

Chapter 11 – The Eastern Catholic Churches

It was in the bosom of the Eastern Commission that the Melkite Greek hierarchy displayed its greatest activity. It was represented there, in the preparatory stage, by Archbishop Neophytos Edelby, Archimandrite Athanasius Hage, and Archimandrite Maurice Blondeel; in the conciliar stage by the patriarch himself and by Archbishop Edelby. As early as November, 1960, Archbishop Edelby presented to the commission a complete project of a schema "On the Rites in the Church." Although modified many times in the course of the discussions, it continued to form the basis of Chapter I of the conciliar decree "On the Eastern Catholic Churches." The lasting value of this project resides in its commentaries, which reflect very well the thought of the patriarch and his hierarchy on this point. One will notice that the author speaks of the "Rites in the Church," and not of the "Eastern Rites," for in the Church there are not only "Eastern Rites." The Latin Church itself is one of the "rites" in the Church.

The "Rites" in the Church

Relative to the Eastern rites, it seems to me more opportune for our commission to propose to the central commission and, through it, to the Fathers of the council, not by one or another article responding to a particular need (for example, the change from one rite to another), but the schema of a "decree," that is to say, of a chapter that embraces all this question in an organic manner. For, in the first place, that presents a greater logical interest. In the second place, it is not every day that we have a council; now it seems that the very existence of "rites" in the Catholic Church, their content, their innate rights and obligations will remain material for discussion as long as, on all these points, the council itself has not manifested definitely and with ruling authority the thought of the Church. I propose that this chapter "On Rites in the Church" be composed of the ten following articles:

Article 1. On the Variety of Rites in the Church

"The Holy and Catholic Church, which is the Mystical Body of Christ, is organically composed not only of the individual faithful who are united in the same faith and the same Christian life, but also of many groups joined to the hierarchy, or particular Churches, which are improperly called 'rites.' These rites or particular Churches, even though they may differ in part in liturgy, intimate constitution, ecclesiastical discipline, and other proper qualities of the spiritual patrimony, yet in an equal manner are committed to the pastoral solicitude of the Roman pontiff, who divinely succeeds Saint Peter in his primacy over the universal Church."

a. This affirmation of principle aims in the first place at dispelling an exclusively "individualistic" concept of the Church. The universal Church is not solely or above all a society of individuals, but also, and in the first place, a communion of Churches (in the particular sense of the word), that is to say, of hierarchical groups (eparchies, metropolitan jurisdictions, archbishoprics, catholicates). This remark has a great importance for the union of the Churches: union should not appear as the absorption of all the Christian communities by one of them, (the Latin community or Church), but as the communion of all the Churches (including the Latin Church) in the same faith, the

same sacraments, and the same supernatural life, under the paternal and fraternal vigilance of the Roman pontiff, to constitute the “*Catholica*.”

b. In the second place, in dispelling this “individualistic” concept of the Church, the Eastern Churches, or, as they are called, the “Eastern rites,” no longer appear as a concession of the Roman Church, as a privilege, as a more or less inconvenient exception. Too many still consider the Latin Church as being, in brief, *the* Church, and the communities of Eastern rites as simply tolerated in the midst of Catholicism. They are, some say, “uniate” Churches, a sort of appendix, something annexed, and nothing more than that. This concept is absolutely false. The “*Catholica*” is composed of all the Churches in communion with one another and with the Roman pontiff. Among the particular Churches in communion among themselves and with the Roman pontiff, there are the Latin Church and a certain number of other Churches, of Eastern rite, today inferior in numbers, in the expectation of the universal reunion of all the Christian Churches.

c. In the third place, one wishes to dispel by the same act the concept—formerly dear to those around Pope Pius IX and still too widespread in certain Western circles—which makes the Eastern Churches a simple affair of “liturgical rite,” differing from the “normal” rite of the Church, which is the Latin rite. “Eastern Churches” is not at all synonymous with “Eastern rites.” The liturgical rite is only one of the points by which one Church can be distinguished from another Church. But the rite can be the same, while the Churches are distinct (for example, the Byzantine rite is common to a number of Churches); nothing prevents there being different rites in one Church (for example, at Toledo). What constitutes the different Eastern Churches is not only a difference from the Western Church in the liturgical rite. There can be also, and there are in fact, differences in spirituality, in theological points of view, in discipline, in constitution, in organization, in art, etc., so much so that when one “respects” the “Eastern rites” (in the liturgical sense), one has not thereby respected the “Eastern Churches.” Now, for the union of Churches, one would wish to arrive at respecting, in the “*Catholica*,” not only the different liturgical rites but also every other difference compatible with the faith and communion with the Roman pontiff.

d. Thus an organic concept of the Church is favored, in which catholicity is not synonymous with Romanism and unity not synonymous with uniformity, in which there is a place for different modes of being, of thinking and acting, not only in liturgy but also in organization and in discipline. Nobody can ignore how much such a concept is indispensable for every effort for union with the autocephalous Orthodox Churches, and not only with individuals.

Article 2. On the Equality of Rites

“While retaining the honor due to the Roman Church, all those particular Churches that constitute the universal or catholic Church possess equal holiness and dignity, enjoy equal rights and privileges, and are held to equal obligations. No superiority or domination or hegemony is allowed in the Church by reason of rite. Therefore all Churches or Rites are with equal right entitled to a just increment and are held by an equally grave obligation of preaching the Christian faith in the whole world, under the

vigilance of the ecclesiastic pastors in the place, and also under the moderation of the Roman pontiff.”

a. This article aims first at affirming vigorously the equality of all Churches in the bosom of the universal church. If the Church is catholic by right, one cannot deny that it has nevertheless to make efforts to be always more catholic in fact, that is to say, to realize always better a greater universality of spirit, of tendencies, of representation, of authority, of service, etc. The Catholic Church is not a monopoly for any person, any race, any nation, any continent, any rite. It is the great gift of God to all humanity, and all humanity should equally share in its cares, as well as in its honors, its services, its representation, etc. Too often, the Catholic Church appears to be allied to the human interests of certain fixed groups. It would not be difficult to draw up a list of grievances that could be asserted by certain groups that feel that they have been injured or that have the impression of being like poor relatives in catholicity. It is enough for us to affirm the principle of the equality of all the faithful and of all the Churches in the bosom of the “*Catholica*.” Its concrete realization will require many years and much effort. In other words there is in the Church a “pre-eminence of the Roman pontiff,” but there should not be a “pre-eminence of the Latin rite.”

b. The article aims equally at eliminating from the discipline in force every measure discriminating against a particular Church. An equality of rights should correspond to an equality of situation, of needs, and of aptitudes. Nobody in the Church should feel himself impaired because of the rite to which he belongs.

c. Finally, the article aims at eliminating the intolerance that still weighs, here and there, on Eastern Catholics, and that unjustly deprives them of the right, insofar as they are Eastern Catholics, to evangelize the infidels of a particular region, as if the Eastern Churches were closed communities, destined to disappear rather than expand. No human authority can forbid a bishop to preach the Gospel to the infidels of his eparchy, to baptize them, and to incorporate them in his Church. If, in fact, two or more Catholic bishops are established in the same territory, all and each equally have the right and the duty to evangelize, to baptize, and to incorporate in their Church. The prohibition of evangelizing the infidels should not, above all, weigh upon the hierarchy that represents, better than the others, the native Church.

Article 3. On the Usefulness of Rites

“This diversity in the Church, rather than harming its catholicity, instead declares it and makes it concrete. For the Church greatly wishes that that nearly infinite abundance of ecclesiastical traditions remain uncorrupted and entire, as it wishes its rule of life to adapt to the various spiritual needs of each and every Christian community.”

The article affirms the usefulness of this diversity in the Church. One will note that it concerns not only a diversity of liturgical rites. Even the diversity of disciplines in the Church is a good thing in itself, and one should not seek to minimize it or to make it disappear for the sole reason of a greater uniformity. The variety of rites and disciplines responds to a natural variety of needs and of mentalities. To wish to reduce everything to uniformity is to deprive oneself uselessly of the charisms of each Church and to close

catholicity to every culture other than our own. Pope Saint Leo IX said it so well in his first letter to Michael Cerularius, Patriarch of Constantinople, no. 29 (Mansi XIX, 652): “For [the Roman Church] knows that customs differing according to the place and time are no hindrance to the salvation of the believers, when one faith, working through love the good things that it can do, commends all to the one God.”

Article 4 On the Rite of the Roman Pontiff

“The Roman pontiff, in his capacity as successor of Saint Peter in his primacy over the universal Church, is not bound to any liturgical rite.”

The sovereign pontiff is first the Bishop of Rome, and it is according to that title that he succeeds to the blessed Peter in his primacy. Nobody is astonished that he is a part, from this point of view, of the Western Church, and thus of the Latin rite. The principle aims only at affirming that the Holy Father, insofar as he is father of the universal Church, is not more Western than Eastern, for many of the Westerners have drawn the argument in favor of the “pre-eminence of the Latin rite” from the fact that that rite was that of the Pope of Rome.

It goes without saying that the Roman pontiff can use one or another of the Eastern rites, according to what he judges opportune.

Article 5 On the Safeguarding of Rites

“All and each of the faithful ought to preserve the proper rite that they have, and cultivate it, and, unless they are legitimately impeded, practice it wherever they are located. Therefore all attempts of any rite to absorb other rites is to be severely condemned.”

a. Since diversity in the Church is a good thing in itself, this article wishes to affirm the perpetuity of this state of things. The existence of the Eastern Churches is not a transitory concession, in the expectation of the definitive passing to the Latin rite.

b. The article also affirms that this diversity is admitted throughout the world, that it is not limited to the East alone.

c. Finally, this article forbids any Church, Latin or Eastern, to develop at the expense of other Churches by absorbing them. Through it there is a particular condemnation of the latinization of the East, which has been pursued for centuries, often contrary to the directives of the Holy See of Rome.

Article 6 On the Rite of Those Returning to Catholic Unity.

“In restoring unity with the Catholic Church, the faithful who have been up to now separated ought to be received in their proper rite, and to keep it. Therefore, every attempt to draw them into another rite or to admit them to a foreign rite is to be severely condemned.”

This article recommends the return to the discipline of “*Orientalium Dignitas*,” as opposed to the dangerous innovation of canon 11, No. 1, of the motu proprio “*Cleri Sanctitati*.” The subject deserves being studied a bit more closely.

a. The innovation of canon 11, cited above, is contrary to the declarations of popes and to the legislation in force before now.

1. Declarations of the popes:

-Benedict XIV, in the constitution “*Allatae Sunt*” of July 26, 1755, no. 33, intended to summarize the constant norm followed by the popes by declaring: “Never have the Roman pontiffs required from those who return to the Catholic faith that they abandon their rite and embrace by obligation the Latin rite. That would be, in fact, the disappearance of the Eastern Church and of all the Greek and Eastern rites, something that not only has never been attempted, but has always been and today still is absolutely alien to the spirit of the Holy See.”

-The Propaganda equally replied, on June 1, 1885 (*Collectanea* II, No. 1633, second) that missionaries, in receiving into the Catholic Church those who were born in schism, must inscribe them in their own Eastern rite, and not in the Latin rite, except by special authorization of the Holy See.

2 Legislation until now in force

-The Easterners who return to Catholic unity may choose, among the Eastern rites, that which they prefer. See the Decree of the Propaganda dated November 20, 1838 (*Collectanea*, I, No. 878). Likewise, Letter of the Propaganda dated February 4, 1895.

-Apostates who, abandoning the Catholic faith, have become heretics or schismatics, cannot, on returning to the Catholic faith, enjoy the liberty of this choice, but remain enrolled in their former rite. See the letter of the Propaganda of April 7, 1859.

-Eastern Catholics who have previously passed over to a Western heresy (for example, Protestantism) cannot on reconverting embrace the Latin rite. See Instruction of the Propaganda of July 15, 1876 (*Collect. II*, No. 1458).

-“If, among the dissidents, a community, a family, or a person shall return to the Catholic unity, while a necessary condition has been set down that they embrace the Latin rite, let them remain for the time being enrolled in that rite, with the ability to return one day to their original Catholic rite. If such a condition has not been set down, but the said community, family, or person are served by Latin priests because of a lack of Eastern priests, they are obliged to return to their rite as soon as there is an availability of an Eastern priest” (Leo XIII, Constitution “*Orientalium Dignitas*,” No. 11).

-If no condition has been laid down and no choice of another Eastern rite has been made, the convert must be admitted into the Eastern rite corresponding to his own.

b. The new canon, it is true, does not oblige non-Catholics to pass over by obligation to the Latin rite. But for the “latinizers” it is sufficient that such is permitted for them to redouble their fervor to deprive the Eastern Catholic Churches of all new help of a nature to nourish them. Certainly, there is nothing improper in that the Holy Roman See, taking into consideration the particular needs of certain individuals, authorizes them to change by exception to the Latin rite, whether at the moment of their return to the Catholic faith or even after they have adhered to it. For the ultimate goal of all legislation must be the good of souls, not a satisfaction of self-love. But, to permit the Latins to admit to their Latin rite the Eastern non-Catholics who wish to return to unity is, under the present circumstances and given the considerable means at the disposal of the latinizers in personnel, in works, and in resources, to condemn the Eastern Catholic Churches to an inability to expand. Thus the equality desired by the canon is equivalent in practice to delivering the weak to the mercy of the strong.

c. Leo XIII had prescribed severe sanctions against those who pushed Easterners to adopt the Latin rite. The sanctions have in practice remained without execution, and the movement of latinization of the East has continued as before. Now, what the severest sanctions have not been able to prevent, will a simple wish, stealthily set at the end of the canon, to encourage the Easterners to remain in their rite, do any more to prevent?

d. While the new canon authorizes the Eastern non-Catholics to pass over to the Latin rite, the law presently in force forbids the Western non-Catholics to pass over to the Eastern rite. Is it normal that the Protestants of Rome, for example, in converting to Catholicism, should pass over to an Eastern rite? It is not more normal for Eastern non-Catholics to pass over to the Latin rite.

Conclusion: If one wishes that the Eastern Catholic Churches should grow and continue to fulfill their mission, it is necessary to forbid the latinization of the East, unless there is a personal exception.

Article 7. “The faithful of Eastern rites who, notwithstanding the instructions of the Roman pontiffs, for whatever reason have at certain times been enticed to desert their native rite in order to embrace the Latin rite, are paternally invited by this holy council to return to their former and original rite.”

That is, in other words, the intention of “*Orientalium Dignitas*” No. 11: “If, among the dissidents, any community or family or person shall return to the Catholic unity, while a necessary condition has been set down that they embrace the Latin rite, let them remain for the time being enrolled in that rite, with the ability to return one day to their original Catholic rite. If such a condition has not been set down, but the said community, family, or person are served by Latin priests because of a lack of Eastern priests, they are obliged to return to their rite as soon as there is an availability of an Eastern priest.”

Article. 8. On Change to Another Rite

“It is the prerogative of only the Roman pontiff, having heard from the interested hierarchs, to permit Catholic faithful, for grave and personal reasons, to transfer to another rite.”

There can be presented particular cases in which the higher good of a soul requires the change to another rite. In order to avoid all kinds of conflict and above all the abuse which a too easy procedure would produce on this point, it is thought that the best method would be to reserve these transfers to the judgement of the sovereign pontiff.

Article 9. On the Eastern Rites outside the Eastern Regions

“As a Latin hierarchy has been set up in the East for the good of the faithful of the Latin rite dwelling there, likewise there will be a provision throughout the world for the safeguarding and growth of Churches of the Eastern rites through setting up an Eastern hierarchy wherever the number and the spiritual good of the faithful of Eastern rites require it.”

The Roman Holy See establishes everywhere in the world its own hierarchy for the benefit of the faithful of the Latin rite (no corner of the world lacks a Latin hierarchy), whereas it does not establish for the benefit of the numerous Eastern faithful of the diaspora its own hierarchy. The most frequent reason for this is the opposition of Latin ordinaries who do not wish a jurisdiction parallel to theirs in the same territory. The above principle aims to affirm the normal character of this multiplicity of jurisdiction everywhere in the world wherever the number of the faithful and their spiritual good require it.

The Orthodox have established a hierarchy almost everywhere in the diaspora. Prevented by the opposition of Latin ordinaries, Eastern Catholics are, in the emigration, almost everywhere without their own hierarchy, which causes considerable injury to them and slowly undermines their existence. While our Orthodox brothers are established in the emigration, we must state that we delay. Thus, for example, the Melkite Church has nearly half of its members outside the East, without a hierarchy, sometimes even without a parish priest. On this point, our union puts us in a position of inferiority compared with our Orthodox brethren.

Article 10. On the Cooperation of Rites

“When there is a multiplicity of various rites of the Catholic hierarchy in the same territory, let more extensive faculties be granted, on behalf of the common good and for nourishing the coordination of apostolic efforts, to the synod of all hierarchs who possess jurisdiction in that territory.”

The multiplicity of rites can be, in the absence of organization, a regrettable dispersion of forces. Certain persons do not cease to extol the suppression of different rites and their replacement by a single rite precisely because of the inconveniences which result from the multiplicity of jurisdictions. Now these inconveniences can easily be avoided if there is installed in the Church a system of synodalism charged with all questions of general interest. Concretely, in a fixed territory with multiple jurisdiction, most serious questions will arise even if there is a single authority that, in the place of that of a single hierarch, becomes that of a synod of hierarchs: which is, to be definite, an excellent thing and introduces into the Church a moderated democratic element, more consistent with the

traditions of the East. Naturally, all of this must be clearly specified in the future code of canon law.

Each of the propositions mentioned above, taken by itself, could be a subject for discussion, for there is no human institution that does not present some drawbacks. But if one has in view that the principal reason for the existence of us Eastern Catholics is to promote Christian union, these proposals acquire a capital importance and assert themselves on their own merit.

In conformity with the above project, the Eastern Commission prepared a draft of a distinct schema "On the Eastern Rites." The patriarch approved it as a whole, but made a criticism of a detail. The text was read at the third meeting of the Central Commission, held in January 1962.

This schema "On Rites in the Church" corresponds to the ideas that I have always defended on the situation and the mission of the Eastern Catholic Churches in the bosom of Catholicity. Thus I am happy to approve the main part of this schema.

