

THE PRIMACY:  
THE SMALL PRINT OF VATICAN I

IN 1974 the Vatican II Decree on Ecumenism will be ten years old. It was in this that Paul VI and the Conciliar Fathers made public their belief that some of the doctrines of the Church need re-statement: "If the influence of events or of the times has led to deficiencies . . . in the formulation of doctrine . . . , these should be appropriately rectified at the proper moment."<sup>1</sup> The issue in 1973 of *Mysterium Ecclesiae* by the Congregation of the Doctrine of the Faith, shows that the Church is still of the same mind.<sup>2</sup> Among formulations which have suffered from the influence of the times, the definition of the Primacy seems to rate pretty high up in the charts and to be overdue for restatement. The present Pope has himself noted that it is "undoubtedly the most serious obstacle on the ecumenical road". While modestly protesting that "It is not easy for us to plead our own cause", he has indicated a possible line of rectification in words that might easily have come from any spokesman of the Minority at Vatican I: "Should we try once again to present in precise terms what it purports to be: the necessary principle of truth, charity and unity? Should we show once again that it is a pastoral charge of direction, service and brotherhood, which does not challenge the freedom or dignity of anyone who has a legitimate problem in the Church of God, but which rather protects the rights of all and only claims the obedience called for among children of the same family?"<sup>3</sup>

It can hardly be said that much has been done in the last decade in fulfilment of the Pope's request. Most of the best thinking on the Primacy seems to have been done in the years immediately preceding Vatican II, notably by Hans Küng<sup>4</sup>—whose thought appears to lie behind the statement made by the

<sup>1</sup> *Unitatis Redintegratio*, 6.

<sup>2</sup> cf. *Mysterium Ecclesiae*, printed in extenso in *The Tablet* of 14 July 1973, pp. 667-70, and esp. p. 668, col. 3; also in *THE CLERGY REVIEW* for December 1973, pp. 950-62.

<sup>3</sup> Allocution to the Secretariat for Promoting Christian Unity, 28 April 1967; cited in Suenens, *Coresponsibility in the Church*, London 1968, pp. 38-9.

<sup>4</sup> *Structures of the Church*, ch. vii.

present Pope. Since the Council, and especially after the publication of *Humanae Vitae*, more attention had been directed to Infallibility than to the Primacy. In any case, it takes a long time for professional theology to percolate down to popular catechesis. At a level of writing less academic, the efforts of Cardinal Suenens to restate the dogma in terms of coresponsibility have met with as little favour<sup>1</sup> as Bishop Butler's suggestion that the analogy of the British Constitution might provide a clue.<sup>2</sup> A convincing re-formulation of the Primacy is still to seek.

There are, however, indications that the sands of time are running out and that the Church cannot wait much longer for an authentic "rectification" of the dogma. Disagreement on the basic nature of the Primacy seems to be behind that constant tension between local churches and the Roman Curia which has characterized the immediate aftermath of Vatican II. Holland is not the only thorn in the flesh. Papal nominations to the episcopate are challenged elsewhere; the traditionally-obedient Church in Spain turns upon the Curia;<sup>3</sup> the draft *Lex ecclesiae fundamentalis*, circulated by Cardinal Felici in 1971, seems to have met with almost universal rejection, few being prepared to accept that authority should be "conceived as an emphatically centralized form, individualized in the person of the Pope" and leaving no room for "the essential freedom of local churches and a pluralism of their experiences and charisms".<sup>4</sup> German Catholics hint darkly that the Roman Church is hell-bent on its own destruction, complain of Curial "claims for which there can be no warrant in the New Testament or even in Vatican I",<sup>5</sup> and are not helped by an Apostolic Delegate who seems to know better than the Bishop of Limburg

<sup>1</sup> At least in England, typified by a letter-writer in the *Sunday Telegraph*, 23 April 1972, complaining that the aim of the Cardinal is to "shackle the divinely-given plenitude of power".

<sup>2</sup> Cf. the *Sunday Times Weekly Review*, 6 October 1968, where Bishop Butler is interviewed by Muriel Bowen. The Mother of Parliaments is not, however, to be blamed for the Third Vatican Synod of 1971, for an account of which cf. J. F. X. Harriott, s.j., in *The Times*, 30 October 1971.

<sup>3</sup> *The Tablet*, 18 March 1972, pp. 264-6: "The Church in Spain wins through against the Curia."

<sup>4</sup> So G. A. Bologna, in *Concilium*, October 1971, pp. 142-3.

<sup>5</sup> Cf. *New Blackfriars*, November 1972, E. Quinn: "The End of her Latin" esp. pp. 512 and 514, citing Fritz Leist, *Der Gefangene des Vatikans*, Munich 1971.

how to run his diocese.<sup>1</sup> For good or ill, the Ukrainian Church has been at loggerheads with a Papacy for which it has shed its blood, seeks autonomy and fails to find it.<sup>2</sup> Could there be any more "proper moment" for a restatement of the Primacy than now?

A. "THE INFLUENCE OF EVENTS OR OF THE TIMES"

The search for a re-formulation might well and profitably be directed in the first instance, not to the findings of modern theologians, but to the thinking of the Minority of Vatican I. This was the one occasion in the history of the Church when bishops came together from all over the world for a discussion of the Primacy. If something went wrong with the definition, it is at least reasonable to suppose that there might be something right in the thought of those who opposed it. Moreover—and the point is of immense importance and an awful warning to those who read dogmatic statements without reference to their historical context—the rejection of amendments proposed by the Minority does not mean that they were erroneous. Zinelli of Treviso, spokesman for the *Deputatio de rebus fidei*, killed the amendments with the greatest courtesy by announcing that many of them were "excellent and worthy of inclusion in the relevant chapters", and that the only reason why they could not be accepted was that the *Schema* had already received general agreement:<sup>3</sup> a curious argument which leaves one to wonder why amendments were invited at all. If the proposals of the Minority were so excellent, it seems worth while re-examining them and seeing why, under the influence of the times, so many bishops were content to let them perish without trace.

For the sake of clarity, it will be well to recall that the first step towards the final definition was taken on 21 January 1870 with the distribution of a *Schema de Ecclesia*. In response to comments from the Fathers, this was superseded on 9 May by

<sup>1</sup> *The Tablet*, 20 October 1973, pp. 1004-5, "Bishop Kempf".

<sup>2</sup> *The Tablet*, 11 November 1972, pp. 1083-4, "Threat of Break".

<sup>3</sup> Mansi, *Concilia*, iv(52), 1100D.

a *Schema de Romano Pontifice*. The most notable change in the treatment of the Primacy was the insertion of a paragraph on the divine institution and rights of the episcopate, now the third paragraph of Chapter III of *Pastor Aeternus*. This revised document was subjected to a lengthy General Discussion in fourteen General Congregations lasting from 14 May to 3 June. Most of this Discussion centred on the Infallibility question, and little was said about the Primacy. A Special Discussion on the Primacy (Chapter III) began on 9 June and continued for five General Congregations until 14 June. Seventy-two amendments emerged from this Discussion, and they were printed out and circulated to the Fathers. A vote on them was taken on 5 July, after Zinelli had painstakingly explained what his Deputation thought of them.

