

Chapter 6 - The Patriarchs in the Church

The ranking of the patriarchs at the Council had been discussed at length at the Melkite Synod of August, 1959: In the light of the rank presently given to the Eastern patriarchs, was it fitting for Patriarch Maximos to take part personally in the Council at the risk of scandalizing the Orthodox? On the one hand, the patriarch understood how imperative his personal presence was. On the other hand, he realized how much the relegation of the patriarchs to a rank after all the cardinals of the Roman Church must have shocked the Orthodox East at the very moment when the papacy was planning a vast effort of rapprochement with it. It was a painful dilemma. Before making any decision the patriarch attempted a personal approach to John XXIII, whom he knew to be open to these questions. The letter is dated October 8, 1959.

Most Holy Father:

The announcement of the approaching council has filled the entire Christian world with joy. The bishops of our Melkite Greek Catholic Church, the superiors general of our religious orders, and we ourselves, desirous of making our modest contributions to the success of the Council, after careful study by our Synod, have with solicitude proposed to the ante-preparatory pontifical commission the wishes, recommendations, and suggestions that it asked of us in the name of Your Holiness. It is a pleasure for us to remain entirely at your service with respect to any additional studies or information you might judge suitable to ask of us, especially on matters in which we believe that we can be most useful, namely, everything that concerns rapprochement with our separated brethren of the East.

The holding of this council is such an important event in the life of the Church that all our bishops and superiors general will make a point of attending this one personally and participating in a holy and active way in its labors. The ends for which such a council is convoked are always of the greatest importance for the faith, ethics, discipline, and life of the Church. In particular, the council that Your Holiness is planning to convoke is all the more important in our eyes inasmuch as through Your Holiness' declarations, as well as through the efforts made to resume contacts with the separated confessions, we have the firm hope that the means of facilitating the reunion of divided Christendom will be treated cordially there.

Now, this goal is precisely one of the reasons for the existence of our Eastern Catholic Church. We represent in Catholicism the hope and already the seed of a corporate reunion of the Christian East with the Holy See of Rome, maintaining all due respect for everything that constitutes the riches of the East's specific spiritual patrimony. Likewise, in spite of our advanced age we cherish the hope of being able to participate in person in the labors of this council, in which the Christian world hopes to find a truly open door leading to the Christian unity for which it so deeply yearns.

However, there is a preliminary difficulty to a personal and fruitful participation on our part in the labors of the Council. We owe it to ourselves to set it forth to Your Holiness with simplicity and trust. It concerns the rank of patriarchs in the Catholic hierarchy in

general, and consequently the rank that they must hold in these very solemn sessions of Christianity which the ecumenical councils constitute. This question was given prolonged consideration by the bishops and superiors general of our Church gathered in their annual Synod held under our presidency at Ain Traz (Lebanon) during the last two weeks of August, 1959. They asked themselves the following question: In a council in which the Roman Church wishes to deal especially with the means of rapprochement with the separated East, how can one explain the presence of the patriarch and the bishops of an Eastern Catholic Church that is suffering because it is browbeaten and scoffed at with reference to its rights, which are the most obvious, the most palpable rights of the Eastern Church? Does not the presence of this patriarch, belittled and reduced to an inferior rank, constitute in these instances an inconsistency both on the part of the pope who invites and on the part of the patriarch who accepts his invitation? The considerations that I shall have honor of submitting to Your Holiness's benevolence are echoes of the deliberations of the Fathers of our above-mentioned Synod concerning this question.

According to the Motu Proprio "*Cleri Sanctitati*" of your predecessor of blessed memory, the late Pope Pius XII, promulgated on June 2, 1957, the patriarch is relegated to a rank after the cardinals (Canon 185, par. 1, no. 21), indeed after the representatives of the Holy See: nuncios, internuncios, and apostolic delegates, even if they are simple priests (Canon 215, par. 3, complemented by an authentic interpretation of August 25, 1958, which, far from changing the mind-set of the canon, essentially affirms it more definitively).

Most Holy Father, is it conceivable that at a council where they formerly traditionally occupied the first rank after the pope, the patriarchs of the East appear at the 150th rank after all the cardinals, all the nuncios, internuncios, and apostolic delegates, even those who are simple priests?¹

The very statement of this historical "enormous mistake" suffices, we are sure, for Your Holiness to order immediately a total review of this question and restore the patriarchs of the East to the rank that has always been given to them by ecclesiastical tradition, the decisions of the ecumenical councils, and the so-often-repeated declarations of the supreme pontiffs, and to do this not in order to satisfy a petty vanity, but out of respect for authentic ecclesial values and in the interest of Christian unity for which the ecumenical council is proposing above all to prepare the way.