I shall make only one criticism of a passage in the preamble where it is said that the Catholic Church does not place any limits to the recognition and expansion of the Eastern rites other than those "that produce a danger for souls and derogate from ecclesiastical respectability." This phrase, borrowed from the Fourth Lateran Council, is not fortunate. It is indelicate, in fact, and also absolutely false, to suspect that only in the "Eastern rites" as such there is a "danger for souls" or a "derogation of ecclesiastical respectability." The Eastern rites are an integral part of the Catholic tradition. They are not heretical or schismatic rites. Likewise, in the Eastern discipline there is absolutely nothing that constitutes a danger for souls or a violation of ecclesiastical respectability. This phrase of the Fourth Lateran Council is explained by the mentality of the epoch.

Observations of the Synod on the First Conciliar Schema “On the Eastern Churches” (1963)

The first schema “On the Eastern Churches,” distributed to the Fathers of the Council, was submitted to an intensive review by the Holy Synod of August, 1963. The text of these first observations of the synod deserves to be published in major part, because of its historic importance. It follows step by step the text of the conciliar schema.

1. Criticism of the Preamble

The council considers itself as belonging to a Church which venerates the Eastern Churches, as if they were not part of the Church. Thus this preamble should be done over, according to the following observations:

-Eliminate the interpolation: “the very large and honorable crown of the Eastern patriarchs and prelates.” This expression seems a bit hyperbolic. It is true that at the Second Vatican Council the number of Eastern prelates is greater than at the First Vatican Council, but it still remains only modest, compared with the first councils of antiquity, and also with the total of the Fathers in attendance, who are about 95% Latin.

-"Earnestly desiring therefore to manifest its solicitude for these venerable Churches." These words are paternalistic. Besides, they have been used too frequently. The Eastern Church should not be pampered like a weak child or coaxed like an unmanageable child. There is no need for special “solicitude.” It is a branch of the Church, which wishes only that it be granted a just place in Catholicism, which is presently too massively Latin in constitution and in mentality.

-Omit the expression: “Among the people of the East.” In fact, the proper mission of the Eastern Church is not limited to only the people of the East. The Church of the East is not today a geographical expression. It is a branch of the Church, nowadays spread out a bit everywhere. It is fitting, therefore, that it display its activity everywhere. The schema reveals, here and there, a mentality that is not very favorable to the East, as we shall see. For the schema, the Latin Church is the rule, the norm. The Eastern Church, the Eastern discipline, the patriarchs are the exception, which it is fitting to limit as much as possible. There are favorable wishes that the Eastern Church live and work, but “among the people of the East.” Outside the East, it has nothing to do, and its faithful of the diaspora are normally destined to be latinized. It is necessary to react against this mentality.

-Omit the clause: “proposed by the Eastern patriarchs and prelates.” For, to begin with, it is not true. One should not attribute to the patriarchs and prelates of the East this schema, which is not their work, and which is, to be definitive, not very favorable to them. In the second place, it is not fitting that the council be content to affirm what a portion of its members has proposed. The conciliar texts are the work of all the Fathers, even if they have been prepared by one group.

2. Particular Churches

Commence this portion with this affirmation of principle, which has as its aim showing that the epithet “particular Churches” applies not only to the Eastern Churches, as it is said, but to all Churches, including the Latin Church: “All Churches of the apostolic tradition, of whatever rite, whether Eastern or Western, are particular Churches.”

-Omit the word “*Orientalium*.” In fact it is not the variety of Eastern Churches that, “far from harming the Church, demonstrates its Catholicity.” It is the variety of all the particular Churches. It is not only the Eastern Churches that are particular Churches. Even the Latin Church is a particular Church in the universal Church.

-Replace “of the nation or of the region” with “of the Church.” Indeed, it is not a matter of safeguarding the traditions of each “nation or region,” but of each “Church.” It is not a matter of folklore, but of ecclesial traditions.

3. The Eastern Churches and the Roman Pontiff

One cannot say that all the particular Churches are “in an equal manner” entrusted to the pope. The Church of Rome is entrusted to him as its immediate bishop. The Western Church is entrusted to him as its patriarch. But the Eastern Churches and all the Churches are entrusted to him as the successor of Peter.

4. Easterners not provided with hierarchs

Add the following phrase: “Where indeed an ordinary of any rite has jurisdiction over the clergy and faithful of another rite, he should rule them with paternal love according to the spirit of their own rite. The spirit of the rite is that which thrives in the patriarchate or in other superior authority of that rite.”

This addition is intended to prevent certain abuses: contamination of the rite, serious negligence in liturgical and disciplinary matters, etc. Since Latin ordinaries, for example, have jurisdiction over some Eastern faithful, they should govern them according to the spirit of their Eastern rite, and the source of this spirit should be the superior authority of the rite.

5. Religious Institutes working in the East

Add the following proposal: “among whom not only is the Eastern rite observed, but also the Eastern spirit prevails.”

To us, this proposal seems to be necessary. In fact, it is not enough for Latin religious institutes to open houses or provinces of the Eastern rite; it is necessary that these foundations be animated by the Eastern spirituality, and, above all, it is necessary that they have the love of the East. The rite does not make the Easterner. One has seen strangers make themselves Eastern in regard to the rite, and at the same time nourish much aversion for the discipline, spirituality, apostolate, etc. of the Eastern Church. One should rather forbid these persons to adopt the Eastern rite.

6. Rite of the Orthodox Passing over to Catholic Unity

This number 9, as it is shown in the schema, is absolutely inadmissible. It constitutes a serious injustice, that we shall never tolerate, and a fatal blow to the Eastern Catholic Church. Therefore, given the gravity of the matter, we must expand a bit on this point.

First, it is appropriate to recall that this number, absolutely unexpectedly, has replaced a paragraph that the Eastern Commission had approved by a large majority, after long discussions. We thought that the affair was closed. But “certain persons”—we do not know which ones—have improperly replaced that former paragraph, favorable to the Easterners, with this new text, which constitutes a true injustice. Naturally, to cover up doing things in this manner, care was taken not to convene the conciliar commission, so that the Fathers of the council would be confronted with an accomplished deed. We protest vigorously against this abuse of confidence.

a. State of the question

While awaiting the blessed general reunion of all the Churches, to which we aspire with all our hearts, and for which we are willing to sacrifice ourselves, we must state that there are inevitably in Christianity some individuals or groups not united to Rome who ask access to union with it. For these cases, which we cannot ignore, we must establish applicable norms that are provisional—that is to say, until the global union of the Churches—to regulate these individual or partial unions.

The working out of these norms should not offend our Orthodox brethren or be considered as an indication of a proselytism of a bad type that “nibbles away” at their Church. We proceed here as would the Orthodox Church itself, which, in its canon laws and in its liturgical books, legitimately decrees prescriptions to be applied to other Christians who come to Orthodoxy.

In this section, it is a matter of baptized non-Catholics who come to the Catholic Church. To which rite should they belong? For example, an American Protestant who becomes Catholic, must he belong to the Latin Church, or should he, at the moment of his conversion, be able to choose to enter the rite that he wishes, for example, the Malabar rite? Common sense will doubtless reply: an American Protestant, if he becomes Catholic, normally should only be made a part of the Latin Catholic Church of America. If particular circumstances require that he become Malabar or Armenian, he has only to make application to the Holy See.

And if it is a question of non-Catholic (Orthodox) Easterners, what should one think? For example, an Ethiopian Orthodox who wishes to become Catholic, to what rite should he belong? Common sense replies: Normally, he will belong to the Ethiopian Catholic Church. However, for personal reasons that are completely special, of which superior authority remains the judge, he will be able exceptionally to become Malabar, Armenian, Ukrainian, or Latin. This is the point of view that we have always defended: Eastern Orthodox, in becoming Catholic, must normally remain not only Eastern (that is to say, not Latin), but also, in a more precise manner, Easterners of the same rite to which they may belong in Orthodoxy, except for personal reasons which may require their change to another rite, with the consent of the Holy See.

Unfortunately, such has not been the opinion of those who wrote this last schema, who have succeeded in maneuvering in such a way as to let the text voted by the preparatory commission fall into oblivion, to avoid summoning the conciliar commission and thus to present, as if it were coming from the Eastern prelates, a latinizing theory which is contrary to the constant attitude of the Holy See on this point.

This requires some explanations. We shall show first the discipline that was in force until now, then we shall review the text that is presented to us now, to defend afterwards the text which was voted by the preparatory Eastern Commission of the council, and which we shall continually defend with vigor, for the very future of Catholicism in the East is involved.

b. Discipline in force until 1958

Until 1958, that is to say until the motu proprio "*Cleri Sanctitati*" of June 2, 1957, came into force, non-Catholic baptized Easterners who came over to Catholicism could choose, among the Eastern rites, whichever one pleased them. Thus, an Orthodox Ethiopian, on becoming Catholic, could become Armenian, Coptic, or Malabar, but he had to remain at least Eastern. To become Latin, he needed either an express indult of the Holy See, or to pose a condition, as it were a *sine qua non*, of not being willing to become Catholic except in the Latin rite. In practice, the apostles of latinization were not much bothered by this, and they counseled all whom they "converted" to set down this condition *sine qua non*. Entire regions were latinized in this manner. The Easterners protested vigorously, but the latinizers found powerful support at the Roman Curia and among the representatives of the Holy See in the locale. The most generous intentions of the popes thus remained a dead letter.

This discipline, in force until 1958, had an advantage and presented a drawback. The advantage was that it aimed at normally leaving the Easterners in the Eastern Church, without excluding the possibility of changing into the Latin rite, if special conditions were realized in the judgement of the Holy See. The drawback was that it authorized the Easterners, at the moment of their passing over to the Catholic Church, to join freely any Eastern Church whatsoever. Thus an Ethiopian could become Ukrainian, an Armenian could become Malabar, and a Russian could become Malankar. In practice, that did not happen, for each one remained in fact in his rite, but the legislation was defective in theory. It called for an improvement, in the sense of greater precision.

c. Discipline in force since 1958

The motu proprio "*Cleri Sanctitati*" of June 2, 1957, instead of improving the situation, aggravated it. Canon 11 of this motu proprio, in fact, gives to baptized non-Catholics of an Eastern rite, on becoming Catholic, the option of choosing the rite that they wish: "they can embrace the rite that they prefer." And that is just as true in the East as outside it. It is well known what vigorous protests our Melkite Church has raised, since the Synod of Cairo in 1958, against this canon. Here we summarize them briefly for the attention of those who have not become aware of them:

i. Canon 11, which was an innovation, is contrary to the declarations of the popes and the legislation which was in force until then. In particular, Pope Benedict XIV, in the constitution “*Allatae Sunt*” of July 26, 1755, no. 33, intended to summarize the constant norm followed by the popes when he said: “Never have the Roman pontiffs required from those who return to the Catholic faith that they abandon their rite and embrace by obligation the Latin rite. That would be, in fact, the disappearance of the Eastern Church and of all the Greek and Eastern rites, something that not only has never been attempted, but has always been and today still is absolutely alien to the spirit of the Holy See.” And the Propaganda equally replied, on June 1, 1885 (*Collectanea* II, No. 1633, second) that missionaries, in receiving into the Catholic Church those who were born in Orthodoxy, must inscribe them in their Eastern rite, and not in the Latin rite, except by special authorization of the Holy See. Finally, it is clear, from what we have said under letter b, that canon 11 is contrary to the legislation which was in force until then.

ii. The new canon, it is true, does not oblige the Eastern non-Catholics to enter, by obligation, the Latin rite. But it is sufficient that they are permitted to do so in order for the “latinizers,” still very numerous in the East and in the West, to redouble their fervor and to deprive the Eastern Catholic Churches of nearly all new development. Certainly, there is nothing improper in that the Roman Holy See, taking into consideration the particular needs of certain individuals, authorizes them to change by exception to the Latin rite, or to an Eastern rite other than their own, for the ultimate goal of all legislation in the Church must be the good of souls. But Church law should anticipate what is normal, not what is exceptional. Normally an Ethiopian Orthodox will be an Ethiopian Catholic, a Malabar Orthodox will be a Malabar Catholic, etc. But it is not normal for a Greek Orthodox to become Latin or Malabar. Besides, to permit the Latins to admit into their Latin rite, on a normal and regular basis, non-Catholic Easterners who wish to come to unity, is in the present concrete circumstances, given the considerable means that the latinizers have at their disposal in personnel, in works, and in resources, to condemn the Eastern Catholic Churches not to develop normally. Thus the liberty and the apparent equality intended by the canon are in practice equivalent to delivering the weak to the mercy of the strong.

iii. Leo XIII had prescribed severe sanctions, going as far as the deprivation of office, against those who pushed Easterners to adopt the Latin rite. The sanctions have in practice remained a dead letter, and the movement of latinization of the East has continued as before. Now, what the severest sanctions have not been able to prevent, will a simple wish, stealthily set at the end of the canon, to encourage the Easterners to remain in their rite, do any more to prevent? Canon 11 says, in fact: “Baptized non-Catholics of Eastern rite, who are admitted into the Catholic Church, can embrace the rite that they prefer; yet it is hoped that they retain their own rite.” A platonic wish, which does not deceive anyone.

iv. While this canon 11 authorizes the Eastern non-Catholics to pass over to the Latin rite, the law presently in force forbids the Western non-Catholics to pass over to the Eastern rite! It is quietly admitted, in fact, that an Italian Protestant who wishes to become Catholic cannot normally adopt the Eastern rite, but will belong to the Latin rite. Besides, does it make good sense that Protestants of Rome, for example, in converting to

Catholicism, pass into an Eastern rite? It does not make any better sense for Eastern Orthodox to become Latin.

For all these reasons we have protested vigorously against the innovation of canon 11 of the *motu proprio* “*Cleri Sanctitati*,” and, benefiting from the fact that the Eastern Commission was studying this question anew, the Melkite delegate proposed an amendment to this canon to be submitted to the council. Here is how things have gone:

d. The Text Proposed by the Eastern Commission

The Commission “On the Eastern Churches,” preparatory to the Council, approved by a large majority, in its session XVI, of April 21, 1961, the following text (See document No. 81-1961, pp. 2 & 3):

“Baptized non-Catholics, who are admitted to the Catholic Church, are obliged to retain their own rite, while the right is preserved, in particular cases, of having recourse to the Apostolic See.”

This text presented the following advantages:

- i. It does not set up any discrimination between the Latin rite and the Eastern rites. The rule that it proposes is equally valid for Western non-Catholics and for Eastern non-Catholics.
- ii. It indicates that this must be the rule, the norm: each one must remain faithful to his rite, Western or Eastern.
- iii. It sufficiently takes into account particular cases: the Holy See can give as many dispensations as it judges expedient.

Nevertheless, in spite of this opening that it allows for passing into another rite, the text has not pleased certain persons, who seem to wish at any price to favor the latinization of Easterners. Not taking into account the majority vote of the commission, they have tried, by the means at their disposal, to change the text, and that by stages, very cleverly, as one will see.

e. Modifications brought about successively to the text voted by the Eastern Commission

A first retouching, made in a photocopied communication entitled “Amended and Abridged Text,” and dated December 15, 1962, reduced the text to the following:

“Baptized non-Catholics, in regions of particular rites, who are admitted to the Catholic Church, must retain their own rite; outside the regions of the particular rites they can embrace the rite that they prefer, although it is hoped that they retain their own rite, while the right is preserved, in particular cases, of having recourse to the Apostolic See.”

Thus this first retouching, by interpolating very cleverly the addition “in regions of particular rites,” limits the norm voted by the commission to Eastern regions alone;

outside the Eastern regions, Eastern non-Catholics, on becoming Catholic, are not held to remaining Eastern, and of their original rite, but could choose the rites that they should wish, that is to say, in practice to pass into the Latin rite.

Thus we have protested with extreme vigor both this interpolation and the proceedings that consisted of scorning the deliberative vote of the commission in order to substitute in place of its text a text made in secret by unknown persons.

The result of our protest: the same persons who interpolated the first text drew up a text still more unfavorable to the East, that of the present schema No. 9, which reads as follows:

“Baptized non-Catholics, returning to the Catholic Church, in regions of their own rites, are admonished to retain their own rite...”

Thus, not only has the rule of remaining in one's own rite been limited to the East (“in regions of their own rites”) but this obligation itself has disappeared; the verb “must” is cleverly replaced by the verb “are admonished”; after the admonishing, one is free to do what one wishes. And the prelates of the East, who had struggled so hard for the safeguarding of their rights, have been duped. And with the summit of the cleverness it is all presented as if coming from the Eastern prelates themselves: “to approve several chapters, proposed by the Eastern patriarchs and prelates.” There is no need to comment.

f. Conclusion

i. The text on which the preparatory commission “On the Eastern Churches” had decided by a large majority should be respected. It can only be changed by a formal decision of the Conciliar Commission, which has no meeting until the middle of September, 1963.

ii. Again we declare that it is the province of the Fathers of the Council alone to approve or reject the only text legitimately proposed by the competent preparatory commission, namely the following:

g. Text proposed to the Council

“Baptized non-Catholics, who are admitted to the Catholic Church, are obliged to retain their own rite, while the right is preserved, in particular cases, of having recourse to the Apostolic See.”

This discipline, which does not favor one or another Eastern Church that does not have an Orthodox branch, does not as such close to them the door to a wide apostolate of union. For they still have the possibility of recourse to the Holy See, and of working directly among non-Christians to lead them to the Catholic Church according to their particular rite. Happily, these Churches constitute an exception in the Christian East.

We regret that the study of this No. 9 of the schema has occupied us so long; but the question that is raised is of vital importance to the Eastern Catholic Churches.

7. The Patriarchs

One cannot say “thus and simply” that the patriarchal institution has been bestowed or recognized by the popes or by the ecumenical councils. That is historically false. It is not the Popes of Rome who have created the true and great Patriarchates of Constantinople, Alexandria, Antioch, and Jerusalem. It is not even the ecumenical councils that created the institution of the patriarchate. The first Ecumenical Council of Nicea, in mentioning the three principal sees of Christianity (Rome, Alexandria, and Antioch), already implied the patriarchal institution, not as to the name, but as to the reality. This supra-episcopal reality that is the patriarchate has its roots in the apostolic age. The councils approved an accomplished fact. The popes have only created certain united patriarchates of recent institution. The patriarchate, as such, if it is not of divine right, is nevertheless apostolic and founded on the most ancient patristic tradition.