This vote of 5 July deserves close attention. It was the only occasion when the opinion of the whole Council could be sounded on the Primacy as distinct from the question of Infallibility. The method of counting votes was crude. No names were recorded. The Fathers were asked to express their convictions by the simple process of standing up or sitting down, and a quick leg-count showed which way the Holy Ghost was blowing. In this way, throughout a hot July forenoon, almost all the amendments were consigned to the waste-paper basket by *longe major pars*, or by *ferè omnes*.

This large Majority is not, however, impossible to identify. Individual votes were recorded on 13 July, when the whole Constitution including both Primacy and Infallibility was presented *en bloc*. As there was a strong tendency for those who supported the Infallibility definition to give support also to that on the Primacy and vice-versa, the 75% who voted orally in favour on the later date were most probably the same who had on the earlier date given the silent *Placet* of their legs.

It is a commonplace of Vatican I history that the voting tended to follow lines of national or cultural division. Italy, Spain, and Latin America by themselves produced 259 *Placets*—enough to be described as *longe major pars* in comparison with the 150 from all over the world which expressed dissatisfaction. The smaller hierarchies of Europe were 100% conformist: Holland, Belgium, Switzerland, Portugal, Greece, and the

Balkan provinces of the Ottoman Empire. There was complete unanimity in favour of the whole Constitution from Australia and New Zealand; virtual unanimity from Canada and Ireland —also from areas ruled by missionary Vicars Apostolic, whether in the Far East, Africa, North America or Scotland. Assent was, in short, most marked in countries where there was no serious Christian challenge to Catholicism.

Dissent, by contrast, became more serious in areas which had to face an anti-Catholic polemic, and where the Church had to provide a reasoned apologetic for its beliefs. One-third of the bishops of the United States, and over 40% of those of France, could not take *Pastor Aeternus* as it stood. The Uniat Churches of the Ottoman Empire tipped only slightly in favour of the Majority. The hierarchy of England and Wales tipped slightly in favour of the Minority, and would have tipped right over if it had felt committed enough to stay for the voting.<sup>1</sup> But most of them, before the heat of the summer, had returned to England's pastures green.

Dissatisfaction with the Constitution was most evident in Austria-Hungary and in what was shortly to become the German Empire. Two-thirds of the bishops from Central and Eastern Europe refused an unconditional assent. These vast areas, covering nearly 40% of European Catholicism<sup>2</sup> were grossly under-bishoped as compared with Italy or Spain, and could muster no more than 59 votes at the Council. Those who like futile exercises in arithmetic may calculate that if the Catholic population of Central and Eastern Europe had been represented by bishops in the same proportion as operated in Italy,<sup>3</sup> there would have been about four hundred and fifty of them at the Council, of whom perhaps three hundred would

<sup>1</sup> Cf. F. J. Cwiekowski, s.s., *The Ecclesiology of the English Bishops at the First Vatican Council*, Louvain 1971, pp. 472-3. Among the Minority he lists Clifford and Errington and Goss; he classifies Ullathorne and Grant as Moderates, and the two Browns, Turner, Roskell, Vaughan and Amherst as Moderate-Minority. But Goss covered the Council from Cannes, and Roskell from a villa fourteen miles out on the Appian Way. Seven remained for the vote: 3 for, 3 against, 1 *juxta modum*.

<sup>2</sup> Central and Eastern Europe had, in 1870, approximately 70 million Catholics; the rest of Europe had about 110 million. Outside Europe, and apart from Latin America, there were perhaps another 21 million. Latin America probably had a civil population of over 70 million, but how many of these could be counted as Catholic is difficult to say.

<sup>3</sup> Italy had some 336 bishops for a nominal Catholic population of about thirty millions.

have voted with the Minority, swamping the 197 Italian *Placets*. This is not wholly idle speculation. However wrong Döllinger may have been in challenging the ecumenicity of Vatican I on the grounds that the faithful of Central and Eastern Europe were inadequately represented,<sup>1</sup> it may well be argued that the imbalance of representation was largely responsible for the insufficiency of the final definitions.

#### ITALIANISM

The formidable Italian vote was evidently the largest single factor in rejecting the amendments proposed by the Minority. Some idea of the mentality which lay behind it may be gathered from the thirteen speeches on the Majority side made by Italian bishops during the General and Special Discussion.<sup>2</sup> From these may be collected a theology of the Papacy to which it is difficult to give a name. It seems inept to describe as "Neo-ultramontan-ism" a doctrine which went so far beyond the ultramontanism of Bellarmine. Ratzinger uses the term "Papalism";<sup>3</sup> but it would be regrettable to attach the papal name to a doctrine now recognized as erroneous. No one, apparently, has suggested "Italianism", but as its principal spokesmen came from Italy, there is as much reason to give it that name as there is to attach the label of Gallicanism to the system of Pithou and the brothers Dupuy.

One element in this system was a belief in the inerrancy of the Holy See in matters of discipline. Thus Gastaldi of Saluzzo, most eloquent of Italians, who enjoyed himself immensely over twenty columns of Mansi: "We can be, and must be, sure that our Lord is always standing by his Vicar, with the result that no act or decree of his will impede the sanctification of souls."<sup>4</sup> Similarly Salzano, a Curial and Bishop of Tanes *in partibus*, attributed a divine quality to the papal governance in that it

<sup>1</sup> Cf. Mourret, M., *Le Concile du Vatican*, Paris 1919, p. 146n.

<sup>2</sup> On the Majority side, besides the 13 speakers from Italy, there were 8 from France, 7 from Spain, 4 from Ireland, 3 each from the U.S.A. and Latin America, 2 each from Switzerland and the Uniat Churches, 1 each from Germany, Belgium, Holland, Greece, England and the Far East Missions.

<sup>3</sup> Karl Rahner and J. Ratzinger, *The Episcopate and the Primacy*, 1961, p. 472.

<sup>4</sup> Mansi, op. cit., 608C.

was always guided by "a prudence inspired from God" when deciding whether or not to seek counsel from the episcopate.<sup>1</sup> The line between Pope and God became very thin. Natoli of Messina, in what was almost the silliest speech of the whole Council, went to the brink of blasphemy by winding up his peroration with a parody of the first Palm Sunday: "as soon as the Council has passed the decree, a shout will rise up all over the world: 'Hosanna to Pope Pius IX; Hosanna to the Fathers of the Vatican Council; Hosanna three times and four times over to Pius'."<sup>2</sup> Whether the Italians really believed what they were saying is difficult to tell. Courtesy so often took precedence over truth, as perhaps it should, and as Pio Nono found out when the people of Ravenna, who had greeted him as "second only to God" on his visit in 1857, rejected his sovereignty three years later.<sup>3</sup> The most explicit papolatry of the Council, however, came not from an Italian but from Caixal y Estradé of Urgel. He fished out for public approval some precedents for identifying the Pope with God, of which the most outrageous came from an address to Eugene IV at Florence, delivered on behalf of the Jacobite Ethiopian Patriarch: "As I speak to you I am dust and ashes in the presence of you who are God on earth. For you are God on earth and Christ and his Vicar."<sup>4</sup>

Some of the Italians attributed to the Pope powers which are not normally given to mortal man. Lenti, Bishop of Sutri and Nepi but also a Curial, exasperated by the contradictory accounts given by three pairs of prelates from three different countries as to the effect which the Infallibility definition would have, took comfort from his belief in papal omniscience: "from the watchtower of his Chair, he looks out over the whole world, and knows very well what is the condition of the Universal Church at the present time."<sup>5</sup> Another Curial, Cardoni of

<sup>1</sup> *ibid.*, 409D.

