

Choosing the next Archbishop of Melbourne: how it should occur, and why this is important

The Diocese of Melbourne was established in 1847. It became an archdiocese in 1874. To date, it has had 8 archbishops. The first three were Irish: James Goold (1848-1886), Thomas Carr (1886-1917), and Daniel Mannix (1917-1963). The next five have all been Australian-born: Justin Simonds (1963-1967), James Knox (1967-74), Thomas Francis Little (1974-1996), George Pell (1996-2001), and Denis Hart (2001-present). The main task of the Australians has been to embrace and implement the vision of the 2nd Vatican Council. How well they have done that will determine their legacy.

Archbishops of Melbourne 1848-2016	
1 st	James Alipius Goold (1848-1886) – Irish
2 nd	Thomas Carr (1886-1917) – Irish
3 rd	Daniel Mannix (1917-1963) – Irish
4 th	Justin Daniel Simonds (1963-1967) – Australian
5 th	James Robert Knox (1967-1974) – Australian
6 th	Thomas Francis Little (1974-1996) – Australian
7 th	George Pell (1996-2001) – Australian
8 th	Denis James Hart (2001 - ?) – Australian

On the 16th May, in accord with Canon Law¹, the present archbishop, Denis Hart, having completed his 75th year, tendered his resignation. The Pope will now examine all the circumstances and needs of the archdiocese and ‘make provision’. Ultimately, that will require him to appoint a new archbishop. If recent Australian Episcopal appointments are indicative, that will be in about a year and a half from now.

When making his choice of the new archbishop, the Pope must, above all, focus on the circumstances and needs of the archdiocese. His principal means for doing this will be his delegate in Australia, the Apostolic Nuncio. It is his role to prepare a full report and assessment of the circumstances and needs of the archdiocese in consultation with Archbishop Hart and other bishops and officials, and then forward it with a short list of his preferred three candidates to the Congregation for Bishops in Rome.²

While the Nuncio’s report will not be made public, it is possible, from official and other reliable sources, to put together a brief overview of some of the circumstances and needs of the archdiocese. I have done this and am happy to share it with you.

Circumstances of the Archdiocese of Melbourne

¹ 1983 Code of Canon Law, C. 401

² *Ibid.* C. 377

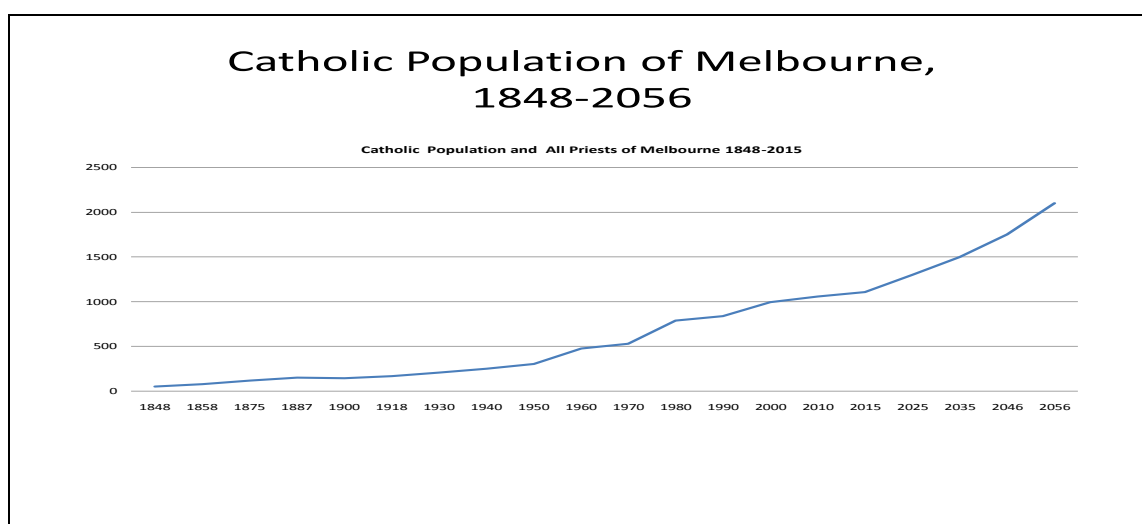
The circumstances of the archdiocese have never been constant. Some have shown continuous growth; others growth and decline. The table below shows ten circumstances for the years 1848, 1963 and 2014.³ 1963 is possibly the highpoint of Catholic Melbourne.

Archdiocese of Melbourne 1848 to 2014 (166 years)

	1848	1963	2014	Change from 1963 (%)
Catholics	51,000	600,000	1,106,008	+ 85%
Parishes	4	179	216	+20%
Churches	2	300	318	+ 6%
Priests	5	688	506	- 26%
Religious Sisters	0	2118	806	- 62%
Religious Brothers	0	536	135	- 93%
Seminaries	0	13	5	- 62%
Seminarians	0	447	125	- 72%
Catholic Schools	6	292	327	+ 12%
Catholic School Students	n/a	103,000	150,265	+ 46%

Between 1963 and 2014 there was continuing growth in population, parishes, schools and students, but a significant downturn in the number of priests, sisters, brothers, seminaries, and seminarians.

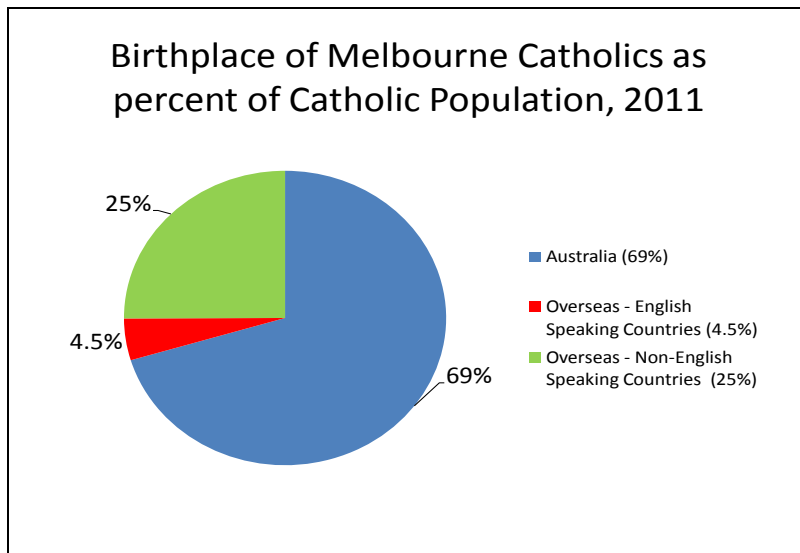
Melbourne's Catholic population has grown continuously since 1848, to reach 1.1 million in 2011. It now constitutes 27 per cent of the total population.