No. 12 of the schema can therefore remain as a wish that the council expresses to see the patriarchal institution honored in the Catholic Church. But to follow up on this wish, it will be necessary to do much work. For, truly, in the Catholic Church the patriarchal institution appears to the partisans of centralization as the principal enemy. However, nothing supports the primacy of the successor of Peter as much as the crown of his brothers, the patriarchs of the great sees of Christianity. To depreciate Constantinople, Alexandria, Antioch, or Jerusalem is to depreciate Peter and his successor. One should recall the words of Pope St. Gregory: “My honor is in the honor of my brothers.” But it will doubtless be necessary to wait another century for Catholicity to become aware of what the institution of the patriarchate is. The West has forgotten that it has a patriarch, who is the Bishop of Rome, and that the East, its senior in Christianity, has several patriarchs. To measure the incomprehension of the Catholic West on the subject of the patriarchal institution, it is sufficient to read the three-fourths of a page that the schema “On the Eastern Churches” devotes to it.

We repeat: in a hundred years, it will be necessary to take up this theme again. Knowing the present state of minds, we have no hope of being able to achieve the adoption of a text on the patriarchates which will truly conform to Tradition and to what the Church has a right to expect from an institution that has presided, with the primacy of the successor of Peter, over the destinies of the faith across twenty centuries.

That is why we propose that either the Council should not speak of the patriarchates, rather than speak of them in this manner, or else that it be content with the following few lines, leaving to future generations the care of maturing this question: “The patriarchs are the principal bishops in the Catholic Church. That is to say that they enjoy full episcopal power, which is minimally or little bound by canonical limitation, as it is for other bishops. For it does not exceed the innate power of the successors of the Apostles that the senior bishops, each for his own region, should create other bishops, with whom they collegially govern the same territory, and over whom they preside as princes of the pastors.

“What, however, concerns the title or number or the territorial limits or the precedence of sees, that pertains to ecclesiastical law.

“According to the ancient tradition of the Church and of the ecumenical councils, the following are the titles and order of the major patriarchal sees: the first see is the Roman one of Saint Peter, the leader of the Apostles, the second Constantinople, the third Alexandria, the fourth Antioch, and the fifth Jerusalem.”

This very brief text has for its aim first to combat the thesis that underlies the schema, according to which the patriarchate is constituted by the pure privileges that the pope concedes, and which he can modify at will. Now, one would wish to know the name of the pope or the council that erected as patriarchates the sees of Antioch and of Alexandria. On the contrary, for Saint Leo and Saint Gregory the Great, the three sees of Rome, Alexandria and Antioch draw their authority from the Apostle Peter: Peter at Antioch, Peter at Alexandria through his disciple Mark, Peter at Rome. Even if today one does not share the opinion of these two great popes, it still remains none the less true that the patriarchate is not a simple question of privileges granted by the pope or by the council to bishops taken at random.

In the second place, the council owes it to itself to cite the five patriarchal seats of Christianity. In setting aside the Roman seat, and making the patriarchate an institution that is purely Eastern, and almost non-Catholic, one distorts the facts of history and the very character of the patriarchal institution.

If one wishes nevertheless to go into some canonical details, we would propose to add also the following text:

“Except for the Roman See, there exists no patriarchal see, properly so-called, of the Latin rite. “The patriarchs who are called Eastern, by the force of their dignity, power, and traditional pre-eminence, whether in ecumenical councils or outside councils of that type, that is to say in handling all affairs, are, together with the Roman pontiff, their chief leader, special bishops of that Church which is everywhere. “That power of the patriarchs over their own bishops, clergy, and faithful, which has flourished from most ancient times, indeed from apostolic times, is produced by the Holy Spirit in the Mystical Body of Christ.

“The patriarchs thus constitute, by traditional and canonical right, in communion with the Bishop of Rome, the supreme college in the Church.

“What the Synod of Florence and after it the Roman pontiffs have affirmed very frequently concerning not reducing substantially the rights and privileges of the patriarchs, this holy synod solemnly confirms. These rights and privileges are those that were in force during the thousand-year union of the East and the West, and even if they should occasionally be adapted to our times, they are truly not to be diminished appreciably.”

8. Minister of Confirmation

One knows that the Council of Trent has defined that the “ordinary” minister of the sacrament of confirmation is the bishop. Besides, the expression “ordinary minister” is not a happy one when applied to the Eastern discipline. It is manifestly inspired by the

Latin practice, in which the bishop is in fact the minister who ordinarily administers this sacrament, whereas, in the authentic Eastern discipline it is the priest who ordinarily administers this sacrament, and the bishop quite extraordinarily. On the other hand, the Eastern priest can confirm only when using the Myron or Holy Chrism, which only the patriarch or bishop can consecrate. To reconcile these two practices, it is proposed to say that the bishop is the “minister said to be the ordinary, or rather primary or original.” To understand the Eastern point of view on this point of terminology, let the Latin theologians pose this question to themselves: if the Latin Church had confirmation ordinarily administered by the priests and not by the bishops, would they have called the bishop the “ordinary minister” of confirmation? It is thus necessary to find a term which fits both the Eastern discipline and the Western one, and not to make the Eastern point of view bend each time to the Latin practice.

9. The Eucharist to the Newly Baptized

As the Easterners have remained faithful to the usage of conferring the sacrament of confirmation at the same time as baptism, it is logical to confer also the third of the “three sacraments of Christian initiation,” which is the Holy Eucharist. All those who have been baptized in Christ are at the same time confirmed in Him and receive His Body and His precious Blood. There is no reason to give confirmation to infants and to refuse to them the Holy Eucharist. It is a universal and very beautiful usage of the Eastern Church, which it is fitting to preserve or to restore.

10. Mixed Marriages

The Eastern Commission has voted a text to ease the present discipline of mixed marriages in the East. It was believed necessary to have this text preceded by a preface that is inspired by a spirit that is rather opposed to the open-mindedness of the section that follows, not to mention that this preface is complicated, a bit offensive to non-Catholics, and definitely unnecessary. It begins by saying that it is not easy to avoid mixed marriages. That is obvious, as well for the East as for the West. However, the text adds, it is necessary to warn the faithful to avoid these mixed marriages. That is to establish as a principle that these marriages are something bad. Then it is said that if one cannot avoid them, one should watch out that the spouses avoid the dangers that they comprise, etc. To remark that the non-Catholics take the same measures to protect themselves against us is to put the faithful in a very tormented state of conscience.

The text of the schema adds two other phrases that we propose to eliminate. The first sets up a condition: “and if there likewise should be danger lest the non-Catholic partner oblige the Catholic partner to join him.” This condition is not necessary to permit the bishop to dispense from the form of marriage. It occurs sometimes; at other times it does not. If it is put in the conciliar text, theologians are going to believe that henceforth the Church demands another condition. The second phrase is: “Yet the conscience of the hierarchs is gravely burdened by the observance of the precautions that are prescribed in the law.” According to a widespread opinion, which has been officially communicated to us by the Eastern Congregation, the Church only requires of the Catholic party that he or she promise to do as much as possible to ensure that the children are baptized and brought up in the Catholic Church. Nothing more seems to have been demanded, above

all of the non-Catholic party, except respect of his Catholic spouse. Given that opinion and the practice that it inspires, it seems to us that the phrase of the schema “gravely burdened conscience” becomes a bit excessive. What sort of Catholic party is one who does not wish to do what is possible?

11. Sacred Times

It seems to us that this matter “of sacred times” should be rather in the jurisdiction of the future code of Eastern canon law. It is not appropriate that the council descend to these details, unless it wishes to totally renew and unify this rather complicated matter. Now, this is not the case, for each number of the schema leaves an opening for the regulations of the particular law. Thus, nothing is accomplished. After the council, as before it, each Church will continue pretty much to be guided by its own intentions. Besides, it seems difficult to unify this discipline in all the countries of the world at the same time. It is better, it seems, that the council invite the hierarchs having jurisdiction in the same country to unify the discipline in the matters of the feasts, of fasting, and of abstinence. This is a question of local interest that synods or episcopal conferences can handle more advantageously.

12. Living Language in the Liturgy

The Church is dynamic, living, adapting continuously. Although we Melkites, for example, have passed from the Greek to Syriac, then from Syriac to Arabic, it isn't that we should stop there. In the United States, our “Arabic” is English; in Paris, French; in Argentina, Spanish; etc. Since we are permitted to celebrate everywhere in the living language, we do not have to inform the hierarch of the place, for it is a general law of the Church, which is supposed to be known and respected. Likewise, we do not inform him that we wish to celebrate with leavened bread. But, if we habitually wish to celebrate in a language that is not the living language of the country, or if we wish to celebrate in a language that is not habitually in use in our Church, then, in that case, we must inform the hierarch of the place. For example, if we have to celebrate in Spanish in New York. But if, in New York, we wish to celebrate in English, we do not have to give notice to the ordinary of the place, for the general law of the Church authorizes us to celebrate everywhere in the vernacular, therefore in English in New York.

13. Union of Christians

This second part of the schema deserves complete praise. We say that all the more willingly in that we have been severe on the first part, on the canonical aspect. We shall make one or another remark, primarily of details, so that the text may be even better, if possible, but the spirit with which this second part has been composed is clearly different from the spirit of the first part. One feels there respect and love with regard to the Christian East. All our congratulations, without reservations.

These amendments are proposed to soften what the expressions of the schema may have that is uselessly offensive; for example: “that they may come to Catholic unity.” Catholic unity is the unity of all Churches in the universal Church, the “*catholica*.” It is not fitting to present union as the return of our brethren to us, but rather our reunion in the Catholic

Church: a matter of nuances, but very important in ecumenical dialogue. Likewise, it is necessary at all cost to eliminate the clause “and that they may participate in the fullness of revelation,” for our Orthodox brethren do participate in the fullness of revelation, since they do not deny the Scriptures, nor Tradition, nor the *magisterium* of the Church. Likewise, it is not completely exact to say that only by their joining Catholicism will our separated brethren “be made members in fact of the one, holy, catholic, and apostolic Church of Christ.” What were they formerly? The schema “On the Church” has corrected, on this point, the theories of certain too rigid theologians; it is fitting to take this into account.

Having said this, it pleases us to renew our congratulations for this second part, while wishing that the first be done over in the same spirit. We also wish, with the Fathers of the first session of the council, that a single text “On the Union of Eastern Christians” be drawn up in collaboration with the Secretariat for the Union of Christians. A frank collaboration should be sought.

Observations of the Synod on the Second Conciliar Schema “On the Eastern Churches” (1964)

Profiting from the written remarks that had been made to it, the Eastern Commission reviewed its schema, reducing it considerably. The Holy Synod of August 1964 made new observations on it, which were copied and distributed to the Fathers of the council at the time of their Session III (Autumn, 1964). They deserve, like the preceding synodal observations, to be published in major part, in light of their historical importance.

I. Preliminary Question: Is This Schema Necessary?

Many Fathers have thought that a special schema “On the Eastern Churches” was not necessary and that its matter could advantageously be included in other schemas. In fact, the Eastern Churches are not Churches on the margin of the Church, distinct from the Church, of such a sort that the Council should devote a separate schema to them. They are of the Church as much as the Latin Church. There is thus a danger that in addressing itself in a particular manner to the Eastern Churches, the council might identify itself with the Latin Church addressing itself, with a touch of paternalistic benevolence, to the Eastern Churches.

This danger is not chimerical, but it can be avoided by appropriate clarifications, some of which already appear in the text of the schema, and others should be added. The council is the universal Catholic Church, which is no more Latin than Greek, Armenian, or other. Through the council, it is the Catholic Church itself that addresses sometimes the Latin Church to bring about reforms (which is the case for the mass of the canonical schemas), sometimes to the Eastern Churches, which have particular needs, sometimes to the Church as a whole, the Latin and Eastern, without distinction. The confusion between the Catholic Church and the Latin Church can thus be easily avoided.

Besides, numerous positive reasons provide evidence in favor of a particular schema “On the Eastern Churches”: a. The Eastern Catholic Churches today certainly have problems

to be resolved, which are not posed to the Latin Church as a whole: the effort to resist massive latinization and to remain faithful to their Eastern vocation, the restoration of the patriarchal and synodal privileges, return to a truly Eastern canonical discipline, inter-ritual collaboration, wider inter-confessional relations with our Orthodox brothers, etc. These problems, special to the East, should receive a particular solution and cannot be dispersed among the other schemas, with the risk of being unnoticed, or of receiving a less than adequate solution. Nevertheless, in all the other schemas, institutions particular to the East are often taken into account, in the manner of a lure announcing the schema devoted to the Eastern Churches.

b. In the second place, the present schema has profited from the tendency of the Council, the supreme authority, to abolish, in the present Eastern canonical legislation (done by way of the Roman authority), that which appeared inopportune or contrary to sound Eastern tradition. If it should happen that this schema were eliminated, the codification commission, sitting at Rome, would risk either indefinitely postponing its work or codifying it in a sense unfavorable to the Easterners. See, for example, the measures taken by the schema to forbid massive latinization (No. 4, p. 6, lines 6-7: “and also the baptized non-Catholics coming to the Catholic Church”), to make known everywhere the validity of the sacrament of confirmation administered by Eastern priests (No. 13-14), to widen the Sunday precept (No. 15), to facilitate confessions (No. 16), to restore the subdiaconate among the minor orders (No. 17), to effect a reasonable easing of mixed marriages in the East (No. 18), etc. Taking everything into consideration, the present schema, even if it can be improved on more than one point, is good, and it will help the Eastern Churches to rediscover themselves.

c. Finally, what is a considerable advantage, the presence of a particular schema on the East, prepared by a special commission, will open the way for the creation of a post-conciliar commission, which will take up the work that has been commenced and will improve it. Like all the other post-conciliar commissions, it will be international, with wide horizons and piously audacious. The progress of the East will thus be, in large part, the work of the Easterners themselves or of brothers who are friends of the East.

For all these reasons, we believe that the present schema should be maintained as a distinct schema, and that it is written well enough to be proposed to the council. It must be corrected on certain points. On other points, it can be improved, but, as it is, it represents an improvement.

II. Title of the Schema

Since the term “Eastern Churches” applies to the Eastern Orthodox Churches as well as to the Eastern Catholic Churches, and since, on the other hand, the council intends to legislate only for Catholics, we propose saying “On the Eastern Catholic Churches.” “Eastern” and “Western” are understood not so much as of a geographical position, but as of two manners of being in the Church, of two partially distinct forms of ecclesial life. For, geographically, there are today Easterners in the “West,” and Westerners in the “East,” in Africa, everywhere. To permit the Easterners, as well as the Westerners, to be “at home” wherever they are, one should no longer speak of the “Eastern territories” and the “Western territories”: there are faithful of the Eastern rites and faithful of the Latin

rite dispersed throughout the world, and everywhere they are all at home in the bosom of the same Catholic Church.

III. The Preamble

The preamble is not felicitous. It does not sufficiently avoid giving the impression that the Catholic Church is speaking of the Eastern Churches as entities distinct from it. Well, the Catholic Church is composed of the Eastern Churches as well as of the Latin Church.

In the second place, the Catholic Church gratuitously pays the compliment of “having always held in high esteem” the institutions, the rites, the ecclesiastical traditions, and the discipline of the Eastern Churches. Well, apart from the liturgical rites (again!), the other institutions of the East have generally been so little respected in the Catholic Church that, without the relatively recent awareness of certain Easterners, they were running a great risk of disappearing. The latinization of the East is not only a phenomenon of the past; today it is still extolled openly and upheld secretly and even publicly by very weighty authorities of the Catholic Church, in spite of the warnings of the popes, which have been severe and repeated a hundredfold. To say after that that the Catholic Church, represented, to be sure, by Catholics, leaders and faithful, has always held in high esteem the institutions of the East, appears to be almost ironic.

We propose saying more clearly and more humbly: “All the Christian faithful and leaders everywhere must hold... the institutions of the Eastern Churches.”

One can also purely and simply eliminate this preamble and substitute for it Number 2, which is, in general, a good introduction to the existence, in the bosom of the Church, of hierarchical groups such as that of the Latin Church or the different Eastern Churches.

IV. The Particular Churches

One is a bit surprised by this title. Not that the expression “particular Churches” causes any difficulty today, as it is widely used in the schema “On the Church.” But one is astonished that the council speaks of “particular Churches” right at the beginning of the schema devoted to the “Eastern Churches,” as if only the Eastern Churches were particular Churches, and the Latin Church synonymous with the universal Church. This impression, contrary to Catholic doctrine, can be dispelled if there is inserted in the text a word of clarification.

We would willingly propose that Number 2 serve as a preamble to the whole schema, in case the present preamble could not be sufficiently improved. Besides, it repeats an idea, expressed in greater depth in the schema “On the Church,” on the origin of Churches within the Church. In every case, this should be sustained in order to exclude all confusion between particular Church and liturgical rite. The same rite can be common to several Churches, for example the Byzantine rite, employed not only by the Greek Church but also by the Russian, Ukrainian, Romanian, Bulgarian, Melkite Churches, etc. Likewise, a Church can have, in itself, different liturgical rites, for example the Church of Lyons, which practices the Lyons rite and the Roman rite. It is thus necessary to

distinguish these ideas, and above all to avoid seeing in the Eastern Churches nothing more than different liturgical rites. It is that that Number 2 has wished to avoid doing.

To avoid promoting the belief that only the Eastern Churches are particular Churches and that the Latin Church is the universal Church, it is absolutely necessary to modify the beginning of paragraph 3, as follows: "Particular Churches of this type, whether Eastern or Latin, although in rites, etc...." It is necessary at any cost to declare, once and for all, that the Latin Church is, in the bosom of the Catholic Church, one of the particular Churches, although today it is in fact the most numerous. Thus the Eastern Churches in Catholicism would no longer appear as exceptions, as annexes, but as Churches, as much as the Latin Church.

