

CHAPTER 14 Piety and Precedence

Despite an angry prophecy in August 1899 by a member of the New South Wales Legislative Council, ¹ Section 115 (which now became Section 116) was not tampered with when the Imperial parliament debated the Federation Bill during May and June 1900. Once the Bill had passed, the task facing those recognitionists who hoped to link religion and the churches with the Commonwealth was to explore the positive practical implications of the ‘recognition’ of deity’ in the preamble. But their scope for action was now somewhat restricted by Section 116.

Two doors had been shut. Section 116 clearly prohibited the Commonwealth parliament from passing Sunday observance laws; while its spirit, and perhaps its letter, barred the governor-general in council from appointing days of thanksgiving and humiliation. However two other long-standing projects – one stemming from the formal, the other from the informal, agenda of 1897-8 – remained open to the churches.

In that a standing order of parliament was, on the face of it, *not* a law, the 1897 proposal that ‘the daily session of the Upper and Lower Houses of the Federal Parliament be opened with prayer by the President and Speaker, or by a chaplain’ probably evaded Section 116. In that allocating precedence at public Commonwealth ceremonies was regarded as the prerogative of the monarch, and not parliament, the negative reach of Section 116 was evaded here too. So the clerical quest for public status might in this sphere legitimately seek gratification.

The leading churches campaigned vigorously on each issue – against the demon of secularism, and sometimes against each other. Clerical standpoints on both questions were firmly, indeed trenchantly, defined and displayed in connection with the 1 January 1901 ceremony at Centennial Park at which the Commonwealth formally was inaugurated. The prayer issue was settled by mid-1901. However, the precedence controversy was not resolved until 1905.

Commonwealth Inauguration

In October 1900 the New South Wales Council of Churches began a campaign to win the Commonwealth for God, and God for the Commonwealth. Their first object was to secure a religious element in the 1st January ceremony. They also projected a longer-term campaign to secure prayers in the federal parliament-to-be.² The cooperation of member denominations was solicited, and also that of councils of churches in other colonies.³ The response was encouraging, both within and beyond New South Wales. The heads of member churches, and also councils of churches in the other colonies, prepared formal requests to the New South Wales government that prayers be an integral part of the inauguration ceremony. These were forwarded to the New South Wales Council to be used at its discretion.⁴ Early in November a council delegation, headed by the primate, Archbishop Smith, approached the New South Wales government which was arranging the inauguration ceremony.⁵

The New South Wales government, of which Lyne now was premier, had already shown a disposition to cooperate. Even before the council’s formal approach, the government had invited churches of all denominations in New South Wales to hold special watch-night services at 11 p.m. on Monday 31 December. It had also declared

Sunday 6 January, 'Commonwealth Sunday'.⁶ Lyne's response to the council was encouraging, but before reaching a final decision he discussed the matter with Moran.

It was prudent, even necessary, for Lyne to do this. Moran, as the head of a church whose Australian membership approached one million and which was not linked in any way with the essentially Anglo-Protestant Council of Churches, had a clear *prima facie* right to be consulted about, and indeed invited to participate in, any religious ceremony at the inauguration. Furthermore, Protestant-Catholic relations in New South Wales, rarely amicable, were at this time at a specially low ebb.⁷

Moran however was reasonably helpful. He was, after all, an enthusiastic federationist. He declined to participate with the primate in the inaugural religious ceremony itself. However, he did offer to recite a prayer for the Commonwealth, either before or after the ceremony. This Lyne would not consider and Moran (according to Moran's later account) at this time 'made no complaint'.⁸

The government in late November formally acceded to the proposal from the council. The primate was invited to compose the prayer and to arrange the religious portion of the swearing-in ceremony. On 7 December the *Australian Christian World* declared with satisfaction that not only was 'the name of Almighty God... acknowledged in the preamble to the Federal Constitution' but 'the Commonwealth will be inaugurated by solemn acts of worship'.