³ *Official Directory of the Catholic Church in Australia*, 1964 and 2015/2016. Also, Bourke, D F, *A History of the Catholic Church in Victoria*, The Book Printer, Australia, 1988, p. 26

Melbourne is Australia's fastest growing capital city, with almost 2000 new residents being added each week and some 100,000 added during last year alone. Its population is expected to reach between 7 and 9 million by 2056. If this scenario pans out, Catholics could double in 40 years, placing huge demands on parishes, schools, and personnel.

Melbourne's Catholics have many origins. In 2011, 69% were born in Australia, and 30% were born overseas: 25% in non-English speaking countries and 4.5% in English-speaking countries.



Currently, Catholics from Asia, are the fastest growing group (8% in 2011), but those from the Middle East, North Africa, and Latin America, though still small in number, are increasing steadily. Apart from the Irish, there are few European arrivals, and those already here belong to ageing communities likely to diminish significantly in the next 20 years.

For the pastoral and administrative organization of dioceses, the 2nd Vatican Council recommended several new diocesan structures and offices, including: a Diocesan Finance Council, a Council of Priests, a College of Consultors, a Diocesan Pastoral Council, Episcopal Vicars and a Diocesan Financial Administrator. Since 1983 all of these have been established in Melbourne, with the exception of a Diocesan Pastoral Council.

If there was one, the **Diocesan Pastoral Council** would sit alongside the Council of Priests and College of Consultors as a key diocesan consultative body on pastoral matters. But unlike the other two bodies, which have clergy members only, it would be composed of clergy, religious, and lay persons (male and female), who would represent all the regions of the archdiocese, its various social conditions, professions and apostolates, and would study and weigh up everything affecting the pastoral works of the diocese and make pastoral recommendations.

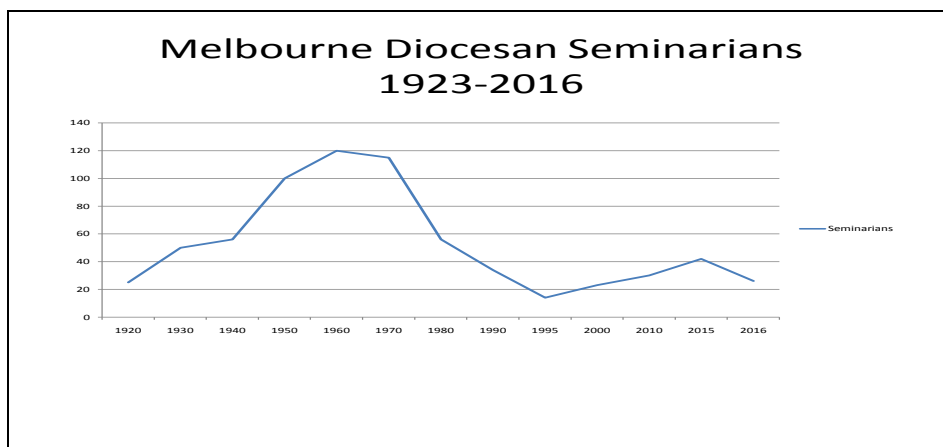
Vatican II also called for synods 'to flourish' including diocesan synods, which bring together the priests, religious and laity. A **diocesan synod** would give a broad spectrum of the Melbourne faithful an official forum to express their views on matters proposed by the

bishop and important to the local church. However, no archbishop since the Council has convened a diocesan synod. The last synod was in 1916.

Vatican II did not specify a **diocesan pastoral plan**, but Pope John Paul II told bishops that they 'must plan the stages of the journey ahead with all sectors of God's people'.⁴ The archdiocese has never had a diocesan pastoral plan.

In 2000 the Australian bishops called for '**better gender balance**' in all church bodies and leadership roles.⁵ Since then, more women have been appointed to official church bodies, and nine women now hold senior positions in the Melbourne curia. However, many senior positions are still blocked to women by Canon Law.

Diocesan bishops must have the formation of priests as a foremost concern, and give the **local seminary** '*primacy of place ...*'⁶ The regional seminary, Corpus Christi College, was opened in 1923 and since then has formed 571 diocesan priests for the archdiocese.



This graph above shows Melbourne's diocesan seminarians between 1923 and 2016. Numbers peaked at 120 in the early 1960s, but then fell away rapidly. By 1995 there were just 14 seminarians in formation. Since 2010 numbers have stabilized at around 30, but about half have been overseas-born.

Ordinations of Melbourne **diocesan priests** trained at Corpus Christi peaked in the 1960s to average 12.3 each year. The average fell to 4.9 in the '70s, '80s and '90s, and then dropped further to just 3.3. It has remained there for the last 15 years.

