

SUMMARY HISTORY of BISHOP MORRIS' DISPUTE with the ROMAN DICASTERIES

The following is an overview of the history of the dispute between Bishop William Morris and the Roman Dicasteries. It is not exhaustive and the full detail is to be found in the associated documents.

- November 1992 Fr William Martin Morris is announced as the new Bishop of Toowoomba. He succeeded Bishop Edward Kelly MSC, DD, who had retired in accord with canon 401 § I having completed his 75^h year.
- 9 February 1993 Bishop Morris presented the Apostolic Letter of Appointment to the clergy of the diocese in a para-liturgy held at the James Byrne Centre, Highfields. All clergy signed a copy of the letter to indicate their acceptance of William Morris as Bishop of Toowoomba.
- Bishop Morris, immediately, proved to have a very different style of leadership from previous bishops. The Bishop encouraged dialogue and collaboration. Among differences of approach were:
 - The creation of a Personnel Board to deal with appointments of clergy. This body consulted with the people of the parishes concerned and interviewed applicants before recommending the most suitable person for the position. In the past appointments, except for a few exceptions, were made on seniority of ordination.
 - The bishop established a Diocesan Liturgical Commission to facilitate education and formation of priests and people in matters of liturgy.
 - A Policy was established for Initiation of Children that returned the sacraments of Confirmation and first Eucharist to their ancient order.
 - Guidelines for the use of General Absolution within the celebration of Communal Rites of Reconciliation were developed. These celebrations were generally well received and the prayerful participation of the laity was evident to all who presided at them.
 - A Diocesan Assembly was called that resulted in the formation of a Diocesan Pastoral Council and the development of a Diocesan Pastoral Plan. There have now been several of these Assemblies, each designed to invigorate the pastoral life of the diocese and review and refine the Diocesan Pastoral Plan.
 - The Bishop broke with tradition and wore a tie, embroidered with his coat of arms, rather than the Roman Collar. The Bishop offered each priest a black tie with the Diocesan Arms and indicated that the wearing of the tie was to be considered clerical dress, along with the collar and the white shirt with crosses, the choice being left to the individual cleric.
- The Bishop's relaxed and open style was welcomed by most of the Diocese. However, there was a small but vocal minority who found fault with nearly every action he took and decision he made.
 - When a parish in Toowoomba was given to the junior applicant, and him considered by a small group of clergy to be radical, there were meetings of some clergy to consider action against the bishop.
 - Over time there was a growing campaign of letters of complaint from the minority of

dissatisfied people. Most of these letters were sent directly to Congregations in Rome. Many of the letters concerned the use of General Absolution as one of the few areas where there might have been divergence between the practice of the diocese and the liturgical regulations.

- The issue of the use of General Absolution led to a dispute between the Bishop and Cardinal Francis Arinze, Prefect of the Congregation for the Sacraments and Divine Worship. Some of this dispute took on a personal aspect.
- Despite all attempts to explain how the practice of the diocese fulfilled the requirements of canon and liturgical law and how it was becoming more and more necessary as clergy numbers decreased and that the ordinary means of Reconciliation was still the first rite of Penance, the Congregation insisted that the practice cease. This demand was complied with in a gradual way so as not to distress people.
- 22 May 1994: Pope John Paul II promulgates the Apostolic Letter *Ordinatio Sacerdotalis* concerning the ordination of women and declares the conversation ended.
- 18 May 1998: Pope John Paul II makes additions to two canons of the Code of Canon Law in a *motu proprio*: *Ad Tuendam Fidem*. The additions to canons 750 & 1371 effectively make it an offence punishable in canon law for any of the faithful to discuss the possibility of the ordination of women. In the normal course of events the punishment would be decided by a Tribunal and depending of the severity of the case could range from a censure to removal from office to excommunication; in the case of a cleric other penalties might include suspension or removal from the clerical state.
- 2 May 2002: Pope John Paul II promulgates the *motu proprio Misericordia Dei* concerning the celebration of the Sacrament of Penance. The *motu proprio* essentially limited the use of General Absolution to extreme circumstances, e.g. war and imminent threat of attack.
- Advent 2006: the Bishop's pastoral letter made reference to the various discussions going on around the world as a result of the crisis in priestly vocations in the western world. The letter referred to discussions concerning: orders (deacons, priests and bishops) of other faith communities, and the ordination of married men and of women.
- In December 2006 the Bishop received a letter, via fax, demanding that he attend a meeting with three Cardinals, Re, Levada, and Arinze, in the Congregation for Bishops in Rome. The letter was dated 21 December 2006. The meeting was to be held in February 2007 and possible dates were given. The Bishop replied by letter, dated 22 December 2006, that he would be willing to meet but stated there were serious pastoral reasons why he could not be absent from the diocese at that time. He indicated that he would be in Rome in May 2007, representing the Australian Bishops at an international Church meeting on professional standards and would be willing to meet the three Cardinals at that time.
- In a letter dated 4 January 2007 Cardinal Arinze insisted that the issue was important enough that the Bishop present himself in February as previously demanded.
- In a letter dated 17 January 2007 the Bishop repeated his previous position.
- In March 2007 the Bishop received notification that an Apostolic Visitor had been appointed by the Congregation for Bishops and would undertake a Visitation in the near future. Archbishop Charles Chaput, from the Diocese of Denver in the United States, arrived for the Visitation on 23 April 2007. He spent the night with Archbishop Bathurst in Brisbane.

