

Vatican I and the Papacy

2: Conditions for an Orthodox Pope

Fergus Kerr O. P.

While Vatican I is commonly regarded as the council of papal infallibility, and much time and energy were indeed devoted to that matter, both inside and outside the Council, the key to the doctrine, and the real stumbling-block for Christian unity, surely lies in the third chapter of the Constitution "Pastor Aeternus". This is the text which commits Catholics in communion with the Roman see to the belief that the bishop of Rome as pope is endowed *ex officio* with "full and supreme power of jurisdiction over the universal Church, not only in things which relate to faith and morals but also in matters relating to the discipline and government of the Church spread throughout the world". Our immediate concern at this stage of our enquiry must be to make sense of the notion of universal jurisdiction, but it should be stated now that the doctrine of papal infallibility needs to be situated in the perspective of the doctrine of papal jurisdiction. The right, and the duty, of having, on occasion, at last to define a matter of doctrine affecting the Church as a whole, must be treated as an implication, or an example of the exercise, of the claim for the successor of St Peter of an all-embracing pastoral care for the universal Church. "The supreme power of teaching", in the words with which chapter 4 of "Pastor Aeternus" opens, "is included in the apostolic primacy which the Roman pontiff, as the successor of Peter, chief of the Apostles, possesses over the whole Church". Unless the universal primacy of the pope of Rome is properly appreciated there can be no hope of ever understanding the doctrine of papal infallibility. Problems would remain, as we shall see in due course, although they have perhaps more to do with the notion of infallibility as such, and with whether it is the most appropriate way of talking about the Church's power to discern the truth. That the universal primacy would extend to defending truth against error, and that it might thus have some special role to play in doctrinal disputes that divide the Church, is not difficult to accept. The problem, as the Orthodox understand much more clearly than Protestants and even some Catholics ever seem to, is to define the nature of the universal primacy.

As we saw last time, the picture of papal primacy offered in

chapter 3 of "Pastor Aeternus" is, to quote the key phrase, that "the ordinary and immediate power of episcopal jurisdiction, by which bishops ... feed and govern each his own flock ... is asserted, strengthened and protected by the supreme and universal Pastor". This means, for example, that there should be such free communication between Rome and every local church as will demonstrate and guarantee the freedom of the Church from the will of any secular power. It means, to take another example, that, in all ecclesiastical matters, recourse may be had in the last resort to the judgment of the pope. This right of universal jurisdiction is held to be in the service of preserving unity, both of communion and of faith. Far from being an attack on the divinely given principle of episcopal government of the Church it is in fact the pope's function as universal pastor (in the words of the Venice Statement) "only to maintain and never to erode the structures of the local churches". In the phrase from St Gregory the Great, the pope is truly honoured when the strength of his brethren is firm: "meus honor est fratrum meorum solidus vigor".

The reference to Gregory the Great's letter was incorporated in the final text of chapter 3 of "Pastor Aeternus" at the suggestion of Archbishop Spalding of Baltimore. He was one of the minority of North American bishops in favour of declaring the pope to be infallible (although he wanted to avoid using that word). He made his proposal at a meeting of the *deputatio de fide*, the most influential and authoritative committee at Vatican I, which the Archbishop of Westminster had skilfully packed with strongly infallibilist bishops: the only exception, elected by mistake, absented himself from meetings of the committee. Thus it was a group entirely composed of ultramontane bishops, interestingly enough, who unanimously accepted Spalding's suggestion, taking it in the sense that "the ordinary and immediate power of the bishops over the particular churches entrusted to each is not denied or injured but rather strengthened, *non negatur aut laeditur immo roboratur*, by the supreme power of the Roman pontiff" (Mansi, 53, 246). But the irony is that, in context, the statement is made in a letter in which Gregory the Great is *refusing* to allow himself to be addressed as "universalis papa": ecumenical patriarch, supreme and universal pastor.

