

The Third Australian Plenary Council, 3–10 September 1905 – Part 1

This is Part 1 of the sixth in the series of articles by Peter Wilkinson looking at the particular (provincial and plenary) councils of the Catholic Church held in Australia between 1844 and 1937. It examines the 3rd Australian Plenary Council held in Sydney from 3-10 September 1905.

In the period 1896 -1905, just three particular councils were convened in the English-speaking mission territories under the jurisdiction of the Sacred Congregation de Propaganda Fide ('Propaganda'): the 1900 3rd Plenary Council of Ireland, the 1899 1st Provincial Council of Wellington, New Zealand, and the 1905 3rd Australian Plenary Council.

Cardinal Moran and preparations for the 1905 Plenary Council

At the turn of the century, Cardinal Patrick Moran, Archbishop of Sydney, was at the peak of his power. Made a cardinal by Leo XIII in 1885 and a member of three Roman congregations (Propaganda, Consistory, and Religious), Moran had presided as Apostolic Delegate over the plenary councils of 1885 and 1895, and been tasked with convening assemblies of all the Australian bishops in 1888, 1890 and 1897 and annual meetings of the metropolitan bishops from 1890 to 1894.

During the 1890s Moran believed that the political and civil rights of Australian Catholics were under threat, and that a situation where "no office of first, or even second, rate importance is held by a Catholic" was deliberate discrimination. In the 1880s and 1890s he denounced anti-Chinese legislation as un-Christian, specifically defended Chinese migrants, and even wanted to establish a Chinese College in Sydney. For this, he was pilloried as 'The Chows' Patron'. Moran envisaged Australia as the base for the Christianization of Asia and the Pacific and planned his St Columba's Seminary at Springwood as a missionary college. He gave the French Sacred Heart missionaries a base and seminary in Sydney for their work in Melanesia, and urged Propaganda to provide missionaries for both Melanesia and Polynesia.

By 1897 his influence and authority had become so dominant that he discontinued all meetings of the bishops, even those of the metropolitan bishops. But he suffered a significant setback when Propaganda told him that the Church in New Zealand, which he considered an integral part of the common region over which he presided, was to be separated from the Church in Australia, and that the bishops of New Zealand were to hold their 1st Provincial Council at Wellington in 1899 without his presence.

Moran also played a role in Australian Federation, addressing the People's Federal Convention framing the new constitution in 1896, and standing for election to that body in 1897. Though he failed to win a position, he continued to advocate for an independent Australian defence and foreign policy. He refused to attend the official inauguration of the Commonwealth in 1901 because precedence was given to the Church of England.

When Pope Leo XIII died in 1903, Moran failed to reach Rome in time for the conclave that elected Pius X, during whose pontificate the 1905 Plenary was convened in St Mary's Cathedral, Sydney.

In September 1904 Moran requested the Holy See for approval to convene another plenary council and permission to invite the New Zealand bishops, who had expressed a desire to strengthen their unity with their Australian colleagues. On 30 November 1904 Pius X approved a Council to be held within two years, appointed Moran to preside, but made no mention of the New Zealand bishops. When Moran called all the bishops, abbots, superiors of the religious congregations, and others who were to be present by law or custom, to attend the Council commencing on 3 September 1905, the New Zealand bishops were not included. In the call, he advised each bishop that he could appoint one personal theologian, and that the parish clergy of their diocese could elect one priest to represent them. He also asked each bishop to set up a 'diocesan commission' to consider amendments or additions to the 1895 decrees, and arranged for their reports to be circulated at the Council.

On 2 September 1905, the day before the official Opening, 21 'Fathers' met at St Patrick's College, Manly: Cardinal Moran, Archbishops Carr (Melbourne), Dunne (Brisbane), O'Reilly (Adelaide), and Kelly (Coadjutor, Sydney); Bishops Murray (Maitland), Reville OSA (Sandhurst), Corbett (Sale), Dunne (Wilcannia), Doyle (Lismore), Higgins (Ballarat), Gallagher (Goulburn), Kelly (Geraldton), Dunne (Bathurst), O'Connor (Armidale), Delaney (Coadjutor, Hobart), Dwyer (Coadjutor, Maitland), and Murray (Cooktown): Abbot Torres OSB (New Norcia); and the priest administrators Walsh (Rockhampton) and Norton (Port Augusta). Absent were Archbishop Murphy of Hobart (aged 91 years), and Bishops Gibney (Perth) and Maher (Port August), who were both ill. At the meeting, Torres, Walsh and Norton were granted a deliberative vote. Bishop Gibney appointed Fr Laurence Smyth his proxy (who participated from 7 September), while Archbishop Murphy appointed Mgr Daniel Beechinor as his proxy (later overturned).