Whether Moran at this point genuinely accepted exclusion from any independent role in the religious ceremonies is not clear. However, two occurrences now offered him not only firm provocation, but also a plausible pretext, to seek after all to play a separate, indeed dominant role in this ceremony. This first was the 'insult' offered to him by the 'order of precedence' list issued by the New South Wales government, early in December, for the landing on 15 December of the new Governor-General, Lord Hopetoun. This list grouped *all* heads of denominations together.⁹ Moran, upon learning of this, 'of course' (as he put it) declined to attend.¹⁰ In his view the current rules of colonial precedence placed him above other clerical leaders: the cardinal and primate ranked together above other church leaders, and (a point favouring Moran in this case) took precedence, as between each other, according to the date of episcopal ordination.¹¹ Indeed on the day before Hopetoun landed, the government adjusted the order of ecclesiastical precedence. It bracketed the primate and the cardinal together, high on the list. Then, after a gap, came the moderator, immediately followed by the dean. Finally, after a further gap, came 'Clergymen of all denominations according to population'.¹² This revision may well have been acceptable to Moran, but came too late. 'The change was not intimated to me till the day of the landing of His Excellency', Moran later stated. He was not then able to alter his plans.¹³

The second event was the intervention of the new governor-general himself. Hopetoun, using as a model the general 'Table of Precedence for the Commonwealth' approved by the Queen, issued a special 'List of Precedence' for the inauguration.¹⁴ According to this, cardinal and archbishop were bracketed together, in that order, as number 6, quite close to the top, while (a point soon to become equally controversial) 'Heads of other denominations' were placed second last. When Moran came unofficially to hear of Hopetoun's special list is not clear, but officially he was told by Lyne himself in a personal interview shortly after Christmas. Moran's version was as follows:

A few days after Christmas I called on the Premier at the Treasury, when he intimated to me that the matter of precedence was definitely settled by the instructions from the Colonial Office conveyed through the Governor-General. The Premier read for me the official arrangement, which, he stated, he had just received from Government House; the due place was assigned to the Cardinal-Archbishop, and the Protestant Archbishop, and the Cardinal's precedence of the latter was officially sanctioned.¹⁵

The precedence list simply stated, 'The Cardinal and the Primate'. There is no annotation as to precedence *inter se*. What probably occurred was that Moran, perhaps not unreasonably, based his claim on the fact that the cardinal was named before the primate. How Lyne himself (who of course in connection with Lord Hopetoun's 'blunder' had other troubles) interpreted the list is not evident. However, it is at least clear that he either was not aware of or did not concede Moran's claim. Probably, during the interview Moran simply interpreted the list in one way, and Lyne in another.

So now, if not before, Moran felt free to act. He at once sought permission from Government House to read a prayer of his own during the ceremony and *before* the primate's.¹⁶ No doubt he recalled that time in 1868 when his uncle, Cardinal Cullen, had scored a notable and dramatic precedence triumph over the Anglican Archbishop of Dublin. In that year, as part of Great Britain's never-ending efforts to solve the 'Irish problem', the Prince and Princess of Wales had paid a formal goodwill visit to Ireland. A state banquet was arranged at Dublin castle, at which the Anglican archbishop initially was given precedence over Cullen. Cullen had protested, refusing to attend. This proved intensely embarrassing, since one of the main reasons for the royal visit was to create goodwill; and so Cullen's precedence, despite vigorous protests by the Anglican archbishop, had been conceded.¹⁷

Moran was not the only convert clerical negotiator in the interval between Christmas and 1 January. On 28 December Rev. J. McDonald, the New South Wales Presbyterian moderator, complained to Lyne that the 'recognised' position of the Presbyterians was *not* 'at the bottom' but 'next in order after the Heads of the Anglican and Catholic church'. He requested Lyne to remedy the situation.¹⁸

Lyne evaded the request by referring McDonald to the governor-general's secretary.¹⁹ However, the secretary thrust the issue back on Lyne, claiming that the order of the procession was the responsibility of the local government. Thereupon McDonald, together with Rev. G. Tait, the Victorian moderator, appealed once more to Lyne;²⁰ but Lyne still refused to act.

The Presbyterians did not rest content after this rebuff, but changed their tack. They now became determined, in the name of religious equality, that in the procession there should be no differentiation whatever of ecclesiastical rank. Around mid-afternoon on 31 December a delegation of Wesleyan and Presbyterian leaders waited on Lyne. McDonald and Tait were among its members. The delegation declared itself shocked to learn that, in contrast to the position assigned to the Anglican and Catholic heads, the 'Heads of other denominations' had been 'grouped together far away at the other end'. Claiming that 'the singling out of two churches... [violated] the principle of religious equality', the delegation requested that Lyne rearrange the order of the procession so as to rank all church leaders together.²¹ Lyne apparently expressed sympathy, but claimed that his government had no power to act. The 'order', he allegedly said, 'came from Downing street'.²² The unsatisfied delegates held a meeting at once and decided that, as an act of protest, they would 'stand out of the Procession'.²³