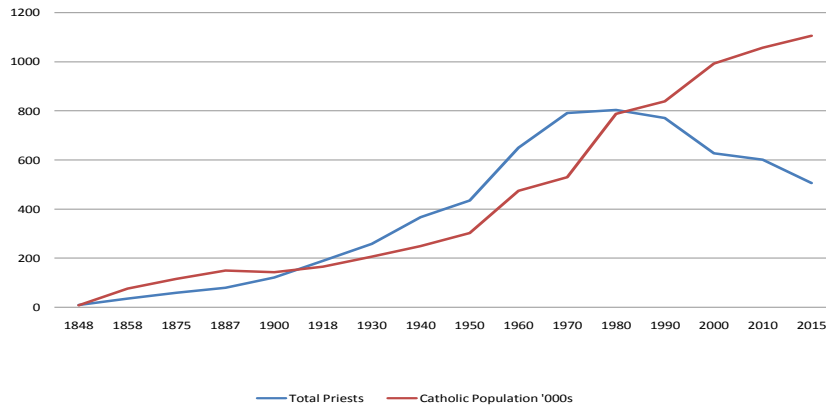
Since 1980, Melbourne's priest numbers have not kept pace with its Catholic population. The graph below shows the Catholic population and all priests –diocesan and religious – from 1848 to 2015. Since 1980, while Catholics have continued to increase, priest numbers, which peaked at 804 in 1980, have continued to fall. The gap is now wide. At end-2014 there were only 506 priests in the archdiocese, with perhaps just two-thirds of them in active ministry.

⁴ *Novo Millennio Ineunte*, n. 29

⁵ ACBC, *Decisions and Proposals of the Social Justice Statement 2000 'Promoting the Participation of Women in the Catholic Church in Australia'*

⁶ *Apostolorum Successores*, n. 84.

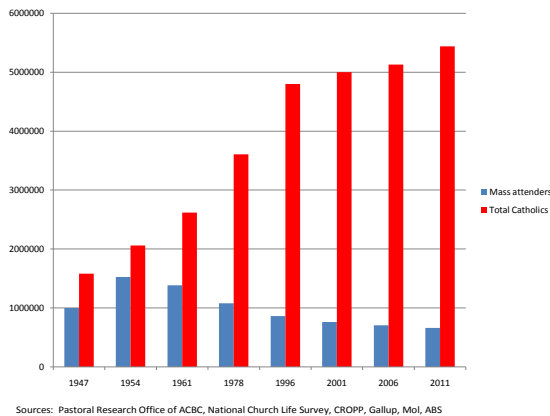
Catholic population and Priests in Melbourne Archdiocese, 1848-2014



At end-2014, Melbourne’s 216 parishes had only 277 priests actively ministering: 154 (56%) were Australian-born, and 123 overseas-born (44%). More than half of the Australian-born diocesan priests were aged over 65, and a third over 70. 80 had already retired. By 2020, it is possible that only 100 Australian-born priests will be actively ministering in Melbourne’s parishes. This will almost certainly lead to the recruitment of more overseas seminarians and priests, a strategy with inherent problems and devoid of any long-term plan.

Mass attendance in Australia has been in decline for 60 years. In 1954, 74% of Australian Catholics (1.5 million), regularly attended Mass. In 2011, the attendance rate was just 12.2% (662,376).⁷ Though Catholics have been ever increasing, Mass attendance has continued to fall steadily, and is now at its lowest point ever. In some dioceses in 2011, the attendance rate was less than 8%. Melbourne that year had one of the higher rates at 13.4%, but it was down on the 14.6% rate in 2006.

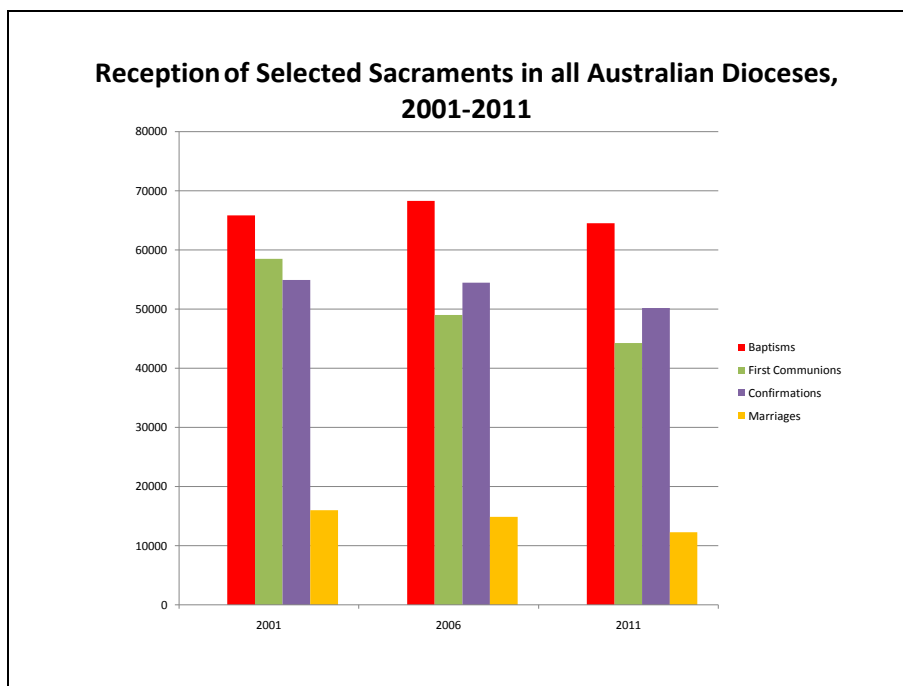
Mass attendance in Australia, 1947-2011



⁷ ACBC, Pastoral Research Office, *Mass Attendance in Australia: A critical moment*, December 2013

In 2007 the Pastoral Research Office found that there was no single clear reason for the fall in attendance, but rather a combination of ‘church-related and personal’ reasons. Catholics have tended to ‘drift away’ rather than suddenly stop attending, and most still think of themselves as ‘Catholics’ who are prepared to return when they see the ‘issues’ they regard as important being addressed.⁸

The reception of almost all **Sacraments** has been in decline in Australia for some time.⁹ Data for the Eucharist and Holy Orders have already been presented. The chart below shows the numbers for Baptisms (infant and adult), First Communions, Confirmations, and Marriages (including mixed), for 2001, 2006 and 2011. While the number of Catholics increased by almost 440,000 between 2001 and 2011, the number who received these sacraments in that period all decreased, and quite significantly for First Communion (-14,236) and Marriage (-3734). I was not able to obtain the data for Melbourne is unavailable but I suspect the trend is similar. The Sacrament of Penance is now barely used by most Australian Catholics.



