taken place in the Westminster seminary. In 1975, after some 180 years at Ware, the move was made to the centre of London, to the present site in Chelsea -- a site once occupied by the house of St. Thomas More. Although there was expansion at the school at Ware during this time, which caused pressure on the buildings occupied by the seminary, there was an obvious intention to exploit the pastoral possibilities offered by London.¹⁵³ The events here are an indication of the concern

152. C.I.C. (1983), c. 258.

153. Archdiocese of Westminster, Allen Hall, Chelsea - Prospectus, 1985, Introduction.

for pastoral formation that has taken place throughout the English seminary system.

In the academic sphere any major changes that have occurred have been made with a view to achieving a more integrated curriculum. The division between philosophical and theological formation has been abandoned throughout, and a "mixed" syllabus is now followed, with liturgy, scripture, canon law, church history and other academic courses running concurrently in many cases. Attention has also been paid to homiletics and communication skills in a way unknown in previous years.¹⁵⁴

The most important development in the academic field has been in links with universities. Ushaw has, since 1968, developed a link with Durham University. As a result of this, the majority of students at Ushaw now take an honours degree in Combined Studies.¹⁵⁵

Allen Hall, as a result of its move to London, has

154. The curricula for the four seminaries indicates the more integrated approach. Those of Allen Hall and Womersley have been produced in magazine form.

155. Ushaw College, op.cit., n. 3.

established a link with Heythrop College, London. This enables many students to read for theology degrees.¹⁵⁶ Womersley has established a working relationship with Southampton University. For some years this led to a certificate course in theology; in more recent years it has been possible for students at Womersley to study either for certificate or degree courses.¹⁵⁷

In this way the integrated programme called for by the documents has been achieved in many respects. The fact that university links have been established so successfully, despite the historical background to seminary formation in England, has led to a greater seriousness in the approach to the academic standards outside the Church itself. This is certainly a positive step in a society where there is a diversity of Christian understanding.

iii. Personal Formation

In the area of personal and spiritual formation there have been many changes in recent years. The rigid form of rule that was in use in the pre-conciliar time has gone out of use. Although "Rules" do exist in some of the seminaries,¹⁵⁸ they are far less detailed than was once the

156. Archdiocese of Westminster, op.cit., Introduction.

157. St. John's Seminary, Womersley, Prospectus, 1985.

158. Oscott has no "Rule of Life".

case. Rather, there is a greater effort to develop personal responsibility in each student, through individual response to the needs of others in the seminary community and to the input provided by the programme of studies and pastoral activity.

Spiritual formation and development in the life of prayer still lie at the heart of seminary formation. The place of the spiritual director is still an important one in the life of the seminary and all but one of the seminaries have a spiritual director on staff. Womersley has adopted a rather different approach, with each student having the facility to choose his own director, either within or outside the seminary. A spiritual director per se is not currently on staff there. This is in contradiction to the requirement of the Code.¹⁵⁹

Having seen the developments required by the Second Vatican Council and the efforts made in England to fulfill these requirements, both in terms of practice and documentation, it will now be possible to move towards some conclusions concerning the approach of the Church in England towards seminary legislation and the requirements of a national Ratio.

159. C.I.C. (1983), c. 239.2. It is to be envisaged that when the National Charter is forthcoming this situation will change.

The emergence of the tridentine legislation for the process of priestly formation took place at a most difficult time for the Church in England. Indeed, it was impossible for any of the laws to be implemented at that time. Formation for priests for England took place in the missionary setting of Douai and in the other English colleges on the continent of Europe. It was the task of those concerned with training priests for the English mission to do the best in adverse circumstances, with no hierarchy to support them and with precarious finances.

The system of formation that developed in England itself, in the years following 1793, was dependent for its roots on the missionary system of the colleges abroad. The colleges that were to be opened in England saw themselves as the successors to Douai -- not, primarily, as the English response to the general legislation of the Church. They developed under a missionary hierarchy, with support from local clergy and people. There were civil restrictions upon the activities of the Church; personnel for the colleges' staffs were in short supply; finances were a continuing problem. The immediate concern was to answer the needs of the still-persecuted English Church. Fulfillment of general legislation was not considered a priority.

