

It will be seen that the views expressed here correspond in many ways to Küng's, though I hope the difference of emphasis is clear. No authority is claimed for my views; they are in no sense 'inspired'. It had originally been my intention to discuss other topics raised in Küng's book, in particular 'the Church of sinners' and 'Marianism' (I do not understand how Küng could have omitted to mention the *ecclesiological* bearing of recent Catholic Marian theology, as for instance in A. Müller's *Ecclesia-Maria*). Perhaps the Council itself will make all such discussions otiose.

## Patriarch of the West and Supreme Pontiff

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The Orthodox Churches are unanimous in their hostility to the existence of Catholic Churches of Byzantine rite. They fear that Catholicism seen within the framework of the rite that they know must needs be more attractive to Orthodox people than when seen within the framework of the unfamiliar Latin rite. But this tactical objection is not the only one. Behind it lies a deeper conviction, two convictions in fact.

First, there is the conviction that it is the Orthodox Churches, and not the Roman Church, that have remained wholly and completely faithful to Christ's teaching and to the tradition of the Apostles and the primitive Church. This is so much so that in Orthodox eyes to make an act of adhesion to the Roman communion is to give up something of the revealed faith and to cut oneself off from the true Church founded by our Lord Jesus Christ. We believe this conviction is mistaken, and we indeed have good reasons for doing so. But we must recognize that it is a conviction that governs the Orthodox attitude.

The other conviction is connected with the first one. It is that the Roman Church is not and cannot be anything but the patriarchate of the West, whose head is the bishop of Rome; she is therefore of her

very nature, as it were by definition, limited to the Churches of the Latin rite.

It is a fact that for a long time Christians as a whole were organized on a basis of five great territorial and administrative divisions: the patriarchates of Antioch, Alexandria and Rome, to which were added those of Jerusalem and Constantinople. It was unanimously recognized that one function of the Roman see was to arbitrate in disputes, whether doctrinal or personal; but the Easterners never saw clearly that the primacy implied in this function established that see's right to intervene directly and without intermediary in the internal affairs of other patriarchates. To put it in another way, the idea of the bishop of Rome having an ordinary jurisdiction over the whole of the Church, such as was defined at the first Vatican Council, was foreign to the Easterners' conception of the Church's unity. In this situation, it is easy to understand that any establishment of a Catholic Church (that is to say, one directly subject to the authority of the Roman pontiff) in a territory situated outside the borders of the patriarchate of Rome would be looked on as an unacceptable trespass by one patriarchate on another. And so indeed it proved when a Latin hierarchy was set up in Eastern lands at the time of the Crusades. As for Eastern hierarchies depending directly on the Roman see, they could only be criticized more unfavourably still.

The Orthodox conception of the Church's unity, based on unanimity in the faith, is then in a way federalist. Opposed to it is the Roman Catholic conception, which attributes a power of universal jurisdiction to the bishop of Rome, over and above the legitimate diversity of rites and disciplines proper to local churches. As successor of the apostle Peter and in virtue of the prerogatives derived from him, the pope is the guarantor of the authentic faith and of concord in unity of government and sacramental life. In principle, the Roman pontiff's universal primacy of jurisdiction can be and ought to be exercised with the fullest respect for the proper traditions of all the local Churches, in particular those of the East: with respect, therefore, for the autonomy of those churches in whatever concerns their internal government, for that is how it was from the beginning, and it is one of the chief elements in their tradition. It was on this very basis that the restoration of canonical communion between the Eastern churches and the see of Rome was brought about at the Council of Florence in 1439.

But if this state of things has continued, *in principle*, right down to our own day, it must be recognized that it is not always like that *in*

*fact*. Difficulties have arisen. And these difficulties have got to be faced boldly if we want the quest for unity between the Orthodox Church and the Catholic Church to emerge from the realm of pious sentiments and 'platonic' aspirations.

