

29.8.80
12.30 pm.

ARCIC 230/Jus Divinum/1.

JUS DIVINUM (OUTLINE)

1. Introduction: Two Anglican questions posed in Venice 24b.
2. Roman Catholic response: (i) The Meaning of jure divino.
3. Roman Catholic response: (ii) Implication for the ecclesial status of non-Roman Catholic communion.
4. Anglican observation: (i) jure divino and divina providentia.
5. Anglican observation: (ii) affirmation of the Anglican Communion as Church.
6. Towards a consensus statement.

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JUS DIVINUM (DRAFT)

1. The Venice Statement, 24(b), poses two questions with respect to the language of "divine right" applied by Vatican I to the Roman primacy.

- (i) What does the language actually mean?
- (ii) Does it have negative implications for the ecclesial status of non-Roman Catholic communions?

Our present purpose is threefold: (a) to clarify the Roman Catholic position on these questions; (b) to suggest a possible Anglican reaction to the Roman Catholic position, as thus clarified; and (c) in the light of (a) and (b) to attempt a statement of consensus.

2. The Roman Catholic conviction concerning the place of the Roman primacy in God's plan for his Church has traditionally been expressed in the language of jus divinum (divine law or divine right). This term was used by Vatican I to describe the primacy of the "Successor of Peter" which the Council recognized in the Bishop of Rome. Vatican I used the term jure divino to say that this primacy is of divine institution (ex ipsius Christi Domini institutione (Vatican I, Session IV, Chapter 2)). While there is no universally accepted interpretation of this expression, all affirm it means at least that this primacy corresponds to God's purpose for his Church. Jus divinum in this context need not imply that the universal primacy as a permanent institution was directly founded by Jesus during his lifetime. Neither does the term imply that the universal primate is a "source of the Church" as if Christ's salvation had to be channelled through him. Rather, he was to be the sign of the visible koinonia God wills for the Church and an instrument through which unity in diversity is realised. ^{Or is to} a universal primate thus envisaged within the collegiality of the bishops and the koinonia of the whole Church ~~to~~ ^{that} the qualification jure divino can be applied.

3. ^{define} The claim that a universal primacy expresses the will of God does not imply that a Christian community out of communion with the see of Rome does not belong to the Church of God. The authenticity of a Christian community

as a church does not depend on its acknowledgment of the authority of the see of Rome. For instance, it is important to note that, in spite of the division concerning the primacy, the Roman Catholic Church has continued to recognize the Orthodox Churches as true churches. Vatican II rejected the position that the Church of God is identical with the Roman Catholic Church and is exclusively embodied in this church. Vatican II allows it to be said that churches out of communion with the Roman See may ^{lack nothing} ~~labour under no other~~ ~~deficiency~~ from the viewpoint of the Roman Catholic Church ^{other than} ~~that~~ they do not belong to this visible manifestation of Christian communion.

4. The ~~actual~~ state of relations between our two communions in the past has not encouraged reflection by Anglicans on the positive significance of the Roman primacy in the life of the universal church. Nonetheless, from time to time Anglican theologians have affirmed that, under different circumstances, it might be possible for the churches of the Anglican Communion to recognize the development of the Roman primacy as a gift of divine providence - in other words, as an effect of the guidance of the Holy Spirit in the church. Given the above ~~account of the Roman Catholic~~ interpretation of the language of divine right in Vatican I, it is reasonable to ask whether a gap really exists between the assertion of a jure divino primacy and the acknowledgment of its emergence divina providentia.

5. Anglicans have commonly (and ^{understandably supposed} (not without reason) understood) the claim to divine right for the Roman primacy as implying a denial of the churchly reality of their own communion. Consequently, they have concluded that any reconciliation with Rome would require a repudiation of their past history, life, and experience - which in effect would be a betrayal of their own integrity. However, given recent developments in the Roman Catholic

understanding of the status of non-Roman Catholic churches, this particular difficulty may no longer be an obstacle to Anglican recognition of the ^{acceptance} ^{universal} primacy of the Bishop of Rome as a ^{God's will} gift of God to his Church.

6. The Commission therefore believes that the language of divine right in Vatican I need not be a matter of disagreement between us. Though our different theological traditions may use different terminology to affirm the universal primacy of the Bishop of Rome as part of God's design for the universal koinonia, we believe that both traditions, though with differing emphases, affirm the same insight.