In the meantime Moran also was running into difficulty. During that same afternoon the New South Wales Council of Churches learned of Moran's confidential negotiations with Government House. At about 6 o'clock Lyne was faced by a second angry clerical delegation. This one, led by Archbishop Smith, insisted that Lyne prevent Moran reading a prayer before that of the archbishop.²⁴ The sources do not mention a threat by the archbishop to withdraw, but probably such a threat was made or implied. Lyne, faced now with the likelihood of an intensely embarrassing disruption of the swearing-in ceremony itself, could hardly fail to act. Probably he at once consulted the organising committee.²⁵ At 9 o'clock, he sought an interview with a representative of Moran. At 9.30 Monsignor O'Haran, Moran's secretary, came to Lyne's office.²⁶ A cool, perhaps terse, interview followed.

According to Lyne, he at once asked O'Haran if it was true, as reported, that the cardinal was seeking to arrange with Government House to read his prayer before that of the primate. O'Haran said this was so, and showed Lyne a copy of the prayer. He added that he had sent two copies to the governor-general's secretary. Lyne then telephoned the secretary who said he had received a letter from O'Haran, but not the prayer. Lyne at once sent a copy of the prayer by messenger. The secretary, on receiving this, immediately rang back to say that at this point the prayer could not be included. Lyne then told this to O'Haran.²⁷

Moran, when O'Haran reported back, decided that he too would stand down.²⁸ So now there were two embarrassing gaps in the procession, and the primate rode in his carriage in more solitary state than expected. However, neither the affronted Protestant leaders nor the angry cardinal withdrew completely. The dissenting Protestants still occupied their places at the Centennial Park ceremony. Moran didn't do this, but as a gesture of cordiality, much in the grand episcopal style, seated himself, on the morning of 1 January, outside St Mary's, facing the street along which the procession was to wend from the Domain to Centennial Park. He was surrounded by a welcoming choir of about 3500 Catholic children.²⁹

The actual religious phase of the inauguration then proceeded without a hitch: 'Century and Commonwealth', rejoiced the Protestant *Southern Cross*, 'had their first moments richly baptised with prayer.'³⁰

Yet what did the Council of Churches' victory really mean? From the point of view of interpreting the implications of the two religious clauses in the Constitution, it meant nothing. The Constitution, after all, came into effect only in consequence of the inauguration ceremony itself. Responsibility for arranging the ceremony, and its religious and clerical content, was divided – although not in a completely clear way – between the New South Wales government and the British government's representative, Lord Hopetoun. Technically, authority must finally have lain with the British government, but Hopetoun's relatively late arrival virtually forced the New South Wales government to assume responsibility for matters outside its ambit. What emerged was in no sense an interpretation of the Constitution, but an ad hoc mixture of what initially the local colonial government, and subsequently Lord Hopetoun and the British government, regarded as suitable religious and clerical trappings for the birth of the Commonwealth. This technical-legal point was not however always noticed. Some Protestants who objected to the cardinal's claim to precedence over the primate, and also to the cardinal and primate jointly having precedence over themselves, asserted that the official sanction of these precedence distinctions breached the egalitarian implications of Section 116.³¹ Furthermore, it became a common rhetorical ploy during

the following months for clerics advocating prayers at the opening of parliament, and in the parliamentary sessions, to cite the religious element in the inauguration ceremony as a legally relevant precedent. 'The Commonwealth', declared one churchman the following March, 'has not changed its character since January, and what was done in Sydney may fitly be done in Melbourne.'³² The legal complexity inherent in a federal system made such errors of interpretation not only convenient, but in some degree natural.

The 'Prayers in Parliament' Campaign

Nevertheless, from the point of view of the campaign to secure the saying of prayers in the federal parliament, the events of January had considerable practical import. Positively, they showed that associating religion with the new Commonwealth did not offend the community at large. Even the *Bulletin* showed little interest in the prayer issue, confining its derision mainly to the clerical quest for status and precedence.³³ The Adventists expressed no concern whatever.

Yet there was an obvious negative side. During the first three weeks in January the columns of Sydney and Melbourne daily newspapers, and of the religious journals, resounded with maledictions issued by Protestants and Catholics against each other, and sometimes against the organisers. The more anti-clerical segments of the public settled down, no doubt often with amusement, to enjoy the fireworks.