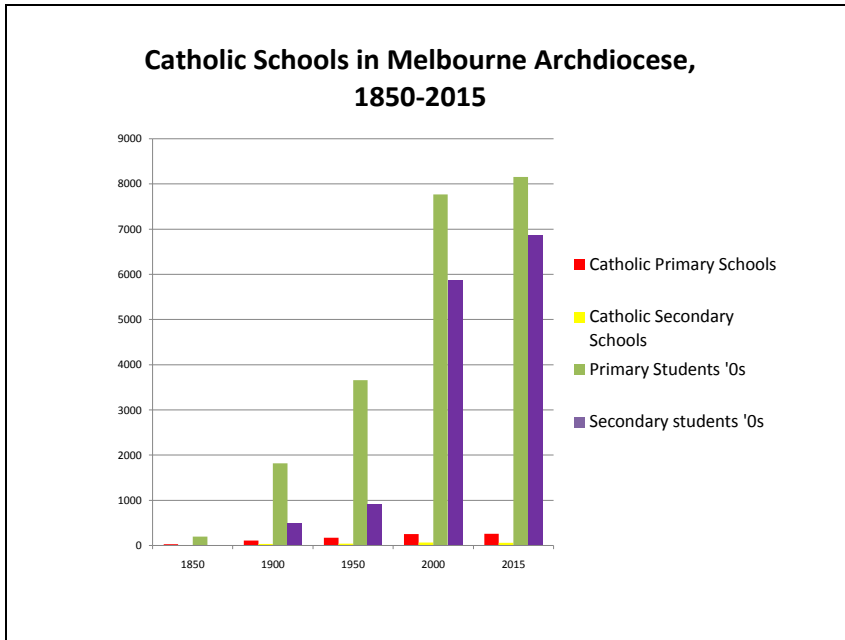
Catholic Education has always been important in the archdiocese. Melbourne’s first Catholic school opened in 1843. By 1850 there were 30 schools with over 2000 students. In 2015 the archdiocese had 331 primary and secondary schools with over 150,000 students. Currently, 1 in every 4 students in Melbourne attends a Catholic school.

The figure below shows Melbourne’s Catholic primary and secondary schools and their students (number in ‘0s) from 1850 to 2015.¹⁰ The extraordinary increase in secondary enrolments since 1950 is notable.

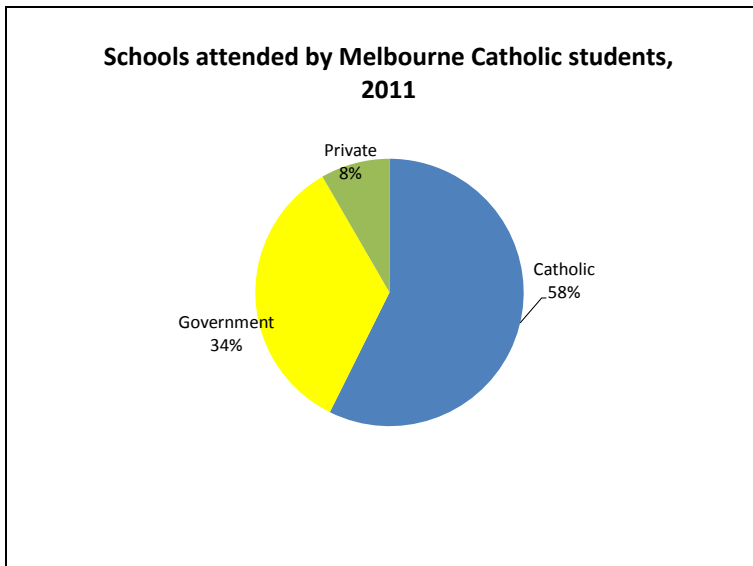
⁸ ACBC, Pastoral Research Office, *Catholics Who Have Stopped Attending Mass, 2007*

⁹ *Annuarium Pontificium*, Vatican, data for years 2001-2011

¹⁰ Source of data is *Official Directory of the Catholic Church in Australia*, various years.



One fact not obvious from the figure is that, of all Melbourne's 176,000 Catholic students in 2011, just 58% were enrolled in a Catholic school, while 34% attended a Government school and 8% a private non-Government school.¹¹ Another fact is, that of all the students enrolled in Melbourne's Catholic schools, more than 20% were not Catholic.



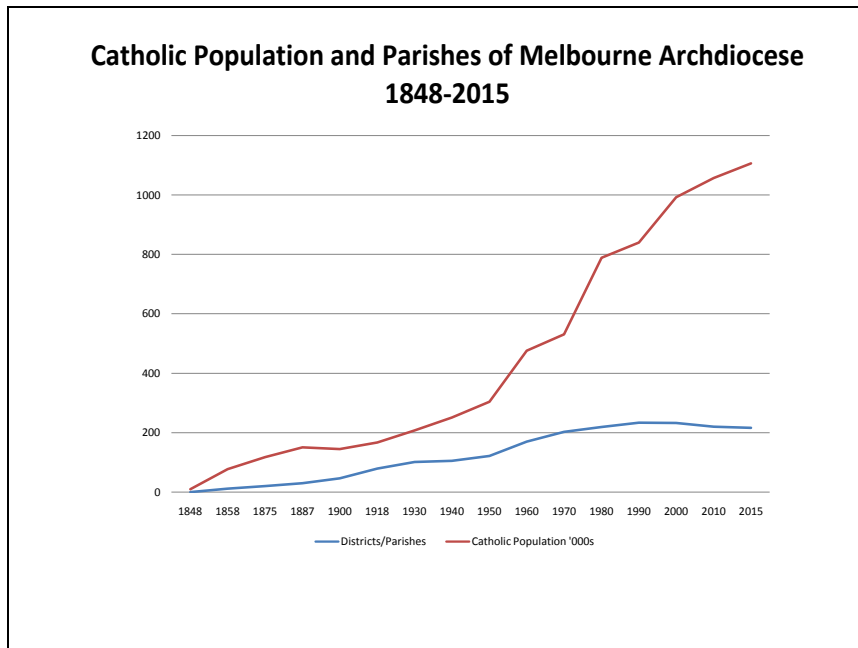
Almost all teachers in Melbourne's Catholic schools are now professional lay persons, and three out of four (74%) are women. Also, 48% of all Catholic school principals are women.

