

Why the Church of England has lawful *de jure divino* authority to overrule the universal non-dogmatical customs of the universal church!

How would we prove this? *Solvitur ambulando* (which is a Latin phrase meaning "it is solved by walking" - i.e. it is solved by practical demonstration).

Case I: Fasting Communion. Those who plead for fasting communion in the Church of England state that:

"The English Church holds the custom of fasting reception of the Holy Sacrament to be binding, not for anything she herself has said, but because, AS PART OF THE CATHOLIC CHURCH, SHE INHERITS THE OBLIGATIONS OF A PRACTICE WHICH HAS UNIVERSAL TRADITION ON ITS SIDE" (*The Practical Religion*, p. 233).

Answer: Messrs. Wright & Neill gave this answer to the *Practical Religion*:

'Here the whole of the first century's tradition is ignored, and further a principle is laid down WHICH CANNOT BE ACQUIESCED IN. See Bishop Kingdon, *Fasting Communion*.'

Case II: Intoning the Prayers in Parish Churches. Those who plead for this usage contend that:

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"It has been hastily imagined by some in modern days, that our great liturgical revisionists of the sixteenth century designed to abolish the immemorial custom of the Church of God, alike in Jewish and Christian times, of saying the Divine Service in some form of solemn musical recitative, and to introduce the unheard-of custom of adopting the ordinary colloquial tone of voice. ... But such a serious and uncatholic innovation never appears to have entered their heads. The most that can be said of our English Post-Reformation rule on this subject is, that in case of real incapacity on the part of the priest, or other sufficient cause, the ordinary tone of voice may be employed; but this only as an exceptional alternative. The rule itself remains unchanged, the same as of old. ... The rubrical directions, 'read,' 'say,' 'sing,' expressed in the old technical language, are substantially what they were before." (%1)

Answer:

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"It has been maintained by some modern writers (*m*) that the word "say," imposes an obligation of intoning the prayers; except "in case of real incapacity on the part of the priest," when, it seems, "the ordinary tone of voice may be employed." The rubric, however, gives no room for an exception of this kind. [For NO exceptions to the plain and ordinary meaning of the words in the rubric can be allowed except what are expressly granted by the rubrics themselves, or such lawful governing authorities in Church or State who have lawful *de jure* authority to settle disputed and open questions regarding the true and accurate meaning and application of the Rubrics and of the Rites and Ceremo-

nies of Public Worship in the Church of England; and all grants made by the governing authority must be strictly construed against the grantee.] Its direction is plain and positive: "the priest shall say." If "say" means intone, the rubric requires this, and nothing else, "the priest shall intone." And therefore, a person who is "physically incapable" of intoning is, by reason of that incapacity, inadmissible into holy orders. As matters now stand, if a candidate for orders, or a clerk presented to a benefice, were physically unable "openly, publicly, and solemnly to read the morning and evening prayers" (Stat. 13 & 14 Car. 2, c. 4, s. 6), either from defective articulation, or from want of education, a Bishop ought to reject him (*n*). If the word "say" means intone, it would be a Bishop's duty to ascertain that every person nominated to a preferment is capable of singing a musical recitative, so as to be able to intone the service. Would a court of law sustain a Bishop who made this a ground for refusing to institute a clerk presented by a lay patron? Yet to this issue it would come at last, if the construction put on the word "say," as necessarily meaning "intone," be attempted to be maintained; for the rubrics command that such and such prayers SHALL BE "said."

Footnotes: (*m*): see %1; (*n*): "Bishop Jebb (Pastoral Instructions, 203) declared, "whatever might be their qualifications in other respects, those who are not qualified to perform Divine service in a devout, clear, and edifying manner, shall never be ordained by my authority."