The sectarian row, which even the participants knew damaged them severely in the public eye, was probably unavoidable once Hopetoun issued his 'official' precedence list for the opening ceremony. The imperatives of Catholic and Protestant history thereupon gave the protagonists little choice. Moran *would* not take second place to the primate. The Methodists and Congregationalists, naturally egalitarian on this sort of issue, *would* not take second place to Moran and the primate. The Presbyterians, still with something of the smell of Establishment in their nostrils, would perhaps have preferred to concede undisputed ascendancy to the Catholics and Anglicans in return for sole tenure of third place. But denied that, they naturally resorted to the egalitarian plea.

Specifically, the sectarian row nullified whatever chance might otherwise have existed that not only religion but its clerical spokesmen would find an official place within the parliament of the Commonwealth. On the Church-State as distinct from the Religion-State issue a resolute and widespread secularist response quickly became evident. 'I have keen recollection'. R. T. Vale wrote to the *Sydney Morning Herald*, 'of the vigorous fight we had to destroy the connection between Church and State.' He entered a protest 'against our would-be rulers bringing into the arena of politics this vexed question.'³⁴ Another correspondent, a little later, asserted that '[I]n the Commonwealth there is no State Church. All religious communities are in law absolutely equal, and precedence here is but the ghost of ancient ghostly existences.'³⁵ A further correspondent cited as applicable to Australia the American principle of 'a fair field and no favour'.³⁶ The *Bulletin*, on 12 January, sneered: 'Bishop Smith should have no more pull in the secular State than Cardinal Moran or Pastor Howlman of the little Ebenezer. The State shouldn't know any one of them from a crow.' The *Age* of course rarely could resist the chance to deplore petty clerical 'squabbles' for 'trumpery' honours:

An excellent divine once remarked that there was no reason why the devil should have all the best tunes. In the same way there is no reason why the laymen should have all the humour. Did the clergy possess a fair share of it, they would see that nothing could be better calculated to bring ridicule upon them than petty squabbles for the trumpery honour of ceremonial precedence.³⁷

An interesting distinction emerged in the editorials of the *Age* and the *Sydney Morning Herald* between strong-line (Higgings-type) and soft-line (Quick and Garran-type) secularism. The hard-line approach was formulated by the *Age* thus:

The Commonwealth has wisely enacted that there shall be no State religion, and the corollary of this is that ecclesiastics have really no status in official eyes. It was a matter for regret that this was not distinctly laid down in technical phraseology, in order to dispense with the unseemly clerical strife for merely worldly distinction...³⁸

The soft-line approach (possibly based on Quick and Garran's *Annotated Constitution* which had been available since December 1900) was advanced by the *Sydney Morning Herald* in a carefully formulated 19 January editorial. From the fact of the inclusion of Section 116 in the Constitution it 'would seem to follow, as a matter of course, that the question of precedence *amongst* the churches is one with which the Commonwealth has nothing to do [emphasis added].' The conferring of differential precedence, the editorial concluded, as 'in direct opposition to the spirit of our Constitution, and... the wish of the vast majority of the citizens of the Commonwealth.' The primate and the cardinal should forgo 'their supposed claim to special recognition'.

In the face of anti-clerical feeling, and their own lack of unity, moves by clerics to acquire for themselves an official function in the soon-to-be-created parliamentary machinery of the infant Commonwealth were doomed from the start. Nevertheless feelers shortly would be extended in that direction. However this, one suspects, was more for form's sake than with genuine hope of success.

During the next few months the Anglicans and Protestants resolved most of their differences and applied themselves to the 'prayers in parliament' campaign. They could not expect, did not obtain, and probably did not want, assistance from Moran. However, later at a useful point they were pleased enough when the Catholic archbishop of Melbourne offered support.

There was need for haste. Soon federal elections must take place, and not long afterwards the federal parliament formally would be opened in Melbourne. Archbishop Smith, acting for the New South Wales Council of Churches, wrote on 17 January to Barton, now prime minister, earnestly seeking the cooperation of the federal ministry.³⁹ Early in March he sought interviews with Barton and the governor-general.⁴⁰ No doubt other political leaders were approached by the Council as well.