In the event, this situation brought about a form of subsidiarity. England was faced with decisions which had to be taken in isolation from the rest of the Church.

With the restoration of the hierarchy in England, new challenges were faced. The councils of Westminster addressed the task of legislating for a church that now found itself no longer governed by a missionary hierarchy. In dealing with the problem of priestly formation, the great debate for the remainder of the XIXth Century was the suitability, or otherwise, of the tridentine legislation for the colleges in England -- by that time well established on their own lines. There was a real desire on the part of the bishops of the time to find a solution to the problem that would follow as closely as possible the general legislation of the Church, but which would also meet the needs of the Church in England and create as few waves as possible in the unsettled political atmosphere of the time. The considerations here continued to be influenced by the problems of insufficient finance and of shortage of clergy. This problem is highlighted by the apparent reversals of policy by successive archbishops of Westminster. It can also be seen in the foundation of St. John's at Womersley -- a diocesan seminary in the strictly tridentine sense.

Within the national context, various forms of episcopal control emerged. These were the direct result of historical factors -- the forms of governance, most appropriate at the time of foundation and during the early years of the colleges' existence, remained and were enshrined in local practice and in the legislation peculiar to each college.

It can rightly be said that the current ethos of seminary legislation is not new to the Church in England. The move towards subsidiarity in the governance of the particular churches and the effect this has on priestly formation has produced a climate of formation that was already known in England in times prior to our own. However, circumstances are different. The hierarchy has been re-established in England for over 100 years. The years of penal law and persecution are over. The experience of those years has had a profound effect on the formation of priests and on the structures that have emerged; but the current circumstances in England and the legislation that now pertains must be faced.

Tensions have arisen in recent years in the efforts made by the Church in England to put the legislation into practice. The very existence of seminaries has come under question at times and the changes that have taken place in the country during the last twenty years have been considerable.

This is reflected in the production of draft Rationes which were then dropped and in the appearance of the Cherwell Report which, as soon as it was published, was considered already too full of shortcomings.

In the various drafts that have appeared and, more importantly, in the 1986 document, the need for a balance between centralised control and local legislation has been a major concern. This will continue to be the case in the drafts that are yet to appear before a Ratio sacerdotalis institutionis is promulgated for England. It can be envisaged, perhaps, that it will not always be easy for this balance to be held. The very attitude in England towards written legislation has an influence here. There is always a concern that if too much is written down, or if too much is operated in a centralised way, the possibility for adaptation and variation according to need will be lost. It is also the case that the needs of the Church vary in different parts of the country. The challenges faced by the Church in the North are not always the same as those in the Midlands or in the South. The Discussion Document of 1986 seeks to strike a balance between these two concerns; while it must be said that the over-riding concern is to preserve a high degree of flexibility.

In looking to the future, it would seem that the tension between these two concerns will have to be addressed and overcome to the extent necessary to produce a satisfactory ratio for the English seminaries. It will not be difficult to reach agreement on the overall aim of priestly formation -- growing in closeness to Christ and the Gospel, that those ordained to priesthood be effective witnesses to that Gospel and men equipped to lead others to Christ through their service. The achievement of that aim will need great consideration in every age and it is here that the need for flexibility is most felt.

Certain basic considerations in the matter of formation have already been dealt with in very similar ways by the different seminaries. The clearest example of this is in selection processes. There is a high degree of common practice here. It would seem quite possible for a common method of selection to be agreed upon. This could be incorporated into the ratio in its final form. Similarly, deliberations concerning promotion of vocations in England and Wales, which may result from the work of the Conference of Bishops, could also form a common element.

