

An Board Pleanála - Oral Hearing PL53.214338

Submission on behalf of the Friends of St Coleman's Cathedral

Midleton Park Hotel – 1st March 2006

(Mrs. Terry Pender, Secretary FOSCC)

Introduction

1 Inspector, Ladies and Gentlemen. Thank you for giving us the opportunity to explain our position regarding the proposed re-ordering of St. Colman's Cathedral.

A. The Friends of St. Colman's Cathedral

2 The Friends of St. Colman's Cathedral is a conservationist group based in Cobh, Co. Cork. We were founded in 1998, by the people of Cobh so as to provide the ordinary people of the town with a means of expressing their views on the planned reordering of the interior of St. Colman's Cathedral.

3 We try to promote a greater public awareness of the religious, social and heritage significance of St. Colman's Cathedral. Begun in 1867 and completed in 1919, the Cathedral was one of Edward W. Pugin and George Ashlin's most important Irish commissions. It is, without question, one of the finest examples of ecclesiastical architecture in the Gothic Revival style in Ireland. It was built at a time when leading architects had absorbed the principles of pointed architecture laid down by A.W.N. Pugin (1812-1852), the father of E.W. Pugin and father-in-law of George Ashlin. The concrete expression given to the Celtic Revival in Cobh Cathedral is, together with the later Honan Chapel in Cork and Loughrea Cathedral, probably the most important in the country.

4 The Friends wish to state at the outset that our campaign to preserve the architectural integrity of Cobh Cathedral has never been directed against the person of the Bishop of Cloyne. We take issue, not with the Bishop of Cloyne *qua* Bishop, but with the Trustees of St. Colman's Cathedral who are Mr. Tom Cavanagh, Fr. Tim Fouhy and Bishop Magee. We take issue with Bishop Magee on this matter only to the extent that he chooses to act as a Trustee of St. Colman's Cathedral and in that capacity alone.

5 Membership of the Friends of St. Colman's Cathedral is open to any member of the public who shares our desire to conserve and promote the religious, cultural, artistic and architectural heritage of Cobh Cathedral.

6 Membership of the Friends does not impose any restriction on the right of its members to express themselves freely in relation to the Cathedral project or indeed in relation to any other topic. Views expressed by individual members are precisely that and may not necessarily be the views of the Friends.

7 Similarly, membership by Catholics does not relieve them of their obligations to obey the authority of the Catholic Church in those areas in which obedience can *lawfully* be claimed by those who legitimately hold and exercise such authority. Indeed, the Friends support and promote lawful ecclesiastical authority, properly constituted and exercised. Indeed, this is one of the principles underlying our position with regard to the liturgical arrangements of the Cathedral

8 The Friends have always pursued their objective within the framework of the civil law and by those means legitimately available to associations such as ours in any democratic society. We maintain a website (www.foscc.com) and publish and distribute newsletters as the need arises. It has not been our practice to have inordinate recourse to the press or to the mass media. We have not actively organized a media campaign in the press or television to arouse public opposition to the Professor O'Neill's proposals for the re-ordering of the Cathedral nor indeed against the ecclesiastical authorities of the diocese of Cloyne. When requested, the Friends usually do meet with the press. In the recent past, interviews or press releases have been given to RTE, The Evening Echo, The Irish Examiner, The Irish Catholic, The Sunday Business Post, The Sunday Independent and The Daily Telegraph.

9 We are financed by the subscriptions of the people of Cobh and of the diocese of Cloyne. We do not have the backing of a major financier. Funds have been received by direct donations, raffles, street collections and other activities held in Cobh, Mallow, Macroom, Mitchelstown, Kanturk, Youghal, Fermoy, and Midleton. The people have already paid the substantial fees incurred by the Friends in presenting our appeal to An Bord Pleanála.

10 Indeed, the Friends offer possibly the only means available to the man in the street to express his opinions on the proposed re-ordering of the Cathedral and to have them taken seriously – though we note that Professor O'Neill in his Report of November 2005 (p. 23) says only of the submission made by the Department of the Environment that it “has been carefully thought out [and] has merit”. While none of the Committee would claim particular expertise in relation to the art and architectural significance of the Cathedral, at the same time, the Committee does believe in having the best available advice to guide its decisions.

11 Having spoken of whom and what the Friends of St. Colman's Cathedral are and do, it is perhaps useful to clarify for this honourable Bord what the Friends are not.