These things were done quietly. The essence of the Council's approach now was discreet negotiation, well out of the public eye. The prayer issue scarcely entered the March election campaign. The New South Wales Evangelical Council issued an 'Appeal to Electors', enjoining them to elect only candidates who favoured the 'recognition' of God at the opening of the daily sessions of parliament, and who endorsed the 'numerical' principle of precedence.⁴¹ However this 'Appeal' was scarcely noticed, even by the religious journals. 'All the influence that the Council [of Churches] could bring to bear on public men has been used,' said the *Australian Christian World* in May, 'but of course it would not be proper for use to enter into such matters.'⁴²

The Council's campaign fell naturally into two phases. The first issue was whether formal prayers would be offered at the 9 May ceremony at Melbourne in which the Duke of Cornwall and York was to declare the federal parliament open. Thereafter the

question became whether the two houses of federal parliament would allow the saying of formal prayers at the start of their sessions.

On 26 March Rev. G. Tait wrote to Barton, on behalf of the Victorian Presbyterian Church, urging 'the desirability of opening the Federal Parliament with prayer'. He suggested that the head of the Anglican church, as representing the church with the largest number of adherents, be asked to do this. The offering of prayers would give effect to the 'recognition' clause in the preamble, and would be 'in harmony with' the precedent set at the inauguration ceremony.⁴³ Shortly afterwards Rev. J. Meiklejohn, president of the Victorian Council of Churches, and Rev. H. Burgess, general president of the Australasian Wesleyan Conference, wrote to Barton on similar lines, except that they made no reference to the primate conducting the ceremony.⁴⁴

The question of whether the House of Representatives and the Senate should open their sessions with prayer obviously was a question for those bodies themselves, although the cabinet might take a view. But the question of whether prayers should form a part of the ceremony for opening parliament, and who should offer them, was an issue squarely for cabinet and for the governor-general. It was likely to be a sticky one. In March, Barton had directed his staff to compile a survey of the practices followed respecting prayer in the various state legislatures, in the Canadian parliament, and in the British parliament.⁴⁵

On 11 April the matter was considered for the first time by cabinet, which decided that Barton should consult with the governor-general. Cabinet considered the matter again on 14 April but deferred the issue, simply resolving that 'an official arrangement would shortly be made defining the procedure to be followed at the opening ceremony'. On 16 April the cabinet agreed that some form of prayer would be offered at the opening ceremony but not, apparently, who should offer such prayers or what they should consist of. On 17 April Barton had a long interview with Hopetoun about the opening ceremony. No doubt the prayer issue was one of the matters discussed. On 20 April the matter was discussed again by cabinet and deferred. The cabinet's final decision was made only on 26 April: there would be an act of worship, the prayers would be modelled on those used in the House of Commons, and Lord Hopetoun, not the primate or any other cleric, would offer the prayers.⁴⁶

In the absence of direct evidence, one can only guess at the reasons for the difficulty the cabinet found in reaching a decision. Clearly there must have been disagreement, but whether this lay more between Hopetoun and the cabinet or within the cabinet is not clear. Hopetoun himself was a Presbyterian,⁴⁷ but in the light of his inauguration performance, that may not be relevant. He certainly would have wanted prayers and initially he may have wanted the primate too. In the cabinet Barton, Kingston, Lyne, Fysh and (probably) O'Connor, were federal-level Religion-State separationists, but one suspects something of a *Church-State* conflict between Hopetoun and the cabinet, and something approaching a *Religion-State* conflict within the cabinet.

The opening ceremony on 9 May in the Melbourne Exhibition Building, duly presided over by the Duke of Cornwall and York, proved conventionally splendid but otherwise unremarkable. The prayers Hopetoun read contained, as had the primate's prayers at the inauguration, christological references and a trinitarian benediction. They also included a segment composed by Lord Tennyson, the governor of South Australia.

Cardinal Moran again absented himself. This time, however, his protest was of a different and, in the Australian context, more respectable kind. The royal Duke had declined to perform an opening ceremony at St Vincent's Hospital, Melbourne, on the ground that during his Australian visit he should play no part in any sectarian ceremony. Yet when the Duke went to Brisbane, he laid the foundation stone of the Anglican cathedral.⁴⁹

However for the Protestants the opening ceremony remained, on balance, a partial victory. The prayers offered at the opening of parliament, unlike those offered at the 1 January ceremony, provided a genuinely compelling precedent. Virtually, a principle already had been conceded.

Up to this point, while councils of churches in the other colonies had, as the *Australian Christian World* put it, given 'most loyal help', the 'initiation of the movement and the main direction and control of [the prayer campaign] belonged to the Sydney Council'.⁵⁰ Now, with parliament sitting in Melbourne, control necessarily passed to the Victorian Council. However, before examining further developments, a puzzling side issue briefly should be noted.