A further area in which a higher degree of co-operation might be sought would be in the area of staffing. Just as, in the XIXth Century, the possibility of a central seminary was attempted in order to deal with a shortage of staff, so sharing of personnel with expertise in particular areas could well be investigated further, and some suitable guidelines developed for inclusion in a ratio.

The current arrangements regarding governance of the seminaries in England seems unlikely to change. The developments of governance through history have led to four rather "hybrid" institutions from this point of view. However, the systems employed are effective in their own right and are therefore likely to remain. Although academic formation is basically the same in many respects -- and follows to quite a great extent the ideals of the Council and subsequent documents -- it must be envisaged that a ratio will seek to maintain greater flexibility. This will meet the varying needs of the Church in different parts of the country and enable courses to be "tailor-made" for individual students to an extent not previously possible. It would seem that the desire of the 1986 Document that each individual seminary develop its own programme of studies, pastoral experience and spiritual formation will be required to be an intrinsic part of any ratio.

While there is still much to be done before a new draft ratio is produced, individual seminaries have striven to put into practice the aims and ideals of the Second Vatican Council. A greater degree of conformity will perhaps need to be found if a truly effective ratio is to be produced. If this is not done, the result will be a very general document that will provide little further illumination to the light already shed by the existing documents. It is, however, to be hoped that sufficient provision for local variation is ensured, so that truly effective programmes of formation will be developed to assist the Church in England in the task of forming priests for the future.

DISTRICTS OF THE VICARS APOSTOLIC, 1688-1840
SHOWING THE LOCALITY OF SEMINARIES IN EXISTENCE IN 1840

- 1. Ushaw
- 2. Ware
- 3. Oscott



DISTRICTS OF THE VICARS APOSTOLIC, 1840-1850
SHOWING THE LOCALITY OF SEMINARIES IN EXISTENCE IN 1850

1. Ushaw
2. Ware
3. Oscott



THE DIOCESES OF ENGLAND AND THE VICARIATE OF WALES
AT THE RESTORATION OF THE HIERARCHY IN 1850
SHOWING THE LOCALITY OF SEMINARIES

1. Ushaw
2. Ware
3. Oscott



THE PROVINCES AND DIOCESES OF ENGLAND AND WALES IN 1987
SHOWING THE LOCALITY OF SEMINARIES

- 1. Ushaw
- 2. Allen Hall
- 3. Oscott
- 4. Womersley



The Government of the College

Third synod of Westminster, Chapter XV, in WESTMINSTER ECCLESIASTICAL PROVINCE, The Synod in English, Stratford-upon-Avon, St. Gregory's Press, 1886, pp. 232 - 234.

So far we have spoken of the internal discipline of the three Colleges, but seeing that it is of the highest moment that provision should be made for their right government, and that whatever rights pertain to the Bishops in whose Dioceses the Colleges are situated, as well as to those others who have an interest in them, should be fairly dealt with, the following scheme framed to meet the special circumstances of the three Colleges is laid down, provided leave of the Holy See be given. With the proviso, however, that this scheme is merely a provisional one made for a time and in force only until the Holy See abolishes it and provided that it does not interfere with or cause delay in erecting Seminaries after the mode prescribed by the Council of Trent as soon as possible in every Diocese.

1. Jurisdiction over and spiritual care of a College pertain only to the Ordinary of the Diocese in which it is situated.

2. The right and authority to determine and arrange as to material and temporal matters, the studies, government and discipline of a college belong to the board of Bishops who have an interest therein. To wit, the Archbishop of Westminster and the Bishop of Southwark for the College of St. Edmund, situate in the Diocese of Westminster; to the Bishops of Hexham, Beverley, Salford, Liverpool and Shrewsbury for the college of St. Cuthbert, situate in the Diocese of Hexham; and to the Bishops of Birmingham, Nottingham and Northampton for the College of St. Mary at Oscott, situate in the Diocese of Birmingham. We decide that the administration of the temporalities, both movable and immovable, of the Colleges shall be undivided, until the Holy See has passed judgement upon the several rights of each. But for this end, the Bishops having an interest in any one of the three Colleges shall nominate for that College one or three proper persons to draw up an accurate and conscientious account within one year and present it to the Holy See, of the property

of every kind, sources of income and rights pertaining in any way to the said College, no matter where, with suitable observations as to the origin of each, its purpose and present condition.