The expression "yet in an equal manner they are entrusted to the guidance of the Roman pontiff..." does not correspond to theological and historical truth, and that for two reasons:

a. First, it is not true that all the Churches are entrusted in an equal manner to the Roman pontiff. The Church of Rome is entrusted to him as its immediate bishop; the province of Latium, as its metropolitan; Italy, as its primate; the West as its patriarch; finally, all the Churches as the successor of Peter in his universal primacy. It is certain, for example, that over the West the pope exercises prerogatives that are of a rather patriarchal character, which are normally and traditionally reserved, in the East, to the patriarchs and their synods, for example the designation of bishops. These distinctions are bit by bit blurred in the teaching and practice of the Latin West, where ecclesiastical organization is reduced in practice to two ecclesial realities: on one hand, an infinity of dioceses, on the other, a central power directing all of them equally. The East has remained faithful to a more hierarchical organization, and, above all, to a more nuanced conception of the ecclesiastical order. That is why the expression "in an equal manner" appears inadequate.

b. In the second place, the text begins by indicating those things by which the particular Churches differ among themselves: liturgy, discipline, and spiritual heritage. Then it tries to indicate the common bond between these Churches, and it finds only the fact that they are all "equally entrusted to the pastoral guidance of the Roman pontiff." That is very little and purely extrinsic. The different Churches, although having certain particular things, nevertheless and above all have many things in common: adherence to Jesus Christ by faith, the same sacraments, the same morality, the same mission in the world, etc. And even in the matters in which they present some variety, as liturgy, discipline, etc., the points of convergence are infinitely more numerous than the points of divergence.

That is why we propose the following amendment:

"Such particular Churches, although they differ somewhat among themselves in what are called rites, that is in liturgy, ecclesiastical discipline, and spiritual heritage, yet all with equal right constitute one Church."

The rest of the sentence can be omitted. If one nevertheless persists, although it is not necessary to repeat it everywhere, in mentioning the Roman primate, who is the visible

basis of the unity among the Churches, one can add: “which (Church) is entrusted to the pastoral guidance of all bishops in communion with the Roman pontiff, who divinely succeeds to Saint Peter in the primacy over the whole Church.”

The rest of the paragraph is excellent. It repeals with a stroke of the pen the theory of the pre-eminence of the Latin rite, and affirms the right of the Eastern Churches to have their indispensable part in the evangelization of the world: two fundamental truths, still to a large extent unrecognized.

This schema opens new horizons and sets new landmarks for a radical reform of attitude with regard to the Christian East.

V. New and Important Improvements

Number 4 is very weighty and we request the Council to vote it as a whole without adding any modifications for each word has been carefully weighed. It represents on behalf of the Eastern Churches three new and important improvements, obtained after numerous and laborious discussions in the Commission:

a. The right of Easterners to have their hierarchy everywhere, “wherever the spiritual good of the faithful so demands,” that is to say, in practice, wherever they are in sufficient numbers.

Until now, the Latin hierarchy considered itself master of the universe. The Latin Church partitioned the world for itself. It was present everywhere. There is not a point of the globe where there isn't a territorial Latin hierarchy, considering itself fully at home, even at the heart of Constantinople or Moscow. Even where there were only 500 Latins, for the greater part foreigners in the country, a local Latin hierarchy has been installed. Eastern authority could not raise its voice in protest, without the anxiety of being viewed in a bad light or having its Catholic faith suspected.

On the contrary, there are hundreds of thousands of Eastern Catholics who have settled in Europe, in Africa, in Australia, and especially in America. For numerous years we have entreated for the establishment of a hierarchy for them, even a simple personal one, to look after their priests, their works, their future, because the Latin hierarchy, even with the best good will, cannot take care of them effectively. They need not only priests of their rite, but also bishops of their rite. Wasted effort!

Thousands of reasons are found to refuse us what we ask, not for ourselves, but for our poor faithful who are on the road to being separated and lost. The episcopacy of the affected country refuses, we are told. As for us, when a Latin hierarchy has been installed in the very heart of the East, our opinion has not been requested. And when we have succeeded, after an infinite number of proceedings, in convincing the one who had the right to accept an Eastern bishop, there appeared other difficulties of the financial, political, local, or personnel order. Without our faith in God and our love for souls, we would have despaired while seeing our children drifting away more and more because our hands have been tied, when we could save them. We have undergone these

misfortunes because we are Easterners united with Rome, while the Orthodox, because they are not united with Rome, are organized and expand.

This injustice must cease. The first part of this paragraph affirms that the good of souls surpasses everything. It goes without saying that this should apply to us also. In the same manner that Latin parishes and hierarchies have been installed in the East on behalf of the faithful of the Latin rite, even when their number is sometimes minimal, one should also in justice without talking about charity and the good of souls—install parishes and hierarchies in the “West” (Europe, Africa, Australia, and especially America) on behalf of the faithful of Eastern rite.

As for the method of bringing about this principal reform, we place our confidence in the common Father, the sovereign pontiff of Rome. The Council, in this beginning of paragraph 4, respectfully calls upon him in this sense, and in doing so shatters the opposition, very prejudicial to souls, of all those who still do not wish to understand.

b. Inter-ritual Cooperation: Although having a single jurisdiction in a territory may be in principle the best formula, there are great advantages and sometimes the necessity for having Churches of various rites and different traditions, existing in the same territory, entrusted to different hierarchies. The fact is that it is impossible, without very serious inconveniences both for the Church and for the faithful, to make at the present time an abstract rule for this state of things. Nevertheless, in spite of the multiplicity of jurisdictions, unity of action in the Church should be protected by inter-ritual synods. This particular form of episcopal collegiality requires that, if for the good of the faithful, several hierarchs have jurisdiction in the same territory, they should take in common, collegially, timely decisions to unify the action of the Church in their territory.

There are thus new attitudes of thought and of action that the bishops have urged, above all in the East. For all the questions that are not of a strictly ritual order or pertaining to a community, it is necessary to collaborate, to unite efforts, to decide in common, collegially, to avoid dispersion of forces: schools, press, radio-television, charitable works, pastoral care of the whole, catechism, preaching, etc.

The different Churches have until now lived as rather shut in on themselves, jealous of their prerogatives. Today, a new mentality should correspond to new times. Although the jurisdictions cannot be united, there can and should be a unification of action, to take the maximum advantage of the possibilities of episcopal collegiality, of synodalism, so dear to the East.

c. Latinization Is Forbidden: The third part of this paragraph is of the greatest importance: it closes the door once and for all to the latinization of the East. In our observations on the preceding schemas, distributed in the course of the second session of the council, we have related the history of this serious question.

With only three votes short of unanimity (in a total of 17 votes), the Eastern Commission has voted the present text, and we beseech the Fathers of the council who have at heart the future of the East to approve it as it is. In brief, the idea is as follows:

Each of the faithful must remain in his rite, that is to say, in the particular Church in which Providence has placed him: if Latin, he must remain Latin everywhere, even in the East; if Eastern, he will remain Eastern everywhere, even in the West.

This rule does not present any difficulty when it is a matter of the Catholic faithful, who can change rite only for reasons that are grave and, except in the case of marriage, with the authorization of the Holy See itself.

Does that also apply to baptized non-Catholics (Orthodox and others) who ask to enter the Catholic communion? That is the whole question. We are not unaware of the great ecumenical movement that impels a dialogue of union between one Church and another. We wish even to confirm again our desire to condemn all proselytism that would diminish one Church in order to expand another.

But, while awaiting the happy general unification of all Churches, we must state that there are inevitably in Christianity some individuals or groups not united with Rome who ask to come to union with it. In these cases, which are not abstract ones, certain applicable norms must be established provisionally—that is to say, until the general unification of Churches—to regulate these individual or partial unions.

It is not necessary that the working out of these norms offend our Orthodox brothers or be considered an indication of a proselytism of a bad kind which seeks to “nibble away” at their Church. We are here acting like the Orthodox Church itself, which, in its canonical and liturgical books, legitimately issues regulations that apply to other Christians who approach Orthodoxy.

Neither should our brethren of the Latin Church be offended if we wish to hinder, under normal circumstances, the changing of these Orthodox to the Latin rite. We respect and love our sister Church of the Latin rite, but we re-emphasize that Easterners should remain Easterners in the Catholic Church, and this for the very good of the Catholic Church.

That having been said, there are three possible attitudes in regard to this problem of the other Christians who wish to join the Catholic Church.

1. Viewpoint of the “latinizers”

They say, let non-Catholics be free to choose, at the moment of their becoming Catholic, the rite which they wish, at least when they set down their joining the Latin rite as a condition sine qua non of their “conversion.” Arguments of the latinizers:

- a) It is the present discipline of the Church. See canon 11 of the motu proprio “*Cleri Sanctitati*” of June 2, 1957.
- b) Non-Catholics do not belong to any rite. Each (missionary) can admit them, in “converting” them, to his own rite, a bit like the Jews, the Muslims, or the pagans. That creates a rivalry among missionaries as to who can “convert” more.
- c) Eastern non-Catholics themselves, that is to say the Orthodox, in becoming Catholic, generally refuse to remain in the Eastern rite and demand that they become Latin.

- d) The Eastern Catholic clergy does not try hard enough to “convert” Orthodox. If one wishes to “convert” all the Orthodox, one must let the Latin missionaries do it.
- e) Eastern Catholics are “imperfectly Catholics,” “of dubious faith.” One must avoid having Orthodox transfer to them. “Easterners will never be fully Catholic unless they become Latin.”
- f) To compel the Orthodox who become Catholic to remain Eastern is to abridge human liberty, which is an element of the person and guaranteed by the “United Nations Charter.”

Reply to the Arguments of the Latinizers:

- a) The discipline contained in canon 11 of the motu proprio “*Cleri sanctitati*” dates only from 1957. It was imposed on the Easterners in spite of themselves, following obscure maneuvers which history will one day reveal. The former discipline gave the Orthodox who wished to become Catholic the choice of joining the Eastern rite that they preferred, and not the Latin rite, unless they placed becoming Latin as a condition *sine qua non* of their joining Catholicism. In practice, the latinizers arranged to have their “converts,” each time, place this condition *sine qua non*. They even had forms printed in advance and distributed beforehand to be signed. What in the thought of the legislators should be an exception became the normal practice. The motu proprio of 1957 suppressed even this theoretical impediment, opening wide the door to latinization. It is this provision of the motu proprio of 1957 that the schema intends to reform.
- b) It is not true that the Orthodox are not of any rite. They very definitely belong to a rite, to a Church, and in becoming Catholic they must remain faithful to their rite, as to a calling. The case of the non-baptized is completely different.
- c) Orthodox who wish to become Catholic do not demand becoming Latin except when the priests counseling them put this idea into their heads. The best proof of this is that everywhere in the East, except in a region which the latinizers have chosen as their own (Palestine), Orthodox do not place this condition. If they place it in that region, it is because they have been urged to do so by a clergy that has an interest in latinizing them. If the clergy counseled them to remain Eastern, or left them free to choose, the Orthodox would not ask for more. (See our booklet *Catholicism or Latinism?*)
- d) It is not right to accuse the Eastern Catholic clergy of not “converting” sufficiently. The Orthodox do not need to be “converted” but to be “reconciled;” one must show them the ideal of Catholic communion and invite them to restore unity, by showing them by deeds how the Holy See of Rome respects their rites, their discipline, all their spiritual heritage.
- e) The latinizers do not believe in our full Catholic faith, although we have defended it, over the centuries, at the price of thousands of sacrifices. But it is certain that Catholicism does not represent for us what they would wish. We wish to be Catholic and Eastern at the same time. That is the only good formula for ecumenism.
- f) There is nothing contrary to human freedom in obliging Easterners to remain in their rites. Every law, by definition, places some restraint on human freedom with the view to assuring a higher good, that of society. In this case, the higher good of

the society that is the Church requires that Easterners do not become Latin, that they understand their mission and their vocation. Nevertheless, if for personal reasons one or another Easterner is absolutely determined to become Latin, we see no objection to it. That is why the text of the schema anticipates these particular cases by stating: “while retaining the right, in particular cases, of having recourse to the Apostolic See.” We prefer, in these cases, recourse to the Holy See, rather than the former condition *sine qua non*, which has proved to be inefficacious, as we have said. But it is not right, under the pretext of respecting each one's freedom, to utilize the wealth and personnel at the disposal of the Latin missionaries in the East to impel the Easterners towards latinization. Let us help them to regain the Catholic communion, while remaining at the same time Eastern, like their fathers, as Providence has made them.

2.- Another Viewpoint

It is said that the Orthodox should not become Latin. That is agreed. But let us at least permit them, at the time of their joining Catholicism, to choose, among the Eastern rites, whichever they prefer.

Arguments:

- a) Thus, it is said, the danger of latinization is averted on the one hand.
- b) In addition, this is a return to the discipline existing prior to that of 1957.
- c) More freedom is provided for the Orthodox desiring to be reconciled with the Roman Church.

Reply:

- a) This theory does not entirely avert the danger of latinization, for the latinizers can object: why do you permit an Armenian Orthodox to become Maronite, and do not permit him to become Latin? Isn't the Latin rite a Catholic rite like the Eastern rites?
- b) The discipline prior to that of 1957 represented an objectionable order of logic. It is not normal, in fact, that an Ethiopian Orthodox should become Ukrainian Catholic, or that an Armenian Orthodox should become Greek Catholic. If each one has a mission to fulfill in the Church in which Providence has set him, he should normally remain there and not leave it except for personal reasons, and under extraordinary circumstances.
- c) Ecclesiastical law must not guarantee the freedom of escaping from one's vocation, from the mission that is assigned to everyone in his Church.

In other words, when we ask that the Easterners remain in their own rite, in their own Church, it is in order that, at the moment of the so greatly desired general union of Churches they can rejoin their Orthodox brothers of the same rite, and, once again, constitute with them one single Church, united and in communion with the universal Church.

In this perspective, we believe that each Easterner must remain in his own rite.

However, among the Eastern rites there is a community of origin, of thought, and of apostolate, so that an Easterner who changes to another Eastern rite is not at all in the situation of an Easterner who changes to the Latin rite. That is why we state that if the other Eastern communities so prefer, we ourselves give our concurrence for a pure and simple return to the discipline prior to 1957, which is that Orthodox passing into the Catholic Church can ask to join the Eastern rite of their choice, while it remains forbidden to pass into the Latin rite, unless there is recourse, in particular cases, to the Holy Roman See.

3.-Viewpoint of the Great Majority of Easterners

On becoming Catholic, the Orthodox (and non-Catholics in general) will normally remain each in his rite. That is the rule. Exceptionally, if the good of his soul requires it, he can always request the Holy Roman See to grant permission to change to another rite. It will readily be granted, since the final and supreme goal is the good of souls. But outside of these particular cases, each one, as the Apostle says, “should remain in the vocation to which he has been called.” That is what the text of the schema has very successfully codified, and we hope that the Fathers of the council will approve it in full.

VI. The Eastern Patriarchs

This chapter is the least pleasing of all those in the present schema. On certain points, it is even inadmissible.

a. Deficiencies of this Chapter

1. The schema, in speaking of the rights and privileges of the Eastern patriarchs, refers to the ecumenical councils and to a “very ancient tradition in the Church.” Well, the ecumenical councils and Tradition have not spoken of the “Eastern patriarchs.” They have never considered the patriarchate as an institution of the Eastern Churches, but rather as an institution of the Church, conciliar, in which the See of Rome belongs in the first place.

Pope John XXIII and Pope Paul VI, by asserting constantly that the sovereign pontificate must not hinder their being the regular bishops of Rome and their being personally involved in their diocese, have put an end to this false conception of a papacy detached from the episcopacy, presiding over the episcopal college without being part of it. The pope is the leading bishop of Christianity, but he has not ceased thereby to be the Bishop of Rome.

The pope, the Bishop of Rome, is also the Patriarch of the West. Patristic tradition and the ecumenical councils have always considered him as such, without ever believing that it could jeopardize his primacy. Why should the pope, who does not feel himself belittled by the fact that he is Bishop of Rome, and in this capacity equal to the bishops, feel

himself belittled by the fact that he is also Patriarch of the West, equal, on this level, to the patriarchs of the East?

Any attempt to place the papacy above and outside of the episcopacy and the Church would damage the serenity and the sincerity of the dialogue with Orthodoxy.

Is not the secretary general of the council always there to solemnly inform the Fathers of the council of the program of the papal ceremonies in the “patriarchal basilica” of St. John Lateran, the “patriarchal basilica” of St. Peter at Rome, the “patriarchal basilica” of St. Paul-outside-the-Walls, and the “patriarchal basilica” of St. Mary Major? As for the Lateran palace, where the popes live, the archives and the stones have preserved its name: it is named the “*patriarchium*.”

The title of patriarch is thus not a purely Eastern title that does not pertain to the popes of the Roman Church.

2. On the other hand, the schema speaks of the Eastern patriarchs without mentioning, at least in passing, the Ecumenical Patriarchate of Constantinople and the three apostolic sees of Alexandria, Antioch, and Jerusalem. The schema exalts the patriarchal dignity, referring to ancient traditions and to the ecumenical councils. Well, the ancient traditions and the ecumenical councils have not exalted an anonymous patriarchal institution, as the schema does. They recognized for certain specific sees, which they have cited by name, a particular dignity, based on precise reasons, proper to these sees alone.

Moreover, these sees have been declared the foremost in the Church—after Rome—by the oldest tradition of the Church and by the ecumenical councils, even before they were invested in the fifth century with the title of patriarchate. To exalt the institution of the patriarchate, on the basis of tradition and the councils, while remaining silent on the names of the sees to which the patriarchal institution owes its existence, is to give the title priority over the see, and the insignia priority over the person. That could be interpreted as a premeditated desire to submerge the four patriarchates, which are always at the head of the Eastern Churches, in the multitude of the sees to which this title or its equivalent has been granted by stretching and in a secondary manner.

On the contrary, what should have been done is to name—as the councils have done—the five traditional patriarchal sees that have priority over the others, and to put at their head the See of Rome. That was the place to say again in three lines what these councils have wished to say, which is that in the Church there are five traditional sees that have priority over the others and which should be listed as follows: Rome, Constantinople, Alexandria, Antioch, and Jerusalem.

These councils have not said that, in the Eastern Church Constantinople had priority over Alexandria, Antioch, and Jerusalem, but they have said that in the Church of God, the Church everywhere, Constantinople was the first see after Rome, Alexandria the second see after Rome, Antioch the third see after Rome, and Jerusalem the fourth. And, in fact, the incumbents of these four patriarchal sees of the East have shared in the solicitude of the whole Church, in collaboration with the Bishop of Rome and under his primacy. And, in fact, the incumbents of the four great Eastern sees have exercised, in the course of the

thousand years of union with Rome, a role of the first order in the life of the universal Church.

Popes and Eastern patriarchs were, during the time of the union, the summits of the universal episcopacy. As soon as he was elected, the Bishop of Rome sent his profession of faith to the four incumbents at Constantinople, Alexandria, Antioch, and Jerusalem, and only to them. And the latter, on the occasion of their enthronement did the same among themselves and for their consideration exclusively. Thus there was established in the Church a patriarchal college, a “summit” of general care, through which was brought about the visible collegial communion of all the Churches, of all the episcopacy, as was confirmed by this exchange only among themselves of letters which were “irenical,” according to the nomenclature used in Orthodoxy.