- On Tuesday 24 April 2007 the Visitor arrived in Toowoomba, met informally with Bishop Morris, then met with the Council of Priests. He then began a series of meetings with various Diocesan bodies, officials, priests, directors of agencies and people of the Diocese. Prior to his arrival Archbishop Chaput had named various people, clergy, officials and groups, he wished to meet. Others were nominated by the Bishop. There was a cross section of people and clergy of the diocese representing all levels of support and opposition to the Bishop. On Wednesday and Thursday he travelled around the diocese and conducted interviews. The interviews resumed in Toowoomba on Friday and Saturday morning. After a final interview with the Bishop on Saturday midday the Visitor departed and prepared his Report, which was presented to the Congregation for Bishops by early May 2007, prior to the Bishop's scheduled journey to Rome.
- After the Apostolic Visitor left the majority of the clergy and Pastoral Leaders of the Diocese gathered to discuss what had happened. All except three priests signed a letter of support for Bishop Morris and these individual letters along with letters of support from the Pastoral Leaders and the Diocesan Pastoral Council were sent to the Congregation for Bishops.
- While Bishop Morris was in Rome in May 2007, no meeting with the Cardinals took place despite the fact that he had previously been summoned to meet with them and that the report of the Apostolic Visitor had been presented to the Cardinals.
- The Report of the Apostolic Visitor has never been shown to the Bishop.
- In September 2007 an unsigned memorandum, dated 28 June 2007, from the Congregation for Bishops was received by Bishop Morris. It concluded with a request for the Bishop to resign.
- On 17 September 2007, the Bishop indicated by letter, that he would reflect on the memorandum and reply after his October 2007 holidays.
- 3 October 2007: a letter from the Congregation for Bishops stated that the request for the Bishop's resignation was being made in the name of the Holy Father.
- 6 November 2007: a letter from the Bishop to Cardinal Re suggested collaboration and dialogue. The Bishop stated he would provide a detailed answer to the memorandum as far as that was possible. The Bishop stated he would be prepared to meet with the Cardinals in January 2008 with Archbishop Philip Wilson, President of the Australian Episcopal Conference (ACBC) and with Archbishop Bathersby, Metropolitan of the Queensland Province, present with him at the meeting.
- In a letter dated 30 November 2007 Cardinal Re set 19 January 2008 for a meeting with the Bishop and Archbishop Wilson. In this letter the Cardinal said he saw no reason for Archbishop Bathersby to accompany the Bishop.
- On 27 and 28 December 2007, the Bishop convened a meeting of several canon lawyers and Bishops to advise him on how he could best respond to the memorandum and the Letter requesting his resignation. This Advisory Group consulted international canonists.
- In mid-January 2008, the Bishop travelled to Rome. On 19 January 2008, the Bishop met with Cardinals Re, Levada and Arinze in Rome at the Vatican. Archbishop Wilson was with him. The Bishop had previously suggested he bring a canonical advisor with him to the

meeting as well but was discouraged from doing so by Cardinal Arinze. The Bishop also asked to speak with the Holy Father but was told this would only be permitted after he had resigned. His resignation was still being demanded by the Cardinals.