In addition to the priests already mentioned, a further 12 priest superiors of male religious congregations with a community in Australia and 37 priest theologians were participants. Nineteen had attended the 1895 Council. No lay persons, male or female, were invited to participate in the Council.

The Council's primary committee consisted of Moran (Chair), and Dwyer (Secretary), with four elected bishops - Higgins, Reville, Murray (Maitland) and Gallagher - and Fr James O'Brien (Assistant Secretary) and Mgr Denis O'Haran (Chancellor). This committee determined to have three working committees dealing with Faith and Sacraments, Discipline, and Education, three public sessions in St Mary's Cathedral (Opening, Closing and Thursday 7 September), three general meetings of the Fathers and priests together, and private meetings of the Fathers only (8 were held). The Council was to be a re-working of the 1885 and 1895 Councils with the same basic format.

Developments and demographic data for 1905

Pope Leo XIII had officially approved the 272 decrees of the 1895 Plenary Council on 22 January 1898, and a week later erected the Diocese of Geraldton (WA) and appointed the Australian-born William Bernard Kelly as its first bishop. Leo also attached the Vicariate

Apostolic of Kimberley to Geraldton on a temporary basis, pending a decision of the French Trappist monks at Beagle Bay, and changed the name of the Grafton diocese to Lismore.

By 1900 various popes had appointed 31 Irish bishops to Australian dioceses, heavily influenced by the Irish bishops in both Ireland and Australia and the senior Irish priests in the Australian dioceses. There was no direct lay input from Australia. Although Propaganda's standing policy favoured locally-born candidates for Episcopal appointment, only two, both of Irish background, had been appointed prior to 1905: Patrick Dwyer to Maitland, and William Kelly to Geraldton.

Table 1: The Catholic Church in Australia, 1905

State/Territory	Total Population	Catholic Population	Diocese/Abbacy/Vicariate Apostolic	Year Est.	Districts (not parishes)	Priests: Diocesan /Relig.	Relig. Sisters	Religious Brothers	Catholic Schools: Primary/Second. ¹	Students in Catholic schools
			Province of Sydney	1842						
NSW	1,487,884	175,000 30,000 45,500 25,540 27,000 19,500 <u>19,000</u> 341,540	Sydney (AD) Maitland (D) Goulburn (D) Armidale (D) Bathurst (D) Lismore (D) ² Wilcannia (D)	1842 1847 1862 1862 1865 1887 1887	72 19 23 15 18 17 <u>11</u> 175	120/74 40/16 47/8 22/2 32/6 17/2 <u>16/0</u> 294/108	1189 224 245 144 243 104 <u>139</u> 2,288	187 14 8 0 8 0 <u>0</u> 217	167/77 38/18 54/11 19/4 40/20 11/12 <u>17/14</u> 346/156	23,085 3,647 4,691 2,510 4,461 1,907 <u>2,980</u> 43,281
			Prov. of Melbourne	1874						
VIC	1,210,421	145,333 59,488 45,368 <u>13,521</u> 263,710	Melbourne (AD) Ballarat (D) Sandhurst (D) Sale (D)	1847 1874 1874 1887	53 25 22 <u>7</u> 107	102/37 52/9 34/6 <u>16/0</u> 204/52	693 250 200 <u>47</u> 1190	50 18 6 <u>0</u> 74	110/31 56/24 31/20 <u>7/2</u> 204/77	24,553 5,600 4,500 <u>743</u> 35,396
TAS	186,385	30,000	Hobart (AD)	1842	19	28/0	135	0	25/5	3,280
			Prov. of Brisbane	1887						
QLD	531,482	60,000 30,000 5,200 n/a 95,200	Brisbane (AD) Rockhampton (D) Cooktown (VA) QLD for Aborigines (VA)	1859 1882 1887 1887	31 18 6 <u>0</u> 55	56/0 24/3 0/10 <u>0/0</u> 80/13	186 152 18 <u>-0</u> 356	25 n/a ² n/a <u>n/a</u> 25	41/22 22/9 3/0 <u>n/a</u> 66/31	6,713 4,892 450 <u>n/a</u> 12,055
			Prov. of Adelaide	1887						
SA	366,667	40,460 <u>11,953</u> 52,413	Adelaide (AD) Port Augusta (D)	1842 1887	27 <u>8</u> 35	34/24 <u>12/0</u> 46/24	302 <u>39</u> 341	45 <u>0</u> 45	35/26 <u>11/2</u> 46/28	4,306 <u>795</u> 5,101
WA	250,138	40,000 n/a 1,500 n/a 41,500	Perth (D) Geraldton (D) New Norcia (AN) Kimberley (VA)	1845 1898 1867 1887	30 n/a Abbacy <u>Mission</u> 30	34/11 9/0 6/12 <u>n/a</u> 49/23	280 44 11 <u>n/a</u> 335	30 0 38 <u>n/a</u> 68	32/17 11/5 3/- <u>n/a</u> 46/22	5,940 591 180 <u>n/a</u> 6,711
NT	n/a	n/a	Victoria & Palmerston (D) ³	1847	n/a	n/a	n/a	n/a	n/a	n/a
Australia TOTAL	4,032,977⁴	824,363 (= 20.4% of total pop'n)	4 Provinces 19 Dioceses 3 Vicariates Apost. 1 Abbacy Nullius		421	701/220	4,645	429	733/319	105,824