It should not surprise anyone that at the Fourth Council of Constantinople, called the Eighth Ecumenical, a council that started with a dozen bishops and never had a very full attendance, just the presence, direct or through representatives, of the four Eastern patriarchs would have sufficed to have it considered up to our day as universal. The agreement of the four patriarchs, canonically and actively united with their episcopate as with the Bishop of Rome, appeared sufficient to have it recognized as having such an ecumenical standing. (Canon 21 of this council stated: “We decree that those who preside over the patriarchal sees should be considered worthy of all honor, especially the very holy Pope of Old Rome, then the Patriarch of Constantinople, then the one of Alexandria, then those of Antioch and Jerusalem.”)

Likewise, there was nothing astonishing when the Council of Florence, in its turn, after the eighth ecumenical council, stating the order of the foremost seats of Christianity, called patriarchal, as in the ninth century they had already existed for many centuries, listed them in the following order: Rome, Constantinople, Alexandria, Antioch, Jerusalem, and pronounced that in doing so it “renewed the ancient tradition.”

From these facts, from so many others, from the esteem, for example, in which Pope St. Gregory held the incumbents of Alexandria and of Antioch, whom he considered as successors with him on the same seat, that of Peter, from all the reality with which today’s Orthodoxy in particular is nourished and lives, there bursts forth forcefully the more particularly universal care of the patriarchs in the Church.

There are also all the consequences that this implies: care manifesting itself very specially again through the wonderful missionary activity of Constantinople in eastern Europe, notably through its sons Cyril and Methodius, of Alexandria in Nubia and Ethiopia, of Antioch in Armenia, in Persia, and through the extension of its daughter of Seleucia-Ctesiphon, as far as India and China.

b. Proposed Amendments:

Title: Say “On Patriarchs,” without adding “Eastern.”

1. To No. 7: Eliminate in this number all the words that could make one believe that the patriarchate is an institution peculiar to the East.

Then say:

“The institution of the patriarchate has flourished in the Church (eliminate the word “Eastern”) from the earliest times, and was recognized by the first ecumenical synods. By the name of patriarch (eliminate the word “Eastern”) is meant the bishop to whom canon law grants jurisdiction over all bishops, including metropolitans, clergy, and people of that territory or rite.” (Eliminate the rest.)

The remainder of that sentence, “to be exercised in accordance with the norms of the law and without prejudice to the primacy of the Roman pontiff,” should be eliminated for two reasons:

a) It is evident that patriarchal power must be exercised “in accordance with the norms of law.” What power is there which can be exercised “contrary to the law”? It is also evident that the patriarchal power is exercised “without prejudice to the primacy of the Roman pontiff.” Nothing in the Church can be done contrary to the primacy of the Bishop of Rome or not taking it into account. Is it necessary to repeat this truth on every occasion, until there is a surfeit?

b) Since the pope of Rome himself is also a patriarch, it is not logically appropriate to say, in speaking of him as a patriarch, that his patriarchal power is exercised “without prejudice to the primacy of the Roman pontiff.”

2. To No. 8: Start this number with this very important reminder: “According to the ancient tradition of the Church and the decrees of the ecumenical councils, these are the titles and order of the major patriarchal sees: first, the Roman see of Saint Peter, leader of the Apostles, second Constantinople, third Alexandria, fourth Antioch, fifth Jerusalem.”

Then replace the text of No. 8 with the following text: “Although some patriarchates are of later origin than others, all are equal to the major patriarchal sees as far as the exercise of patriarchal power is concerned, retaining among themselves the precedence of honor that has been legitimately established.”

In all cases, the word “Eastern” should be eliminated in this No. 8, for the reasons set forth above.

Then add:

a) “The patriarchs with their synods constitute the supreme authority for all affairs of their patriarchates, including the right to establish new eparchies and to freely name bishops of their rite wherever this appears to be suitable, without prejudice to the inalienable right of the Roman pontiff to intervene in individual cases.”

b) “The patriarchs who are called Eastern, by the force of their dignity, power, and traditional pre-eminence, whether in ecumenical councils or outside such councils, that is to say in carrying out all affairs, have constituted from ancient times and constitute, in

communion with the Roman pontiff and under his primacy, the supreme hierarchical council in the Church.”

c) “What the Council of Florence and the Roman pontiffs after it have affirmed very frequently concerning not reducing substantially the rights and privileges of the patriarchs, this holy synod solemnly confirms. These rights and privileges are those that were in force during the thousand-year union of the East and the West, and even if they should occasionally be adapted to our times, they are truly not to be diminished appreciably.”

d) “Wherever a hierarchy of whatever rite is established, it is under the jurisdiction of the patriarch of the same rite, even outside the boundaries of the patriarchal territory.”

N.B. On the subject of the patriarchs and of the institution of the patriarchate, many other things should be said. This matter is still too much ignored in the Catholic theology of our day. The progress of historical and patristic studies will prepare bit by bit the basis for a more complete view of the subject.

3. To No. 11: It is not normal to speak, in this schema, of the patriarchs, without saying a word about the patriarchal synods and their competence. Thus we would gladly propose a Number 11b, which would be devoted to these two points.

In fact, the authentically Eastern concept of the patriarchate is inseparable from the synodal system. The patriarch is the president of the synod of the bishops of his region, the one who coordinates collegially the activity of the bishops, his brothers. Beside him and under his direction, his holy synod holds a principal place. A patriarch is inconceivable without his synod. As this synodal institution has been somewhat forgotten in the majority of the Eastern Churches, in imitation of the West where synodalism is not honored, the schema should revive it.

In the second place, it is appropriate to allow the holy synod its full powers, in particular relative to the election of bishops, which it should be able to do freely, without the necessity of obtaining a previous authorization or a subsequent confirmation by the Holy See of Rome. In sound theology, based on Holy Scripture, patristic tradition, and the history of the Church, the naming of bishops is not reserved for the Holy See of Rome, not even the right of later confirmation. It was Pope Pius XII who, only 16 years ago, extended to all the Eastern Catholic patriarchs the obligation to draw up in the synod lists of the candidates for the episcopacy, previously approved by Rome, or to obtain subsequent confirmation by Rome. But this measure, far from being required by the theology of the Church, as we have said, is contrary to constant Eastern tradition, and it is fitting to return to the respect for the competence of the Holy Synod on this point. When all the bishops, around their patriarch, elect a candidate to the episcopacy, one must recognize the free exercise of their right. In some particular cases, for motives of the general good of the Church, the Roman Holy See can use its right of universal primacy, but, outside of those exceptional circumstances, one must respect the normal action of Eastern institutions and allow the patriarchal synods their full competence, as in the past.

As for this proposal, it is also necessary to say that the present canonical procedure permits, without due cause, going over the heads of normal judicial instances to introduce the instance in the court in Rome. This method is frequently utilized by one of the parties to harass the other party, to cause him excessive expenses, or to draw out the length of the process. Thus we propose the normal succession of instances in the procedure be respected.

We also propose that judgement in the matter of marriage “ratified but not consummated” be reserved not to the pope, but to the Eastern patriarchs for their respective faithful.

To provide examples, we suggest the following formulas:

a) “Without prejudice to the right of the Roman pontiff to have jurisdiction over disputes, cases of every kind must follow the hierarchical course of the various instances, nor is it allowed, without a special mandate of the Roman pontiff, to bypass episcopal or patriarchal instances so that the case may be directly introduced before the tribunals of the Roman Holy See.”

b) “The introduction and also the dispensation of cases concerning marriage that has been ratified but not consummated are reserved to the patriarch for the faithful subject to him.”

VII. Sacramental discipline

This chapter is good in its entirety. It contains interesting restorations, in the Catholic Church, of the ancient Eastern discipline and pleasing adaptations to the needs of modern times.

Numbers 13 and 14 affirm the validity of the sacrament of confirmation conferred by any Eastern priest, regardless of the territory or the person. Thus the recent regulations, which are absolutely illogical, placed on the exercise of this right in certain Latin regions, are removed.

Number 15 takes account of the custom of certain Eastern Churches according to which the faithful satisfy the Sunday and feast day obligation by participating either in the Holy Eucharistic Liturgy or in other divine services. It also allows the fulfillment of the Sunday or feast day obligation to start at vespers of the vigil, since, logically, the liturgical day begins at vespers; that can facilitate the observance of the obligation by certain categories of the faithful.

No. 16 extends the “jurisdiction” for hearing confessions to all the places and to all the faithful of other rites. That facilitates the exercise of the holy ministry in the East, where several jurisdictions are intermingled.

No. 17 desires the positive restoration of an active diaconate in all the Eastern Churches. The diaconate was never abolished by law, but among nearly all Eastern Catholics, it needs to be put back into force. No. 17 restores the sub-diaconate among the minor orders, in conformity with Eastern discipline, closing a gap opened by the *motu proprio* “*Crebrae allatae sunt*” of 1948.

No. 18 proposes a solution to the acute problem of mixed marriages in the East. Every ordinary of the place can, for proper reasons, dispense the Catholic party from the form of marriage, so that he can validly contract marriage before an Orthodox minister. When everything has been well considered, we prefer to recognize purely and simply the validity of mixed marriages of the Eastern faithful entered into outside the Catholic Church, always on the condition that they are contracted before a Christian religious authority. This solution is very important from the ecumenical point of view.

VIII. Divine Worship

This chapter is equally good, and can be passed in its entirety. We only propose to shorten it.

No. 19 speaks of feast days of obligation, both those common to the whole Eastern Church and those limited to a particular Church. It decides what authority can establish these feasts, but it does not teach us anything new and, as a result, does not offer much of interest. We would willingly propose to drop it.

It is the same for No. 21, which permits the Easterners living outside the East to conform to the rule in force in the country, insofar as feasts of obligation are concerned. Spouses of different rites can equally follow one or the other discipline. All this is already known through canon law, and it is not necessary for the council to stoop to these details.

On the contrary, No. 20, discussing the date of Easter, is of very great importance.

The council has already expressed its desire to see the feast of Easter celebrated on the same day by all Christians. On this point all Christians agree. In practice, how can this wish be realized?

If, by agreement among all Churches and eventually with the cooperation of international organizations, the date of the feast of Easter is fixed (for example, the first or second Sunday of April), the problem is resolved. But this solution on the international level can be delayed, although it is necessary to do everything to hasten it.

While waiting, the Eastern Christians are losing patience. The faithful no longer want this difference in dates, which humiliates them in the view of non-Christians. It is necessary at any cost to find a solution. That will be a great step toward the union that is so much desired.

The schema, in No. 20, authorizes patriarchs and other supreme heads of the area to conclude, after unanimous consent of all those interested, local agreements so that all the Christians of a region may celebrate Easter together.

No. 22 only recalls to mind an obligation to the Divine Office, according to the standards and customs proper to each Church. It says nothing new.

No. 23 discusses the use of vernacular languages in the liturgy. It recalls that all this matter is under the exclusive right of the supreme authority in each Eastern Church, which regulates the use of vernacular languages and approves new versions, without any necessity of having recourse to the Roman See, as in the Latin Church, in which the pope has the additional office of patriarch.

As one can see, this chapter “On Divine Worship” is of clearly Eastern and decentralizing inspiration. The Fathers can pass it without hesitation.

IX. Relationships with Our Orthodox Brethren

This last chapter on the relationships with our Orthodox brethren is a true success of the Eastern Commission.

No. 24 begins by affirming the ecumenical calling of the Eastern Catholics, their “vocation as uniters.” The schema indicates the circumstances in which they can fulfill this noble and great mission: prayer, authentic example of Christian life, fidelity to Eastern traditions, knowledge of Orthodoxy, and fraternal collaboration.

No. 25 justifies the necessity of adopting, with regard to our Orthodox brethren, a more lenient attitude in the matter of “*communicatio in sacris*.” The dangers that one fears in general from this “*communicatio*” with non-Catholics do not occur ordinarily as far as the Orthodox are concerned. That is why, all danger in matters of faith having been dispelled, the Church deems it opportune to indicate a new turning point, with the chief aim of enhancing the advances toward union between the Catholics and the Orthodox.

No. 27 sets forth the new rule: Orthodox in good faith, if they ask of their own accord and have the right dispositions, can receive from Catholic ministers the sacraments of penance, the Eucharist, and the anointing of the sick. In their turn, Catholics can ask for these same sacraments from Orthodox ministers as often as necessity or a genuine benefit recommends such a course of action, and when access to a Catholic priest is physically or morally impossible.

No. 28 applies the same rules, a fortiori, to the “*communicatio*” in other sacred functions, things, and places of worship.

Finally, No. 29 entrusts this new and very delicate discipline to the prudence of the local ordinaries. Each individual must not remain the judge in this matter, for it is a matter of public order.

This chapter alone, concerning “Ecclesiastical relations with our separated brethren,” will suffice to show with what depth and with what breadth of viewpoint the Eastern commission has approached these problems of disciplinary order.

We have serious reservations for the chapter “On Patriarchs,” which is inadmissible in its present form.

Except for the amendments that we have indicated, we hope that this schema will receive the approval of the Fathers of the council.

This is only a beginning, but it is an indication that the Easterners are starting to find themselves again, and that they know how, proceeding from their own patrimony, to make their discipline evolve and to adapt it to the needs of the times.

Nevertheless, we hope that there will not be a final vote on this schema before it has been reviewed by the Secretariat for Christian Union.

The Rite of Easterners Desiring Union with Rome

On October 8, 1964, the patriarch published at Rome a circular letter addressed to all the Fathers of the council. In it he defended the point of view that the council would finally approve: Easterners desiring to rejoin Rome must normally remain in their native rite.

Your Excellency, Venerable Brother:

You have doubtless received a letter from the Latin Patriarchate of Jerusalem, in which your vote is solicited against a section of Article 4 of the schema "On the Eastern Churches," which is expressed thus:

"Finally, each and every Catholic, as also the baptized member of every non-Catholic Church or community who enters into the fullness of Catholic communion, should everywhere retain his proper rite, without prejudice to the right of recourse to the Apostolic See in particular cases, and should cherish it and observe it to the best of his ability."

Utilizing in his argument the good of souls, fidelity to the former discipline, and respect for religious liberty, the venerable author of the letter would wish to eliminate the phrase "including baptized non-Catholics who enters into the fullness of Catholic communion," and to add the following clause: "without prejudice to the right, for baptized non-Catholics entering into the fullness of Catholic communion, of choosing another rite if that is set down by them as a necessary condition."

The alleged reasons are not convincing, as Your Excellency can ascertain from the enclosed note.

Besides, the fact that two Eastern Churches, for reasons specific to themselves, have felt that they should uphold the point of view of the Latin Patriarchate of Jerusalem, should not make one forget that they are the only ones following this road, and that the other Eastern Churches (more than twelve) are in agreement with the text of the schema.

In reality, the basic question comes down to this: the Eastern Commission, by over three-fourths of the votes has wished once and for all to close the door to the massive latinization of the East, while, as we elsewhere very freely agree, reserving the exceptional cases to the judgement of the Holy See of Rome, which can, if it deems it appropriate, endow its representatives in the area with the necessary powers ad hoc.

It is obvious that this attitude, which puts an end to centuries-old abuses, cannot please everybody. But along the line of ecumenism, in which the Council is definitely engaged, for the general good of the Catholic Church, which should not be in the position of being accused of latinizing the East, as also for the good of the Eastern Churches, which, in order to accomplish their mission, must be able to retain their children, it is necessary that Easterners remain Easterners, while exceptional cases are reserved for the judgement of Rome.

Consequently, I beseech Your Excellency to support the text of Article 4 of the schema as it is presented. With two exceptions, it is the desire of the Eastern Churches themselves and of the Latin bishops who are friends of the East.

“Concerning the Rite of Baptized Non-Catholics Entering into the Fullness of Catholic Communion”

The end of Article 4 of the schema “On the Eastern Churches” considers what the rite will be of non-Catholic faithful (Orthodox, Anglicans, Protestants, or others) who wish to join the Catholic Church. There are two opposing viewpoints on this subject:

I. The Latin Patriarchate of Jerusalem, to which are joined two or three Eastern communities for reasons that are particular to themselves, proposes to allow those involved the freedom of choosing the rite that they desire, if they make this freedom of choice a necessary condition of their entering the Catholic Church.

In favor of this opinion, there is an appeal to the good of souls, to previous legislation, and to respect for religious freedom. But these reasons are not at all well founded:

a. The law should provide for normal cases and seek to assure the general good of society, without harming the individual. Now, it is normal that an Easterner remains Eastern and that he continues to belong to his own rite, that is to say, to the ecclesial community in which God has placed him to work for his progress. If, in exceptional cases, a necessity of conscience impels him to choose another rite, we do not see any objection; on the contrary, one should help him. That is why the schema has provided, for this kind of exceptional cases, recourse to the Holy See of Rome, which will render judgement, either directly or by the intermediary of its representatives in the area. The good of souls is thus completely protected.

b. As for previous legislation, one knows that it has changed much. The present discipline dates only from 1957, and was imposed on the Easterners in spite of themselves. Against this new legislation, the majority of the Eastern Churches have made their serious criticisms heard. To do justice to these complaints, the Eastern Commission thus proposes to the council a just and beneficial reform, responding to the intimate desire of the Holy See, expressed many times by the popes, to see the Easterners remain Eastern and in their proper rite.

c. As for respect for religious freedom, the text of the schema does no damage to it. The Easterner who wishes to become Latin or to change to another eastern rite can ask for it and obtain it from the Holy See. But the law provides that, normally, he must remain in his own rite. All law restrains the exercise of human freedom in view of the general good of society. There is in the text of the schema no damage to human freedom, any more than in the other laws of the Church.