12 We wish to state that we are not an anti-clerical body promoting criticism of the clergy of the parish of Cobh or of the diocese of Cloyne and much less of the Holy See. In our circular letter to the clergy of the diocese of 31st August 2005, (Appendix 1) our secretary stated the following explicitly on behalf of the Friends:

“Before presenting our position, I wish to assure you that the Friends of St. Colman’s Cathedral are all practising Catholics who love the Church and hold our priests in high esteem. For this reason, it grieves us to be considered somehow in opposition to the clergy. This is certainly not our intention. However, our pride in Cobh Cathedral and our love for the church in which we have prayed all our lives motivates us to make our voices heard in regard to matters which affect us deeply.”

“Our objections to the proposed re-ordering of Cobh Cathedral come under a number of headings: liturgical; architectural; and a deep love of our Cathedral as it is and not wanting to see it changed in any way. We love our Cathedral as a House of God, as a place of profound sacredness and beauty, as our heritage, as a lesson in stone of the faith of our fathers, and we reject the idea that it is unsuitable in any way for the functions for which it was designed. We also reject the idea that the original architects somehow got it wrong and that the present group is going to put it right”.

13 The promoters of this development have contented themselves to speak almost exclusively with the instances of civil government, statutory bodies, and the Department of the Environment. Particularly noteworthy has been the very close collaboration between the promoters and the Heritage Council on the Cobh project.

14 The Friends have noted that the Heritage Council has made grants to the Cathedral restoration project on three occasions – including one for a conservation report whose findings do not appear to have been accepted by the Historic Churches Advisory Committee. An Application, on the other hand, made by the Friends to the Heritage Council to fund a Heritage Impact Study in Cobh Cathedral was recently rejected.

16 For reasons that will be outlined below, it appears that the promoters made similar consultation efforts, of an inappropriate nature, to the ecclesiastical instances for reasons that are not always too clear. In a press statement published by the communications’ officer of the diocese of Cloyne on 1st February 2006, (Appendix 2) it was publicly confirmed that, as recently as 26th January 2006, Bishop Magee renewed his efforts to have the Congregation for Divine Worship and the Discipline of the Sacraments approve his plans.

17 It should also be mentioned that while Professor O’Neill’s plans seem to have been in existence since the summer of 2003 and have been shown to various bodies such as The Heritage Council, the Cobh Town Council, and the Cork County Council Heritage Office, and to the Pugin Society, they were never shown to the Friends of St. Colman’s Cathedral. Neither were they exhibited for the comments of the general public before the promoters lodged a planning application with Cobh Town Council. This is in stark contrast with a previous set of much less radical proposals which were exhibited in the Cathedral in July 1999 but which were never executed.

B. Position on Re-Ordering of the Cathedral

18 The promoters of the proposed development for the interior of St. Colman’s Cathedral have never consulted the Friends of St. Colman’s Cathedral with regard to any proposed changes to the Cathedral sanctuary. We have at no time received correspondence from the promoters asking us to state our views with regard to an approach to the re-ordering of the Cathedral that might be acceptable to us. At no time have direct or indirect, formal or informal contacts, been made with the Friends.

19 Yet, we notice that Professor O’Neill, in his report of November 2005 (p.26) states that best conservation practice would not be met were there an “insistence that St. Colman’s be preserved forever in its present state”. There seems to be an assumption that the Friends take the view that St Colman’s should be conserved as a museum or merely as a tourist attraction.

20 We have at no time adopted such a position and recognise that the Cathedral is, for the most part, a functioning parish church that already celebrates the liturgy according to the norms laid down in the Constitution of the Sacred Liturgy, *Sacrosanctum Concilium* (4th December 1963), of the Second Vatican Council and in the post conciliar legislation, up to and including, *The General Instruction of the Roman Missal of 2000*.

21 Mr. McCutcheon, in his Report (p.14), claims that the Friends have chosen to ignore what he describes as “the primary sources on liturgical matters”. The Friends would point out that it consulted a notable canonist and an expert in liturgical law, in order to have available an accurate understanding of what is prescribed in the liturgical books of the Catholic Church, especially in the *General Instruction of the Roman Missal (2000)* – which must surely be the prime source for the celebration of the Mass.

22 We would note that the *General Instruction for the Roman Missal*, (Appendix 3) paragraph 299, makes no provision “for the gathering and movement of the congregation around the altar”, as Mr McCutcheon and Professor O’Neill seem to assume. Paragraph

311 of the same text, dealing with the places to be reserved for the laity in churches, does not envisage a possibility of the laity circling the altar or gathered about it. The Friends would also wish to point out that paragraph 295 of the *General Instruction to the Roman Missal* determines that the sanctuary, where the altar is situated, is to be distinguished from the rest of the church either by a higher plane, or by a particular structure (*per peculiarem structuram*) i.e. an altar rail. The same paragraph makes evident that the area in which the altar is sited is reserved for the priest, deacon and other ministers who serve at the altar.