In fact, ecclesiastical tradition since the first centuries has been unanimous in determining the rank of the sees in the universal Church according to the following order: Rome, Constantinople, Alexandria, Antioch, and Jerusalem. Ecclesiastical tradition is equally unanimous in recognizing that the incumbents of these five patriarchal sees precede, according to the rank of their respective sees, all other ecclesiastical dignitaries. In conformity, therefore, to this ancient and unanimous tradition, the supreme pontiff of Rome is followed immediately, in the Church's hierarchy, by the incumbents of the four other apostolic patriarchal sees. The cardinals are auxiliaries of the pope, first of all as the Bishop of Rome, then successively as Metropolitan of the Roman Province, as Patriarch

¹ Actually, at the first session of the Council the representatives of the Roman See did not obtain any precedence, but occupied their rightful places as bishops, which is altogether normal.

of the West, and finally as the ecumenical pastor. Their dignity is a participation in the first see, of which they are auxiliaries, but this dignity cannot logically exceed that of the other sees, by infringing upon their traditional and legitimate rights. Just as an aide or a patriarchal vicar—that is to say, a prelate whose dignity is a participation in the dignity of the patriarchal see—cannot precede the suffragan bishop of the patriarch, so too the pope’s aides cannot, under the pretext that their dignity is a participation in that of the pope, precede the patriarchs. As for the representatives of the Holy See as such, unless they are legates *a latere*, they cannot precede the bishops, much less the patriarchs. That is the simple and sound norm of authentic apostolic Tradition. All the councils that have had to deal with this question have been unanimous in recognizing the hierarchic order as set forth above. As for the precedent set by Vatican Council I, where patriarchs were seated after cardinals, we should now take time to examine it for the following reasons:

1) This derogation, the first in history, was the result of a regrettable anti-Eastern mentality that then dominated certain groups of the Roman Curia, a mentality that was understandable at a time when the West did not know the Eastern Church the way it does in our day, and when Eastern Catholics themselves did not know one another and—as a result of persecutions and other vicissitudes—had a certain inferiority complex *vis-a-vis* Europe, which was then at the height of its colonial vigor. But Your Holiness surely would not approve of such a mentality.

2) The apostolic letter “*Multiplices inter*” of November 11, 1869, which Pope Pius IX promulgated, “*de ordine sedendi et non inferendo alicui praeiudicio*” (concerning the order of seating and not introducing any precedent), made the decision about infractions against the order of precedence to the effect that no prejudice can result from it and no new right can be acquired by it (Cf. E. Ceconi, *Storia del Concilio Ecumenico Vaticano*, Vol. I. P.424).

3) In any case, our Patriarch Gregory II, who was present at the aforesaid council, formulated, before he signed its acts, the limitations he could set in order to safeguard the rights recognized by the Council of Florence, including, of course, the order of precedence of the patriarchs.

Finally, all the supreme pontiffs without exception have declared on many occasions that the return of the Eastern Churches to Catholic unity was being accomplished with total respect for all their rights, traditions, privileges, and rites. How can we reconcile these explicit and solemn promises with an approach that reduces Eastern patriarchs to the rank of simple bishops within the framework of the centralized system that has come to prevail in the West since the Middle Ages?

It is not out of a desire for vainglory that on this specific point we now claim respect for ecclesiastical tradition, for the decisions of the ecumenical councils, and for the promises of the supreme pontiffs. Of this Your Holiness can be sure. In this matter, as in all others that we discuss with the Holy See of Rome, our humble person counts for nothing. Besides, we are on the threshold of eternity, and, at our age and after long years of Apostleship and struggles for the Church, self-love seems a very paltry thing to us. If all precedence is renounced in the Church, we shall be the first to accept the lowest place. However, since the importance of Churches is signified by their rank and since rank is

only a symbol of greater service and the expression of the homage rendered to the Apostles, we owe it to our mission in the Church and to the memory of the holy Apostles to defend as much as is in our power the rank that rightfully belongs to our patriarchs.

We simply add that it is useless for the Catholic Church to seek paths leading to reunion with our separated brothers if the patriarchs of the East do not obtain the rank that is due them within the universal hierarchy. Our Orthodox brothers want to see, on the basis of our example, what place the Roman Church would give their patriarchs in the event of union, what respect it holds for ecclesiastical tradition and for the decisions of the ecumenical councils, and how well it honors its own promises.