3. This Board should meet once a year in the day to be agreed upon by the Bishops interested at their first meeting. And this must be within one year of the date of approbation by this Synod.

4. If at any time the majority of the Bishops should desire it, the Bishop who is the Ordinary must summon the Bishops who have a share in the matter to hold an extraordinary meeting.

5. The Ordinary of the place shall preside over the meeting; and when the votes are equal he shall have another and the casting vote. Where there are but two Dioceses if the Bishops cannot come to an agreement, the question shall be laid before the Holy See for settlement.

6. That the vigilance and influence which come from a single and present superior may never be wanting, authority shall always be exercised by the Ordinary of the place, who is bound to adhere to the rules framed for his College and the decrees made by himself together with the other Bishops interested. The Ordinary, however, shall not have the power to make any notable or extraordinary changes without the consent of the majority of the Bishops.

7. That the government of the College may be stable and firm, no essential changes as to the government or administration of the College shall be made unless it has been approved of by Decree at the annual meeting, and notice given of it at the meeting of the previous year.

8. Since the office of Rector is of such great importance and persons remarkable for their piety, wisdom and experience, should be chosen to fill it, the College shall be entrusted to one Rector or President, whom the assembled Bishops shall appoint by the majority of the votes.

9. The appointment of the Vice-Rector should be made by the Rector with concurrence of the majority of the Bishops.

10. The Professors of Theology and Philosophy shall be appointed by the Ordinary with the consent of the majority of the Bishops; the remaining Superiors and Professors by the Rector with the consent of the Ordinary.

11. The Procurator shall be chosen by the Ordinary with the advice of the other Bishops and the consent of the majority of them.

12. No ecclesiastical student can be received into a College without a document in which the Bishop in whose Diocese he is for declares that he approves him a fit subject.

13. Unless the case be one of extreme urgency, the expulsion of an ecclesiastical student, even one not tonsured, shall not be determined upon by the Rector without the consent of the student's Bishop.

AGREEMENT OF THE BISHOPS - USHAW. 1846

This agreement was signed by Bishops John Briggs, Francis Mostyn and George Brown, and is to be found in U.C.H. 271.

I

The College of Ushaw was originally established by Bishop William Gibson with the assistance of the Catholic Clergy and laity, to perpetuate the succession and to be the mother house of the Secular Clergy in that part of England which then formed the Northern District. The Vicar Apostolic, as head of the clergy was of course the head of the College. By the division of the Vicariate into three Vicariates, no alteration has been made in the destination and constitution of the College. It appertains to the bishops and secular clergy of the districts. The three Vicars Apostolic being now, as one before, heirs of the three portions of the Clergy, are conjointly the head of the College.

- i) To the majority of the three bishops belongs the appointment of the President, whenever the office is vacant, each bishop hereby agreeing to give up the reverend gentleman elected for president.
- ii) The bishops have the power to remove the president for a just cause, provided they are unanimous in their decision.
- iii) Whenever a fund, to which the President has nomination, becomes vacant, the Vicar Apostolic from which the fund is received shall be consulted in the choice of a subject to that fund.

II

To the President belongs the internal government of the College.

- i) To him belongs the nomination of the superiors under him. In the nomination or the removal of the Vice-President he is bound to have the approval of the Vicars Apostolic.

- ii) The President has the power to retain in the College any ecclesiastical student who has finished his course of Philosophy, whom he may judge most fitting for any office therein.

iii

For the well-being of the College it is requisite that the accounts be audited and the general state of the College be considered once every year. It is therefore agreed that a Council or Board be appointed to assist the Bishops in looking into these particulars, and the Board consist of:

- i) The Bishops themselves, and at least one of whom shall be present to act as chairman.
- ii) Their Vicars General.
- iii) The President and Vice-President, ex officio.
- iv) Three clergymen, viz. one from each vicariate.