23 Professor O’Neill’s observation that “altar rails or other dominant physical barriers are almost unknown in any church built since the 1970s. See for example the new Cathedral of Our Lady of the Angels in Los Angeles” (O’Neill Report, p. 10) is irrelevant to the fact that the current liturgical norms make legitimate provision for altar rails in historical churches. Indeed, in accordance with a long tradition, the current norms do not positively exclude altar rails from being constructed in new churches. Bearing in mind the historical development of altar rails and their theological significance, which has already been mentioned in an observation to An Bord Pleanala (of which the applicants appear to have taken no notice), it is difficult to see how any liturgical norm could exclude altar rails from any church, historical or modern.

24 The present arrangement of the sanctuary in Cobh, clearly, conforms to the liturgical norms cited above as well as to the norms on the preservation of historical patrimony established by Cardinal Lercaro in 1965 and 1966. We would also point out that the present liturgical arrangement in Cobh Cathedral is similar to the approach adopted in many cathedrals and important churches throughout the world: St. Patrick’s in New York; [\(picture 1\)](#) St. Mary’s in Sydney [\(picture 2\)](#) – [and here I would like to thank His Eminence Cardinal Pell of Sydney who very kindly supplied one of our members with the photograph]; the Basilica of the Immaculate Conception in Guelph, Ontario, [\(picture 3\)](#) the Gesù and Sant’Ignazio in Rome [\(picture 4\)](#) Santa Maria del Carmine in Florence; St. Brendan’s in Loughrea [\(picture 5\)](#); the College Chapel (J.J. McCarthy) in Maynooth; the Honan Chapel in Cork [\(picture 6\)](#); St. Patrick and St. Phelim in Cavan [\(picture 7\)](#); Cathedral of St. Eunan's in Letterkenny [\(picture 8\)](#).

25 With regard to the Cathedral of St. Vitus in Prague, the Friends of St. Colman’s Cathedral have been able to ascertain from the Dean of the Metropolitan Chapter of that Cathedral, the Very Reverend Professor Jan Matejka, that the arrangement of the sanctuary there was installed by Cardinal Tomasek in the 1970s. He affirmed that it took the form of placing an altar facing the people at the western end of the historical sanctuary. In short, the present disposition of the sanctuary in the Vitudom at Prague is another example of the moderate approach to re-ordering that was also used in Cobh in the 1970s.

26 Mr. McCutcheon, in his Report of November 2005, p. 15, writes: “The reference [in J. Coughlan’s Heritage Impact Report of September 2005] to St. Vitus in Prague is incorrect as the cathedral has already been reordered. We attach, as Appendix 7, a photograph of the reordered sanctuary which has been extended forward as is planned by Professor Cathal O’Neill for Cobh”. In view of Mons. Matejka above mentioned statement, this assertion is patently wrong.

27 In the current liturgical law, several options are available when adapting historical churches to the post conciliar liturgical norms.

28 Firstly, we note that the use of the High Altar remains a valid option for the celebration of the Mass. This was officially confirmed by Cardinal Lercaro in his circular letter: "*Le renouveau liturgique* (Appendix 4) to the Episcopal Conferences of 30th June 1965. He again reiterated this position in a set of norms conveyed to the same Episcopal Conferences by a further Circular Letter, entitled "*L'heureux développement*", of 25th January 1966 (Appendix 5).

29 On 11 April 1971, Cardinal Wright, the Prefect of the Congregation for the Clergy (which at that time held competence for the protection of the artistic patrimony of the Church) addressed a circular letter, entitled *Opera artis*, (Appendix 6) to the Episcopal Conferences establishing norms for the protection of patrimony in the context of liturgical reorderings. Among other things, Cardinal Wright makes it clear that any liturgical changes must accord with the civil laws protecting artistic patrimony where such exist. Moreover, it is clear that the liturgical norms are flexible enough to accommodate the provisions of civil law protecting artistic patrimony and no insistence is made that the civil law must accommodate the liturgical norms - that position was reiterated by Cardinal Medina in his responsio of 25 September 2000. We refer to the text of these circular letters published in Reiner Kaczynski, *Enchiridion Documentorum Instaurationis Liturgicae*, and Vol. I, Rome 1976, p 137 (no. 414), [and] pp. 203/204 (no.578), and pp. 785/787 (nn.2539-2547) respectively (Appendix 7).