This question of the rank of the Eastern patriarchs in the Catholic hierarchy has been the subject, in part, of a long synodal letter, sent by special messenger, that we had the honor of addressing to His Holiness Pope Pius XII on February 10, 1958. May Your Holiness deign to refer to it.

Since we know with certainty Your Holiness' greatness of heart, as well as your experience in the East and your sense of justice, we have no doubt that the questions we have allowed ourselves to raise in this letter will receive your careful attention and a just and worthy solution. Otherwise, God forbid, our personal participation in the council would tend to be an insult to the Christian East and would contribute on the contrary to widening the gulf that divides Christians.

Confident that Your Holiness will receive our proposition benevolently and will deign to give it the only just solution that it deserves, we humbly bow to kiss your august hands and to implore your apostolic benediction...

On January 17, 1962, having at last decided to take part personally in the labors of the Central Commission, Patriarch Maximos reminded Archbishop Pericle Felici of his earlier comments and expressly claimed all the rights and privileges of the patriarchs of the East: for the greatest good of the Church, the patriarch agreed to be seated at the inferior rank assigned to him, but retained the rights of the patriarchal institution as such. It was a historical declaration that the patriarch asked to be inserted in the official acts of the council:

On October 8, 1959, I had the honor of asking His Holiness, in the name of all the Fathers of the Synod of our Melkite Greek Catholic Church, to be so good as to settle, even before the holding of the council, the question of the rank of Eastern patriarchs in relation to the Catholic hierarchy as a whole.

On September 22, 1961, Reg. 14, No. 404, I took the liberty of writing to Your Excellency about this same subject.

As Your Excellency and all the Fathers of the Council can easily realize, this question of the rank of the Eastern patriarchs, as it has been established by the ecumenical councils, and recognized by the supreme pontiffs up until the union of Florence, is in no sense a personal question of vanity or of human prestige. If it depended only on our humble person, nobody would snatch the lowest place from us.

However, in this council above all, where, through the express wish of the supreme pontiff, concern for the union of Churches holds a place of choice, it is harmful to the best interests of union and of Catholicism to humiliate in our person the Eastern Church which we unworthily represent. Orthodoxy is listening intently. If the Eastern patriarchs who, according to the decisions of the ecumenical councils, occupy the first places after the Roman pontiff, are relegated to places after all the cardinals and even theoretically after all the representatives of the Holy See, even if the latter are simple priests, how can the Orthodox East believe that the popes, in inviting it to unity, wish to respect it and are determined, while they await the hour of union, to maintain its place of honor within the bosom of the Catholic hierarchy? Indeed, on the basis of the way we are treated today, Orthodoxy draws conclusions as to the way it will be treated if some day union is achieved.

Because of my burning concern to spare the Catholic Church and Orthodoxy a scandal that is all the more serious in that it is occurring in these general sessions of Christendom that this council represents, my conscience would have made it a duty for me to be seen as little as possible.

Yet, in order to clearly demonstrate that my defense of the legitimate rank of the Eastern patriarchs is not, in my eyes, a personal matter; in order to give a new proof of my desire to cooperate to the extreme limit possible with my brothers in the episcopate in the preparation of appropriate reforms of the existing discipline, especially on points relating to the reaching out in fellowship of the Western Church to the Christian East; and in the hope that the Central Commission, and later on the Council itself, will approve the plan presented by the commission of the Eastern Churches for once again recognizing the rank of Eastern patriarchs in the Church immediately after the Roman pontiff:

I thought it my duty to participate in the sessions of the Central Commission, expressly retaining all the rights and privileges of the patriarchs of the Eastern Churches, as previously decided by the ecumenical councils, as recognized by the Roman pontiffs, and as confirmed by time-honored usage, in the face of the diminution's to which they have been subjected in recent years by a frame of mind with little concern for Christian unity.

I would be grateful to you, Your Excellency, if you would be so kind as to submit to our holy and beloved Father the pope the contents of this letter, which I beg you to consider as an official declaration of principle that to my mind is of greatest importance...

On the eve of the opening of the Council, the patriarch was requested by the Holy Synod of August 1962 to attempt a final effort to persuade the general secretariat of the council. He wrote to Archbishop Felici on September 20, 1962:

The Fathers of the annual Synod of our Melkite Greek Catholic Church, held at our residence at Ain Traz from August 27 to August 31 last, have requested that I make a last effort through your good offices to reach our Holy Father the pope, as well as the presidential commission of the council, so that the Eastern patriarchs be given the rank assigned to them by the canons of the first ecumenical councils, namely, the first rank immediately after the supreme pontiff.