<sup>2</sup> *ibid.*, 46C.

<sup>3</sup> "Uno Pius Minor est Deo": cited R. de Cesare, *The Last Days of Papal Rome*, London 1909, p. 170.

<sup>4</sup> Cited Mansi, *op. cit.*, 659D. Other citations came from a letter of Jerome to Damasus: "sequor magistrum et iudicem Christum, quem nec video nec audio nisi in te" (*ibid.*, 659B); and from a letter to Hilarius from the fifth century Council of Tarragona: "nos Deum in vobis adorantes" (*ibid.*, 659D).

<sup>5</sup> *ibid.*, 326C. Lenti had listened to contradictions between Manning and Clifford as to England, Cullen of Dublin and McHale of Tuam as to Ireland, and Papp-Szilágyi of Nagy-Várad and Bonnaz of Csanad as to Hungary.

Edessa *in partibus*, himself gave no utterance during the debate, but was taken to task by Haynald of Kalocsa for putting into print a belief that by some alchemy the Holy Father could transmute a local synod (*conciliabulum*) into an Ecumenical Council.<sup>1</sup> All this added up to a "personal" theory of the Primacy, parallel to the theory of "personal" Infallibility which the Council was later to reject. If the Pope's person were endowed with the ability to know the business of bishops better than they knew it themselves, and if he were inerrant in matters of discipline, it was folly to leave any decisions to ignorant and errant bishops.

Another characteristic of Italianist thought at this time was the rejection of the *sensus fidelium*, now recognized by Vatican II as an authentic source of infallible truth, as a *locus theologicus*.<sup>2</sup> This was laid down clearly by Cardinal Patrizi, Secretary of the Holy Roman Inquisition, who put the laity firmly in its place with his speech at the opening of the General Discussion: "Who can be unaware that matters belonging to the supernatural order, and full of hazards, which ought to be dealt with and discussed only by prelates of the Church within the innermost sanctuary, have been the subject of debate by—of all people—the laity: presumptuously, without authority, stupidly, and with great damage to right-thinking men."<sup>3</sup> So also Gastaldi, dealing rapidly with the Minority argument that the Constitution would be offensive to both the Catholic laity and to their separated brethren: "Among *loci theologici* I have found Scripture, Tradition, the decrees of Councils and of Popes; but never public opinion."<sup>4</sup> It was a bad time, anyway, for public opinion whether in Church or State. The tide of liberalism had ebbed steadily since the uprisings of 1848. This was especially true of the last days of the Temporal Power and while the Secretariate of State was in the hands of Antonelli, who is reported to have said that "newspapers should limit themselves to announcing the functions in the Papal chapels and giving interesting news of Chinese insurrections."<sup>5</sup>

<sup>1</sup> *ibid.*, 664D.

<sup>2</sup> For its recognition by Vatican II, cf. *Lumen Gentium*, 12.

<sup>3</sup> Mansi, *op. cit.*, 39A.

<sup>4</sup> *ibid.*, 329A.

<sup>5</sup> de Cesare, *op. cit.*, p. 89.

If no recognition as a *locus theologicus* was given to the common belief of the faithful, another *locus* was at hand to fill the gap. This was the argument from the needs of political legitimacy. It went thus: the maintenance of law and order, and the preservation of the Temporal Power in particular, would be impossible without a dogma of the Primacy; therefore the Primacy must be defined as an article of faith. This reads curiously today, but few hairs seemed to have been turned when it was expounded in the Council by such Neapolitans as Celesia of Patti, who saw in ecclesiastical authority the sole hope of preventing civil society from crumbling into ruins and the clergy from forming societies "del clero emancipato";<sup>1</sup> or Salzano of Tanes *in partibus*, who believed that "the dominant heresy of the present day is a denial of authority, which has so deplorably attacked civil society and the family itself"<sup>2</sup>—giving the reader a strong sense of *déjà vu*. It was left to Gastaldi to put the argument in its crudest terms: "At the present moment all authority is on the way to ruin. War is being waged today not only on royal but also on paternal authority. We must therefore safeguard that authority which comes before all others and which has the power to safeguard every other kind of authority: I refer to that of the Roman Pontiff."<sup>3</sup>

Part of the trouble with Gastaldi, Salzano and others was that they suffered as much as any priest of today from a crisis of identity. None of them seemed quite sure if they were bishops of the Catholic Church or Senators of Ancient Rome. Gastaldi's was one of the few speeches which moved the Fathers to *plausus*—as well it might, for he managed to find room for Cyprian's dictum that the Emperor Decius preferred a rival to the Empire rather than a Pope in Rome; and Prosper of Aquitaine's "quidquid non possidet armis, religione tenet".<sup>4</sup> This was always good for a cheer. As for Salzano—by the time he got to his peroration he was a Scipio speaking with the eloquence of a Ciceronian Philippic: beginning each successive paragraph with a thunderous "Hannibalem non ad portas, sed intra

<sup>1</sup> Mansi, op. cit., 63A. One would wish very much to know more of this early instance of Clergy Lib.

<sup>2</sup> *ibid.*, 414A.

<sup>3</sup> *ibid.*, 617B.

<sup>4</sup> Mansi, op. cit., 609B.

moenia nostra habemus".<sup>1</sup> *Pastor Aeternus* was to be the last proud defiance of Imperial Rome: "For my part, I fear neither revolutions, nor the violence of mobs, nor the power of nations, nor the anger of kings—nor Garibaldi or even the Devil himself."<sup>2</sup> This was magnificent; but it was not theology.

Most fatal of all Italian attitudes at the Council was an almost complete insensitivity to the ecumenical mission of the Church. The Holy See had to triumph, Gastaldi leading the way: "In my own personal opinion, the [Greek] Church is in especial and imminent danger of dissolution. When it realizes its complete and total collapse, it will come on its bended knees to the Roman Pontiff, the Vicar of Christ, begging once more to be folded to his bosom";<sup>3</sup> if they had no bread, they could eat cake. Vancsa of Fogaras, sole representative at the Council of the four Uniat Rumanian dioceses of Hungary, pleaded in vain for consideration to be given to the claims of ecumenism: "Although I know that faith is above all a gift of divine grace, yet the reason and opportunity for accepting or rejecting it can be greatly speeded up or slowed down by the actions of men—and thereby all hope of conversion can in fact often, and humanly speaking, be rendered impossible. Those who work in the Lord's vineyard in the midst of the enemy will be convinced that this is nothing but the truth."<sup>4</sup> Zinelli remained unmoved; there must be no weakness, and "when the time of mercy comes, God will move their hearts: in the meantime, we must pray for them and define the truth without fear."<sup>5</sup> Treviso was not, as it happened, in the midst of the enemy, and it has not been ascertained whom Zinelli had to fear.