Sources: *ABS. Cat. No. 3105.0.65.001; Australasian Catholic Directory for 1906 (data is for 1905). Note: 1. Secondary schools include colleges for boys, boarding schools for girls, and superior day schools. 2. The Diocese of Grafton became the Diocese of Lismore. 3. Name of the diocese changed. 4. This is European population only. Full-blooded Aboriginal people were not included in the official Australian Census until 1967.

In 1905 Australia had 824,363 Catholics, constituting 20.4 per cent of the total population of 4,032,977. In the 4 ecclesiastical provinces, the sole new diocese was Geraldton. There were 421 'districts' (akin to 'parishes'), 921 priests (701 diocesan and 220 religious), 4,645

religious sisters, 429 religious brothers, and 1052 Catholic schools (733 primary and 319 secondary) educating a total of 105,824 students (Table 1).

St Patrick’s College at Manly, the sole seminary in Australia and operating for 16 years, was educating 54 seminarians from all dioceses, with 71 – mostly Australian-born - already ordained as priests.

In the 36 years since the 1869 2nd Australian Provincial Council, the Catholic population had increased by over half a million, districts had almost tripled (+ 279), priest numbers had more than quintupled (+761), and the number of religious sisters and brothers had increased exponentially, as had Catholic schools and their students (Table 2).

The Irish-born (184,035 in 1901) still constituted around a quarter of the total Catholic population, but their numbers had peaked in 1891 at 228,000 and were now diminishing.

Table 2: Change in Catholic population, religious personnel, Catholic schools and students: 1869-1905

	1869	1885	1895	1905	Change 1869-1905
Catholic Population	300,000 (est)	620,000	695,351	824,363	+524,363 (est.)
Districts (akin to parishes)	142	314	361	421	+279
Priests	160	591	747	921	+761
Religious Sisters	130 (est)	1,450	2,836	4,645	+4,515 (est.)
Religious Brothers	4	150	351	429	+425
Catholic schools (P & S)	246	687	897	1052	+806
Students in Catholic schools	11,000 (est)	65,000+	83,891	105,824	+94,824 (est.)

Source: Official Catholics directories, various years.

1901 Federation and Australia’s First Peoples

The Australian Constitution, which took effect on 1 January 1901 establishing the Commonwealth of Australia, included two references to Australia’s Aboriginal peoples: Section 51 (xxvi) giving the Commonwealth power to make laws with respect to “people of any race, other than the Aboriginal race in any state, for whom it was deemed necessary to make special laws”; and Section 127 providing that “in reckoning the numbers of people of the Commonwealth, or of a State of other part of the Commonwealth, aboriginal natives shall not be counted”.

The Commonwealth *Census and Statistics Act 1905*, establishing the Bureau of Census and Statistics, made no reference to Aborigines, but as a definition of ‘aboriginal natives’ was required for census taking, the Federal Attorney-General ruled that “half-castes are not aboriginal within the meaning of s. 127 of the Constitution and should not therefore be included.” At the first Commonwealth Census in 1911 the Bureau excluded ‘Full-blooded Aboriginals’ from its published count of the Australian population, but published a separate count of the “Number of Aboriginal Persons recorded in each State and Territory of the Commonwealth”. In the ‘Religion’ classification of the 1911 Census, 516 full-blooded Aboriginals were counted as ‘Roman Catholics’ and 67 as ‘Catholic (undefined)’.