Those who desire to restore the intoned or sung service in parish churches in the Church of England have appealed to the binding authority of Catholic tradition, but are willing to allow for exceptions in the case of "real incapacity on the part of the priest"; but the rubrics of the Book of Common Prayer have NEVER historically allowed such an exception. For NO exceptions to the plain and ordinary meaning of the words in the rubric can be allowed except what are expressly granted by the rubrics themselves, or such lawful governing authorities in Church or State who have lawful *de jure* authority to settle disputed and open questions regarding the true and accurate meaning and application of the Rubrics and of the Rites and Ceremonies of Public Worship in the Church of England; and all grants made by the governing authority must be strictly construed against the grantee. "Its direction is plain and positive: "the priest shall say." If "say" means intone, the rubric requires this, and nothing else, "the priest shall intone.'" Therefore: "No portions of the service of the Church shall be sung or intoned except such as are expressly authorised by the rubric (to be sung); and there shall not be introduced into the service, either on the ground of ancient usage, or because it has been adopted in some churches in England, or on any other pretext whatever, any ceremonial which is not directed or sanctioned by the Book of Common Prayer." - The order of the Bishop of Melbourne on August 29, 1865.

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If any improvement were necessary to make the whole army more efficient, such improvement could only be effectually introduced, as each regiment maintained that perfection of discipline to which it had attained. So in the Church of England, if any improvements are needful to be introduced, they can only be introduced, with any good effect, as the clergy continue in the spirit of ready obedience to those who are over them. In an army, suppose some rule or practice should be discovered in its written regulations which had long become obsolete, would any officer of his own will venture to revive it without any authority from his superiors? Yet, what do we see? Men who, in God's sight, are bound to as strict obedience to their Bishops as any subordinate officer in a regiment to his Colonel; without any authority but that which, it is imagined, is derived from tradition written or oral, straightway taking upon themselves to introduce practices which have long been disused in that part of the Church of Christ where the providence of God has cast their lot.

The practice of intoning the prayers in the parish churches is also contrary to Queen Elizabeth I's injunction concerning reading and chanting in church:

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"There two things much *complained of*; **the one was that the priests read the prayers generally with the same tone of voice that they had used formerly in the Latin service; so that it was said the people did not understand it much better than they had done the Latin formerly.** This I have seen represented in many letters; and it was very seriously laid before Cranmer by Martin Bucer. The course taken in it was, that in all *parish churches* the services should be read in a plain audible voice, but that the *former way* should remain in Cathedrals where there were *great choirs*, who were well acquainted with *that tone*, and where it agreed better with the music that was used in anthems."

Queen Elizabeth I's XLIX'th injunction (in the first year of her reign!!) concerning chanting and reading:

"Item, because in divers collegiate and also some parish churches heretofore there have been livings appointed for the maintenance of men and children to use singing in the church, by means whereof the laudable *science of music* hath been had in estimation, and preserved in knowledge; the Queen's Majesty, neither meaning in anywise the decay of anything that might conveniently tend to the use and continuance of the said science, neither to have the same in any part so abused in the church, that thereby the common prayer should be *worse understood of the hearers*, willet and commandeth, that first no alterations be made of such assignments of living, as heretofore hath been appointed to the use of singing or music in the church, but that the same so remain. **And that there be a modest and distinct song, so used in all parts of the common prayers of the church that the same may be as plainly understood, as if it were read without singing.**' (1 Cardwell, Doc. An. 228.)"

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"...the Rubrics affixed to the Book of Common Prayer, and deriving their legal force and validity from the statute of the 13th and 14th Charles II. chap.4, clearly distinguish such parts of the Book of Common Prayer, as are to be SAID, READ, or PRONOUNCED, from such as are to be sung; but there is no direction that the manner of performing any part of the service should be left to the discretion of the minister, and much less is there any direction in the Rubric that any portion of the Liturgy should be *intoned*; and I suppose it will be conceded that the act of intoning is neither reading, pronouncing, saying, nor singing. **In fact, the intoning of the service was one of the earliest devices invented and resorted to by Romish malcontents, in order to assimilate the service of the Protestant Church to that of Rome**"!!!

Case III: The Revival of Popish Recusant Eucharistic Vestments in the Church of England.