- In a letter dated 24 January 2008 the Bishop informed Cardinal Re that he felt unable to resign.
- On 8 February 2008 the Diocesan College of Consultors was convened and briefed by the Bishop on the details of all that had happened since the Apostolic Visitation in April 2007 and in particular on the January 2008 meeting with the Cardinals in Rome. Only those priests of the diocese in the Advisory Group had previously been aware of the Bishop's meeting in January 2008 with the three Cardinals.
- Cardinal Re replied to the Bishop by letter dated 13 February 2008 and again called on the Bishop to resign.
- On 21 February 2008, the Advisory Group was again convened by Bishop Morris. A formal and more developed "Statement of Position" was prepared in response to the issues raised in the unsigned memorandum of September 2007. These issues had again been emphasised in the January 2008 meeting in Rome with the three Cardinals. Once again they requested Bishop Morris to resign.
- On 14 March 2008:
 - The "Statement of Position" was sent by Bishop Morris to Cardinals Re (Congregation for Bishops), Levada (Congregation for the Faith) and Arinze (Congregation for the Sacraments and Divine Worship).
 - A letter was sent to the Supreme Tribunal of the Apostolic Signatura asking about the right to defence in this instance. (The Apostolic Signatura is the highest court in the Church and the last court of appeal, similar to the High Court of Australia.)
 - A letter was sent to the Pontifical Council for Legislative Texts, asking for a definition of what constituted "grave cause" in canon 401 § 2. (This Pontifical Council provides definitive interpretation and definition of legal terminology in all Church law.)
 - A copy of correspondence sent to each of the Church Officials and bodies above was also provided to the other Church Officials and bodies.
- On 10 April 2008 the Apostolic Signatura replied saying it was not in their competence as no legal proceedings had taken place.
- In early September 2008, the new Apostolic Nuncio, Archbishop Giuseppe Lazzarotto, informed the Bishop that Cardinal Re was still waiting for the Bishop's reply. The Bishop informed the Nuncio that he had already replied to Cardinal Re on 14 March 2008 when correspondence has been sent to several Roman bodies and Officials and that the Apostolic Signatura had already replied.
- On 13 September 2008 the Pontifical Council for Legislative Texts replied saying the interpretation of "grave cause" in canon 401 § 2 was up to the Congregation for Bishops to discern.
- In a letter dated 23 October 2008, Cardinal Re demanded the resignation of the Bishop by the

end of November 2008 so that an announcement could be made in early January 2009. The letter stated that if the resignation was not forthcoming the Bishop would be removed.