Prior to 1901 the States were responsible for the welfare of Aboriginal peoples and from 1869 three had enacted special laws and protection policies: the *Aborigines Protection Act*

1869 in Victoria, the *Aborigines Protection Act 1886* in WA, and the *Aboriginal Protection and Restriction of the Sale of Opium Act 1897* in QLD. All were shaped by the prevailing attitudes of racial superiority and paternalism, with the Aboriginal peoples constrained to live under different state laws and regulations severely controlling every aspect of their lives: moving them from their homelands to live on reserves managed by Protection Boards, protection officers, or native welfare officers; having their children forcibly removed from their families; having their movements and associations controlled; and being classified according to descent. Across Australia, Aboriginal people suffered poor living conditions and poor health, and on many reserves and missions had sub-standard shelter or housing, meagre rations, and poor education. Their employment was controlled, and often with rations for payment or their wages withheld. They were also prohibited from speaking their own languages and practising their own culture. More protection legislation was later enacted in NSW (*Aborigines Protection Act 1909*) and the Northern Territory (*Aborigines Ordinance 1911*).

The Council Opening

The Plenary Council opened on Sunday 3 September 1905 with a public Solemn Mass and the singing of the *Te Deum* in thanksgiving for the end of the Russo-Japanese War. The consecration of the new completed St Mary's Cathedral was also celebrated.



Source: National Museum of Australia

The first general meeting of the Fathers and priests on the 4th September dealt only with preliminaries, and at the first private meeting of the bishops, letters to Pope Pius and the bishops of Ireland and France were approved, as well as the drafting of a pastoral letter on socialism. At their second private meeting, the bishops accepted the 1895 Council decrees

as the basic legislation and appointed a committee to draft additional decrees. It was agreed that the main work of the Council would focus on Catholic education, mixed marriage, irremovable rectors, priestly discipline, Catholic publications, and missionary activity.

Education

The first clear statement of policy and principles on Catholic education had been made at the 1869 Provincial Council. This was supplemented with 14 decrees on primary education at the 1885 Plenary Council, and more decrees dealing primarily with parents refusing to send their children to Catholic schools and the right to government funding at the 1895 Plenary. The 1905 Plenary legislated for a revised Catechism to be used in each and every diocese, and for a bishops' committee to set new standards for religious education for all Catholic schools to adhere to, though they should follow the standards of state schools in secular subjects. The Council also called for each ecclesiastical province to establish a Catholic teachers' training college for religious sisters and brothers, and that all buildings be insured against fire.

Mixed marriage

Decrees on mixed marriage between Catholics and Protestants were first legislated at the 1869 Provincial Council, slightly augmented at the 1885 and 1895 Plenary Councils, but left virtually unchanged by the 1905 Plenary, which only wanted outward penitential exercises to deter such marriages and to repair any scandal. Mixed marriages remained strongly condemned, with all priests had to explain their evil and read the 1869 Council decrees annually.

Irremovable rectories and priestly discipline

Though the matter of irremovable rectors had been dealt with thoroughly at the 1885 Plenary, and left untouched in 1895, the 1905 Plenary amended the legislation to allow a bishop, after consulting his senior priests, to reduce an irremovable rectory (equivalent to 'parish') should the local population decrease or for other reasons. Propaganda agreed, but insisted that the irremovable rector in office at the time had to consent.

The 1895 Plenary Council had considered attendance at the theatre and opera as unbecoming for clerics, and any contravention would make a cleric liable to suspension. When priests at the 1905 Plenary asked for uniform legislation on theatres and horseracing, the Fathers added an additional decree (n. 215) renewing the ban, but in stronger terms.

Other issues

At two sessions on 9 September, the Fathers voted in favour of Sydney becoming a primatial see, establishing institutions for mentally-ill and deaf males (already established from females), promoting the publications of the Australian Catholic Truth Society, taking more care in the selection of books for libraries and school prizes, promoting the Society for the Propagation of the Faith, and seeking additional faculties from the Holy See (e.g. sending

holy oils by post, some relaxation of fast and abstinence, etc.) and clarification on hearing confessions on sea voyages.

They voted against the publication of prayer and piety books without ecclesiastical permission, archbishops becoming a tribunal of appeal for questions of discipline and for implementing the decrees of plenary councils, a uniform tax for matrimonial dispensations, and having a summary and explanation of difficult words at the start of the catechism.

They also discussed the prohibition of sending Catholic children to state schools, the *concurus* (test of fitness for parochial office), the funding and care of sick, alcoholic and mentally ill priests, and Holy Communion for nuns.

To be continued