30 In the 1965 letter Cardinal Lercaro stated: “*De toute facon, nous tenons à souligner que la célébration de toute la Messe vers le peuple n’est pas absolument indispensable à une action pastorale efficace*”. ” In any case, we are obliged to underline the fact that it is not absolutely indispensable for an effective pastoral impact that all of the Mass be celebrated facing the people ». Returning to the question of adaptations of historical churches in his letter of 25th January 1966, the Cardinal states: “*D’abord, pour une liturgie vivante et participée, il n’est pas nécessaire que l’autel soit face au peuple*”. “Firstly, it is not necessary that the altar face the people to have a liturgy in which people actively participate.” Moreover, in the same letter, His Eminence continues: “*De plus, il faut tenir compte de la situation architecturale et artistique, laquel,*

en bien des pays, est d'ailleurs protégée par de sévères lois civiles “. “Moreover, account must be taken of the architectural and artistic situation, which, besides, is protected by strict civil laws in many countries”. It is interesting to note that liturgical adaptations are here officially regarded as subject to the provisions of the civil law where such exist.

31 The Friends would point out that this option is availed of in churches such as the Cathedral of Pienza in Italy, the Brompton Oratory in London, and the Church of the Holy Name of Jesus in Manchester etc. While the Friends recognise the validity of this option in liturgical law, they have never exclusively espoused the option.

32 A second option available is the possibility of detaching the altar *Mensa* from its reredos and moving it to the edge of the praedella or elsewhere in the sanctuary. This happened in a great number of churches in Ireland but the Friends would not support such an option in the case of Cobh cathedral because of the artistic significance of the altar and its surroundings.

33 In larger churches, new sanctuaries have been constructed outside of the historical sanctuaries. This is an option which has been availed of in particularly large churches where space is available and the overall impact of a second sanctuary is lessened by the proportions of the building. An example of such would be Milan Cathedral which is 540 feet long; 220 wide; and 120 high with seating for 40,000. It was built between 1386 and 1888. It lacks a unity of style because of the long building period and because of the initial plan which represents a compromise between imported French architects and the native Milanese. Cobh is 210 feet long; 120 wide; and 80 feet high. The option would be unlikely to succeed in the smaller area of St. Colman's.

34 We also note that other possibilities for historical churches are available in paragraph 303 of the *General Instruction to the Roman Missal (2000)*. In those circumstances where the High Altar cannot be moved a concession is made permitting that a second altar may be placed in the sanctuary in front of the existing altar. The concession arises from the general norm that there be but one altar in a church. This was the adaptation made by Bishop Ahern in Cobh Cathedral in the 1970s following the recommendations of a report to the effect that the cathedral did not lend itself to substantial alterations. We also note that the solution adopted by Bishop Ahern was also adopted, as mentioned above, in Cathedrals such as St. Patrick's in New York; (picture 1) St. Mary's in Sydney (picture 2); St. Brendan's in Loughrea (picture 3); and in other major churches such as the Basilica of the Immaculate Conception in Guelph Ontario (picture 4) and in the Sistine Chapel in Rome.

35 The Friends agree with the widely held view that the altar which was installed in Cobh during the 1970s is not of a standard commensurate with the artistic quality of the cathedral sanctuary and is unsuitable for use as the altar of Sacrifice. We would readily

be prepared to discuss options for its replacement with a more dignified altar, which could be installed without causing damage to the existing sanctuary or necessitating a highly invasive intervention such as that proposed by Prof. O'Neill.

36 The Friends are aware that the option of providing a new altar for the sanctuary in Cobh was one of a number of options placed before the Bishop's Briefing Committee in 1998. Unfortunately, it was discarded without serious discussion and its merits never meaningfully considered.

37 We would respectfully suggest to this honourable board that a suitable arrangement for the Mass to be celebrated in accordance with the liturgical norms already exists in Cobh Cathedral. We accept, however, that it could be ameliorated by the provision of a more worthy altar. The Friends have always been willing to discuss this option, which represents the view of most of the people of Cobh. The promoters of the present development have never, however, consulted us in the matter.