It is moreover agreed that the above mentioned clergymen shall be chosen annually by the clergy themselves at their annual meeting, that by having some part in the administration of the College, they (the clergy) may feel a greater interest in its success, and be induced to exert themselves more actively in its favour in their respective missions.

But the resolutions to which the Board may come shall be considered only as the expression of their opinion and advice. If the three bishops dissent, the resolutions of the Board will have no force; if any one of the three bishops dissents and continues in his opposition, then further consideration of the matter shall be deferred till the meeting of the Board the next year.

It is unanimously understood that if the three bishops unanimously agree that there is a just cause for any inquiry into the state of affairs at the College, they may at any time of the year institute such an inquiry without the aid of the Board.

ST. JOHN'S SEMINARY - INSTRUMENT OF GOVERNMENT

- 1.1 The Governing Body of St. John's Seminary shall be the Archbishop for the time being of the Roman Catholic Diocese of Southwark, the Bishop for the time being of the Roman Catholic Diocese of Arundel and Brighton, the Bishop for the time being of the Roman Catholic Diocese of Portsmouth, the Bishop for the time being of the Roman Catholic Diocese of Plymouth and the Assistant Bishops for the time being of the aforementioned dioceses.
- 1.2 The Trustees of the Seminary property shall if willing to act be members of the Governing body.
- 1.3 Any other Bishop making an appointment pursuant to No. 5 below may be co-opted to the Governing body with the consent of the members for a period commensurate with the duration of the appointment he makes.
2. In the event of the vacancy of the See in any of the aforementioned Dioceses the duly constituted Vicar Capitular shall be a member of the Governing body for the duration of his Office.
- 3.1 The Governing body shall meet at least once a year and such meetings shall be presided over by the Archbishop of Southwark, or in his absence the Bishop of Arundel and Brighton, or their nominated deputies.
- 3.2 No decisions of the Governing body in financial matters shall be regarded as valid without the consent of both the Archbishop of Southwark and the Bishop of Arundel and Brighton, or their nominated deputies.
- 3.3 Five members of the Governing body shall form a quorum and voting shall be by a simple majority of the members voting and in the event of an equal vote, the presiding Bishop shall have another and casting vote.

4. To the Governing body belongs the right and authority to determine and arrange all matters pertaining to the material and spiritual welfare of the Seminary together with the studies, discipline and government thereof.
5. It shall be a particular duty of the Governing body to endeavour to ensure that Diocesan Bishops and Religious Ordinaries provide suitable priests for the Seminary Staff and to that end shall invite such Ordinaries to appoint their own priests to the Staff subject to the consent of the Governing body, which consent the Governing body shall have the right to withdraw upon giving notice to the Ordinary by whom such appointment was made.
6. A priest appointed to the Seminary Staff by his Ordinary and with the consent of the Governing body shall at all times retain the same status and be subject to the same rights and duties in respect of his Ordinary as any other priests of the same Ordinary according to the norms of Ecclesiastical Law.
7. The appointment of a priest to the Seminary Staff by his Ordinary may be for an initial and probationary period, after which time and subject to the consent of the Governing body, he may be appointed for a fixed period but without prejudice to the right of the Governing body under No. 5 above, and the right of the Ordinary under No. 8 below.
8. There shall be no restriction of the right of the Ordinary to withdraw a priest he has appointed to the Seminary Staff for whatever he deems to be a reasonable cause.
9. A priest appointed to the Seminary Staff shall for the duration of such appointment be subject to the Rector of the Seminary and the Governing body without prejudice to the rights of his Ordinary.
10. No priest appointed to the Seminary Staff shall have the right to retain his appointment without the consent and approval both of his Ordinary and the Governing body.

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