Melbourne's Catholics schools are around 80% dependent on government funding for their ongoing operations. In 2014 the Archdiocese of Melbourne received \$1.4 billion in

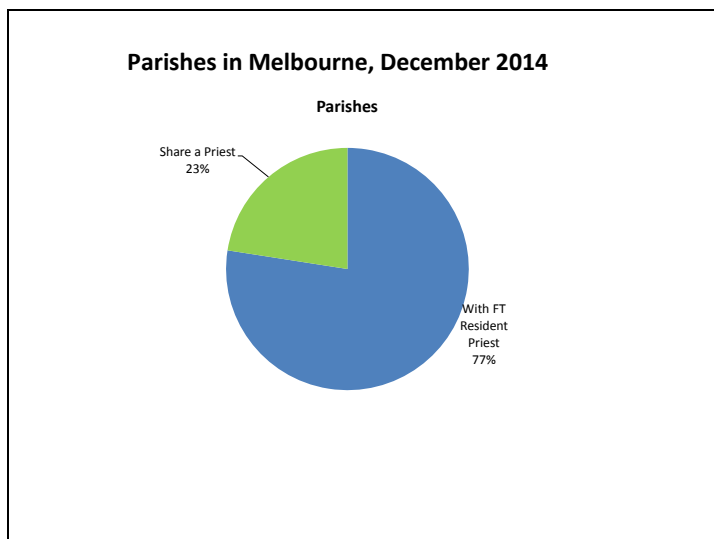
¹¹ ACBC, Pastoral Research Office, *Diocesan Social Profile of Archdiocese of Melbourne, based on the 2011 Australian Census*

government grants for its schools, and an additional \$40 million for its Catholic Education Office.¹²

In large part the life and ministry of priests in the archdiocese centres on its 216 **parishes**. Since 1993, when there were 235, 39 parishes have been merged or amalgamated with one or more other parishes, and just one new parish has been established from scratch.



The graph above shows how, since 1950, parish numbers have progressively lost contact with the Catholic population. In 1950, on average, there was 1 parish for every 2428 Catholics; in 2014 it was 1 parish for every 5120. Eric Hodgens thinks that before long each priest will likely have to serve up to 10,000 Catholics.¹³

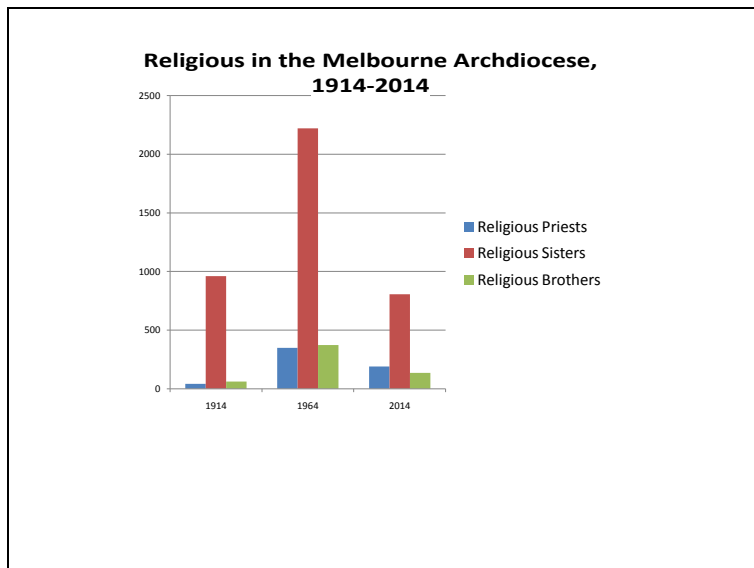


¹² Catholic Education Commission of Victoria, *2014 Annual Report*, p. 50

¹³ Hodgens, Eric, 'The priestly drought now 40 years on – The Update' in *The Swag*, Spring (October) 2011

At end-2014, only 77% (168) of Melbourne’s parishes had a full-time resident priest, while 23% (48) had to share a priest with one or more other parishes. Priests in many parishes now work collaboratively with **permanent deacons** (16) and almost 130 **pastoral associates and workers** who are overwhelmingly women.

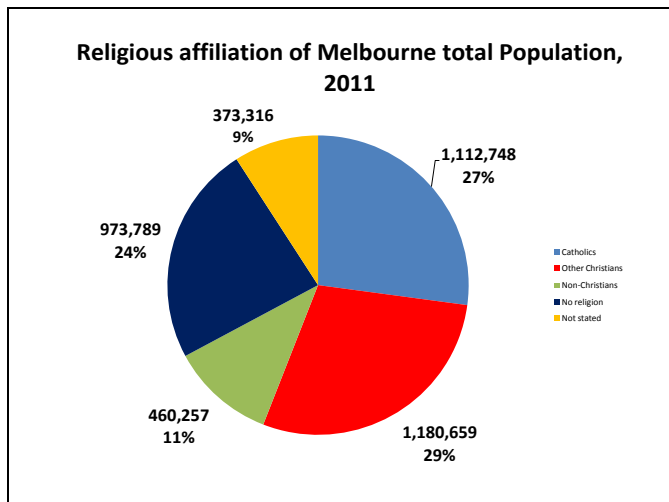
Over the past 100 years, vocations to the **religious life** have been on a roller coaster. This slide shows the number of religious priests, sisters, and brothers in Melbourne in 1914, 1964 and 2014.¹⁴ All three groups grew significantly during the first 50 years, but then fell, almost as significantly, during the following 50 years. Age, retirements, deaths, resignations and few recruits have already forced many institutes to withdraw from active day-to-day involvement in their traditional ministries and hand them over to the laity. Without new members, many institutes will either fade or withdraw.