It was in the year 594 that Gregory began his campaign to stop his brother at Constantinople from using the title of "ecumenical patriarch", or *universalis papa* in Latin. Gregory had, of course, spent six or seven years as the envoy ('apocrisiarius') of Pope Pelagius II at the Imperial court of Constantinople. His mission was primarily to obtain effective military and financial help against the Lombards, who were threatening the very existence of Rome. Byzantium (it may be noted in passing) proved as in-

effective in helping Rome against the Lombards in the sixth century as Rome was to prove in helping Byzantium against the Turks in the fifteenth century. By 593, however, Gregory (now pope) had concluded what amounted to a separate peace with the Lombards and, in default of any leadership from the Emperor, he was embarking on that grand programme of social and civil reconstruction of Italy which led him inexorably, if no doubt unwittingly and unintentionally, to lay the foundations for the future temporal power of the papacy. He certainly had no cause to trust the Byzantine authorities and, allowing for a certain jealousy felt in the abandoned city on the Tiber of the prestige of the new imperial capital on the Bosphorus, we may say that Gregory feared, when he found that the patriarch of Constantinople was using a title given him by the Emperor, that this assumption of spiritual authority over the Church at large was only an instrument or a mask for imperial domination. Though for himself also he disclaimed the "proud appellation", because he regarded it as an infringement of the rights of *all* the patriarchs, he failed to get them to see this. The patriarch of Antioch told him that the matter was of no importance and that he should not fret. This is perhaps a good example of the difference between Rome and the eastern Churches: what seemed a dangerously arrogant title in Rome was not taken seriously at all in Antioch.

There is a remarkable text quoted by Kallistos Ware in his book on Eustratios Argenti, the most eminent Greek theologian of the eighteenth century, who regarded the pope of his day as a heretic but was yet able to write of "orthodox and catholic popes of Rome" (of whom there had been many in the past, and who might easily reappear in the future, so Argenti thought) in the following fulsome terms:

"The orthodox and catholic Popes of Rome are praised, honoured, and seated in the first place and in the first rank among those who preside over the Church. They are called the successors of Peter, catholic teachers, fathers of fathers, ecumenical patriarchs, ecumenical popes, exarchs of the councils, canons of the faith, columns and pillars of orthodoxy, heads of the Church, apostolic popes, judges of the bishops, supreme pontiffs, greatest pontiffs, guides of the truth, bishops of the Catholic Church, exponents of the Gospel. They are named chief, most blessed, most holy, lords, and masters. Other names and titles of honour may rightly be given them; and these and similar titles of honour and praises are heaped upon their writings and their throne".

The heart of the matter, in all this eulogistic rhetoric, is clearly that the pope of Rome is the first of the bishops, "head of the Church, supreme pontiff, bishop of the Catholic Church, judge of the bishops", so long as it is implicitly understood that his episc-

opal functions are not different in nature from those of his fellow bishops. If the pope as pope is not, need not be, a bishop at all, but is “above” the bishops, the Orthodox vision of the universal Church as a communion of local churches symbolised by the collegiality of their respective bishops, would indeed be destroyed. To the extent that Catholics think of the pope as being superior to the bishops – in a different order of ministry, as different from bishops as bishops are from deacons say – then the Orthodox have every reason to fear such papalist ecclesiology.

There is no point in dismissing this as a groundless fear. How far removed the pope had become from his fellow bishops may be measured by the extraordinary way in which, although somewhere in the buildings all the time, the popes absented themselves from the conciliar debates at both Vatican I and Vatican II. Are we really to imagine that St Peter would have remained by himself in the next room when the Apostles were in conclave? And yet the absence of the successor of Peter from the conclave of the successors of the Apostles was clearly necessary. There could have been no freedom of discussion otherwise. Pio Nono seems to have had little or no idea of conciliarity, and from the accounts of his crude attempts to browbeat some of the bravest witnesses to Catholic tradition at Vatican I (such as the Greek-Melchite Patriarch of Antioch and the Dominican Cardinal Guidi) when he had them in his private apartments, one may guess how free the discussions would have been had he been present in the aula. Some councils in the history of the Church that eventually came to be recognized as “ecumenical” were subject to intimidation from one external source or another. Has there ever been another council like Vatican I, when the liberty of discussion was so gravely threatened by the bishop of the Church which, in Ignatius of Antioch’s phrase, “presides in love”? The Orthodox representatives at Vatican II were not very impressed when they were assured that the pope was taking a great interest in the conciliar debates and even following them on closed-circuit television. For them and surely for Catholics too if we thought about the matter, a general synod of the whole Church is a charismatic renewal of the contemplative and apostolic moment described at the beginning of the Acts of the Apostles – from which it is incredible that the vicar of St Peter should be absent when he could so easily have been present. In 1969, however, at the synod of bishops, Pope Paul VI evidently felt free enough to take part in all the plenary sessions, and the behaviour of his successors has so far continued the movement towards reintegrating the papacy in the episcopate.