39 On a related point, we would respectfully bring to the Bord's attention the brief provided by the Trustees of the Honan Chapel ([Appendix 8](#)) in Cork to Mr. Richard Hurley when he was asked to draw up plans for the provision of an altar facing the people in the Honan Chapel. The Friends would specifically underline the seriousness with which those trustees addressed the architectural and artistic integrity of this highly important church in their brief:

“Any refurbishment and intervention must naturally respect the integrity of McMullan's design, in all its details, floor, walls, carvings, fittings and sanctuary furnishings. Nothing that was to be added should detract, in any way from the unity of the building. Liturgical changes required a new altar of celebration, lectern, celebrants chair and Baptismal Font. These new furnishings had to fit into the existing environment without damaging it. The integrity of the existing chancel had to be respected. This was particularly relevant to the existing altar and predella, and also to the magnificent mosaic floor which commences within the entrance door of the chapel and flows right through the nave up into the chancel. This wonderfully inspired design of the River of Life is based on words taken from the Canticle of the Three Children in the Fiery Furnace. The new font is placed just within the west door in the centre of the mosaic, which depicts the sun and other stars of the heavens, surrounded by the signs of the zodiac. It had been hoped to place the new altar in the centre of the chancel mosaic panel, but this position proved to be too far back for liturgical reasons. It was moved forward, and because of this, some sense of symbolic unity is lost. The new furnishings were not to be fixed to the floor, but should convey that they are merely resting on the surface” (<http://www.rha.ie/honan.html>)

40 In contrast to this serious conservationist approach, we would like to quote the summary of the brief given to Professor O’Neill by the Trustees of St. Colman’s Cathedral, noting that Ludwig Oppenheimer and J and G. MacGloughlin are responsible for work in the sanctuaries of both St. Colman’s Cathedral and the Honan Chapel.

41 Professor O’Neill, on page 4 of his Report of November 2005, writes: “He [Professor O’Neill] then met the Briefing Committee and developed the design brief in detail. The requirements were:

- a. *provide a new altartable at which the celebrant would face the congregation;*
- b. *provide a new sanctuary which would reduce or eliminate the degree of separation between the celebrant and congregation;*
- c. *convert the existing Pieta (sic) Chapel into a Mortuary Chapel;*
- d. *convert the existing Mortuary Chapel to a vesting sacristy;*
- e. *examine the options of relocating the pulpit;*
- f. *provide a new cathedra which would have closer relationship with the body of the church. It was specified that this should not be centrally placed so as not to distract from the presence of the Blessed Sacrament”.*

42 The Friends would contend that the contrast in the above mentioned reordering briefs displays two very different approaches to the conservation of historical, artistic, cultural and architectural patrimony. Both the Honan Chapel and St. Colman’s Cathedral, though of different styles and architects, can be regarded of equal architectural and cultural importance. The Honan Chapel Trustees evidently had the benefit of a high level of enlightened professional advice available to them before drawing up a brief and the standard of that advice is clearly reflected in the instruction given to Mr. Richard Hurley.

43 We would also contend that the brief given to Professor O’Neill (as outlined by him in his Report of 2005) reflects no artistic, heritage or cultural concern for the conservation of Cobh Cathedral. Indeed, there is no mention of an artistic or heritage limitation on anything that Professor O’Neill was asked to do by the Trustees of St. Colman’s Cathedral. From what we can gather, a conservation report, prepared by Carrig in March 2001(Appendix 9), with monies provided by the Heritage Council, for St. Colman’s Advisory sub-committee, on several occasions cautioned against any major invasive work being carried out to the Cathedral. The Carrig Report states on pages 9:

“The design [of St Colman’s] is very finely tuned and any intervention which might contradict the delicate interplay of parts have the potential to compromise the architectural quality of the building. When St. Colman’s was built it was already one of the finest expressions of the Gothic Revival style in Ireland. This eminence has been held to the present day”.

44 And on page 11 *“ Finally, the wealth of information and sources pertaining to the design and construction of St. Colman’s can provide a unique insight into the whole process of the construction of such a building as this cathedral while providing a remarkable record. The importance of this material cannot be overstated. This, together with the definitive record which is the cathedral itself, must be preserved and safeguarded for our future generations”.*

45 These particular items of professional conservationist advice do not appear to have been included in the application for planning permission made to Cobh Town Council.

46 In the context of contrasting the briefs delivered to Mr. Richard Hurley and to Professor Cathal O'Neill for the respective re-orderings of the Honan Chapel and of St. Colman's Cathedral, we would respectfully place before this honourable Board the contents of chapter 27, especially nn. 27.4; 27.8; 27.9; 27.11; and 27.12) of the aforementioned publication of the Liturgical Commission of the Irish Episcopal Conference, *The Place of Worship* (3rd. edition, Veritas, Dublin 1994, pp. 49/50) (Appendix 10).

47 Without prejudice to anything the Friends present to the Board on the liturgical and canonical status of this publication, we believe that grounds exist for thinking that even the aforementioned provisions of chapter 27 of *The Place of Worship* have been ignored, misapplied or possibly misinterpreted by the promoters of the project being appealed.