Melbourne is now a multi-faith and no-faith society. In 1911, 96% of Melbourne’s population was Christian. Now, it is just 56% Christian. Birth rates, migration, secularism, humanism and consumerism have all worked to produce today’s religious diversity. In 2011 besides the 56% self-identified Christians (almost half of them Catholic), non-Christians (Jews, Muslims, Buddhists, Hindus, etc.) made up 11% (0.4 million) of Melbourne’s 4.1 million population, those with no religion 24% (1 million), and those who stated nothing, 9% (400,000) The latter two groups, already one third of all Melbournians, are now the fastest growing.

The chart below illustrates this religious diversity.

¹⁴ Data from *Official Directory of the Catholic Church in Australia*, various years



Sadly, it is in its **pastoral care of families** that the archdiocese has failed disastrously. Over several decades its bishops and not a few priests and religious failed dismally in their duty to safeguard the children entrusted to their care, and then failed again to provide pastoral support to the families traumatized by sexual abuse committed by the Church's own ministers.

In its 2013 Report, *Betrayal of Trust*, on child sexual abuse in the State, the Victorian Parliamentary Committee which undertook the inquiry, summed up the performance of Victoria's Catholic bishops with these words: "...rather than being instrumental in exposing the criminal abuse of children and the extent of the problem, [they, as] the senior leaders of the Church:

- trivialised the problem
- contributed to the abuse not being disclosed or not being responded to at all prior to the 1990s
- ensured that the Victorian community remained uninformed of the abuse
- ensured that perpetrators were not held accountable, with the tragic result being that children continued to be abused by some religious personnel when it could have been avoided." ¹⁵

Subsequently, the Royal Commission into the Institutional Response to Child Sexual Abuse has found that, between 1980 and 2015, 454 people had made claims or complaints of abuse by priests, religious, and employees of the Melbourne Archdiocese. Of those accused, 92% were male and 8% were female. Three quarters (74%) of the complaints made (335) were against priests, and most of the abuse took place in parishes and Catholic schools. So far, 316 claims have cost the archdiocese and its insurer \$16.8 million, at an average \$52,000 per claimant.¹⁶

¹⁵ *Betrayal of Trust*, 2013. Report of the Victorian Parliament's Family and Community Development Committee from its Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations, Summary, p. xxxi

¹⁶ Royal Commission, Case Study 35, Catholic Archdiocese of Melbourne, Opening Address by Senior Counsel Assisting, paras 9-13. [file:///C:/Users/Peter/Downloads/case-study-35--november-2015--melbourne-opening-address%20\(2\).pdf](file:///C:/Users/Peter/Downloads/case-study-35--november-2015--melbourne-opening-address%20(2).pdf) (accessed 3 May 2016).

The Melbourne Archdiocese is wealthy, and now, thanks to the Royal Commission, we have some idea of the extent of its wealth. The *Financial Statements of the Trusts Corporation for the Diocese of Melbourne*, not normally accessible, were published online for the first time in 2014.¹⁷ They showed that in FY 2013, the archdiocese had income of almost \$53 million (up 17% on 2012), expenses of \$48 million, accumulated funds of \$212 million, total assets of \$310 million and net assets of \$222 million. If its land and buildings had been valued 'at market' instead of 'at cost', the total asset value would have been much, much higher. The Statements also reveal that the archdiocese had recovered \$19 million from Catholic Church Insurances (CCI) in 2012/13 for 'notified complaints' – presumably related to sexual abuse – and that significant future recoveries were possible.

The civil law structure of a corporate trust which the archdiocese uses to hold, manage and deal with its property, means that, legally, it is an unincorporated association without a distinct legal personality. And since its assets are subject to a trust created by statute, it is not able to be sued by anyone, such as a sexual abuse survivor. Recently, however, Archbishop Hart has told the Royal Commission that he had recommended to all dioceses and religious congregations throughout Australia that they incorporate, and provide a legal entity for survivors to sue.

In summary, you would have to say that while many of the circumstances of the archdiocese are positive and achieving their mission, others, identifiable and quantifiable, show significant defects and deficiencies.

Other circumstances and needs

There are still other circumstances which are not easily identifiable, nor readily countable, but they count, and they too must be included in any report to the Congregation for Bishops and the Pope. I refer to the following:

- i) the pervasive sense of disappointment, and almost despair among so many Melbourne Catholics, long frustrated by their bishops' unwillingness to implement Vatican II's vision for a co-responsible, accountable, transparent and Christ-like church;
- ii) the widespread dismay and anger among Melbourne's Catholic and general community, stunned that priests and religious could have sexually abused the children entrusted to their care, and more stunned that bishops could have covered-up the crimes and allowed the abusers to continue to abuse;
- iii) a profound sadness that at least two generations of young Catholics, educated in Catholic schools, have distanced themselves from the Church, even to the point where many choose to no longer self-identify as Catholic;
- iv) a conviction among many Catholics that their bishops are unwilling, or afraid, to listen to their people;
- v) and now, a reciprocal unpreparedness of most Catholics to listen to their bishops, and even if they were to, not to trust them;
- vi) a frustration and disgust among so many Catholics that causes them to drift away from parish life, the Mass and the sacraments;

¹⁷ The only document containing the *Financial Statements* has since been removed.

- vii) a widespread perception that the Church itself, at the highest levels, is incapable of dealing effectively with the child sexual abuse tragedy, and lacks the courage and ethical standards to reform its own policies and processes; and finally,
- viii) a growing conviction that the Church must now rely on outside secular authorities to give it moral guidance.