Such was the theological outlook of those who spoke for a hierarchy both numerous and voluble enough to dominate the Council. How far this was shared by the rank and file of those who voted with the Majority is difficult to say. Few seemed interested enough in Chapter III to speak in favour of it in the Special Discussion. Only three favourable speeches came from

<sup>1</sup> *ibid.*, 414A.

<sup>2</sup> *ibid.*, 415A. Salzano had an endearing liveliness of imagination; in the course of his speech he traced Neapolitan belief in Infallibility back to St Januarius of the Liquefying Blood.

<sup>3</sup> *ibid.*, 617B.

<sup>4</sup> *ibid.*, 694C.

<sup>5</sup> *ibid.*, 1115D.

hierarchies other than those of Italy, France and Spain. To the growing number of bishops living in the New World, the Far East and the Antipodes, there must have seemed little reason to fuss over the exact terms of the definition. Rome was too remote to impinge much upon their lives, for the steam revolution in communications had not yet reached its international completion. Some, perhaps, only wanted to get the thing over and done with—or at least to dispose of the Primacy and get down to the real business of Infallibility: both of which feelings were expressed admirably by Trucchi of Forlì, arguing that a quick definition of Infallibility would save a lot of trouble and enable the Fathers to get away.<sup>1</sup>

Curious though they may seem after the experience of Vatican II, the principles that can be described as Italianism were by no means alien to the secular thinking of the time. The rise of papolatry coincided with the growing political ascendancy of Bismarck's Prussia, and with its underlying Hegelian concept of the State as "God walking on earth". And the whole of Southern Europe was at that time under the spell of Prussia. Spain was looking for a Hohenzollern prince to bring it to heel and save it from itself; Piedmont looked to Prussia as its natural ally against the Austrians; and even Pius IX, incurably optimistic, had moments of hope that Bismarck would step in where France and Austria had failed, and stage a last-minute rescue of the Papal States. As to respect for public opinion—this had no useful function in the resurgence of Bonapartism in France and in the enlightened despotism of Franz Josef. Nor was it only in Curial circles that the Papal Primacy was looked upon as a guarantee of civil authority. The Protestant Guizot had told Manning in 1869 that Rome was the "Centre of the European Order" and that the Council was "the last great moral power, and may restore the peace of Europe". Salvation, both in Church and State, lay in strong centralized governments, dominating unified and obedient populations. It was no mere coincidence that the definition of the Primacy came within the same twelve months which saw the proclamation of the German Empire and the unification of Italy; came shortly after the United States had asserted its unity in the Civil War; and was

<sup>1</sup> *ibid.*, 183A.

to be followed in a few years by Victoria's crown of Empire, and liberal England's brief excursion into Imperialism.

### B. THE MISSING PIECE

The remark of Mourret<sup>1</sup> that the infallibility question can be subdivided into three, may seem a peculiarly unexciting example of pedantic analysis. But it contains within itself some wisdom, and provides a clue to the inadequacy of the Primacy decree. Chapter IV of *Pastor Aeternus* had to face up to three sub-questions: is the Pope infallible?—when and how, in what circumstances and with what limits is he infallible?—is it opportune to make his infallibility a dogma? The Council did indeed ride rough-shod over the third of these questions, but gave clear and reasonable answers to the first two. It was, in fact, only by giving an answer to the second question and setting limits to infallibility by the magic phrase *ex cathedra*, that the decree was saved from becoming a nonsense. By contrast, the decree on the Primacy answered only the first of the three questions which the Fathers had to face. It defined a primacy of jurisdiction; it refused to define the limits of this jurisdiction; and was equally cavalier in its treatment of the opportuneness of the dogma. The result was as futile as appointing a General Officer Commanding to an unspecified army in an unidentifiable theatre of war; and as baffling as a jig-saw puzzle with one essential piece missing from the middle.

Since 1870, the Church has been left to fill in the missing piece with what fertility of imagination may be given to each one. And there has been no lack of imagination. The *fautores* of Italianism find no difficulty in conjuring up an image of "unlimited" power, and this is apparently the theory behind those Curial operations which are causing such heart-searching in the Church today. It is worth recording that there was wisdom enough among the Fathers of Vatican I to foresee the present situation and to realize what a rod was being put in pickle by refusing to define the limits of papal jurisdiction. Rauscher of Vienna led off the Special Discussion by complaining that "two powers which are 'ordinary' in the same sense,

<sup>1</sup> Mourret, *op. cit.*, p. 95.

cannot co-exist within the same diocese", and pleaded for "words which cannot be twisted into a sense which is very different from the truth".<sup>1</sup> Bravard of Coutances complained that if the words of the second paragraph of Chapter III were taken literally, "many people will consider bishops to be no more than Vicars-Apostolic".<sup>2</sup> When the *Schema* came first into the hands of Goss of Liverpool, as phlegmatic an Englishman as ever covered an Ecumenical Council from the sunny shores of Cannes, it seemed that the papacy was being given a "dictator's truncheon".<sup>3</sup> Similar complaints of ambiguity came from Dupanloup, David of St Brieuc, and Dreux-Brézé of Moulins;<sup>4</sup> also from Kremenz of Ermeland who, in a resounding and minatory speech on the last day of the debate, compared the Fathers to the priests in I Maccabees 5 who fell in battle "while, desiring to do manfully, they went out inadvisedly to fight".<sup>5</sup> The analogy was not lost on the Curia, and got Kremenz into considerable hot water; but it at least proved that, contrary to common opinion, prophecy had not ceased with the age of the apostles.

At a distance of a hundred years, and with the thick folio volumes of Mansi's *Concilia* not readily available in every presbytery, there may be some excuse for imagining that the absence of any mention of limits to papal jurisdiction in *Pastor Aeternus* means that there are no such limits. But Dogmatic Constitutions are like hire-purchase contracts: they have their quota of "small print" which it is dangerous to neglect. This is to be found in the records of the five debates on the Primacy, and one does not have to read far into these before discovering that it was a common view-point of the Fathers that primatial power was not all-embracing, unlimited and able to do what it

<sup>1</sup> Mansi, op. cit., 541A.

<sup>2</sup> *ibid.*, 678C.

<sup>3</sup> cf. Goss, Letter to Newman, 28 March 1870 (Archives of the Birmingham Oratory, Vatican Council Collection), cited in F. J. Cwickowski, s.s., *The Ecclesiology of the English Bishops at the First Vatican Council*, Louvain 1971: "Nothing ever wounded the simplicity of my faith so much as the trickery with which I became acquainted on official intercourse with the Curia. The present Council, as a friend of mine observes, will change the patriarchal sceptre into a dictator's truncheon, and the Bishops who went to Rome as princes of the household to confer with their august Father will return like satraps dispatched to their provinces."