48 For example, we would note that no. 27.11 stipulates: *Where the reordering and adaptation is being carried out in a church of special historical or artistic merit, the advice of experts should be sought in relation to the preservation and conservation of the building and its distinctive features”.* The Friends have already referred to a conservation report commissioned for the Cathedral from the Dublin conservation architects Carrig. The professional advice made available in that Report, while emphasising the peculiar heritage, social and artistic importance of St. Colman's, was effectively ignored by the Historic Churches Advisory Committee of the diocese of Cloyne and by the promoters.

49 Again, *The Place of Worship* (no. 27.9) recognises that genuine works of art are to be found in existing churches in Ireland - albeit example of such are not often encountered. The text continues: *“Occasionally there may be found in existing churches*

works of genuine merit or historical value. Destruction or mutilation of such would be inadmissible". In the case of Cobh Cathedral, nobody doubts its architectural importance or the high quality of craftsmanship generally to be found in the building, especially in the interior. Both the diocesan archive and the Irish Architectural Archive contain material which make it quite plain that the major elements of the interior were not bought off-the-peg but designed by Ashlin and Colman and crafted specifically for the Cathedral interior, e.g. the altar, pulpit, and baptismal font, the sanctuary of which forms a single artistic *ensemble*.

50 Given the artistic importance of the the sanctuary *ensemble*, and of the individual items that make it up, the Friends would suggest that the advice proffered in paragraph 27.12 of *The Place of Worship* should apply to the promoters of the present scheme: "*If the advice is that the element is a genuine work of art, attempts to adapt it are unlikely to be successful. Its artistic merit and beauty may depend on its being retained as a single piece*". The Friends believe that this item of common sense advice should well have been adhered to by the promoters with regard to Ludwig Oppenheimer's mosaic floor in the Chancel of St. Colman's and to its altar rail.

51 In addition to the artistic value of the Chancel mosaic, the Friends have been able to ascertain from an English mosaic conservation company that it would currently cost something in the region of £300,000 sterling to install a floor of the quality of Oppenheimer's. Indeed, a figure of something in the region of £150,000 would be needed to install the central roundel of the Chancel floor. We believe that this consideration alone should have given the promoters pause for thought before advancing a plan, for which no guarantees of success are available, that envisages lifting the entire mosaic, atomizing it, and reusing part of it. It would be difficult to imagine public reaction to a suggestion that the great mosaic in the apse of the Lateran Basilica be lifted, atomized and its parts reused or stored.

52 The Friends also note that *The Place of Worship* adverts to the need for "careful and sensitive handling" when approaching reorderings of historical churches. While such was more than evident in the case of the recent re-ordering of the Honan Chapel, we regret to say that the proposed reordering of Cobh Cathedral cannot be cited as further example of that sensitivity and careful handling born of true *Wissenschaft*. Rather, we are inclined to the view that the promoters of the proposed reordering did not follow or execute the criteria which, they claim, are normative for the liturgy. Had they done so, we might have expected to have seen an approach to the reordering of St. Colman's similar to that outlined above in the brief given to Mr. Richard Hurley by the Trustees of the Honan Chapel.

53 In relation to other possible liturgical arrangements, we would respectfully point out that the liturgical law of the church makes a distinction between what is to be done when building a church *ex novo* and when providing an altar for the celebration of Mass facing the people, where such is possible, in historic churches. It seems to us that Professor O'Neill's project for Cobh Cathedral does not take sufficient cognizance of this distinction and requires a level of physical intervention on the existing fabric of the Cathedral nowhere demanded by the liturgical norms and good conservation practice. The promoters of this project have never justified the liturgical grounds for their proposal by specific reference to the current law.

C. Correspondence with the Holy See

54 In his Report to An Bord Pleanála of November 2005, Professor O'Neill states the following:

“The project was presented in the form of a report to His Eminence, Cardinal Francis Arinze, Prefect of the Congregation for Divine Liturgy (sic) and the Discipline of the Sacraments at the *"Vatican, who wrote approving the proposals"* (O’N, p.5).

55 The Friends of St. Coleman's Cathedral would wish firstly to point out that Professor O'Neill does not indicate when “the project” was presented to Cardinal Arinze.

56 It seems that that this could have happened in October 2003 when Bishop Magee travelled to Rome. The Bishop is reported to have said to a meeting of the Cathedral Chapter that he met with Cardinal Arinze in his private apartment so as to circumvent the presentation of this project to the Congregation [for Divine Worship and the Discipline of the Sacraments] in the normal way.

57 It is not clear from Professor O'Neill's statement whether the project presented to the Prefect of the Congregation [for Divine Worship and the Discipline of the Sacraments] was the same, in all respects, as that lodged with Cobh Town Council in July 2005.