This movement must go some way towards meeting the fundamental Orthodox difficulty about the scope and character of the Roman primacy. As Eustratios Argenti says, speaking of the

popes, "as soon as they also lay claim to a tyrannical monarchy and to an arbitrary position in the Councils ... when they desire to be exalted over their brethren", then they can no longer be regarded as "orthodox and catholic popes". Again and again, from as early as the time of Damasus I in the late fourth century, the Orthodox image of the Roman pontiff has appeared to be one of a tyrannical and arbitrary figure, lording it over his brethren. Any reconciliation between Rome and the Orthodox Church must depend upon widespread establishment of real fraternal confidence in the pope.

As we know now, a certain Angelo Roncalli, when he was papal nuncio in Bulgaria, visited the patriarch of Constantinople in 1926, and the patriarch (then Basileios III) told him that he was ready to go to Rome to ask the pope to convoke a general council to study the problem of reunion. The pope at this time was Pius XI, who combined deep hostility to the Ecumenical Movement (cf his encyclical "Mortalium Animos" of 1928!) with many practical and effective initiatives in opening up the Latin Catholic outlook and tradition to the significance of the Eastern Churches. The quickening of interest in reunion between Rome and Orthodoxy, although partly in the perspective of "uniatism", appeared in many genuine attempts to learn from the eastern traditions. The monastery of Chevetogne was founded at this period, with monks who would worship according to both the Roman and the Byzantine rites, in the hope of thus entering into a deeper theological understanding of "the others" by being habituated to the liturgies that carry the diverse theologies. It is no coincidence that Chevetogne was founded by Roncalli's friend, Lambert Beauduin, who was lucky enough to survive many years of suspicion to see Roncalli become John XXIII, the pope who did indeed call a council for reunion (undoubtedly his original inspiration), although it proved impossible, for many reasons, for the Orthodox to take a full part in Vatican II, and the Catholic Church was no doubt badly in need of reform before turning towards the prospect of reunion. Vatican II had to recover the ecclesiological vision of the universal Church as a communion of local churches, among which the local church of Rome is only one among the others, although also the centre of their unity. Initiatives had to be taken to translate that vision into reality. But any student of the long sad history of suspicion and misunderstanding between Rome and Constantinople must be amazed at the speed with which Athenagoras I and Paul VI developed a new ecclesiology of "sister churches" in the series of letters which they exchanged from 1963 onwards (published as *Tomos Agapis*, Rome, 1972, and by far the most important locus of Catholic doctrine on the Church to appear since Vatican II).

The first sign of repentance on the part of a pope for the many centuries of Vatican isolation occurred in December 1963 when Paul VI went on pilgrimage to Jerusalem: the first of the successors of St Peter ever to do so. This was immediately understood by the Orthodox, certainly by Patriarch Athenagoras of Constantinople, as a plea and an invitation for a new turning in the history of the Petrine ministry. On 5th January, 1964, the pope received the ecumenical patriarch in Jerusalem and offered him a chalice. On the following day he accepted the patriarch's gift of an episcopal *enkolpion* (a pectoral medallion of Our Lady). This reconciliation was followed in November 1964 by the pope's sending an official message to the Third Pan-Orthodox Conference at Rhodes in which, much to everybody's astonishment and gratification, he addressed the bishops as his equals. By such painful minutiae of protocol and symbol the way of reconciliation has been established.