What had happened to the Adventists? In 1897 and 1898 they had strenuously fought 'recognition', yet in 1901 they appeared indifferent to the 'prayers in parliament' campaign. Their quietism partly may have derived from having the security of Section 116. Partly it may relate to the fact that the American parent church did not regard congressional prayers and the congressional chaplaincy as major aberrations. Yet more was involved.

By late 1898 Mrs White and some other Adventist leaders had become concerned over contaminating consequences of political involvement. The *Southern Sentinel* ceased publication late in 1898. In 1899 Mrs White expressed a firmly isolationist viewpoint in her 'special testimony relating to politics'.⁵¹ By 1900 the Religion Liberty secretaryship in the Australasian Union Conference, which previously had functioned as a separate office, had become attached to the presidency. At the 1901 July Conference there was no Religious Liberty report as such.⁵² Isolation rather than separation had become the Adventist watchword.

However, returning to the churches' campaign, the Victorian Council moved into the second phase with characteristic energy. The situation now was that the cabinet, which probably was in some measure internally divided, had declined to accept responsibility for including a reference to prayers in its preliminary draft of the standing orders. The Victorian Council of Churches therefore approached two sympathetic Presbyterian parliamentarians, W. Knox in the House of Representatives, and J. T. Walker in the Senate, requesting them to raise the matter in parliament.⁵³ Early in the first session Knox gave notice of motion in the House of Representatives that it begin each session with prayer. Walker did similarly in the Senate.

On 7 June, Knox raised the matter in the Representatives. Before that date, the Victorian Council had circulated formal declarations of support from the primate, from the moderator of the Presbyterian Church in Victoria, and from the president of the Victorian and Tasmanian Wesleyan Conference. Most strategically, the Council obtained a supporting statement from the Catholic archbishop of Melbourne, Dr T. Carr.⁵⁴ Concurrently, some leading religious bodies – the Australasian Wesleyan Conference, the Presbyterian Church of Victoria, and the General Synod of the Church

of England in Australia – on their own initiative issued and circulated statements of support.⁵⁵ However, no formal petitioning was undertaken, probably through fear that this would provoke a counter-campaign by hardline secularists.

Such caution, even at this stage, was not unreasonable, since practices regarding prayers in the colonial legislatures differed considerably. The New South Wales, Tasmanian and South Australian legislatures and the Victorian Legislative Assembly did not have prayers at all. The Victorian Legislative Council opened its sessions with the Lord's Prayer. The Queensland and Western Australian legislatures used prayers based on the Book of Common Prayer.

Knox moved 'that the standing orders should provide that, upon Mr. Speaker taking the chair, he shall read a prayer.' The debate was subdued.⁵⁶ It was clear that the majority were willing to allow prayers, provided these were read by the speaker rather than a chaplain, and provided they were 'entirely unsectarian in character'. Those who spoke fell into two groups. Some, such as Knox and Glynn, saw value in parliamentary prayers. Others – Barton and Sir William McMillan – doubted their propriety but said they would not oppose them. Since, Barton state, the 'large number' who doubted the 'propriety' of these ordinances would not be so offended if they were carried out, as would those who demanded them, if they 'were not complied with', he felt he should 'give way'.⁵⁷ Knox's motion was agreed to, and the standing orders committee, as directed, devised a prayer, which it submitted to the House on 13 June. The proposed prayer had two parts. The first, a portion of the prayer composed by Lord Tennyson for the opening of parliament, read,

ALMIGHTY GOD, we humbly beseech Thee at this time to vouchsafe They special blessing upon this Parliament, and that Thou wouldst be pleased to direct and prosper all our consultations to the advancement of They glory, and to the true welfare of the people of Australia.