The decisions of the ecumenical councils on this matter were respected at the sessions of the Council of Florence in 1439, where, by order of Pope Eugene IV, the Patriarch of Constantinople Joseph II held the first rank after the pope and preceded the cardinals. The union between the Greeks and the Latins was proclaimed in Florence only on the basis of respect for all the rights and privileges of the patriarchs of the East. Now, among these rights and privileges of the patriarchs of the East, the first to consider is the privileged rank these patriarchs hold in the hierarchy of the Catholic Church.

Since that time, these decisions of the ecumenical councils have never been expressly revoked. However, as was the case during the First Vatican Council, today the Eastern patriarchs again face a *fait accompli* on the part of those in charge of protocol who invariably grant precedence to cardinals over patriarchs.

In order to demonstrate the cogency of our claims, we thought we should make an objective study of the entire question in a memorandum on "The rank of the Eastern patriarchs in the Catholic Church," which we consider it our duty to transmit to Your Excellency within a few days.²

The question is serious and can constitute an almost insurmountable obstacle for the future of the union of the Orthodox Churches and the Catholic Church.

Our humble person plays no part at all in this matter of Church discipline. If it depended only on ourselves, no one would snatch the lowest place from us. However, we owe it to the Church to reclaim the observance of the decisions of the ecumenical councils and Tradition, respect for the conditions of union set in Florence, and fidelity to the solemn promises made so many times by the popes to our predecessors.

Above all, we owe it to Christ to avert everything that could constitute an obstacle to the reunion of the Churches. We are more convinced than ever that Orthodoxy cannot envision a rapprochement with the Roman Church if its leaders, the patriarchs of the apostolic sees, to whom the ecumenical councils gave precedence, immediately after the supreme pontiff, over the entire hierarchy, find that they have been relegated to the hundredth rank.

² A few copies of this memorandum were sent to Archbishop Felici in a letter dated September 27, 1962, No. 1435/14.

Because of these considerations which affect the supreme good of the Church, we would have wished not to appear at the approaching council, in order to prevent the depreciating, in our person, of the honor due to the patriarchal sees of the East.

But in order to prove that this is not a personal matter of conceit or vainglory on our part; in order to enter into the views of our Holy Father the pope, who has opened the way to a better understanding with respect to the Christian East and given proof of profound benevolence; in order that through our presence the voice of the East may be heard; and to collaborate with our brothers in the episcopate for the progress of the pastoral work in the Church, we have decided to take part personally in the sessions of this Council, in spite of our advanced age and the state of our health, but explicitly declaring that our presence must not prejudice in any way the respect of rank due to our see and reserving in the most explicit way the rights and privileges of the Eastern Church, as the ecumenical councils and Tradition have defined them and as the popes have promised many times to have them respected.

I beg Your Excellency to be so good as to submit the present letters to our Holy Father the pope with the homage of my deepest respect as well as to the presidential commission of the council.

I likewise beg Your Excellency to consider this letter an official declaration that is an integral part of the acts of the council.

Now that I have thus unburdened my conscience before Christ, before the Church, before my community, and before my Orthodox brethren, there remains only for me to pray the Father of Lights to deign to inspire those in whose hands rests the responsibility for souls to take the measures that He deems appropriate.

In unshakable faith that Christ will sustain His Church and that the best solutions will always ultimately triumph for the greatest good of souls, I beg Your Excellency to accept...

Archbishop P. Felici, in a letter dated October 4, 1962, acknowledged receipt of the patriarch's letter and of the memorandum that accompanied it. He added that the question would be submitted to the Holy Father.

To its 1963 "Remarks on the schemas of the Council," the Holy Synod added the following memorandum.