If these are the circumstances of the archdiocese, what are its needs? Eight things that the present and incoming archbishops need to do are very apparent:

- i) deal in a Christlike way with the legacy of the child sexual abuse crimes, the Episcopal cover-up, and the failure to treat the survivors and their families with pastoral care and justice;
- ii) ask forgiveness of the survivors and their families, do public penance, and make just reparation;
- iii) accept with humility and gratitude the work and recommendations of the Parliamentary Inquiry and the Royal Commission;
- iv) repudiate and rid themselves and their clergy of all vestiges of clericalism, a major factor in the abuse scandal;
- v) embrace and implement the highest standards of good governance in the archdiocese. This will involve bringing full gender balance into all diocesan structures, organizations and agencies; implementing co-responsible decision-making at all levels; ensuring full accountability to the faithful of the archdiocese; and conducting church affairs with maximum transparency;
- vi) fully engage with the *sensus fidelium*, so that all the faithful of the archdiocese can become involved in a 'communal search' for a shared diocesan vision of goals and methods of evangelization;
- vii) establish a diocesan pastoral council immediately; and
- viii) hold a long-overdue diocesan synod, as soon as possible, to prepare for the National Plenary Council proposed for 2020, , to draw up a diocesan pastoral plan, and to seek strategies to address some of the major problems in the archdiocese, such as:
 - the crisis in parish ministry;
 - the lack of vocations to the priesthood and religious life;
 - the stop-gap recruiting of priests and seminarians from overseas churches who may need them more;
 - the continuing 'drifting away' of Catholics, especially the young, from the Eucharistic celebration and other sacraments;

Most important is that the Pope is aware of these 'needs' when he is choosing the next archbishop.

Current process for choosing the next archbishop

The current process for choosing a new archbishop involves the Apostolic Nuncio playing a central role. Besides familiarizing himself with the circumstances and needs of the

archdiocese, he must also prepare a short list of three preferred candidates (*'ternus'*), which he will forward, with his report, to the Congregation for Bishops in Rome.

However, before finalizing his list and report, the Nuncio must consult with the Archbishop of Melbourne (Archbishop Hart), the other Victorian bishops, the President of the Australian Bishops Conference (Archbishop Hart), and some (but not all) members of the Melbourne College of Consultors.

If he sees fit, he can also seek, individually and in secret, the views of other clergy, religious and laity (not necessarily of Melbourne) and official diocesan entities. The Code places no limitation on which or how many clergy or laypersons he may consult, save that they be wise. Normally, individuals to be consulted are sent a formal Questionnaire to be filled out and returned in the utmost secrecy.

It is the circumstances and needs of the archdiocese that must guide the Nuncio's choice of candidates. They can be clerics who are already bishops and have a track record, or priests, whom he can select from an already prepared and updated – by the Australian bishops - list of suitable candidates. They must be men of solid faith, good morals, piety, zeal for souls, wisdom, prudence, with other virtues and qualities suited to the office, and a good reputation. They should be at least 35 years of age, ordained at least 5 years, and have a higher degree in a sacred science from an approved university, or have expertise in these areas. Bishops on the short-list will need to be evaluated according to their abilities to respond to the current needs of the archdiocese.

Having finalized his list and report, the Nuncio will send his package to the Congregation in Rome, made up of some 30 Cardinals. They will examine the list at one of their regular meetings, and may either approve or reject it, add or delete names, change the order, or request an entirely new list. When the Congregation has finalized its views, which will include its own preferred order of candidates, and any doubts and questions it has, including minority opinions, it will present them to the pope.

The Pope may seek other advice, disregard the Congregation's views altogether, and appoint whomever he wishes. But most likely, he will accept the recommendations and make his decision known within days. Once received, the Congregation notifies the Nuncio who, in turn, contacts the candidate and asks if he will accept. If the candidate does accept, the appointment is confirmed and made public; if he declines, there is silence, and the process continues.

Of course, the process may not play out entirely smoothly. Other factors may intervene, such as:

- the archbishop's own succession planning, which he can make known directly to the Congregation;
- the limited talent pool of suitable candidates;
- ecclesiastical politicking, here and in Rome, by bishops lobbying or jockeying for preferred candidates or dioceses;

- the increasing use of ‘transfers’ or moving bishops from diocese to diocese, which is now commonplace, and frequently used as career stepping stones to more important dioceses or higher rank; and
- offers of appointment being declined.

What sort of bishop is now needed for the Melbourne Archdiocese?

Certainly you would want someone with the qualities identified by St Paul:

“...irreproachable, married only once, temperate, self-controlled, decent, hospitable, able to teach, not a drunkard, not aggressive but gentle, not contentious, not a lover of money, able to manage his own household well and keep his children under control with perfect dignity ... have a good reputation among outsiders” (1 Tim. 3:1-7; 5:17-19); “...[someone] blameless, not arrogant, not irritable, ... not greedy for sordid gain, ...a lover of goodness, ... just, holy ..., holding fast to the true message as taught” (Titus, 1:5-9).

Pope Francis has said that he will be looking for “...a pastor, close to the people, a father and brother, someone with great gentleness, patient, and merciful...not having the psychology of a prince, ... able to support the movements of God among his people’ ... ‘a shepherd with the smell of the sheep’.

Pope Francis has also said that he wants bishops who will foster a ‘missionary communion’ ..., who at times, will ‘go before their people’ pointing the way’, at other times ‘simply be in their midst with an unassuming and merciful presence’, and at other times ‘walking after their people and helping those who lag behind’. But above all, he wants bishops ‘who will allow the flock to strike out on new paths’,... ‘foster a dynamic, open and missionary communion’, and ‘encourage and develop a pastoral dialogue, with a diocesan synod and a diocesan pastoral council ...out of a desire to listen to everyone, and not simply to those who would tell them what they would like to hear’. He wants bishops whose ‘principal aim with these participatory processes is a missionary desire to reach everyone’.¹⁸

Melbourne certainly needs a new bishop who [to quote Francis] ‘will abandon the complacent attitude that says: “We have always done it this way”’; someone who will be ‘bold and creative in rethinking the goals, structures, style and methods of evangelization’ in Melbourne, and do it with ‘an adequate communal search’, for otherwise his proposals will be illusory. Hopefully he will be a bishop who will ‘not walk alone, but rely on all his people as brothers and sisters under his leadership, in a wise and realistic pastoral discernment’.¹⁹

A better process?