The first difficulty—and perhaps the most intractable and persistent—arises from the fact that the identification of the Catholic Church with the Latin Church is not, unhappily, a monopoly of our Orthodox brothers.

That highly official publication the *Annuario Pontificio* carefully distinguishes the various offices that are brought together in the person of the pope: 'bishop of Rome, vicar of Jesus Christ, successor of the chief of the Apostles, supreme pontiff of the universal Church, patriarch of the West, primate of Italy, archbishop and metropolitan of the Roman province, sovereign of the state of the Vatican City'. Nevertheless there is sometimes a certain confusion at work about the exercise of some of these functions—not perhaps in official documents, but certainly in people's minds. There can hardly be confusion about the headship of the diocese of Rome, for the duties of this office are carried out by a surrogate, the cardinal vicar; nor about the offices of the metropolitan of the Roman province or of the primate of Italy, for the local character of decisions made in these capacities are clear enough. But when the patriarch of the West and the supreme pontiff of the universal Church are involved it is another matter.

This is accounted for by the process of history. For centuries following the rupture of communion with the Eastern Churches as a whole, the supreme pontiff had in practice to exercise his authority only over the churches of the Western patriarchate still in communion with him, that is, over the Latin Churches. So there was no longer any practical point in distinguishing between the two functions of patriarch of the West and of supreme pontiff, and it became usual to confuse them together.

However, the general councils which were concerned with ending the schism (Lyons in 1274, Florence in 1439) brought the distinction between the two offices to life again, and it was the basis of the unions arrived at and proclaimed by these councils. Unhappily, as we know, these unions were quite ephemeral. A hundred and fifty years or so after Florence partial unions began to be effected, of which the results exist as the Catholic or united Eastern churches. But these were never more than relatively small minorities, whose existence within the universal Church or Roman communion was not enough—and is still not enough

—to restore habitual consciousness of the distinction between patriarch and supreme pontiff, which was fundamental to the Florentine union and in accordance with the first thousand years of the Church's life.

It is common knowledge that, when they returned to communion with the Apostolic See, reunited Eastern Christians were not made subject to the canon law of the Western church; they continued to be governed by their own law as before. But here actual conditions soon began to encroach on principles, as can be seen from examples in our own time. A code of canon law, analogous to that promulgated for the Latin churches in 1917, has recently come into force for the united Eastern churches. This new code began to be promulgated in instalments from 1949. On the whole the ancient Eastern canonical traditions have been respected; but certain modifications and innovations have not failed to excite surprise and rather serious dissatisfaction amongst Catholic Easterners. A report made by Archbishop Peter Medawar, auxiliary to the Melkite patriarch of Antioch, Kyr Maximos IV, gives concrete examples of the kind of difficulty we are alluding to.<sup>1</sup>

A comparable situation aroused excitement all over the Christian East in 1955, when the Holy See directly nominated the present Maronite patriarch, Mar Paul (Meouchi). Without doubt the object of this direct intervention by Rome was to prevent the serious mischiefs which it was feared a free election would entail at that moment. If the supreme pontiff is to carry out his responsibility for good order and concord within the unity of the Catholic body as a whole, it is obvious that he must be free to take the measures that seem to him to be necessary for that purpose. His prerogatives are, indeed, only the counterpart of that responsibility; they make possible and condition its unhampered exercise. From this point of view exceptional circumstances justify exceptional measures; and in making the appointment referred to the Holy See was at pains to emphasize the exceptional nature of its intervention. But it is natural enough that, as they tend to become more frequent, these interventions disturb the minds of our Eastern fellows, they begin to wonder what is happening to the promises of wide autonomy in internal government that have been made to

<sup>1</sup>This report was presented to a Melkite synod held at Ain-Traz in October 1958. It does not seem to have appeared in English, but there is a French version of the substance of the Arabic in the *Bulletin d'orientations oecuméniques*, no. 22 (Bairut, 1959). It is concerned particularly with patriarchal status and rights, with reference to the new code of Eastern canons. Cf. Patriarch Maximos's address on 'Our Vocation as Workers for Unity'; English text in *Reunion*, December 1960.

them, and often repeated.