It remained unthinkable for the patriarch to make an official visit to Rome: for the majority of the Orthodox, faithful and clergy, so deep is their suspicion of Catholic motives and intentions, this would have risked being interpreted as a gesture of submission. Nobody imagined that the pope would be prepared to break with tradition, and the patriarch has recorded that he had to read the letter that he received from Rome in 1967 three times before he could believe that Paul VI was coming to see him in Istanbul. During the visit, which took place in July, Paul VI was received, in the patriarch's words, "as the bishop of Rome, the first in honour amongst us, he who presides in love". And later that year, in October, the patriarch of Constantinople was received by the pope in Rome. It had at last been demonstrated that the pope made no claim to superiority over the patriarch. Whatever else universal primacy might mean, then, it could not mean anything like *that*.

Since then the position has become even clearer. In 1973, when Cardinal Willebrands led a delegation to Constantinople to greet the new patriarch, Demetrios I, it was made absolutely clear that the presuppositions for dialogue leading towards reunion would be, on the Orthodox part, that Rome must acknowledge that, under God, the supreme authority in the Church resides in an ecumenical council of the whole Church, and that no bishop of the Church has received any authority, prerogative or right, as regards any ecclesiastical jurisdiction whatsoever, without the consent of the others. In laying down these conditions, the patriarch was only placing the question of the papacy in the only perspective which can ever lead to eventual reunion. It is on this basis that the Vatican has determined to go ahead with official theological discussions with the Orthodox.

How far are such developments in the practice of the Petrine ministry in line with the doctrine of universal primacy defined by Vatican I in the Constitution "Pastor Aeternus"? For Catholics who have studied the texts of Vatican II, and in particular the Decree on Ecumenism, the shift of papal self-understanding does not seem unexpected or dramatic. For many Catholics, however, laity and clergy, whose thinking has not been deeply affected by the decrees of Vatican II, either because they hanker nostalgically for pre-conciliar days or else because they have by-passed Vatican II for outwardly Catholic forms of liberal Protestantism and secular theology, the papacy must either stay as it was or be left to wither away altogether.

It is important to remember the interpretation of papal primacy offered by the Decree on Ecumenism (promulgated in 1964). When the text comes to consider the special position of the Orthodox Church vis-a-vis the Catholic Church it begins by recalling that "For many centuries the Churches of the East and West followed their own path yet were linked in fraternal communion of faith and sacramental life" – a communion in which "should dissension over faith or order arise, the Roman see would act by common consent as moderator, *sede Romana moderante communi consensu*" (par. 14). This is clearly a purely factual statement, reporting how things were for many centuries, not prescribing how they ought to be. In the next sentence we are reminded that "several particular or local churches are flourishing in the east, among which the patriarchal churches hold the first place, and of these many glory in being founded by the Apostles themselves". Thus we are reminded that Rome is not the only "apostolic see"; there are churches that have kept the apostolic faith delivered to them quite independently of the successor of St Peter. What is more, to speak of "patriarchates" is to admit, implicitly, modes and levels of ecclesiastical "jurisdiction" owing nothing whatever to the Roman see. The Decree goes on to speak of "the tradition inherited from the Apostles", "the faith the preservation of which has cost, and still costs, the Orthodox Church much suffering". Here, then, we have no nonsense about fidelity to the pure apostolic faith being bound up with, or dependent upon, communion with, or submission to, the see of Peter. Out of communion with Rome for centuries, the non-Chalcedonian and the Orthodox churches have preserved the faith under far more severe persecution, first from Moslems and now from Marxists, than the Roman Church has ever experienced – and if there has been any great falling into heresy because of disunion it surely occurred in the Roman Church in the sixteenth century, when large numbers of clergy and faithful withdrew from communion with Rome or were excommunicated.