Can there be a better process, involving all the People of God, to select the next archbishop of Melbourne? Let’s be clear, the present process has not always been the way bishops have been chosen.

During the first millennium, three authorities were normally decisive in selecting a new bishop to a diocese: the local faithful, the local clergy, and the neighbouring bishops. But by

¹⁸ *Evangelii Gaudium*, n. 31

¹⁹ *Ibid.* n. 33

the end of the millennium, the local clergy and laity had effectively been deprived of their role in selecting their bishops, and the process had become virtually monopolized by bishops and secular authorities. By the 11th century, even the bishops had ceded much of their power to Rome, and before the Reformation, Episcopal selection had become corrupted by 'simony' (the buying and selling of church offices) and 'investiture' (the practice of civil authorities selecting bishops). Reforms were made, but some power and privilege was still held by the emperor. When the Council of Trent met in the 16th century, it decreed that henceforth 'in the ordination of bishops ... neither the consent, vocation, nor authority of the people or civil power is required for validity: rather ... [bishops who] are only called and instituted by the people, or by the civil power ... are not ministers of the church, but ...thieves and robbers, who have not entered by the door'.²⁰ After Trent, decision-making on Episcopal appointments became increasingly centralized in Rome, and in 1917 the *Code of Canon Law* gave the ultimate power of appointment and confirmation exclusively to the Pope.

But Vatican II re-introduced the principle of co-responsibility and decreed that all the faithful have a proper share in church affairs, and that their right and duty to collaborate actively in the building up of the Church must be recognized'.²¹ Canon 212 of the 1983 Code legislated that 'all the faithful, according to their knowledge, competence and prestige, have the right and, at times, the duty to manifest to the bishops ... their opinion on matters which pertain to the good of the Church, and to make their opinion known to the rest of the Christian faithful'.

There can be no question that the selection of bishops is 'a matter which pertains to the good of the Church', and therefore, one on which all the clergy and laity of the Melbourne Archdiocese have a right and duty to express their views.

But this right will be not be recognized unless the laity and clergy of the archdiocese actively seek and insist on the necessary reforms, structures and processes which will both encourage and allow them to participate in the selection process. Bishops generally have shown themselves reluctant to accept the rights of the faithful, and to spontaneously implement long overdue reforms.

Eminent canonist John P Beal has concluded that a bishop appointed without 'significant' community participation cannot be 'considered a legitimate representative of that church'²² Jesuit theologian, Michael Buckley, has warned that 'if the present system for the selection of bishops is not addressed, all other attempts at serious reform will founder and ever greater numbers of Catholics will move toward alienation, disinterest and affective schism.'

So, how might the laity – and clergy - of Melbourne participate in the selection of their next archbishop?

²⁰ Council of Trent, Session 23, Ch. IV.

²¹ *Christus Dominus*, n. 16.

²² Beal, John P., 'Toward a Democratic Church: The Canonical Heritage' in Bianchi EC and Ruether, RR, *A Democratic Catholic Church: The Reconstruction of Roman Catholicism*, Crossroad, NY, 1992, pp. 66-67

I recently proposed a model which respects Canon Law, but seeks to enhance it. It would encourage co-responsible participation by the laity and clergy, and recognize the gifts of wisdom and understanding received in the Sacrament of Confirmation. It is similar to one already approved and used in the US in 2012.

The proposed model, if used in Melbourne, would have 6 steps:

- i) The archbishop, a year before his 75th birthday, would have advised all the faithful of the archdiocese that:
 - a) he will be tendering his resignation on 16th May 2016; and that
 - b) all the confirmed faithful of the diocese have a right to participate in the selection process for the new archbishop;
- ii) The archbishop would – and still could - prepare and make available to all the faithful of the archdiocese a full report on the current state of the diocese, particularly in relation to its goals, future plans, governance, personnel, parishes, education, health and welfare ministries, diocesan finances, and any significant needs and issues currently facing the diocese or likely to in the near future.
- iii) The archbishop would – and still could - invite and encourage all the confirmed faithful of the diocese, clerical, religious and lay, to participate in the selection process for his replacement.
- iv) The Apostolic Nuncio would – and still can - either directly or indirectly give the faithful of the archdiocese timely notice of the commencement and close of the selection process, and invite them to send to himself, individually and in confidence, their own considered opinions regarding:
 - a) the current and future needs of the archdiocese;
 - b) the qualities the next archbishop should possess to address those needs; and
 - c) if they wish, but OPTIONAL, send him the name of a bishop or priest who, in their considered judgment, would be an excellent candidate for the next archbishop, and explain why.
- v) The Apostolic Nuncio would – and still can - assure those faithful wishing to participate, that their opinions and suggestions will receive his consideration when preparing his short list and report to the Congregation for Bishops.
- vi) When the next archbishop had been appointed and taken possession of the diocese, he will convene a diocesan synod within his first year in office to discuss the issues set out in his predecessor's report and develop a diocesan pastoral plan.

This proposal does not suggest initiatives which might constitute a parallel procedure not part of the canonical selection process. Nor does it suggest that anyone expressing their views to the Nuncio, make use the official questionnaire prepared by the Holy See for the internal purposes of the Nunciature. It does not promote 'politicking', but rather it fully recognizes and respects the confidential and individual nature of views freely expressed to the Apostolic Nuncio,

Why is this change so important?

The reason is simple: all the faithful, by baptism, have a right and duty to manifest to the sacred pastors their views on 'matters which pertain to the good of the Church'. They also have a right and duty to make their views known to the rest of the faithful, so long as they show respect to the pastors and ensure the dignity of others.

I believe that the needs of the Archdiocese of Melbourne and the selection of its next archbishop are such matters. So as I have shared my views with you, and intend to share them with the Nuncio and other pastors, may I encourage you to share with the Nuncio and one another your own views on the state of the archdiocese and the qualities the next archbishop will need to lead the Church in Melbourne forward in the years ahead.

Peter J Wilkinson
1 June 2016