<sup>4</sup> Mansi, op. cit., 574A, 593D, 1092C-D.

<sup>5</sup> *ibid.*, 690A.

liked, but subject to definite limits in its exercise. Whether those limits were not only definite but definable was another matter—and the ultimate decision was that they should not be defined but left concealed in the mind of God and the Holy Father.

It seems indeed to have been somewhat of a surprise to the Minority to find that the Majority were wholly in agreement with them that the *plena potestas* of the Holy See was not *illimitata*. Landriot of Rheims brought great erudition to bear on this point during the first day of the Special Discussion.<sup>1</sup> But he was tilting at windmills, and on the following day Sala of Concepcion in Chile, the solitary spokesman of Latin America and a speaker for the Majority, got up to agree that it was wrong to speak of papal power as unlimited, except in the sense denied by Conciliarism; it was, in fact, limited by a variety of considerations, ranging from divine law to human common sense.<sup>2</sup> Vérot of St Augustine attempted like Landriot to take the bull by the horns, only to find it collapse in his grasp. In a speech of execrable Latin<sup>3</sup> he proposed an additional canon that "If anyone says that the authority of the Roman Pontiff is so full that he can do anything he likes, let him be anathema".<sup>4</sup> Cardinal Capalti as President told him tartly that the Fathers had not come to a theatre to hear jokes, and Vérot had to sit down content with the knowledge that his "canon" was so obviously true that even to mention it was an insult to the intelligence of the Council. Dupanloup seems to have found general acceptance for two neat analogies—that of the sea, which is always full but has limits, and that of the human body, which has a head but would be destroyed if the head overstepped its limitations.<sup>5</sup>

So much for the "common view-point"<sup>6</sup> of the Fathers that there are limits to the exercise of the Petrine Primacy: the rub

<sup>1</sup> *ibid.*, 564C.

<sup>2</sup> *ibid.*, 579D. Magnasco, Vicar-Capitular of Genoa, dealt with the term "absolute" in the same way as applied to papal power: it simply meant that this power was not subject to conciliar decrees (*ibid.*, 625C).

<sup>3</sup> This contribution to the Anthology of Anglo-Saxon Latin included an invitation to the Pope to come to the United States to preach and hear confessions, and concluded; "sed immo campus in America vastus est, ut si aliqui ex Roma volunt ad nos venire certe iucundissimi erunt" (*ibid.*, 589C). The last phrase defies translation unless it means "they will be very welcome".

<sup>4</sup> *ibid.*, 591C.

<sup>5</sup> *ibid.*, 573C and 575A.

<sup>6</sup> For the significance of such common view-points, cf. Vatican II, *Lumen Gentium*, 25.

came when attempts were made to define those limits. Two of these have found their way into the final form of the Dogmatic Constitution, but one of these was disastrous and the other impossibly obscure. All other attempts at amendment perished without trace.

The first *Schema* of 21 January had made no mention of episcopal jurisdiction. The Minority protested that this omission seemed to leave the Church entirely under the sole pastoral responsibility of the Holy See. Their protest was met by the addition, in the revised *Schema* of 9 May, of what is now the third paragraph<sup>1</sup> of the third chapter, and which asserts that the jurisdiction of the papacy does not conflict with that of the episcopate. The intention was good and the effect catastrophic. When the two paragraphs are read together, they imply that each diocese is subject to two powers with identical jurisdiction: episcopal, immediate and ordinary. If taken at their face value, each episcopal Tweedledee is duplicated by a papal Tweedledum; and as the papacy was sufficient in itself, there seems no reason why redundancy notices should not be served on the episcopal Tweedledees.

Rauscher, as has been noted, seized immediately upon the point that two powers which are "ordinary" in the same sense cannot co-exist within the same diocese. He proposed to avoid the dilemma by defining papal jurisdiction not simply (as the text of the second *Schema* had it) as "ordinary", but as "a principate of ordinary power".<sup>2</sup> Zinelli of Treviso, on behalf of the Deputation of the Faith, gave this amendment the unusual accolade of a *valde placet*<sup>3</sup> and it was carried with almost complete unanimity.<sup>4</sup> Rauscher himself explained the meaning of his amendment as indicating that papal jurisdiction, while being what a canon lawyer would regard as "ordinary", was nevertheless what any other human being, not versed in canon law, would regard either as "extraordinary" or as being used in an "extraordinary manner".<sup>5</sup> Reading this, heads may be pardoned if they begin to reel, and one wonders who on earth,

<sup>1</sup> DB 1828.

<sup>2</sup> Mansi, op. cit., 1089B, being the 21st Amendment.

<sup>3</sup> *ibid.*, 1107A.

<sup>4</sup> *ibid.*, 1118A: "fere omnes admiserunt".

<sup>5</sup> *ibid.*, 541A: "(potestas) vel extraordinaria est, vel extraordinario modo in dioecesi agit."

unless he be good Joseph Smith translating the Book of Mormon through miraculous spectacles, could guess that *ordinariae potestatis principatus* meant, in the language of Vatican I, "extraordinary power". Even when the opacity is penetrated, it cannot be said that Rauscher's amendment throws much light on the respective limits of papal and episcopal jurisdiction. The import of ordinary and extraordinary is still left undecided. All that can be said is that it is a positive assertion of the limitations of papal power, and that negatively it rejects any supposition that the Petrine commission was to manage every detail of diocesan life as far as the mental and physical stamina of a Pope allowed, leaving to bishops only what was left over after he had gone exhausted to bed.

If it is accepted that the Primacy can never become credible until its limits are defined, it is of considerable importance to note what suggestions were made, on the unique occasion of an Ecumenical Council, for the definition of those limits. It is also of importance to identify the reasons why the suggested amendments, often admittedly excellent, were rejected and never found their way into the text of the Constitution.

Had the Primacy been debated after, instead of before, the question of Infallibility, it seems probable that the resultant picture might have been very different. The debate on the latter question showed that a definition of limits to infallibility could not be avoided; and that the key to identifying these limits was to be found only in the *purpose* which *ex cathedra* pronouncements were meant to serve. Unfortunately, the question of Infallibility was so dominant in the minds of the Fathers both before and during the Council, that they came to the Primacy debate much less well prepared and often casual in their approach. Nevertheless, the records of the debate show that the Council did not lack men capable of identifying the purpose of the Primacy, and arguing therefrom to a definition of its limits. Pre-eminent among these was Monserrat of Barcelona: the ordinary jurisdiction of the Holy Father was that which he exercised "when, by virtue of his principate, he makes provision for those matters which are relevant to the preservation of unity".<sup>1</sup> In thus anchoring the Primacy firmly to the concept

<sup>1</sup> *ibid.*, 598A-B.