58 It seems that the plans presented to Cardinal Arinze could have been drawn up by Professor O'Neill and associates as early as the summer of 2003. This ambiguity has never been clarified by the promoters. When writing to us in April 2004 Bishop John stated that the designs were as yet unfinished.

59 Professor O'Neill's contention reflects a statement made by the Bishop of Cloyne in a circular letter dated 6 July 2005 (Appendix 11) in which he says: “The design was submitted by me to the relevant Congregation in Rome and received its approval”. Unfortunately, this statement reflects a fundamental misunderstanding of the competence

and functioning of the Congregation for Divine Worship and the Discipline of the Sacraments which, for reasons outlined below, is constitutionally barred from taking positions on any material submitted to it which might subsequently become the subject of an administrative recourse to the same Congregation. Approval of the plans by the Congregation would have compromised its competence and exposed it to a disciplinary recourse to the *Supreme Tribunal of the Apostolic Segnatura*.

60 The Friends have consulted a Canon Lawyer on the legality of presenting the aforementioned project to the Prefect of the Congregation [for Divine Worship and the Discipline of the Sacraments] asking him to approve the same. We are advised that such a procedure would have been improper and that it was highly unlikely that the Congregation, as such, would have issued a letter approving Professor O’Neill’s project let alone mandate its implementation in Cobh Cathedral.

61 We are advised that the competence of the Congregation for Divine Worship is established in articles 62-70 of the Apostolic Constitution *Pastor Bonus* of 28 June 1988 (Appendix 12). Furthermore, we are advised that the *Regolamento Generale della Curia Romana* of 8 September 1992 (articles 123, e; 124 and 128 § 3) (Appendix 13) establishes the Congregation as the competent instance to hear administrative or hierarchical recourses (or appeals) presented to it by the Christian faithful in matters arising from liturgical law and discipline.

62 The friends are advised that the Congregation has an institutional duty to safeguard this function so that any administrative (hierarchical) recourse made to the Congregation can be heard impartially and *super partes* by the Congregation.

63 Given this function of the Congregation, we are advised that any project, such as Professor O’Neill’s, presented to the Congregation for approval, would be highly unlikely to receive any form of approval – especially in controversial cases that might later become the subject of appeal to the Congregation. It is pointed out to the Friends that were the Congregation to grant its approval to Professor O’Neill’s project, it would have exposed itself to a disciplinary recourse to the *Supreme Tribunal of the Apostolic Segnatura* and rendered itself incapable of exercising its function of hearing an administrative or hierarchical recourse by a third party against the project planned by Professor O’Neill (*Pastor Bonus* 121, 123 § 3) (Appendix 14).

64 In civil instance terms, Professor O’Neill’s assertion that his project has been approved by the Congregation for Divine Worship and the Discipline of the Sacraments would be similar to saying that An Bord Pleanala had approved a planning application before it had ever been submitted to a planning authority.

65 The Friends maintain that in the absence of any institutional approval from the Congregation [for Divine Worship and the Discipline of the Sacraments] any correspondence from its Prefect, Cardinal Francis Arinze, indicating approval for Professor O'Neill's project can only have the authority of the Cardinal's private opinion which cannot prejudice the competence of the Congregation [for Divine Worship and the Discipline of the Sacraments].

66 On July 31st 2005, the Friends of St. Colman's Cathedral wrote to Cardinal Arinze asking him to confirm that he had approved Professor O'Neill's project for Cobh Cathedral. The Cardinal Prefect replied to the Friends on 7th September 2005 and indicated to them that it would be good were the Friends of St. Colman's Cathedral to meet with Bishop Magee "and resolve outstanding differences" about the proposed Cathedral re-ordering. We infer from the Cardinal's letter that he wrote in a similar sense to Bishop Magee.

67 On 26th September 2005, the Friends wrote to Bishop Magee and conveyed to him that the Prefect of the Congregation [for Divine Worship and the Discipline of the Sacraments] had directed them to meet with him so as to arrive at an amicable resolution of differences surrounding Professor O'Neill's proposals for the re-ordering of St. Colman's Cathedral.

68 Bishop Magee replied on 13th October 2005 proposing a date of 27th October 2005 for the meeting. A tentative agenda was proposed. It was accepted that agreed joint minutes would be kept by a representative of the bishop and of the Friends. The Friends made arrangements to be available for the meeting. On 24th October, Bishop Magee wrote to the Friends suggesting that the Friends might wish to cancel the meeting.