II. The other Eastern Churches (more than twelve) are in favor of the text of the schema:

Normally everyone must remain in his own rite; in exceptional cases, the Holy See can authorize changing to another rite. This is a wise, practical, and beneficial rule. Here are the principal reasons for it:

a. In the same manner that each Catholic must remain faithful to his rite, the non-Catholic brother who is reconciled to the Catholic Church must remain in his rite, for he already belongs to that rite, to that ecclesial community. That is a calling to which he should remain faithful.

b. It is a desire of the Roman Holy See that Easterners remain Eastern. Now, if one allows them the choice of becoming Latin, it is to be anticipated that the “latinizers” will use their numerical, cultural, and financial superiority to induce them to change to the Latin rite. This is no chimerical danger, but rather a sad reality. The result: instead of helping Easterners to be Catholic and Eastern at the same time, one “latinizes” them. Now, that is contrary to the will, repeated a thousand times, of the Holy See.

c. That “necessary condition” of changing to another rite, set down at the moment of reconciliation with the Catholic Church, is nothing more than a stratagem. There are all sorts of external pressures. Those who wish to latinize arrange in practice to have this condition always set down by their “converts.” They even have printed forms that the people sign at the request of the parish priest, as if it were taken for granted. On the contrary, if one had taught the people the respect and the love for their rite, as the Holy See desires, the people would not ask for anything more than remaining in their rite.

d. In every case, the basic question returns to this: does the Catholic Church desire that the Easterners be Catholic or Latin? If it wishes them to be Catholic, why not let them be Eastern and Catholic at the same time? If it wishes them to be Latin, then let us not speak any longer of ecumenism and of union of the Churches. It is better not to put the Catholic authorities in a position of being accused for a long time more of duplicity.

Conclusion:

Our viewpoint, expressed in No. 4 of the schema, is clear:

a. Catholics, Eastern as well as Western, must remain everywhere and always in their rite.

b. Those of our non-Catholic brothers who wish to join us must remain in their rite, in the ecclesial community to which they already belong, and which, with their cooperation, must restore its unity and develop inside the universal Church.

c. If one person or another, for personal motives, desires to change to another rite, we do not see any obstacle to it. But this change to another rite, must depend not on a condition sine qua non set by him and that simply serves to disguise the pressures put on him to make him change his rite (most frequently to latinize him), but on a decision of the Roman Holy See that will give judgment with complete objectivity.

The two solutions, basically, meet on the two most important points:

-Normally, everyone must remain in his rite;

-Exceptionally, particular circumstances can advise change to another rite. But, who will pass judgment as to how well-founded the circumstances are?

-The interested person himself, says the Latin Patriarchate.

-No, says the schema, with good reason, it is the Church, represented by the Roman See, which alone escapes local pressures. Thus: Pass No. 4 of the schema without adding any modification.

The Multiplicity of Catholic Jurisdictions in the Arab Near East

This is a serious and acute problem. The Melkite Greek Hierarchy discussed it in an Appendix to its "Observations on the Schemas of the Council" (1963).

There have been various rumors these days on the subject of an eventual unification of the multiple patriarchal and episcopal Catholic jurisdictions that are exercised in one and the same territory, in the East in general, and more particularly in the Arab Near East.

No draft has until now been officially submitted to the council, but the idea is in the air, and several attempts have been made to have one or another preparatory conciliar commission take hold of such a draft.

Fortunately, public opinion in the East has not been made aware of this.

Only some few Eastern prelates, echoed by some Western scholars who in general are not in touch with the real situation of the Church in the East, think that this question should be debated anew. The authors of this suggestion are beguiled by the possible advantages of such a unification and are not thinking of its real drawbacks and of the dangerous and incalculable reactions that it would arouse in a region that is already too much troubled. The Westerners who echo them favor in this unification a system that agrees well with their mentality and with the ecclesiastical organization to which they are accustomed.

Thus the Fathers of the council are in danger of being saddled unexpectedly with a draft, presented suddenly by the intermediary of a conciliar commission or by a request signed by a number of bishops who in reality are rarely those who can have complete and precise information on this subject.

That is why we have believed it necessary to put the Fathers of the council on guard against the possibility of such actions, which represent only the opinions of a very limited group, by providing them with the elements of brief and objective information. We deliberately limit our study to the Arab Near East, for two reasons: first, it is there that the problem of the multiplicity of jurisdiction is posed most acutely; second, because, living in this milieu and bearing its responsibilities, we are in a better position to speak of it with knowledge of its origins.

A Brief History

It is fitting to begin our inquiry with a brief historical reminder, for the present situation can only be explained through a return to the origins.

It is unfortunately the history of the gradual crumbling of Christianity in our region.

The doctrinal controversies of the first centuries created in the area Churches detached from canonical Orthodoxy, which were hierarchically organized in separate communities. First there was the Nestorian Church, then came monophysitism, which erected a national Church in each region: the Coptic Church in Egypt, the Syrian Church in Syria, the

Armenian Church in Armenia. Later, monothelitism also raised up a monothelite Church, which fortunately did not last.

Opposite these Churches separated from canonical Orthodoxy, established from the fifth to the seventh century, the Orthodox-Catholic Church—also called in these regions the Melkite Church—the Church of the councils, maintained the Orthodox faith and Catholic communion with the rest of Christianity, in spite of the diminution in the number of its faithful.

The Muslim conquest of the first half of the seventh century sanctioned this division and even accentuated it. Islam recognized an autonomous status for each of these Churches, seeing in them, more than rites or different religious confessions, autonomous “nations” equally submitted to the “protection” of the conquering Muslims.

As a result of a prolonged vacancy in the Orthodox Patriarchal See of Antioch, the Maronites were also established as an autonomous nation-Church.

Thus the Arabic Near East knew, throughout the Middle Ages, six Church-nations, internally ruled by their religious leaders: the Greek nation, Orthodox or Melkite; the Nestorian nation; the Coptic nation; the Syrian nation; the Armenian nation; and the Maronite nation.

The schism between Byzantium and Rome involved, bit by bit and almost imperceptibly, the great majority of the Greek-Melkite nation in the separation from Rome. In contrast, the Maronite nation maintained constant ties with Rome, at least since the Crusades.

In the heart of these communities-Churches-nations, movements of partial union with the See of Rome began after the setback of the attempt at a global union at Florence and grew firm everywhere at the beginning of the eighteenth century. These movements of union separated from each original community more or less important groups, to which Rome gave or recognized a distinct Catholic hierarchy. Thus the communities listed above, with the exception of the Maronite community, which was entirely united, each broke into two branches, one becoming Catholic, the other remaining what it was (Orthodox, in the sense that each one understands it).

In the last century, Protestants made some recruits and were established as new autonomous churches. On their side, the Latin missionaries, abandoning their old ways that consisted of helping the Easterners (“*in auxilium Orientalium*”), also made recruits and established them as a new Latin community-Church-nation.

The result of all these variations is shown in the following table of the Christian communities in the Arab Near-East:

<i>Tradition</i>	<i>Non-Catholic Church</i>	<i>Catholic Church</i>
Assyrian	Church of the East	Chaldean Church
Antiochian	Syrian Orthodox Church	Syrian Catholic Church
Alexandrian	Coptic Orthodox Church	Coptic Catholic Church
Armenian	Armenian Apostolic Church	Armenian Catholic Church

Greek (Byzantine)	Greek Orthodox Church	Melkite Greek Catholic Church
Maronite		Maronite Church
Reformed	Protestant Churches	
Roman		Latin Church

Present Situation

1. Mere consideration of the above table shows that, at least in theory, there are or can be in the Arab Near East six non-Catholic jurisdictions, as opposed to six Eastern Catholic jurisdictions and one Latin jurisdiction. All these jurisdictions are exercised, or can be exercised, simultaneously and over the same territory, but, it should be kept in mind, over distinct faithful: a multiple jurisdiction, of a character that is territorial and personal at the same time.

2. The multiplicity of Orthodox jurisdictions does not concern us. From here on we shall speak only of the multiplicity of Catholic jurisdictions. Thus everywhere in the Arab Near East there are or can be seven Catholic jurisdictions that are intermingled, for one reason or another.

3. But the intermingling is not equal everywhere, in the sense that the mixture of populations occurs in varying proportions. Although, for example, in the large cities, such as Beirut, Damascus, Aleppo, Cairo, or Alexandria, one encounters faithful of nearly all the communities, elsewhere the Catholic population is either exclusively of the same rite, or at least the faithful of the other rites are in such a minority that they can be considered as immigrants or strangers. Thus, for example, in Upper Egypt one finds only Copts; in some entire regions of Lebanon, there are practically only Maronites; in Palestine, there are practically only Melkites and Latins; in Iraq, the Chaldeans and Syrians share the population, with a minority of Armenians; in Syria, the population is more mixed, but with a Melkite predominance, etc. The mixture is such that it is difficult to draw a geographic map of the distribution of each of these communities.

4. Of the seven Catholic communities, each of the six Eastern communities has a patriarchal authority at its head: the see of Alexandria is occupied by the Melkite patriarch and by the Coptic Catholic patriarch; the See of Antioch is occupied by the Melkite patriarch, the Syrian patriarch, and the Maronite patriarch; the See of Jerusalem is occupied by the Melkite patriarch and by a Latin patriarch, who does not have the powers that are properly called patriarchal; the See of Babylon is occupied by the Chaldean patriarch; the See of Cis is occupied by the Armenian patriarch. Thus, apart from the Latin community, which does not have a unique local head, all the Eastern communities have a patriarch at their head.

5. In principle, if the number of the faithful everywhere so indicated, there could be, in each episcopal see, six Eastern bishops and one Latin bishop. In fact, this exists only in certain great cities, like Beirut, where there are six Catholic bishops, at Aleppo and at Cairo, where there are five, etc. But, even where there are not that many bishops, there are invariably seven Catholic jurisdictions, respectively represented either by bishops, or by patriarchal or episcopal vicars, or by simple pastors.

Advantages and Drawbacks

In this situation, the only one in the world, there are advantages and drawbacks.

1. Advantages

a. The first advantage is that for each liturgical rite there is a corresponding Church, a distinct community, its own hierarchy. From the points of view of liturgy and discipline, this is certainly a perfect framework.

b. The second advantage, at least in the eyes of Catholics, is that for each Orthodox hierarchy there is everywhere, or almost everywhere, a corresponding Catholic hierarchy of the same rite.

c. The third advantage is that in principle this large number of bishops should permit a more meticulous care of the Lord's flock. Many bishops reach the point of knowing practically all the families in their diocese.

d. Finally, the great advantage is above all is that relationships have been established in such a delicate situation of Christianity. Each hierarchy has succeeded, after centuries of efforts, in organizing itself. This multiplicity is established firmly in the souls of the faithful, in their rites, in their history, in their feelings, in their hearts, in their every-day lives. This is a delicate system that it would be difficult to replace without great confusion.

2. Drawbacks

But, on the other hand, this system presents numerous and real drawbacks. Let it suffice to enumerate them briefly:

a. A considerable number of Catholic bishops on the same seat and in the same city; and several patriarchs occupy the same patriarchal see.

b. Patriarchs, whatever may be their see, exercise in practice their jurisdiction over territory of other patriarchal sees, and all are in practice patriarchs of all the Near East.

c. Nobody is the sole responsible individual for the general interests of Catholicism in a given region. This drawback is the most important, for none of the hierarchs is powerful enough to look after, efficaciously and by himself, the most vital interests of the Church: teaching, Catholic action, works of charity, the press, television, social action, and relations with the state. Each one works on these things, but his action is weak. These questions can only be handled by the whole group of the Catholic hierarchs of a given region, and that is naturally more difficult than if there were a single responsible individual.

Unrealistic Solutions

In the light of this delicate situation, some Catholic individuals or groups have conceived and proposed solutions. These efforts date quite far back. But all these solutions have the fault of being more attractive than real, more theoretical than practical. Moreover, they bring with them consequences that are still more unfavorable than the drawbacks that they are intended to avoid.

We do not pretend to enumerate them all, for new ones are invented ceaselessly. Let it suffice to mention the more fashionable ones.

1. A radical solution consists of suppressing all rites and all communities. It is said that one is Catholic, and that is enough. As for the liturgy, if one does not wish to adopt purely and simply the Latin rite, one can adopt one of the Eastern rites, or, better, one can compose a new unified rite (Arabic rite). Canon law is already unified for all the Eastern Catholic communities. It will only remain to unify the liturgical rites. Once these two things have been unified, there would be no need for more than a single Catholic bishop for each city, with a single patriarch for all, and only a single jurisdiction. In that fashion the problem is resolved.

Just the statement of these fantasies turns the head of anyone who possesses the least idea of the East and has even the slightest responsibility for souls in that region.

To suppress rites in the Church is impossible, for there would be the most serious problems everywhere. And if it were possible, it would be criminal, because that would impoverish the Church of the greatest part of its spiritual patrimony. Uniformity on this point, far from being a benefit, is a catastrophe.

It would be above all a catastrophe if the suppression of the Eastern rites must be done in favor of the Latin rite. At that moment, one would have to believe that one could only be Catholic by being Latin, that Catholicism and Latinism are synonymous. Every effort for reunion of all Christians in Catholicity would then have to be abandoned.

As for retaining only one of the Eastern rites (which one, by the way?) or devising one from pieces of all, that is pure fantasy.

Such solutions can be considered only by minds that live only an amorphous Catholicism, without roots in real life, without attachments to the past, and without a grip on the future.

Thus we do not know of any truly responsible persons who share these views.

2. Another solution intends to unify the jurisdictions, while maintaining the diversity of rites. In each diocese, there would be only one bishop, taken in turn from each rite. Thus, at Aleppo, for instance, there would be a Greek Catholic bishop; at his death, a Maronite bishop would succeed him; then, at the latter's death, an Armenian bishop, etc.

That is such a utopian solution that we do not even think that we have to refute it.

3. Others think that all bishops of the same city should remain, but there would be attributed to one of them, taken in turn, the actual administration of all Catholics of the diocese, whatever might be their rite.

This is an even more utopian solution.

4. Others have thought that in an episcopal city, one of the bishops would be truly the bishop, with territorial jurisdiction, and the others would be bishops with purely personal jurisdiction. Thus, at Beirut, for example, the Maronite bishop would be the only Bishop of Beirut, for all the Catholics of that diocese, whatever might be their rite, but there would be also a Melkite bishop for Melkites only (liturgical and communal interests), a Syrian bishop, etc. The relationships between the territorial bishop and the personal bishops would remain to be determined.

This is still imagination with no basis in reality.

5. Others maintain also that it is not necessary to have more than a single bishop, properly so called, in each diocese. This bishop would be responsible for all Catholics, of whatever rite they might be. He, in his role of bishop, would not belong to any rite, or would be, as one might say, of all rites, a bit like the pope, who is of the Latin rite, but who governs the faithful of all rites. This single bishop would have general vicars, invested, if necessary, with the episcopal character, for each of the rites sufficiently well represented in his diocese.

Still pure imagination.

6. Others are indeed content that there should be several bishops in the same city, but ask at least that certain parts of the diocese, where there are practically only faithful of a single rite, be subject to the exclusive jurisdiction of the bishop of that rite, and that the other bishops have nothing to do there despite the fact that they are theoretically the spiritual heads of the same diocese.

7. Others ask that in the deliberative councils of the bishops of the same city the votes should not be equal among all the bishops, but that they should be weighted in proportion to the number of faithful that each one has in fact under his jurisdiction.

8. Finally, others would be satisfied with the unification of the patriarchates. On each patriarchal seat there would be only one incumbent, with quite limited territorial jurisdiction. For this, one could proceed, if necessary, to a new partitioning of the territories belonging to each see, in such fashion that each patriarch would have an exclusive territory, even if he had suffragans of different rites.

This solution seems to receive more attention today. It has apparently the advantage of preserving the multiplicity of rites; it does not affect the multiplicity of episcopal jurisdictions; it makes the patriarch, henceforth the single incumbent of his seat, a superior head, belonging to no rite, or belonging to all rites, but one who assumes the interests of all rites, that is to say of the whole of Catholicism over all the extent of his patriarchate.

In this perspective, one gets down to some practical details, and there is proposed a division, which one wishes to be as equitable as possible, of the patriarchal sees among the different existing communities. The see of Alexandria would be assigned to the Coptic Catholic patriarch. The See of Antioch would be divided in two: the Lebanese part would be assigned to the Maronite patriarch, the Syrian part should still be contested between the Melkite patriarch (who has the more numerous faithful) and the Syrian Catholic patriarch. The See of Jerusalem would be taken away from the Latins and given to the Melkites. The See of Babylon (of Iraq) would remain occupied by the Chaldean patriarch. The Armenian patriarch would occupy the See of Sis, but he would not have a fixed territory.

General Review of All These Plans

We stop our analysis here, for all these solutions assume, basically, the idea of unifying jurisdictions, whether episcopal or patriarchal, in the Near East.

Now, we are convinced that any unification of jurisdictions in this region is 1) detrimental to the highest interests of Catholicism, 2) excessively dangerous, and 3) not realizable in fact. Here are our reasons, which are all of a general nature:

1. These solutions are detrimental to the highest interests of Catholicism.

a. Apart from the Maronite community, which has already reached its goal by being completely united in Catholicism, all the other Eastern Catholic communities are still in the stage of partial union. Now, in this stage of their mission, as Christ and the Church expect it of them, these communities, hoping ceaselessly to restore their unity in the heart of Catholicism, must not pose anything that is prejudicial to the future of union, which renders it impossible or notably more difficult.

Now, a unification of jurisdiction, whether at the episcopal or patriarchal level, is so sensitive and essential a modification brought to the fundamental institutions of each Catholic community that the corresponding Orthodox community would no longer recognize it.

Our present stage of union is not a definitive formula. We are in some sort of transitional organization. When global union will be realized between Orthodoxy and Catholicism, we must reinstate this catholic orthodoxy and dissolve our hierarchical frameworks in it. By what right will we have previously suppressed such jurisdiction or founded such another one in an organism not pertaining to any rite, in which our Orthodox brothers would not recognize themselves?

This is as equally true for liturgy and discipline as for jurisdiction: there must be no fundamental transformation of these institutions in such a way that union is not realized. When this union will be realized, the Church of that time will make the reforms that it will consider useful.

b. We must also reject any unification of jurisdiction which would result in the absorption of one Church by another. A distinct Church inside Catholicism requires, if not a distinct rite, at least a distinct hierarchy. Any fusion or absorption of a hierarchy by another marks the disappearance of a Church. Thus, the Melkites have a good 50,000 faithful in the United States. These faithful have a distinct rite, their own priests, and their own discipline. But as long as they do not have a distinct hierarchy, one cannot say that there is a Melkite Church in the United States. And if they are not part of a Church, the Melkites in the United States are continually threatened with disappearing.