of unity, he was followed by Caixal y Estrade<sup>1</sup> and by the most moderate and gentle of the Italians, Abbot Zelli of St Paul's Outside the Walls. Zelli's was, perhaps, the finest speech of the debate and would have been perfectly at home in Vatican II. He argued that the Primacy was a service; that the Church must not model itself on secular governments, either monarchic or democratic; and that the essence of the Primacy had been perfectly expressed by Cyprian as being given to Peter "in order that it may be known that the Church of Christ and its teaching are One".<sup>2</sup>

These were speakers who voted with the Majority. In this matter at least, they were of one mind with the Minority. But if both sides were agreed as to the purpose of the Primacy, it was left to the Minority to draw the logical conclusion that papal jurisdiction does not extend beyond the fulfilment of this purpose. The major premiss was put by Haynald of Kalocsa: the Church could only be harmed by the extension of papal authority to matters "which the purpose of the Primacy does not make it necessary for him to do";<sup>3</sup> and the conclusion was tabled by the redoubtable Melchite Patriarch Gregory Jussef of Antioch in an amendment, framed in the form of a *tantum . . . quantum*, and restricting the jurisdiction of the Holy See to what was necessary for the unity of the Church: "it extends only so far as hierarchical subordination and the unity of faith and communion require".<sup>4</sup>

This amendment was soundly trounced. It was rejected by *ferre omnes*. But it is instructive to see the reasons given by Zinelli for its rejection: it was "vague and ambiguous, and therefore dangerous in practice; for the limits to which pontifical jurisdiction extends seem to be left . . . to private judgement".<sup>5</sup> This calls for thought. The sinfulness of private judgement does not seem to be recognized at the present day, and indeed St Thomas More could hardly have been canonized if he had not set up his private judgement against the hierarchy of England

<sup>1</sup> *ibid.*, 1080B: "ad unitatem communionis in regimine universalis ecclesiae".

<sup>2</sup> *ibid.*, 626B-C, 626A-B and 627B (citing Cyprian, de Unitate Ecclesiae, cap. V).

<sup>3</sup> *ibid.*, 669B-C.

<sup>4</sup> *ibid.*, 1086A, being the 13th Amendment.

<sup>5</sup> *ibid.*, 1103C.

(and Wales). Nor is the Infallibility decree considered dangerous, in that it leaves theologians to argue from private judgement what is *ex cathedra* and what is not. As to the alleged vagueness, it was at least sharp enough for any normal man to distinguish between major issues which affect the unity of the Church, and such questions as who should be a parish priest in the Diocese of Limburg and whether or not the canons of some obscure diocese in the English Midlands may sell off their old vestments.

The chance to fill in the missing piece of the jig-saw puzzle of the Primacy decree was thus lost. It became evident that the Deputation of the Faith, dominated by Italianism, did not want the piece filled in. Instead, it substituted the Mind of the Pope. Thus Zinelli, commenting on its behalf on an amendment put by Dupanloup, resisted any attempt to delimit the respective jurisdiction of Pope and bishops on the ground that the papacy could be safely left to delimit itself. As to the possibility of undue interference by the Holy See in diocesan administration, "is there anyone", he asked, "even in a dream, who could think of so absurd an hypothesis? I would beg you all therefore to keep quiet, put your trust in the self-restraint of the Holy See, and express no doubt that the authority of the Holy See will be a source of strength to the powers of the bishops and not harmful to them".<sup>1</sup> Some historically-minded bishops of the Minority thought this anything but an absurd hypothesis, and they did not need to dream. They conjured up ghosts from the past: Nicholas V complaining that his own papal predecessors "left other bishops no jurisdiction whatever";<sup>2</sup> and a Boniface II nominating, in an early example of croneyism, his favourite deacon to succeed him.<sup>3</sup> But Zinelli remained unmoved. The Primacy was credible enough to him without any definition of the limits of jurisdiction; it mattered nothing to him that it could not be taught credibly by those who fought on the frontiers of Catholic Christendom, and that the self-restraint of the Holy See was not immediately evident to Greeks who remembered the Fourth Crusade, to English Protestants who

<sup>1</sup> *ibid.*, 1105D.

<sup>2</sup> *ibid.* 682B (Krementz).

<sup>3</sup> *ibid.* 587-BC (Vérot).

remembered Grosseteste's denunciation of the Curia, and to scientific humanists who remembered Galileo. The Twentieth Ecumenical Council was not as ecumenically-minded as all that.

### C. RE-STATING THE PRIMACY

Reading the debates that led to the 1870 definition of the Primacy, it is difficult to avoid the impression that the Fathers had it in them to produce a much better document than they did. The one common view-point that they achieved, and which therefore can be taught as the doctrine of the Church, was that the *purpose* of the Primacy was the preservation of unity. This would seem to be all-important to any further re-statement of the Petrine prerogative. It deserved a better fate than to be tucked away discreetly at the end of the second paragraph of the third chapter.<sup>1</sup> Paul VI, it may be noted, has given it the prominence it merits by characterizing the Primacy as "the necessary principle of truth, charity and unity". And, if it is at all accepted that our Lord commissioned Peter to be the shepherd of the whole flock, it means no more than that his pastorate is directed to the essential meaning of the Church—"that they may all be one".<sup>2</sup>

But it would be a brave man who, in this day and age, would suggest that divine revelation gives no warrant for the Holy See, to do more than is strictly necessary for the preservation of unity. In 1870, when Haynald and Gregory Jussef made this suggestion, it was considered no worse than vague and dangerous. In the nineteen-seventies, and after the enormous changes that have come over the Church in the last hundred years, the same suggestion might seem at first sight to put most of the 2260 *fonctionnaires* of the Curia out of a job, which no Trade Union would agree to. Fingers would also quickly be pointed to the repetition, at the beginning of the third chapter of *Pastor Aeternus*, of the Florentine assertion that the Holy See has full "power" to care pastorally for, to rule, and to "steer" the

<sup>1</sup> DB 1827.

<sup>2</sup> John 17: 21.

Church:<sup>1</sup> pastoral care surely goes far beyond the preservation of unity, and would, for instance, cover such activities of the Congregation of the Clergy as forbidding laymen to preach at Mass in German churches;<sup>2</sup> than which nothing could be more pastoral and nothing less calculated to preserve the unity of the Church. Moreover and on balance, in spite of bad mistakes,<sup>3</sup> the activity of the Holy See during the past two millennia has been beneficent and hardly deserves to be delegitimized.

This is a formidable barbed-wire barrier to cut through. But it may become less formidable if it is realized that the present issue is a re-statement of the Primacy as absolutized by divine revelation, and that divine revelation is not the only source which can legitimize the activity of the Holy See. The Church, with the assistance of the Holy Spirit, is at perfect liberty to erect institutions which are not found in the Gospel. It can remain true that there is no divinely-revealed warrant for the Primacy to go beyond the limits of what is necessary for the unity of the Church, while remaining equally true that the consensus of the Church may justify it in going far beyond those limits. The point has been well put by a Jesuit theologian of the English province: "the institutional element in Christianity, by which I mean especially social structure and law, is *not part of the Gospel*".<sup>4</sup> The author goes on at the same time to allow that institutions and ecclesiastical structures, even though not revealed in the Gospel, are nevertheless the fruit of the Spirit.<sup>5</sup> To this it may be added that there would be no sense whatever in speaking of the Pope as the Patriarch of the West unless some part of his jurisdiction were derived, not from divine revelation, but from the very human consensus of the Church. A Patriarchate is essentially man-made and constructed to meet the needs of a given cultural unit for co-ordinated government and reasonable uniformity. Since the Eastern Schism, the concept

<sup>1</sup> DB 1826: "governing" would be too loaded a translation of "gubernandi".