The reference in Tennysons' original prayer to the triune nature of God was omitted. The second part of the proposed prayer was the 'authorised' translation of the longer-ending version of the Lord's Prayer. The standing orders committee's proposal was agreed to without debate.⁵⁸

In the Senate the matter was brought forward on 14 June by Walker. The brief debate that ensued was similar to that in the Representatives, but sharper in tone.⁵⁹ Gregor McGregor, the Labour Senate leader, suggested that, strictly speaking, the prohibition of religious observances in Section 116 prevented parliament from including prayers in its proceedings:

What did the framers of the Constitution mean? Did they mean that Parliament was not to impose religious observances in the streets or in the schools? Did they mean that Parliament was not to impose religious observances anywhere else but here?⁶⁰

To this however Sir Frederick Sargood responded concisely. Noting that Section 116 began, 'the Commonwealth shall not make any law...', he commented, 'A standing order is not a law.'⁶¹ Walker's motion was agreed to on the voices.⁶²

So the prayer question at last was settled. As the *Sydney Morning Herald* editorial of 8 June remarked, such prayers would provide a 'regular expression of the statement in the preamble to the Constitution Act that we as a people "humbly rely on the blessing of Almighty God"'. However, as the debates themselves had made clear, the religion of

the federal parliament would be undogmatic, unsectarian and unsacredotal. A door had been opened, slightly, to religion, but not to the churches.

Responses to the parliamentary decision naturally varied. Protestants, the *Southern Cross* declared, now could look back on 'many years' of 'ignorant and bitter secularism' as some 'hateful nightmare'.⁶³ The high Anglican *Church Commonwealth* was pleased, but with reservations. It was a pity that 'Our Lord's name was not included'. Admittedly some Jews might be offended, but 'the first principle of Parliamentary Government is that the majority shall rule'.⁶⁴ Some dissatisfaction was expressed. The *Argus* did not comment editorially, but the tone of its report of the Senate debate conveys its disdain.⁶⁵ The *Age* also was obliquely critical. 'It is to be hoped', its parliamentary reporter remarked on 14 June, 'that the prayer will be recommitted and revised, for it is a weak piece of composition, and would be easily improved by an application of the blue pencil.' A surprising critic, in view of his earlier support, was Archbishop Carr. He did not consider Tennyson's prayer 'worthy of the occasion'; and he also had sharp words to say about the choice of the 'authorised' longer-ending version of the Lord's Prayer: the longer ending was 'distinctly Protestant', and the 'revised' version rather should have been used.⁶⁶ Overall, however, criticisms were isolated, or received little publicity.

The Precedence Question

The British government claimed, and the federal government conceded, the right finally to decide the order of precedence at formal Commonwealth functions.⁶⁷ However as J. Chamberlain, the British colonial secretary, made clear to Hopetoun on 30 November 1900, the general Table of Precedence which Hopetoun was to implement was only provision, and the federal government would be invited to express its views.⁶⁸ In this kind of consultative situation the wish of the local government was likely eventually to prevail, provided no substantial imperial interest was at stake, and provided the local government was resolute and unified. But negotiations might take some time. In the case of the Commonwealth Table, final agreement was not reached until 1905. Several issues caused difficulty,⁶⁹ although clerical precedence easily was the most vexatious.

The ecclesiastical ranking in the general Table differed in one noteworthy respect from that in Hopetoun's special inauguration list: while 'Heads of other denominations' enjoyed a place, albeit humble, in the special list, they were absent altogether from the general Table.⁷⁰

In the months immediately following inauguration, the clerics, the federal cabinet and Hopetoun took up fairly well defined and clearly contrasting positions. Moran remained in the background but did not forgo his claim to precedence *inter se* over the primate. Probably he judged that his claim would not be advanced by controversy. Archbishop Smith was quiet too, but for different reasons. His claim to ascendancy was supported not only by most Anglicans but by many other Protestants. His difficulty was that many of his co-religionists supported his claim mainly or solely because he was *primate*, while many of his non-Anglican supports backed him rather because the Church of England was 'the most numerous' church.⁷¹ Which of these potentially incompatible principles Smith personally adopted was not clear – perhaps, in the delicate circumstances, could not be clear.⁷²

However the non-Anglican Protestants, unlike the Catholics and Anglicans, manifestly were 'have-nots' in the precedence struggle, and needed to be active. Over the next five months numerous Methodist, Presbyterian, Baptist and Congregational bodies in the

various states made forceful representations to the federal cabinet in support of the 'numerical principle'.⁷³ Some however hedged their bets. The committee on public questions of the Presbyterian Church of Victoria, writing to Lyne, firmly commended the 'numerical principle'. But then it declared that if any *other* principle but religious equality were adopted, 'it should be the standing in the Old Country of the Churches which the Churches in the Commonwealth represent'. This would

rank the Anglican Church, the representative of the Established Church of England, and the Presbyterian Church, the representative of the Established Church of Scotland, together and group the Roman Catholic Church with the other Churches which represent Churches not established in any part of the Empire.⁷⁴

The only alternative to the principle of equal public status to all, which might appeal to egalitarian Protestants, was the principle of no public status to any. However this would not satisfy those Protestants who longed for 'official' recognition. The *Southern Cross* on 10 May 1901 declared that questions of social precedence were 'irrelevant' and 'contemptible'. But this viewpoint received little support.