Now, the Catholic Church wishes to preserve all the Churches that form it, in particular the Eastern Churches, which have the important mission of restoring Christian unity with the corresponding Orthodox branches of their rite. To deprive one or another of its own hierarchy is to prepare for the disappearance, sooner or later, of these Churches. It is to inflict considerable harm on Catholicism.

The final result, which is not acknowledged, of all these artificial efforts for unification of hierarchies will be the fatal absorption of all Churches into Latinism, equated with Catholicism.

2. These solutions are excessively dangerous

The East is extremely sensitive. In the last century, the adoption of the Gregorian calendar brought about a true schism in the Melkite Church, which required a number of years to be resolved, after having taken away from our Church a good number of its children. The direct appointment of a patriarch or a bishop immediately by Rome causes serious troubles which have embittered relations for numerous years. What can one then say about changes that are as radical as those that are proposed to us?

No prelate who knows the East and is aware of his responsibilities will dare to proceed in fact to such revolutionary changes. The difficulties and the dangers are such that it is necessary, for the love of God, to stop discussing these questions. As long as these subjects are treated in a limited circle of those dealing in theory, the harm is limited to a loss of time and to some individual commotion. But the day that these fervent questions are thrown open to the public, none of us could say what might happen.

3. These solutions cannot be realized in practice

It would be necessary to take them up one by one. Let us be content with the two principal ones:

a. First, the solution that calls for a single bishop in each city, under whatever form it is presented. Either this single bishop will be taken from a specific community, the most numerous for example, and then the faithful of other communities will feel that they have been wronged, placed in a position of inferiority, subject to an authority of another rite, or he will be "neutral," that is to say, not belonging to any rite, to any community, and that is unthinkable. What community will accept having its bishop be a bishop who is simply personal and not territorial, who is a simple vicar general in the service of a bishop of another rite, who would not have jurisdiction everywhere in the diocese, who would not

have an equal vote in the deliberative councils? Only one who does not know the East could think that such solutions are possible.

b. It is the same for the solution that wishes to unify patriarchal jurisdictions:

- 1) An amorphous patriarch, not belonging to any rite, to any particular Church, is unthinkable: by definition, a patriarch is the head of a Church.
- 2) It is not normal that some faithful, clerics, and bishops be dependent on a patriarch of another rite, that is to say, of another particular Church.
- 3) The distribution of the patriarchal sees among the different rites arises from pure fantasy. It is a fact that doctrinal differences, then the movements of union with Rome, have multiplied the incumbents of each patriarchal see. We do not wish to enter here into interminable discussions to decide, for example, which of the three present incumbents of the see of Antioch is the successor of St. Ignatius of Antioch. Today the three are legitimate. On the seat of Alexandria, the Melkite incumbent is as authentic as the Coptic incumbent, and on the seat of Antioch each of the three patriarchs, Melkite, Syrian, and Maronite, is a legitimate incumbent. According to what criterion, therefore, is the See of Antioch to be reserved for only one of them?

All these solutions are not realizable and are dangerous

Realistic Solution: Collaboration and Synodalism

The only solution that to us appears realistic is the one that takes into account the known facts of what is real, possible, and useful. Since we are not able to suppress the multiplicity of jurisdictions, we organize them in such a way as to avoid as much as possible its drawbacks and to produce the maximum advantages.

Our program can be summed up in two words: collaboration and synodalism.

1. Collaboration

This includes the following manifestations:

- a. First create a spirit of collaboration among the different communities. Learn to help one another, to work together, to love one another. It is necessary to cultivate this spirit starting with the seminary. Arrange as much as possible for contacts, encounters, congresses, etc.
- b. Avoid dispersion of forces. In small centers, one church could serve two communities. In the same small village, a single Catholic school is sufficient.
- c. Do not push the autonomy of jurisdiction to extremes. When the faithful of one rite are greatly outnumbered in a parish of another rite, the administration of them can very well be entrusted to the pastor of the parish, while having them visited from time to time by a priest of their rite.

d. Unify all the spheres in which the communal interest is not strictly at stake: general direction of teaching, of Catholic action, of relations with the press, radio, and television, of social action, of charity, of relations with the state, etc.

2. Synodalism: For all matters of common interest, there should be one seat of responsibility. Who will it be? It cannot be an individual person. Thus it will be the synod of all hierarchs having jurisdiction in the same territory: a patriarchal synod or an episcopal synod.

To reach this goal, patriarchal or episcopal conferences are insufficient, at least in their present form. It is necessary to have a true synod, in the Eastern manner, with power of decision.

This synod should be held more or less frequently: one or two times a year for the patriarchal or the national episcopal synod; each month, perhaps, for the bishops of the same city. Between the meetings of the synod, an executive committee always has the duty of seeing that the decisions are executed. In this fashion, to the question, "Is there in the East a seat of responsibility for all Catholic interest for the whole country or for the whole diocese?" One will be able to reply, "Yes, but this seat of responsibility is not an individual person: it is the synod of all those to whom the Lord has entrusted His Church in this corner of the Lord's field."

We think that that is the only truly realistic solution.

Conclusion

1. Be that as it may, we think that it is not appropriate to burden the council with such a question. It is a situation that is too specific to the Near East. In addition, the Fathers, as a whole, cannot obtain a sufficiently complete and personal conception of this question to settle it while knowing its background.

2. It is necessary at all cost to avoid causing troubles among the people by discussing this question without discretion.

3. In order to realize the collaboration of which we have spoken, it is necessary to rely on patriarchal or episcopal conferences on the spot. Only they can indicate the realistic solutions that are required.

4. It is necessary to work from now on to settle the regulation and the competencies of the patriarchal and episcopal synods that will bear collegially the responsibility for Catholicism on the spot.

We think that it is necessary, as a point of departure, to accept the special form under which the problem of the Church in this region is presented. Each country has its own difficulties to resolve. What suits one country does not necessarily suit another. For each situation it is necessary to find the solution that suits it and resolve the problems according to the given realities.

Given all the reasons that we have put forth, the firm and clear attitude of our Melkite Greek Catholic Church, as opposed to the more or less fanciful projects of unification of jurisdiction in the Arab Near East, is that there should be no innovations: *nihil innovetur*, but that there should be constant striving to improve the collaboration among all communities with the aim of the general good of the Church.

Archbishop Joseph Tawil, Patriarchal Vicar at Damascus, took up this topic again in a brief intervention at the Council on November 13, 1963.

All the Catholic communities of Eastern rite, taken together or separately, are a miniature of the Churches that they represent. With the exception of the Maronite Church, all have an Orthodox branch, which is more or less large. All, taken together, form scarcely three per cent (3%) of the Orthodox from which they were born. The Orthodox, throughout the world, comprise about two hundred million souls, of which there are three million Syrians, five million Armenians, fifteen million Copts and Ethiopians, and a hundred and eighty million Byzantines.

But among the Catholic communities of Eastern rite, not all present an Eastern appearance; some, in truth, present a Latin appearance. Certainly, the Latin Church is very honorable, but a Church that is latinized *quoad modum* does not offer to the Western Church anything that it does not already have in abundance; even more, it produces a great disappointment for the Orthodox branch of the same Church, which consequently lacks an authentic witness of its own tradition in the midst of this council.

In this conciliar assembly we have already heard one or another of the Eastern Fathers request the unification of those jurisdictions where the jurisdiction, not being territorial, is in fact personal, as there exist several incumbents of different rites, whose seats are in the same place. This state of things did not arise yesterday; it dates back several centuries. The theory of the remedy is certainly fine, but often the best is the enemy of the good. This proposal seems to us utopian, and at the same time dangerous and harmful.

1. It is utopian. As there are, in fact, faithful springing from so many different rites and leading their own lives in autonomy for fifteen centuries, can they be led to live together under one and the same authority? If such an experiment were tried, it would be without doubt tempting fate and reaping misfortune.

2. It is dangerous and harmful. In fact, each Eastern Catholic Church, taken separately, forms an incomplete entity which awaits, or rather invites, its Orthodox "*pleroma*." Each of these Churches marks a station on the road to unity. All go forward together like the vanguard of an army that follows, and from which it cannot be separated. But what should one think of a vanguard that so separates itself from the body of the army that the latter can no longer recognize it? Pope Benedict XIV, who so often fought against latinization of the Eastern Churches, requested them to preserve the same aspect as Orthodoxy, because we must look at things not with our Catholic eyes but with Orthodox eyes.

I conclude that the proposed unification of jurisdictions, far from being the remedy for the troubles that it intends to heal, will appear worse than the troubles and will very much increase the confusion.

In fact, a rite, deprived of its own bishop, will disappear bit by bit, or at least be unsound, and its faithful will perish bit by bit.

That is why this proposal offers less a solution than a dissolution. As always, we do not have any objection if the hierarchies that consent make the experiment.

Hierarchies for Eastern Immigrants

Archbishop Philip Naba, Metropolitan of Beirut, presented to the Commission of Bishops the following note entitled "Erection of Eastern Dioceses in America."

In the first general session of the commission "On Bishops and Diocesan Administration," held at Rome from the 14th to the 19th of November 1960, I presented a first note on the "Necessity to create Eastern Rite Dioceses in America." Following that note, I wish, in the present report, to add certain necessary precision and suggestions relative to the following points:

I. The numerical importance of Easterners in America

We do not speak here of the Ukrainian Easterners, who already have their own hierarchy in the United States and Canada. We limit our discussion to the Maronites and Melkites, who are the most important Eastern Catholic communities in North and South America. And it is for them that we entreat for the erection of respective personal dioceses. Their present number and their future require that institution.

In the absence of a rigorously exact census, we give the figures that we find in the official annual of the Catholic Church in the United States: *The Official Catholic Directory*, 1959, p. 256.

Number of Maronites in the United States 125,000

Number of Melkites in the United States 50,000

There are as many and more in South America, in particular in Brazil and Argentina.

These figures constitute important dioceses in the Church in the Near East, where it is necessary to defend the faith of Christian minorities and sustain them against dominating and encroaching Islam. Now these Christians in America are an integral part of the Eastern Church, and must remain faithful to it, for the life and the growth of Catholicism in the East.

The Orthodox in America have understood very well this necessity for life and growth. They already have several bishops in the United States and Brazil. They have a hundred parish churches that are well organized. They have charitable societies that are rich and prosperous. They have an unlimited freedom of action and of growth. This is to such an extent that in the places where the Eastern Catholics are not well organized they go to the Orthodox Churches.

2. Serious and perhaps irreparable harm resulting from the lack of erection of Eastern dioceses in America

The Eastern Catholics of America, in particular the Maronites and Melkites, do not yet have any bishop, nor any hierarchical head of their own. The resulting injuries to them, and to all Eastern Catholicism, are very numerous and very serious.

Many Eastern Catholics, especially those who do not have an Eastern Catholic church near them, do not know who is their leader, nor who their pastors are, and thus lose their faith, or if there is an Orthodox church near them, they become Orthodox. And unfortunately this unhappy fact occurs frequently. As there is no leader to watch over them and to be responsible, the trouble continues and is aggravated, without any remedy being brought to it.

Where there are Eastern Catholic churches, these churches are considered sometimes as personal parish churches, sometimes as chapels under the guidance of Latin parish churches. And in these two cases the Eastern officiating ministers do not know exactly what are the limits of their powers or of their territory.

Free from the supervision of the Latin bishop, and not having an Eastern bishop to watch over them, these churches surrender, from the point of view of ritual, to all kinds of liturgical abuses. The sacred adornments take the Latin form. The religious offices are parodied. Signs of the cross are made backwards, or replaced by genuflections. Icons are replaced by statues. No trace of an iconostasis, of an Eastern altar, of beautiful liturgical processions. It is a diminution, almost a death of the Eastern rite, because of the encroachment of the Latin rite, or rather because of the absence of an Eastern hierarchical authority.

The Orthodox see these harms and abuses, and are scandalized by them, taking the occasion to distance themselves more and more from Eastern Catholicism, when they are not carrying away the discontented members of the Eastern churches.

3. Equality between Eastern and Western Catholics

All Eastern Catholics, and particularly those in America, know that the Latin immigrants in the East have a Western Catholic hierarchy. This is the case, for example, of Egypt, of Lebanon, and of Palestine, which even has a Latin patriarch in Jerusalem beside the Melkite Catholic patriarch. Knowing this, the Eastern Catholics in America entreat forcefully for their own hierarchy, capable of serving them and saving them in line with the religious and national points of view. The services that have been offered to them until now have been definitely ineffective. And if they are not provided with the institution of an Eastern hierarchy, which takes the Easterners and their interests to heart and which is capable of serving them well, the Catholics are going to lose their most sacred rights, and that will be a grave injustice.

Like their Latin brothers who have immigrated to the East and who have in this immigration their own hierarchy, likewise the Eastern Catholics who have immigrated to America have the right to have, in that country, their own hierarchy. Equality between Eastern and Western Catholics requires it. The Holy See has recognized this, and brought it about in several Western countries.

In the United States for the Ukrainians.

In Canada for the Ukrainians.

In Australia, in Germany, in France similarly for the Ukrainians.

And last of all in France for the Armenians also. And since the Holy See has done this for all these countries, it can also do it elsewhere, and for groups as important as the Maronites and Melkites of America.

4. Proclamation of Principle by the Council

So that it may not be said that there are two weights and two measures in the Catholic Church, and that the Westerners have more advantages and rights than the Easterners, we ask that the principle of equality between all Eastern and Western Catholics be proclaimed by this council and that a special mention be made for the erection of Eastern dioceses in Western countries, equal to the Latin dioceses in Eastern countries.

It would not be fitting to leave to the Oriental Congregation alone the proclamation of this principle. But it will be necessary to leave to it the de facto judgment, that is to say the realization and the legal constitution of Eastern dioceses in Western countries. The proclamation of the principle by this council will be an occasion of justice for Eastern Catholics and a great encouragement to the Orthodox, for the great catholic union, which is one of the greatest wishes of this council.

5. The legal constitution of the Eastern personal dioceses

It is necessary to give the Eastern dioceses established in America and in other parts of the West a legal constitution that will safeguard two benefits, the benefit for the Eastern faithful of the immigration and the benefit of the unity of territorial jurisdiction in the same diocese. This constitution must permit the Eastern Church, in the West, to have a rank that is worthy of it and free and effective activity among its faithful, but without creating jurisdictional conflicts. In particular, this constitution must assure to the Eastern bishops established in the West all the rights that bishops have in their dioceses. However, the jurisdiction of Eastern bishops will be principally personal and secondarily territorial. It will be exercised directly over the faithful of that rite, and indirectly over the faithful of other rites, while retaining the common rules on the administration of the sacraments and more particularly of marriage. It will extend to all the places of an ecclesiastical province and of a country where there are faithful of that rite, even if the places belong to different dioceses.

And as there is only one pope who can have and give jurisdiction over a number of dioceses, the Holy See can delegate its powers and designate an Eastern bishop as "Apostolic Exarch." He can also constitute for the Easterners a Metropolitan who, while being a Cardinal or Archbishop of a certain diocese would be also the Ordinary of all the Easterners of the country or of the province. In that case, the Eastern bishop would be the suffragan of this Metropolitan.

The concrete arrangements of this constitution will be specified by the Sacred Oriental Congregation, according to the models of the Constitutions which govern the Exarchates of the Ukrainians and the Armenians in America, Australia, Germany, and France.

6. Conclusions in brief and legal forms

The Catholic world, the Orthodox world, and the Protestant world expect from the Second Vatican Council authentic declarations and useful and effective actions for reviving the union of Christians in one single and unique Church of Christ.

The Second Vatican Council must respond to this universal Christian expectation and thus prove, in the sight of the whole world, that it is ready to do everything that is dependent on it and all that it can justifiably do for the realization of Christian unity.

As for what concerns immigrants and the erection of Eastern dioceses in Western countries, the following declarations and actions are proposed:

- 1) All Eastern and Western Christians, of whatever rite to which they belong, whether residing in their country of origin or in countries where they are immigrants, have the same rights in the Church of Christ, which is one and universal, that is, catholic.
- 2) Eastern rite dioceses will be erected in Western countries, as Latin rite dioceses will also be erected in Eastern countries, wherever it is necessary or useful for the salvation of souls and the good of the Church.
- 3) When several jurisdictions are established in the same place, in the East or in the West, a higher ecclesiastical authority will be constituted, in the form of an assembly of bishops or in the manner of existing metropolitans, to unify the diverse jurisdictions.

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In its "*Observations on the Schemas of the Council*" (1963), the Holy Synod returned to the question, asking for at least the beginning of the founding of "personal dioceses" for the Easterners outside the patriarchal territory. They referred to the schema "*On Bishops and the Administration of Dioceses.*") The schema, very fortunately, recommends establishing personal dioceses for the faithful of another rite, when their number requires it. In reality, this today concerns only personal dioceses of Eastern rite, for the Latin Church has divided up the terrestrial globe, and all the Latin dioceses in the world are considered as territorial. Even when the number of Latins does not reach 2000, the Holy See gives them, even in the heart of the East, a hierarchy of their own rite. But when the Easterners number more than 50,000 or 100,000, (as for example the Melkites or the Maronites in the United States), they must give up having even a simple personal diocese. If the council wishes to do something useful on this point, it must recommend that the bishops should not oppose indefinitely the establishment of personal dioceses for the Easterners, as a prelude to the establishment of true territorial and personal dioceses, for, in justice, why should the Latins be able to have territorial dioceses everywhere, even if they are a very tiny minority, and not the Easterners, when the latter are a respectable number? This system of two weights and two measures in the Catholic Church must cease. It is necessary to add to this that the opposition of certain Western ordinaries to the establishment of personal dioceses for the Easterners results in having Eastern immigrants not receiving sufficient spiritual help, and the priests that serve them lack an episcopal authority to keep them in fidelity to their rite and to their discipline. Because of their union with Rome, the Eastern Catholics of the immigration thus have their arms

tied. They cannot expand, and they see their faithful diminish, while their Orthodox brothers, free in this regard, are organized and expanding. Can this unjust situation last indefinitely?

Public Discussion of the Conciliar Schema

It was on October 15, 1964, that the assembly began the public discussion of the schema "On the Eastern Churches." Patriarch Maximos attacked the part concerning patriarchs. Of all the parts of the decree, that was the least admissible. It was Archbishop Elias Zoghby, Patriarchal Vicar for Egypt and the Sudan, who expressed serious reservations against the text of the schema on October 16, 1964.

I would like to make three remarks about the schema on the Eastern Churches: the first is theological, the second historical, the third practical.