69 In reply, the Friends indicated that [as] they had their arrangements made for the meeting. Members had arranged to take time off work. It would have been preferable that the meeting had gone ahead. We indicated that we would be prepared to do anything possible to accommodate the bishop's schedule.

70 On 26th October 2005, Fr. Jim Killeen, pastoral coordinator, wrote to the Friends saying that the Bishop had postponed the meeting to another date, as he was chairing a meeting of the Episcopal Commission for Liturgy in Maynooth. He also indicated that the bishop needed to reflect further on the nature of the proposed meeting and on its agenda. He also suggested a provisional date of November 3rd for the meeting.

71 The Friends wrote to Bishop Magee on 28th October, 2005 indicating that they would like to reach agreement on certain issues, such as a mutually agreed agenda, before asking their members to take further time off work.

72 In a letter of 3rd November the Friends indicated their understanding of the meeting was that it should be a pastoral one to be conducted in mutual respect so as to resolve the issue of the Cathedral re-ordering project. In the interest of fairness, we asked that the meeting be chaired by any impartial priest of the diocese. While the Friends proposed the Dean of the Cathedral Chapter, the Friends left the choice of a chairman to the Bishop. When the suggestion proved unacceptable to the Bishop, the Friends proposed the Chairman of the Priest's Council or any other impartial priest of the Bishop's choice. The Bishop, however, insisted on chairing the meeting himself.

73 Further difficulties arose with regard to the agenda for the meeting. The Friends made several concessions so as to appease the Bishop – including eliminating an explicit mention of an item concerning the Friends' costs. In a series of exchanges, the Bishop insisted that any discussion with the Friends would have to take place "within" the proposals for the Cathedral. Asked to clarify the meaning of "within", the Bishop was not able to do so in a fashion that would not prejudice the position of the Friends and rejected a number of compromise formulations that would have allowed the Friends to hold their position without prejudice to the bishop's position.

74 When it became impossible to reach any agreement with the bishop on the question of the substantive issue to be placed on the agenda, and on the question of the chairmanship of the meeting, the Friends wrote to Cardinal Arinze on 18th December 2005. It was indicated to His Eminence that the meeting which he had instituted in his letter of 7th September 2005 proved impossible because of Bishop Magee's intransigence with regard to the question of the agenda and of the chairmanship. At this point, the Friends suggested that the meeting could be transferred to Rome and that Cardinal Arinze, or a member of the Congregation [for Divine Worship and the Discipline of the Sacraments], could chair the meeting and establish the agenda. By this, the Friends suggested that the Congregation would act a mediator between the bishop and the Friends.

75 While the Friends are not clear about the next step taken by the Congregation, we can infer that some contact would have been made with Bishop Magee proposing a resolution of the question according to the rules for mediation used by the Congregation. It seems that the Bishop's reaction was to seek a separate meeting with the Congregation in another effort to gain the Congregation's support for his plans.

76 From a press statement issued by the diocese of Cloyne on 1st February 2006, it emerges that a meeting took place in Rome on 26th January 2006 ([Appendix 2](#)) between Cardinal Arinze and officials of the Congregation for Divine Worship and the Discipline of the Sacraments and Bishop Magee, Msgr. James O'Donnell and Msgr. Denis Reidy. While the press statement released by the diocesan press officer in Cloyne on 1st February 2006 mentioned that the "bishop did not need the approval of the Congregation" for his

plans the Friends gather that Bishop Magee was formally notified by the Congregation that his plans were not liturgical requirements and had never been approved by the Holy See.

77 On 10th February 2006, Cardinal Arinze wrote again to the Friends indicating that efforts should be made to resolve the issues still outstanding between Bishop Magee and the Friends at local level. The Friends have again written to Bishop Magee asking for a meeting to resolve issues outstanding.

Conclusion

78 In conclusion, the Friends are an interested body in this project and enjoy great public support. No effort has been made on behalf of the promoters of the project to consult with or even take into account the concerns of the Friends or the ordinary people they represent, even though they would ultimately be the ones most deeply and immediately affected by these proposals.

79 The Friends have never regarded St. Colman's Cathedral merely as a Puginian museum and/or tourist attraction. We, and those we represent, view it principally as our parish church and the Cathedral Church of the Diocese. There are several possibilities available for the ordering of an historic church and we take the view that the approach for a building of the calibre of St. Colman's should be minimalist with the retention of the original fabric. We do, however, agree that a replacement for the current temporary inferior quality altar is to be desired.

80 From our correspondence with the Holy See it is clear that the position we maintain is consonant with the liturgical norms and that the project currently under appeal has never had official approval from the Holy See. We would therefore respectfully ask that the Bord would uphold this appeal.