What view, as the Protestant campaign developed momentum, did Hopetoun and the cabinet take? On 18 April 1901 Hopetoun forwarded a suggested Table to Barton. 'I think', he declared hopefully, 'on the whole it works out very well.' He ranked 'the Cardinal and Primate' as number 7, and 'the Archbishop and Bishop' as number 8. Heads of other religious denominations did not appear.⁷⁵

The only evidence of the cabinet's response is indirect, and consists of certain markings added to the typewritten sheet on which the proposed table was set out. Handwritten ticks and crosses were placed in the margin beside the listed dignitaries. Most items were ticked. One, 'Chief Justices of States', had beside it either a cross-stroke superimposed upon a tick, or a tick superimposed on a cross. Two, those relating to 'the Cardinal and Primate', and 'the Archbishop and Bishop', *simply* had crosses beside them.

The cabinet's initial response may well have been as critical as these marginal crosses suggest. On 20 July 1901 Hopetoun forwarded to Barton a revised Table in which 'The Cardinal, the Primate, the Bishop, and the Archbishop' were now ranked together, and relegated to the lower rank of 11. Heads of other denominations still appeared nowhere. 'You will see', Hopetoun uninformatively explained in a covering letter, 'that I have placed the Cardinal and the Primate, the Bishop and the Archbishop, after peers which appears to me to be a suitable position for these particular dignitaries in Australi.'⁷⁶ However this too proved unacceptable in the cabinet. Further negotiations followed, not now traceable, and by March of the following year cabinet had firmly declared its mind. On 26 March 1902 Barton sent to Hopetoun a 'Proposed Table of Precedence', approved by the cabinet, with the request that Hopetoun forward it to the King for approval.⁷⁷ Cabinet's proposal respecting ecclesiastics was simple: none of them ranked anywhere. Probably, recalling the marginal crosses, that had been the cabinet's intention all the time.

However, the issue of clerical precedence was not yet resolved. The Colonial Office still wished to negotiate on some issues although, by mid-1903, it at least had conceded on the ecclesiastical question.⁷⁸ Normally that might have settled the clerical issue. However in Barton's cabinet diary for 10 June 1903 a curious entry appears, which suggests that cabinet itself was having second thoughts. The entry stated,

The giving of any relative precedence to religious ecclesiastical dignitaries at functions which are in themselves secular does not and [gap here] No answer to deputation at present.⁷⁹

The immediate background to this was that on the previous day Barton had received a Protestant-Anglican delegation still urging the 'numerical principle'.⁸⁰ However the more general background, and probably the main explanation for the cabinet's retreat, was the fact that the federal election shortly was due.

During the next few months the various interested churches forcefully renewed their claims. Protestants and Anglicans still pressed for the 'numerical' principle.⁸¹ Moran, in a letter to Barton, canvassed, rather, the merits of the Colonial Office scheme still provisionally in force. He cursorily dismissed Protestant claims for parity:

There are some Protestant communities which do not pretend to any regularly ordained ministry and in fact repudiate all idea of ecclesiastical rank. The representatives of such communities can only lay claim to such precedence as in their lay position they may be entitled to, but assuredly any ecclesiastical precedence would be out of place in their regard.⁸²

However, in the long haul the cabinet (for the next two years, of course, a series of different ones) stuck to its separationist guns. On 30 December 1905 a revised 'official' Commonwealth Table of Precedence was issued by the governor-general.⁸³ This assigned no place whatever to ecclesiastical heads.

By now, most clerical leaders had come to terms with their non-inclusion. The publication of the final Table produced, in contrast to the fuss of previous years, scarcely a ripple in either the secular or religious press. In the major secular dailies only the Methodist cleric W. Woolls Rutledge protested, and that simply was over the failure of the Table to make clear that Australia was a Protestant country.⁸⁴ Among the major religious journals only the *Church Commonwealth* commented at length and, on balance, interestingly, it was pleased:

Surely the empty show of State or Vice-Regal functions can do better without our [ecclesiastical] leaders... It would be more telling to hold aloof than to cling to the last shred of the old order of the Erastian Establishment at home.⁸⁵