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"Another gentleman, the Rev. W. J. E. Bennett, admitted that he used the vestments. When asked on what grounds he justified such a practice, his answer was — "How I justify it would take a long time." When pressed for an answer, he spoke of "the Catholic usage of the church." The basis of action assumed by this gentleman is at least sufficiently indefinite, and wide enough to admit into the public worship of the Church of England any superstitious usage which he considers to be "Catholic usage." Any custom generally practised in the eastern or western churches, although not specified in the Prayer-book, he considers himself at liberty to adopt. But what becomes of the Acts of Uniformity? Do they permit the use of any rites or customs, provided they be not such as are prohibited by the Book of Common Prayer? nay, they declare the use of any form which is not specified therein to be illegal—"If any manner of parson, vicar, or other whatsoever minister that ought or should sing or say common prayer mentioned in the said book, or minister the sacraments from and after the Feast of the Nativity of St. John the Baptist next coming, refuse to use the said common prayers, or to minister the sacraments in such cathedral or parish church, or other places, as he should use to minister the same, in such order and form as they be mentioned and set forth in the said book; or shall wilfully or obstinately, standing in the same, use any other rite, ceremony, order, form, or manner of celebrating the Lord's Supper, openly or privily, or matins, evensong, administration of the sacraments, or other open prayers, than is mentioned and set forth in the said book; or shall preach, declare, or speak any thing in the derogation or depraving of the said book, or any thing therein contained, or of any part thereof, and shall be thereof lawfully convicted according to the laws of this realm by verdict of twelve men, or by his own confession, or by notorious evidence of the fact, shall lose and forfeit to the Queen's Highness, her heirs and successors, for his first offence, the profit of all his spiritual benefices or promotions coming or arising in one whole year next after his conviction, &c. The chapter on ceremonies contains the following paragraph—"Let all things be done among you, saith St. Paul, in a seemly and due order. The appointment of the which order pertaineth not to private men; therefore no man ought to take in hand, nor presume to appoint or alter, any public or common order in Christ's Church, except he be lawfully called and authorized thereto."

Near the end of the 19'th Century, the Anglican Archbishop of York testified that:

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"Errors and excesses there certainly are of a serious kind and much to be deplored, particularly in the great centres of population. . . . The Prayer-book as enacted by the Statute of Uniformity constitutes our orders and yours. . . . Any idea of reversing the position which was taken up at the time of our great awakening and deliverance in the sixteenth century has never entered any one's head. . . . All that is wanted is a more complete and more loyal conformity on all sides to the plain directions of the Book of Common Prayer. IT CANNOT BE PERMISSIBLE TO SAY one the one hand THIS PRACTICE IS AN ANCIENT USAGE OF THE CATHOLIC CHURCH AND WE ARE ENTITLED TO RESUME IT, or this is a remnant of Popery and we are entitled to neglect it. . . . He regrets that the prefaces to the Prayer-book are so little known and considered even by the clergy."

This means that the Church of England has every lawful RIGHT to change, question, relax, or abrogate even the most ancient usages of the Catholic Church provided that they be not essential to the Catholic faith. **QED**

We therefore CONDEMN and REPUDIATE the following two popish and ultramontane propositions of the haughty and tyrannical "pontiff" Apostate Antipope Impious IX:

"Nor can we pass over in silence the audacity of those who, not enduring sound doctrine, contend

that “without sin and without any sacrifice of the Catholic profession assent and obedience may be refused to those judgments and decrees of the Apostolic See, whose object is declared to concern the Church’s general good and her rights and discipline, so only it does not touch the dogmas of faith and morals.” But no one can be found not clearly and distinctly to see and understand how grievously this is opposed to the Catholic [BASIC] dogma of the full power given from God by Christ our Lord Himself to the Roman Pontiff of feeding, ruling and guiding the Universal Church.” - Apostate Antipope Impious IX, *Quanta Cura*, n. 5.

“But the neo-schismatics say that it was not a case of doctrine but of discipline, so the name and prerogatives of Catholics cannot be denied to those who object. Our Constitution *Reversurus*, published on July 12, 1867, answers this objection. We do not doubt that you know well how vain and worthless this evasion is. For the Catholic Church has always regarded as schismatic those who obstinately oppose the lawful prelates of the Church and in particular, the chief shepherd of all. Schismatics avoid carrying out their orders and even deny their very rank.” - Apostate Antipope Impious IX, Encyclical *Quartus Supra & Reversurus*.