1. What was said yesterday by Cardinal Koenig and Patriarch Maximos concerning the first sentence of the prologue shows that the idea of the Catholic Church is still very inadequate. It is astonishing that after so many labors in the council on the nature of the Church, the theologians have not yet clarified this idea.

The universal Church, in fact, is composed of all the particular Churches, united by the Holy Spirit, and formed from the earliest centuries around the great sees. The principal and the most effective of these sees was Rome, and that with the consent of all, because of the apostolic succession on the Seat of Peter. But this universal Church must not be confused with that "universality" of the Western and Latin Church, which did not begin to exist as such until later, notably in the epoch of Charlemagne, and which, bit by bit, because of the canonical separation between the East and the West, one day found itself alone, having lost respect for the ancient patriarchal structure of the Church that the first Councils had authorized, and which it had the temptation to stifle.

It is true that at the time of the Crusades, undertaken by the Roman pontiffs, Latin patriarchs were placed on the Eastern seats, in the place of their legitimate pastors, but they were no more than shadows of the papacy.

Moreover, in the following centuries and still today, Latin missionaries, hardly better inspired, have established Latin churches in the East, from which have arisen rivalries unfavorable to the Eastern Churches. It is also true that certain parts of the Eastern Churches have been united with the Roman Church, but they have been incorporated into the Western structure. As for the separated Easterners, they have always kept the earlier concept, realizing that practical pluralism of which Pope Paul VI spoke in his encyclical "*Ecclesiam suam*."

So, when one speaks of ecclesiastical separation one does not speak the same language and one is not understood: Easterners think of a separation from the Latin Church as from a particular Church; others think of a separation from the universal Church, according to their own concept. Now, the schema on the Eastern Churches is entirely conceived in the latter manner, as if the Eastern Catholics were parts or appendices of the "universal" Latin Church, something which cannot be logically admitted. Whence the schema must be entirely remodeled so that this false perspective may be eliminated from it.

2. Concerning the primacy of the Roman pontiff, its doctrinal formulation, although declared several times in former Western councils, was not dogmatically defined until

Vatican I. Until then it could be considered, at least by the Orthodox, as only a canonical doctrine. The council that re-established Photius in his office in 879 was content to draw up a *modus vivendi* governing the relationships of the two Churches, without a theological import. The Roman pontiff was certainly then the first bishop of the Church, enjoying undeniable powers. He had to preside over ecumenical councils, or at least to watch over their sessions and to subscribe to their decrees. The Easterners appealed to him in serious questions, and this recourse was construed as being more canonical than dogmatic.

Thus if the two Churches were not opposed concerning the doctrine of the primacy, and if the Eastern theology on the procession of the Holy Spirit were not repudiated by the formula of *Filioque*, as that was affirmed at Florence, one could say that the Churches of the East and of the West, even after the schism, have not been as much separated as it is believed, and that they have maintained their communion in the faith. The conflict was between two particular and local Churches, or between the Eastern patriarchs and the Roman pontiffs who wished to extend their power over the East as in the West. Easterners never had the perception of being separated from the Church, for they had the perception of being themselves the Church with the Latin Church, and with at least as much right. They constitute, in fact, the most important part of the Christianity which had defined the truths in its councils, and which had given to the Church its best theologians, and which had comprised nearly all of the Fathers at the first ecumenical councils.

When, at the First Vatican Council, there was a question of defining the primacy of the Roman pontiff, and thus determining the theological structure of the Church, practically all the Fathers were Latin. Now, that definition is very important for the Easterners, perhaps more important for them than for the Latins, because it affects the ecclesiastical structure of the East much more than that of the West.

3. I shall say briefly something about *communicatio in sacris*. It is very good to come back to it, because it was the prevailing pastoral practice in many regions. It didn't stop until the beginning of the 18th century, through a clumsy application of the post-Tridentine decrees in the West relating to Protestants. This was the work of some badly-informed missionaries.

As for the subject of the reception of a non-Catholic Christian into the Catholic Church, I fall in line from the very first with the opinion of the schema "On Ecumenism," according to which no type of proselytism should be encouraged. If, however, the situation occurs, the interested person must strictly retain his own rite. In exceptional cases, an appeal can be made to Holy See of Rome. In this matter, I declare that I am in full accord with the schema, with His Eminence Cardinal Cicognani, with His Beatitude Patriarch Maximos IV and all his bishops, with His Excellency Isaac Ghattas, Bishop of the Catholic Copts in Egypt, and with the great majority of the Eastern Churches.

Venerable Fathers, let us be wise, but still be good and tolerant. Let us not judge the quarrels and schisms of past times with the mentality of our ancestors, but with ours. We live, thank God, in an age of openness and of freedom, even religious. We can have at the heart of the same Church and the same council Fathers who have the right to think and to express themselves differently from the others. Such freedom was not always tolerated in

past times. The Church was divided in order to defend formulas, and there were neither mixed commissions or coordinating commissions. If it should be necessary to utilize bygone methods, if we had at the head of the council a Cardinal Humbert, capable of signing a bull of excommunication in a moment of ill-humor, in the name of a pope dead for three months, how many of us, authentic Catholics, would have left the council with a bull of excommunication or of anathema, only to discover, one or two thousand years later, that the formulas were not contradictory, that the primacy was not at all opposed to collegiality, that the so-called monophysitism and the Orthodox doctrine on the procession of the Holy Spirit could be orthodox?

On October 19, 1964, it was Archbishop Joseph Tawil who explained to the assembly his criticisms of the schema.

This holy council has definitely placed the Church in the ecumenical sphere, made it a duty to think of its faith, from now on, no longer only at the frontiers of Catholicity, but also in the dimensions of Christianity, if not of the universe. And for fear of neutralizing all the work of the council, we must definitely change our ways of seeing and acting, as Pope Paul VI reaffirmed at the time of his pilgrimage to Jerusalem. Now, the schema "On the Eastern Churches," which is surely an improvement over that which was presented at the first session, must undergo a number of changes to be in accord with the conciliar decree "On Ecumenism," which has truly opened for the Church a new era, thus deserving all sorts of praise. Here are some observations on the schema:

1. What stands out in this schema is that it speaks of the Eastern Churches as particular Churches, without ever having given this honor even once to the Latin Church, which is equally a particular Church. As a consequence, it has presented the patriarchates as being an exclusively Eastern institution, forgetting that the West, which for a thousand years lived together with the East in this institution, still continues to live in it in our days. What is it that, in fact, distinguishes the Churches among themselves and divides them into Eastern and Western, if not the patriarchate that is at the head, and that defines a Church-source, a Church mother of other Churches? The primacy of the Roman pontiff does not suppress in any manner his capacity as patriarch of the West.
2. What also stands out in the present schema is speaking of the Eastern patriarchs and ignoring the names of their sees, which are Constantinople, Alexandria, Antioch, and Jerusalem, coming in that order of precedence after Rome, which is the first among them. As for the super-added Latin patriarchate of Jerusalem, which came later following wars of conquest and the unjust dispossession of legitimate incumbents, then was ended by these same wars and re-established only a century ago, it is a constant reminder of bitter memories for the East, both Catholic and Orthodox. Thanks to this patriarchate, the latinization of the East has proceeded to the state of an institution. May our brothers, the venerable Western Fathers, pardon us: we love the Latin Church, our sister, and we venerate her the more because we owe much to her. But for the good of the universal Church, this holy council must put a final end to this sad episode of history, which has lasted too long. The latinization of the Christian East, in any manner whatsoever, must no longer be tolerated.

3. Paragraph 4, page 5, treating of non-Catholics returning to unity, asks deservedly for the maintenance of their rite. This problem very much preoccupies the above-mentioned latinizers, who would wish, under the cover of respect for personal freedom, to have them join the Latin rite. In my opinion this problem should not be posed, for it is a false problem: it is the same for individuals as for portions of Eastern Churches that have returned at other times to communion with the Roman See, and which did not have to renounce their rite nor their discipline, since they did not come from nothing, but they were born into a Church endowed with sacraments and were already of a distinct rite. To make them join the Latin Church is an offense to the Church to which they belong. For them it is a matter of reconciliation, and not of renunciation.

Conclusion: At this hour of ecumenism and of the collegiality preserved by the East, rediscovered and taken up again by the West, because it is for the good of the universal Church, the Eastern Churches must be able henceforth to lead their own lives, autonomous, governed as they should be by their respective synods, in conformity with the just norms of their tradition. A postconciliar commission composed of Easterners and of specialists who are friends of the East would be entrusted with the work of the aggiornamento of these Churches in the double fidelity to the successor of Peter and to sound traditions, rid of the attachments that are foreign to them. Even the Orthodox, I am sure of it, will be grateful for this work.

The Melkite Greeks had been the principal architects of the schema "On the Eastern Catholic Churches." Those who had spoken so far seemed to recommend the pure and simple rejection of the schema. The moment was grave. Certainly, the schema was far from being perfect. But those who wished to reject it had very diverse motives: "ecumenists" who found it too "uniate," "latinizers" who found it too "Byzantine," "Latins" who found it too "Eastern." By allowing the schema to fail, one would certainly reject its imperfections, but one would lose its real advantages.

The patriarch, in these difficult circumstances, decided to save the schema. There will always be time, he thought, to improve it. But such as it is, it saves the Eastern Catholic Churches from the humiliating status of inferiority in which they found themselves until now. And also, the schema contained one or two general principles that opened the way for "internal canonical autonomy" of the Eastern Churches: the foremost condition for all ecumenical dialogue.

Thus on October 19, 1964, Archbishop Neophytos Edelby, Patriarchal Counselor, openly declared: "The schema is not perfect, but it contains enough good elements so that it should not be rejected." The Melkite hierarchy, aware of the maneuvers that were being plotted behind the scenes, adopted a realistic solution. Here is the intervention by Archbishop Edelby:

The discussion, in this conciliar assembly, of the schema "On the Eastern Churches" is for us of the East a cause of consolation, at the same time that it is for us the occasion of a certain uneasiness.

We certainly rejoice in the Lord when we hear from our Western brothers so many fine words, so many praises with respect to our institutions and to all the spiritual patrimony, of which we have become, without any merit on our part, heirs and guardians. We also rejoice in the Lord when, over and above these words and praises, we feel fraternal affection in our regard. The conciliar Fathers on the whole not only do not wish to impose on their Eastern brethren the weight of the Latin majority, but they seek, on the contrary, by all means to confirm by their votes what is pleasing to the Easterners themselves. But, after having heard the interventions of the Eastern Fathers, a question is born in your hearts, venerable Fathers, and almost rises to your lips: "Exactly what do the Easterners want? In short, does this schema please them, or not?"

The Eastern Fathers who have spoken up to now have given evidence of noteworthy differences. This diversity of opinion is for us, as I have said, a cause of uneasiness. We are ashamed of not having arrived, on all points, at securing unanimity among ourselves. But, if it is permitted to give some explanation of this diversity of attitudes, I would take the liberty of remarking first, venerable Fathers, that such diversity is very natural and should not be astonishing. Aren't there just as many differences among the Western Fathers? Besides, the differing attitudes of the Easterners most frequently depend on different perspectives of the apostolate, of local needs, and of various circumstances.

Since in human affairs, which always include advantages and drawbacks, it is difficult to secure unanimity, the good of ecclesiastical society requires conforming to the opinion of the majority. Our schema, with the amendments already approved by the commission,

has already obtained the consent of the very great majority of the Eastern Churches. One can say that, apart from one or another point, the schema has received the nearly unanimous approval of the commission, as His Eminence Cardinal Cicogani, president of our commission, has so well said.

Certainly, the schema is not particularly good. It is far from being perfect. But, in the present circumstances, it was difficult to obtain a better schema.

This schema is good, simply good. It can be improved. Already many amendments have been examined by our commission and approved by it to be inserted in the text. Unfortunately time is lacking for reprinting the text as thus amended. But it is certain that through these new amendments, which are found on an attached leaflet, there has already been a response in advance to a certain number of criticisms that the Fathers have needlessly made in the assembly. Other amendments can still be proposed, and should, in my opinion, be approved so that the parts of the schema that are truly too weak, such as the preamble and the chapter devoted to patriarchs, may become acceptable. On the other hand, our schema takes into consideration the very fine doctrinal schema "On Ecumenism." If the inspiration of the one or of the other schema sometimes seems different, as has been very well remarked by Their Eminences Cardinals Koenig and Lercaro, with whom I am in full agreement, unity of inspiration can be obtained either by re-examining certain expressions in our schema, or by admitting a fruitful collaboration with the Secretariat for Christian Unity. But if the schema is purely and simply rejected, there is a great danger that the disciplinary reforms that we have obtained with great trouble, nearly in extremis, may be tabled indefinitely.

In spite of certain flaws, which can be corrected, this schema constitutes a definite progress, not very great but undeniable, for Eastern Catholics. Do not permit, Venerable Fathers, our being denied this small progress!

And now, allow me to say something about the canonical bearing of this burning question, which is the rite to which non-Catholics being reconciled with the Catholic Church must belong.

It is of little importance, Venerable Fathers, that one Easterner or several become Latin. It is not a matter of the miserable desire to retain or increase the number of one's own faithful. This question cannot be settled without taking into account the ecumenical movement that impels us nowadays, not to increase the number of the faithful of our own Church, but to establish a dialogue between the Churches themselves so that with the grace of God we may arrive at the union of the Churches themselves in a single Church of Christ. Even more, we wish to take advantage of this occasion to solemnly reaffirm our sincere desire to condemn all proselytism that tends to nothing other than nibbling away, by all means, at the number of the faithful of other Churches.

But, while awaiting the joyful union of all Churches, we cannot avoid stating a certain and universal fact, that many persons or certain groups of our Orthodox brothers, moved by the demands of their consciences, already wish to restore their union with the Roman Catholic Church. In these cases, about which we cannot talk abstractly, it is necessary to anticipate having certain disciplinary rules to determine to which rite they must belong.

Thus the fixing of these rules must not alienate us from the heart of our very dear Orthodox brothers, as if we might wish to push them surreptitiously to desert their Church. We wish only that those who, moved by the Holy Spirit, already desire to restore union with the Catholic Church, find clear and precise rules, in the same way that the Orthodox Church itself acts in regard to Catholics who desire to become Orthodox.

Finally, the fixing of these rules, which prescribe in general that the Easterners remain Eastern, and not become Latin, nor transfer to another rite than their own without an indult of the Roman See, must in the same way not alienate us from the heart of our very dear Latin brothers, whom we honor and esteem. What we are doing is only settling rules, as they themselves have done when it affected them. In the same manner that a Western non-Catholic, for example an Italian, who returns to the Catholic Church, must remain in the Western Church, that is to say, in the Latin Church, likewise an Eastern non-Catholic who desires to join the Catholic Church must remain Eastern, and even in his own rite. This is not contrary to religious freedom, or contrary to the good of souls. This is rather for the good of souls, for incorporation in a certain rite normally places each one in the situation that is the providential one for his mission.

If nevertheless special conditions of a soul require that he transfer to another rite, this will be very willingly granted by the Holy See. But it is necessary to reject that stratagem of those who place the transfer to another rite as a “necessary condition” of their joining Catholicism. Everyone knows that it is the strategy of those who wish to leave the door open to latinization of the East. The latinization of the East has already lasted for more than one hundred years. It is time to finally close this door. Otherwise, it is better to stop speaking about the union of Churches and of respect for the Eastern Churches. Easterners must remain Eastern. That is not to satisfy the self-respect of the Easterners, but for the good of the universal Church.

Doubts remained. Rumors were circulating, such as that Patriarch Maximos was against the schema. On the next day, Archbishop George Hakim of Galilee, although the discussion was closed, obtained the right to speak in the name of 70 Fathers, and took advantage of it to declare solemnly to the assembly that Patriarch Maximos and the Melkite Greek hierarchy were in favor of the schema taken as a whole. The assembly was hesitant and even had begun to lean to the contrary opinion. It was sufficient for it to be assured of the opinion of Patriarch Maximos to restore its confidence. It voted for the schema.

I speak in the name of more than 70 Fathers, Latin and Eastern.

The schema of the “Decree on Eastern Churches” is pleasing, and for that we express our gratitude to His Eminence Cardinal Cicognani and the relevant commission. Joining with the official declarations of His Eminence Cardinal Cicognani and of His Beatitude our Patriarch Maximos IV, with those of his counselor, Bishop Edelby and to those of so many other venerable Fathers, I say “*placet.*” I humbly propose to vote in its favor, while introducing all the desirable amendments which will be taken into consideration. To accept the schema will be to perform a positive, wise, and constructive act, for that would permit obtaining all that is good in the schema. To reject it, on the contrary, destroys at

the same time both the good and the bad elements. Certainly, we know that the text is not perfect. But what schema is perfect? Are we ourselves perfect? An Arabic proverb says: "Blessed is the perfect! God alone is perfect" (*Soubhan el-Kamel! Al-Kamal lillah wahdahou*).

Having said that, may I be permitted to add two simple remarks, which, I hope, will be taken into consideration by the commission:

1. In paragraph 3, lines 25 to 28, clarify the idea by adding a sentence through which it would be clearly recognized that, in declaring that all the Eastern and Western Churches are obliged to take care of "preaching the Gospel to the whole world," the holy council declares that all special directives laid down by any dicastery, even a supreme one, or any apostolic delegate, to restrain the apostolic activities of one or another Eastern Church for the benefit of the Latin Church, whether in the Near East, or in black Africa, or in the Indies, or elsewhere, are annulled. Let it be made clear, once and for all, that the holy council decides to put an end to all discrimination in the Church, for the benefit of one rite over another. If, in certain cases, the head of a diocese is responsible for irregularities or imprudence, let him be corrected, admonished, or even reduced in rank, but the respect owed to his Church should not be touched, in the equality owed to all rites.

2. Drawing my inspiration from what is said in number 27 about the intercommunion between Catholics and Orthodox, which we applaud with our whole hearts, I propose that the council give *a fortiori* the greatest freedom for concelebration among priests of different Catholic rites themselves. May the *ad hoc* commission find a formula authorizing the ordinary of the place or his vicar, in centers of pilgrimages, in national or international meetings, to permit priests of another rite to concelebrate with his priests, if they are capable of doing so. Communicating with one another, the priests, belonging to different Catholic Churches, will feel themselves to a greater extent brothers in the same Christ.

In fact, in everything that we ask, as in all that is decided by the Decree "On Eastern Churches," there is only one goal in view: That all may be one!