Furthermore, the example of what has taken place in the Western patriarchate is not of a kind to lessen their apprehension. History shows that the progressive centralization of powers is most often effected *per viam facti*: exceptional interventions justified by special circumstances have had a tendency to be repeated, thus giving rise to a customary law, and in the end to a canonical law. It is in this way, for instance, that nominations to the episcopate have finished by being reserved to the Holy See throughout the Latin church, with a few rare exceptions. Moreover, in whatever way this centralization has been brought about in different departments, it is a fact that it has always been on the increase. Must we see in this an unalterable law of the Church's history, imposed by the inner logic of the idea of the Roman primacy? Or may we think, on the contrary, that there could be a conjuncture of historical circumstances in which a decentralizing movement in the Western Church would be possible, or even imperative?

Another aspect of the very common confusion in people's minds between the functions of the patriarch of the West and of the supreme pontiff of the whole Church is the feeling of many Westerners that whatever has been adopted in the Latin Church and approved by the Holy See is necessarily better than the corresponding element in the Eastern tradition; this may not be a very conscious notion, but it is certainly very real. How, the line of thought goes, could it be otherwise, seeing that the patriarch of the West is at the same time supreme pontiff of the universal Church, successor of St Peter and vicar of Jesus Christ? As such, he is privileged to have altogether special help from the Holy Spirit, and his decisions as patriarch of the West must needs benefit from this help too.

To argue thus is to forget that in matters of discipline a measure must never be estimated solely 'in itself' and in the abstract; it must be considered also in relation to the material which it is designed to regulate. From this point of view, what is best for some is not necessarily best for others. An every-day example will make this clear. The Church teaches, in accordance with Scripture, that the state of virginity is 'in itself' better than the state of marriage. But that does not mean that it is better for just anyone whatever to choose it. If you have not got the necessary disposition and a particular vocation to this state, you do better to marry: that, for you, is the way to fulfil your own personal vocation, natural and supernatural. And so it is with ecclesiastical discipline. It is necessary that there should be diversity in it, precisely

because all men are not alike, because different peoples vary in mentality and temperament, each fashioned to its own pattern by a different past. Even more important than that—and here we touch the heart of the matter—is that the disciplines of the Churches concerned have been different from those of the West from the very beginnings of those Churches, and this in such crucial matters as the internal organization of local Churches and their links of canonical communion.

Therefore, so far from impelling towards measures uniform for the whole Church, the particular help of the Holy Spirit conferred on St Peter's successor in the earthly headship of the whole Church can only move him authoritatively to sanction differing canonical disciplines, because these are better adapted in each case to the temperament and mentality which a long history has formed in the various peoples. And in fact that is exactly what the popes have repeated again and again, in their encyclical letters and addresses, when dealing with the Church's great duty of 'being catholic' in connexion with the massive problem presented to the Latin Church by the Churches of the East.

And if after all it can be found that certain improvements are desirable in the canonical legislation of our Eastern brothers—as in our own—might it not often be better to leave them to realize this for themselves and in due course to take the initiative, rather than to impose *a priori* remedies, however valuable the experience of which we are able to avail ourselves? What conduces to concord and unity must often be given precedence before immediate advantages of a less important kind. Even in the life of the Church it can sometimes be true that the best is the enemy of a greater good.

These are a few points of misunderstanding which complicate the quest for unity between the Eastern Churches and Rome. There are plenty more.

(translated by Donald Attwater)

*Note*—In a letter to the Editor of BLACKFRIARS, His Beatitude Maximos IV, Melkite Patriarch of Antioch, Alexandria and Jerusalem, sends this journal his blessing and hopes 'it will contribute to the work of mutual understanding and contact, the indispensable preliminaries to reunion'.