<sup>2</sup> For this episode cf. *The Tablet*, 13 January 1973, p. 43, reporting a letter from Cardinal Wright of the Congregation of the Clergy to Cardinal Döpfner.

<sup>3</sup> No one can reasonably hold, as did Gastaldi in 1870, that no decree of the papacy can impede the salvation of souls, after the *volte-face* over the question of Chinese Rites, condemned in 1715 by Clement XI in *Ex Illa die*, and sanctioned by Pius XII in 1939.

<sup>4</sup> Robert Murray, S.J., "Authority and the Spirit in the New Testament", in *Authority in a Changing Church*, London 1968, p. 19.

<sup>5</sup> Robert Murray, op. cit., p. 36.

of the patriarchate has unfortunately disappeared in the West. In the minds of the faithful the two roles of the Pope as Primate and as Patriarch have become inextricably mixed, and the divine aura of the one has been unjustifiably extended to the other. But once they are sorted out, there need be no fear that the whole structure of the Latin Church will collapse overnight: the mission to preserve the unity of the Church is a standard fitting, vested in the successor of St Peter; Curias are optional, and so long as the Church wants them, it can have them. They will find a much more secure basis for their activity in the willing consent of the People of God than in any dubious claims to be implicit in the Gospel. Such a distinction may help to solve some of the puzzles both of 1870 and of the present day. The Fathers of Vatican I were worried by the convincing historical evidence that former Popes had often acknowledged their subjection to canon law, not seeing that he could be subject as Patriarch if not as Primate. Today's puzzle is how our Lord could possibly have given to the Bishop of Rome specifically and exclusively as successor of St Peter, a commission so enormous that it can only be discharged by large numbers of *monsignori* and bishops *in partibus*, none of whom by any stretch of the imagination could claim to be successors of St Peter. The answer is the same: Peter was not commissioned to be a one-man Congregation of the Clergy.

This is so far a negative argument—that the Primacy could be re-stated in the terms of the Minority without denying the legitimacy of the powers now exercised by the Holy See. The starting-point for a positive argument may be found in what the Vatican II Dogmatic Constitution *Dei Verbum* has to say about “tradition”: this, derived from the Apostles and developed with the help of the Holy Spirit, is perpetuated and handed on in the “teaching, life, and worship” of the Church.<sup>1</sup> What has the “life” of the Church to say about the Primacy? The answer is a matter for the historian. Historical instances thrown up in the course of the 1870 debates were surprisingly but significantly few. Dechamps of Malines quoted what he considered to be the clearest example known to him in the whole history of the Church of the plentitude of papal power: the action

<sup>1</sup> *Dei Verbum*, 8.

taken by Pius VII in 1801 when, to end the chaos created by the Civil Constitution of 1791, he made a clean sweep of the whole French Hierarchy, erecting new sees and filling them with new bishops. This was, he thought, a supreme instance of the “extraordinary means” by which the Holy See can provide “a remedy for extraordinary evils”.<sup>1</sup> Rauscher quoted the same example<sup>2</sup> and no other concrete instance was cited by the Fathers.<sup>3</sup> In the abstract, Caixal y Estradé considered that to delimit the jurisdiction of each bishop and to erect new sees and Vicariates Apostolic would be an exercise of the Petrine Primacy;<sup>4</sup> and the Syrian Metropolitan of Mosul, Cyril Behnam Benni, cited in the same sense a letter from Leo the Great to Anastasius of Thessalonica, designed to ensure that “everyone should not claim every right for himself”.<sup>5</sup> As far as the Fathers of 1870 were aware, it would seem that no examples of strictly primatial action could be cited except such as were concerned with preserving the unity of the Church. And these were even rarer than *ex cathedra* statements of dogma. By contrast, when Ramirez of Badajoz and Desprez of Toulouse wished to write into the Constitution that the institution of bishops all over the world belonged of divine right to the papacy,<sup>6</sup> they were given their due meed of praise by Zinelli, but told that this did not belong to the Dogmatic Constitution.<sup>7</sup> It was, in short, a matter of canon law.

It is not easy for those who live in the twentieth century to realize how restricted was the impact of anything resembling primatial action in the “life” of the Church before 1870. The change in the activity of the Holy See since then is more than a non-historical mind can grasp. Up to that date, the Pope was also encumbered with the Temporal Power, and those who read the dull pages of Pastor will know how little time this left over for a Pope to indulge in pastoral problems. Intervention in diocesan life outside the confines of the Papal States was rare.

<sup>1</sup> Mansi, op. cit., 546A.

<sup>2</sup> *ibid.*, 540B.

<sup>3</sup> No one, curiously, mentioned the judgement given by Nicholas I in 862 of the rival claims of Photius and Ignatius to the Patriarchate of Constantinople.

<sup>4</sup> Mansi, op. cit., 660B-C.

<sup>5</sup> *ibid.*, 553C-D.

<sup>6</sup> *ibid.*, 1088D (Amendment No. 18) and 1091B (Amendment No. 30).

<sup>7</sup> *ibid.*, 1108A-B- “*laudat quam maxime scopum.*”

It was the exception, rather than the rule, for bishops to be nominated from Rome.<sup>1</sup> The Roman Congregations were preoccupied either with the government of the Papal States, or with the routine administration of canon law: the *Congregatio Studiorum* was a Ministry of Education for what remained of the Patrimony of Peter, and the *S.C. Concilii* still operated under the brief given to it in 1564 to interpret the decrees of the Council of Trent.<sup>2</sup> The modern system of Apostolic Delegations had not yet even been conceived in the womb of time.<sup>3</sup> Wiseman considered it "one of the rarest exercises of Pontifical authority" when Gregory XVI wrote a corrective letter to a German bishop.<sup>4</sup> To read the lives of nineteenth-century Popes is to enter another world. Papal days were spacious. Gregory XVI could take his daily walk from the Ponte Molle to the Tor di Quinto, patronize the arts, and spend a morning at the Venerabile, entranced with a beer machine imported from England. Pio Nono found time to go riding in the Alban Hills, could spend four months in 1857 touring his dominions, and write charades while the Piedmontese were pouring into Rome. The time was not yet when the window of the Papal bedroom was the first to light up before dawn, and the last to be darkened in the early hours after midnight.

*Dei Verbum* regrettably fails to say what happens to tradition when the "life" of the Church goes off in a new direction. It is not therefore possible to say more than that the Minority's suggested statement of the limits to papal jurisdiction can be justified by the life-style of the Church up to 1870.