But the Decree is not stating the facts without any prescriptive force. On the contrary, we are exhorted "to give due consideration to these special circumstances of the origin and development of the churches of the east, and to the character of the relations which existed between them and Rome before the separation". We are urged to form a correct picture of all this, because nothing can contribute more to the proposed dialogue that will lead to the restoration of full communion. In other words, we must accustom ourselves in the Catholic Church to respecting the independence and authenticity of the apostolic tradition of the Orthodox Church, and prepare for the day when the relations between the Orthodox Church and the Roman see will again be as they once were;" "*sede Romana moderante*, by common consent, should dissensions over faith or order arise". This picture of the pope as "moderator", at times of great dissension, would seem to be reconcilable in principle with Orthodox ecclesiology. If this is the official interpretation of what the claim in "Pastor Aeternus" refers to as "the full and supreme power of jurisdiction over the universal Church", at least in the context of reunion between Rome and the Orthodox Church, we are surely well on the way to destroying the ideology of papal supremacy in terms of absolute monarchy over Church and council.

That this does in fact seem to be the correct interpretation is borne out by the following declaration (par. 16): "This sacred Council, in the hope of removing all doubt, solemnly declares that the Churches of the East, remembering always the necessary unity of the whole Church, have the right (*facultas*) to govern themselves according to their own church order". This is followed by this interesting admission: "Strict observance, which there has not always been, of this principle, rooted in tradition as it is, must be counted among the absolutely essential preconditions for reunion". Thus it is admitted that the autonomy of patriarchal jurisdiction has not always been respected, but that on the contrary the Roman see has sometimes sought to infringe the rights and responsibilities of patriarchs and bishops of the East (e.g. the installation of a Latin patriarch in Constantinople in the thirteenth century).

It may be noted, on the other hand, that the terms of this apparent circumscription of Roman jurisdiction are not entirely unambiguous. To say that, in some circumstances, the Roman see has the function of "moderating" plainly leaves room for interpretations which might stretch from being merely chairman or referee to being arbiter or judge. But this is perhaps to misconstrue the whole situation, as so often happens in debates about decision-making and authority, especially in the Church. Is there ever Christian chairmanship which is mere servility to the loudest voice and the greater number, or a Christian act of judgment which

would impose itself coercively? Isn't the longing that some people have for the security of a final problem-solver only a need for certainty that remains purely abstract? We don't have to choose between absolute monarchy and total anarchy.

But if the Decree on Ecumenism thus seems to point towards a rediscovery of the primacy of the Roman see as it was exercised and recognised throughout the first thousand years (almost) of Christian history (a primacy of honour that evidently included a certain primacy of jurisdiction), it must be noted that in the Dogmatic Constitution on the Church ("Lumen Gentium") the affirmations of Vatican I appear massively like some great obelisk, uncompromisingly marking the limits of episcopal collegiality. At least that is the first impression, and it is certainly what many commentators on Chapter 3 of "Lumen Gentium" have thought. But a more careful reading of the text reveals a much more nuanced presentation of papal primacy, which places the Vatican I affirmations in a somewhat different light.

For one thing, the word "jurisdiction" appears only once, and even then in a rather oblique way. After affirming that the successor of Peter and the successors of the other apostles form a single apostolic college on the model of St Peter and the other apostles the text continues as follows (par. 22): "The college or body of bishops has authority only when understood together with the bishop of Rome, the successor of Peter, as its head, and without infringing his primatial power (*potestas*) over all pastors and laity. For in virtue of his office as vicar of Christ and pastor of the whole Church the bishop of Rome has full, supreme and universal power over the whole Church and can always exercise it freely". In the following paragraph (no 23) we are reminded that *all* bishops, although they "exercise their pastoral rule over the portion of the People of God committed to their care and not over other churches nor over the universal Church", nevertheless are "bound to a solicitude for the whole Church which, though not exercised by an act of jurisdiction, yet contributes immensely to the welfare of the whole Church". In other words, this *sollicitudo pro universa Ecclesia* falls upon *all* the bishops of the Catholic Church but as a duty and official charge it falls uniquely on the bishop of Rome. His "solicitude for the whole Church" comes out in acts that manifest his *jurisdiction*.