- On 19 December 2008 the Bishop sent a letter to Cardinal Re, stating that in conscience he could not resign, and outlining his reasons for this position.
- On 24 December 2008 the Bishop wrote directly to Pope Benedict XVI.
- In a letter dated 31 January 2009 the Pope wrote to the Bishop inviting him to arrange an audience through the Prefect of the Papal Household, Archbishop James M Harvey.
- Archbishop Harvey wrote to the Bishop on 10 March 2009 informing him that he and Archbishop Wilson would be received by the Pope on 4 June 2009.
- The Bishop met with the Pope on 4 June 2009 with Archbishop Wilson, President of the Australian Catholic Bishops Conference, also in attendance. It was obvious that the Pope had been thoroughly briefed as he reiterated the demands of the three Cardinals and indicated that the Bishop's talents lay elsewhere than as the Bishop of a diocese. The Pope urged Archbishop Wilson to work with Bishop Morris to find him a suitable national position in the Australian Church. The Bishop left the meeting saying to Archbishop Wilson that he had no intention of resigning as Bishop of Toowoomba.
- On 9 July 2009 Bishop Morris received a letter from Cardinal Re requiring him to submit his resignation as he had promised the Pope he would do at their June meeting. The Bishop maintained he had not made such a promise.
- On 12 November 2009 Bishop Morris wrote to the Pope clarifying his position that in conscience he could not resign from office.
- On 22 December 2009 Pope Benedict replied to Bishop Morris requesting that Bishop Morris resign from office and reminding him that there is no appeal from papal decisions. The Pope repeated the serious concerns he had with Bishop Morris's position on the ordination of women and recognition of the orders of Anglicans and other Churches.
- On 25 January 2010 the Bishop gathered the Consultors with Brian Sparksman and Peter Schultz to update them as to the current situation. The Bishop read the Pope's December letter. The Bishop also informed those present that Archbishop Wilson was currently in Rome and that he had taken with him a proposal that the Bishop would retire when he reached the age of seventy (in October 2013). If this offer was not acceptable, the Bishop was prepared to retire at an earlier date (in mid 2011) depending on the progress of a recent sexual abuse case in the diocese. [In a later letter to the Holy Father (8 December 2010), Bishop Morris would request more time in office, beyond mid 2011, to attend to the ongoing matters involved in responding to the families and children in the sexual abuse case]
- On 6 February 2010, Cardinal Re wrote to the Bishop, informing him that the Pope had decided to accept the Bishop's "proposal", as presented by Archbishop Wilson, to remain in office until mid 2011 (May 2011) but made no reference to the Bishop's condition of satisfactorily finalising the current sexual abuse case. While the Bishop's offer was to "retire", the letter used the term "resign".
- On 21 July 2010 the Bishop wrote to the Apostolic Nuncio expressing his desire to remain in office beyond May 2011 due to the ongoing pastoral response necessary in the sexual abuse

case.

- November 2010: at the Australian Catholic Bishops' Conference (ACBC) the Apostolic Nuncio informed the Bishop his request was declined.
- 8 December 2010: the Bishop wrote to the Holy Father informing him of the reasons why he wanted to remain in office beyond May 2011; primarily to deal with the pastoral ramifications of the sexual abuse case involving a former teacher at a parochial school.
- In a letter written on 21 February 2011 (with a typographical error in the dating: it was dated 2010), Archbishop Lazzarotto requested Bishop Morris to tender his resignation which would be effective immediately. The Apostolic Nuncio informed the Bishop that the fact of his resignation would be announced on Monday 2 May 2011. In this same letter, Archbishop Lazzarotto informed the Bishop that an Apostolic Administrator would be announced the same day. The Appointment of an Apostolic Administrator removes from the College of Consultors their responsibility to elect a Diocesan Administrator in the event of a vacant See.
- On Friday 11 March 2011 the Bishop called the College of Consultors together with Brian Sparksman and Peter Schultz to inform them of these developments.
- The Bishop wrote to the Apostolic Nuncio on 15 March 2011 indicating that in conscience he could not resign but that he had accepted that his early retirement would be announced on 2 May 2011.
- On 14 April the Bishop met for the last time with the Consultors, Brian Sparksman and Peter Schultz, to tell them of his intention to send a letter to the Priests and Pastoral Leaders and a Pastoral Letter to the people of the Diocese. All supported the Bishop in this decision. This would mean that the diocese would first hear the news from the Bishop and not from the media.
- On Wednesday 27 April 2011, the Bishop sent a letter to all Priests and Pastoral Leaders informing them that he would be accepting early retirement on Monday 2 May. The Bishop included a Pastoral Letter to the people of the Diocese to be read at all Masses on the weekend of 30 April and 1 May 2011.
- On Friday 29 April 2011, a Reflection Document on the Bishop's early retirement, including this Summary History of Events, was sent by the Consultors to all Priests, Pastoral Leaders, Diocesan Pastoral Council members, Diocesan Pastoral Administration Committee members, Diocesan Finance Board members, Directors of Diocesan Agencies, and Heads of Churches (Anglican, Lutheran and Uniting) in the Toowoomba region.

Summary History prepared by Peter Schultz and Peter Dorfield: 29 April 2011.

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