This is about as far as one can go in seeking help from the

<sup>1</sup> Up to the beginning of the nineteenth century the nomination of almost all bishoprics outside the Papal States was under crown patronage. The first dent in this system was made by the Wars of Liberation in Latin America and the final blow was struck by the extinction of Hapsburg power in the First World War. The extension of papal patronage was also helped by the proliferation of bishoprics in North America, in the missionary territories of the East, and other areas where crown patronage had never existed.

<sup>2</sup> According to historical notes in the current *Annuario Pontificio*, this Congregation became the Congregation of the Clergy in 1968, with Ufficio's I, II and III: supervising the whole of clerical life, whether intellectual and moral formation, temporal possessions, preaching or catechetics.

<sup>3</sup> In the *Annuario Pontificio* of 1867, four prelates hold the title of Apostolic Delegate, but with functions very different from those of today. They were located in Greece, Syria, Persia and Egypt and functioned under Propaganda.

<sup>4</sup> Wiseman, *Recollections of the Last Four Popes*, London 1858, p. 508.

Minority of Vatican I. But there is help, also, to be found in at least one speech from the Majority, the importance of which can be appreciated in the twentieth century as it hardly could in the nineteenth. Reference has already been made to Abbot Zelli's plea that the structure of the Church should not be conceptualized in the terms of human governments.<sup>1</sup> At the time this passed unnoticed. His hearers had simply no other concepts to work with except jurisdiction and obedience. It was only in these terms that they could conceive of the Primacy achieving its purpose. Strong, centralized government was the only way to get things done, and the model for the faithful was to be found in the Light Brigade at Balaklava. The present age has different concepts to work with, and the Church could learn much from current managerial theory:<sup>2</sup> the goals of a society can be attained by means other than the "classical" type of management, with its dominant leadership issuing detailed directives aiming at maximum efficiency, and enforced by coercion in an organization which runs like a machine on established lines. It took the brief pontificate of John XXIII to show that the goals of the Christian Gospel can be achieved by means far removed from classical management, and that bore all the marks of the "charismatic" type: prophetic, inspirational leadership; a rejection of the *status quo*; and spontaneous, unpredictable decisions. And under him the Papacy became a symbol of unity far more effective than centuries of "I command: you obey".

#### PRINCIPLE OF UNITY

*Pastor Aeternus* is all the poorer in that it knows no other form of *principatus* than the *potestas iurisdictionis*. This is an ignoble restriction, and any re-statement of the Primacy would do well to put jurisdiction in its proper and very minor place—as no more than one of several routes by which the Holy See may fulfil its mission. The Council of Florence used the term

<sup>1</sup> vide supra, p. 21.

<sup>2</sup> Thus P. F. Rudge, *Ministry and Management*, London 1968. On pp. 32-3 he gives a useful conspectus of five types of management: Traditional, Charismatic, Classical, Human Relations and Systematic.

*potestas*, and Robert Murray has usefully remarked that the Greek *ἐξουσία* which it translates, is a term of much wider connotation: it "does not have the connotation of jurisdiction over others, much less the power to impose force on other persons, but rather the holder's rightful freedom to act".<sup>1</sup> Trouble comes when attempts are made to put these ideas into words. "Authority", if taken in the Latin sense of initiative and moral leadership,<sup>2</sup> would have served, but authoritarianism has made it a dirty word. There is a variety of terms derived from the root of the Latin *primus*, not all of which are serviceable. This word itself has acquired too weak a significance by its usage in the Orthodox Church to describe the Bishop of Rome as *Primus inter pares*.<sup>3</sup> As to Vatican I's use of *principatus*, this on the one hand has too much an overtone of secular monarchy, and on the other is insufficient to distinguish the Primacy from the Episcopate: in the *Relatio* with which Pie of Poitiers introduced the General Discussion of *Pastor Aeternus*, he went out of his way to emphasize that bishops are in no way "inferiors" in relation to the Holy See, and that they are the "primary pastors of their churches . . . with the character and authority of princes".<sup>4</sup> These are words of weight, delivered on behalf of the Deputation of the Faith, and making it difficult to fault the Orthodox description of bishops as *pares* of the Pope. The best available term would seem to be that employed by Paul VI in speaking of the Primacy as the "principle" of truth, charity and unity, and which seems to have much the same sense as the description by Vatican II of the Roman Pontiff as the "perpetual and visible source and foundation of the unity of the bishops and of the multitude of the faithful".<sup>5</sup> Some hard spade work will have to be done if the faithful are to grasp the meaning of such terms as "principle" and "source", but the task should not be insuperable, given that generations of Catholic children have made light work of transubstantiation and hyperdoulia.

How far does the small print of Vatican I, with some help

<sup>1</sup> Robert Murray, *op. cit.*, p. 32.

<sup>2</sup> So used to describe the Augustan Principate in the *Monumentum Ancyranum*: "auctoritate omnibus praestiti."

<sup>3</sup> For this usage, cf. Paul Evdokimov in *Concilium*, Vol. iv, No. 7 (April 1971), p. 126.

<sup>4</sup> Mansi, *op. cit.*, 33C.

<sup>5</sup> *Lumen Gentium*, 23.

from Vatican II and a little common sense, justify a restatement of the Primacy on these lines by those who have to preach from the pulpit, teach in schools, or engage in ecumenical dialogue? There seems to be authentication enough for emphasizing that, as a divine institution, the role of the Primacy is to preserve and make visible the unity of the Church, no more and no less. Conversely, it seems only common sense to take the emphasis off jurisdiction: primatial judgements and commands may be rarer in the lives of the faithful than infallible pronouncements, and they are kept in unity by loyalty and love rather than by being "under" the visible Head of the Church.<sup>1</sup> But—when jurisdiction has been relegated to its proper place—can anyone go further and say what are the limits of this jurisdiction? The unfortunate teacher of Christian doctrine is here faced with more than a dilemma. If he says that the jurisdiction of the Primacy is unlimited, he is contradicting the consensus of the world's bishops at Vatican I. If he says that it is limited, but that nobody knows where the limits are, he (and the whole Church) will look a perfect ass. If he says, with the Minority of 1870, that it is limited to what is necessary for the preservation of unity, he will be out alone on the uncharted sea of unauthenticated doctrine. But someone has got to push out from the shore, even at the risk of being torpedoed before he has gone very far. In the present state of the Church one cannot wait for ever for the *magisterium* to fill in the missing piece that alone can make sense of the third chapter of *Pastor Aeternus*. The restatement needs making, and, if made, the dogma of the Primacy may prove no longer to be the "block of granite that bars the way to any mutual understanding on the part of Christian Churches, a block that is so great that it seems that we can neither move it nor climb over it nor get round it".<sup>2</sup>

GARRETT SWEENEY

St Edmund's House  
Cambridge

<sup>1</sup> As in the English Catechism of Christian Doctrine, Q.95.

<sup>2</sup> Cited R. Pesch, in *Concilium*, *ut supra*, p. 35, from H. Küng, *Die Kirche* (Okumenische Forschungen I, i), Freiburg-im-Breisgau, 1967, p. 545.