The only other use of the term "jurisdiction" in the whole Constitution on the Church occurs in connection with religious (par. 45): "To provide better for the needs of the Lord's whole flock any institute of perfection and its individual members may be removed from the jurisdiction of the local Ordinaries by the Pope, and be subject to him alone, in virtue of his primacy over the whole Church, with respect to the common good".

Thus, in both cases, what is at issue is the relation between the local bishop and the bishop of Rome as universal primate. So-called “exempt” religious, although they have a certain autonomy vis-à-vis their diocesan bishop, are plainly not free to behave as though they did not belong to the local church at all. Like everybody else, they are subject to the bishop’s pastoral rule; but in certain defined ways they have rights and duties that derive from their relationship to the pope (which enables some of them to bite the hand that feeds them).

In the other case, while the local bishop has an all-embracing pastoral care for the whole Church, the bishop of Rome alone, as universal pastor, has the duties and rights *ex officio* that such solicitude for the universal Church entails and includes.

But the language of “jurisdiction” has been set aside, and the Vatican I quarrel about primacy of jurisdiction as distinct from primacy of (mere) honour has been superseded by an emphasis, already there at Vatican I, on the *potestas* of the bishop of Rome, in virtue of his universal primacy, as what makes possible his Petrine ministry as “perpetual and visible source and foundation of the unity of the multitude of bishops and of believers” (par. 23). As the bishop is “visible source and foundation of unity in his diocese” (*ibid.*), so the bishop of Rome as pope must be envisaged in the first place, quasi-sacramentally, as the “icon” in whom the multitude of bishops find and display their centre of unity, and in whom the multitude of believers do the same. The merely juridical conception of the papal office, expressing itself in often apparently arbitrary impositions and mysterious decisions, has been exploded. The function of being a “sacrament” of unity goes with the manifold duty of exerting an influence which is to “eliminate, but on the contrary to affirm, strengthen, and vindicate” the pastoral office of the local bishop.

It is important to notice, finally, that for all the nervously convulsive repetition of references to what the pope can do on his own, the text of “*Lumen Gentium*” makes two remarkable affirmations that go a long way to correct certain one-sided papalist notions.

In the first place, we are told (par. 22) that the order of bishops, “together with its head, the bishop of Rome, and never without this head, is also the bearer (*subjectum*) of supreme and full power over the universal Church”. Some at the Council held that the authority of the assembled bishops was bestowed upon them by the pope. But there is only one supreme and full power over the universal Church (in this limited sense), whether it is exercised by the episcopal college with the pope at its head or by the pope by himself as head of the college. Secondly, and more importantly, we read as follows (par. 22): “The supreme power

over the whole Church which this College possesses is exercised in solemn form in an ecumenical Council". That is surely only a hair's breadth away from meeting the patriarch of Constantinople's requirement that Rome should acknowledge that, under God, the supreme authority in the Church resides in an ecumenical Council. But if the doctrine of papal primacy as defined at Vatican I may be more open than many have feared to revision to meet Orthodox priorities (a primacy exercised by consent, an authority most solemnly engaged in an ecumenical council) it is clear that, even on this score, many difficult problems remain -- not to mention the question of papal infallibility.

(To be continued)

Faith and Experience VII:

Religion and Childhood ¹

Simon Tugwell O. P.

In his Foreword to Edward Robinson's *The Original Vision*, Sir Alister Hardy quotes a verse from Thomas Hood which expresses what is, I suppose, a fairly common feeling:

I remember, I remember
The fir trees dark and high;
I used to think their slender tops
Were close against the sky;
It was a childish ignorance,
But now 'tis little joy
To know I'm farther off from Heaven
Than when I was a boy.

(OV p. 6)

At least since the time of Wordsworth it has been possible for many people simply to take it for granted that it is this sense of the loss involved in growing up which provides the key to Christ's saying, "Unless you turn and become like little children you will certainly not enter the kingdom of heaven" (Mt 18:3). Christ's

¹ Continuing the review of the publications of The Religious Experience Research Unit (Oxford), with special reference to *The Original Vision*, by Edward Robinsinon (1977), and *Living the Questions*, by Edward Robinsinon (1978).