On the Rank of the Eastern Patriarchs in the Catholic Church

Part One – The Authentic Tradition of the Church

1. The Decisions of the Ecumenical Councils

The Ecumenical Council of Chalcedon held in 451 approved what had been a gradual development whose principal stages were marked by Canons 6 and 7 of the First Ecumenical Council of Nicea in 325 and Canons 2 and 3 of the Second Ecumenical Council of Constantinople in 381. In its Canon 28 the Council of Chalcedon first of all confirmed the privileged rank granted to the Bishop of Constantinople by Canon 3 of the Second Ecumenical Council of Constantinople in 381, placing him immediately after the Bishop of Rome and before the Bishop of Alexandria. Then the same canon established the ranks of the five great patriarchal sees of Christianity as follows: Rome (without prejudice to its universal primacy), Constantinople, Alexandria, Antioch, and Jerusalem. This canon, which ratified a new ecclesiastical organization in the East (the patriarchal organization) and a new order of precedence in the Church, was at first contested. Yet, notwithstanding the initial opposition of Rome, the new organization remained in force. Emperor Justinian confirmed this "patriarchal pentarchy." (Novella 126, *De sanctissimis et Deo amabilibus episcopis*, Cap. II: Novella 131, *De ecclesiasticis titulis*.) Pope Adrian II (867-872) finally recognized it indirectly by approving Canon 21 of the Fourth Council of Constantinople in 869-870. The Fourth Lateran Council in 1215 officially recognized it and again approved the ranks of precedence among the five patriarchates of the Christian world, as it had been fixed by Canon 28 of Chalcedon. It is true that at that time the patriarchal sees of the East were occupied by Latin incumbents by reason of the Frankish conquests of the Crusades: Jerusalem since 1099, Antioch since 1100, Constantinople since 1205, and Alexandria since 1209. But the rites of the incumbents mattered little, and it is certain that for the Catholic Church the decisions of the ecumenical councils still remain valid today. According to these decisions, the five highest places in Christianity are reserved, without prejudice to the primacy of Rome, in descending sequence, to the incumbents of the Sees of Rome, Constantinople, Alexandria, Antioch, and Jerusalem. These decisions of the ecumenical councils have never been abrogated either by the popes or by any other subsequent council. Thus, if we wished to hold to the decisions, still in force, of the ecumenical councils, the first places, after that of the supreme pontiff, at the sessions of the forthcoming Second Vatican Council should belong by right to the Patriarchs of Constantinople, Alexandria, Antioch, and Jerusalem.

2. The Rise of the Cardinalate

However, in the meantime a new institution was being born in the Church of Rome: the "College of Cardinals." In the beginning this college included only the principal pastors of the city of Rome, who formed a sort of diocesan council around their bishop, such as there were in other Western dioceses, especially in Paris. Then little by little this college

came to embrace also the principal deacons of the city and even the suburban bishops, thus forming a sort of council for the entire Roman province. In this capacity it replaced with increasing frequency the ancient Roman “synods” which the popes had been using to administer not only the affairs of their Roman province but also those of their Papal State, of all Italy, of the West, and even of the entire Church. There were also some laymen among them. The importance of the College of Cardinals has not ceased to grow at the expense of the hierarchy of the bishops, the successors of the Apostles. This importance was manifested especially in 1059, when Pope Nicholas II reserved to the cardinals the exclusive right to elect the pope.

This decisive development in the importance of cardinals occurred, we might point out, when the East and the West were already separated. It was a phenomenon intrinsic to the Western Church. In the West, cardinals, even those who were laymen, assumed priority over priests and even over the bishops, who are divinely instituted, something that is absolutely unthinkable in the East. Until the twelfth century history indicates no marked opposition to this prodigious ascent of the cardinals, who ultimately were given precedence over the entire hierarchy of the Western Church.

3. The Cardinals and the Latin Patriarchs

The cardinals faced an initial opposition by the Latin patriarchs, who, beginning in 1099, occupied the patriarchal sees of the East. The problem then arose: which of the cardinals or Latin patriarchs should have precedence?

Until 1439 a compromise solution seems to have prevailed. The Latin patriarchs were seated among the cardinal-bishops, and, as a rule, immediately after the first cardinal-bishop and before the other cardinals. This is recorded in the “*Liber caeremoniarum pontificalium*” compiled in 1488 by Agostino Patrizi, Bishop of Pienza in Tuscany, and published for the first time in Venice in 1516 by Cristoforo Marcello, the archbishop-elect of Corfu. Thus, speaking of the “*Ordo Sedendi in Cappella Papae*” (Lib.III, Sectio II, Cap. I, fol. 195 verso), Patrizi says: “Indeed the four principal patriarchs, namely those of Constantinople, Alexandria, Antioch, and Jerusalem, were accustomed to sit among the cardinal bishops, as we said above concerning kings, and consequently to wear a cope, and they had train-bearers, like the cardinals.”

And the author adds, speaking of the period after 1439: “However, in our days and in the days of Eugene IV, neither do they sit among the cardinals, nor do they have train-bearers.”

Actually, we know that at the sessions of the Council of Ferrara in 1438, the Latin patriarch of Jerusalem was seated after the first cardinal-bishop and before all the other cardinals.

However, under Pope Eugene IV, and more precisely in 1439, a change occurred in the order of precedence which placed the Latin patriarchs after the cardinals. A conflict arose that year between John Kemp, Archbishop of York, who had been created a cardinal by Pope Eugene IV in 1439, and Henry Chicheley, Archbishop of Canterbury, who refused to cede the first place to him (this was an ancient quarrel over precedence between the

two great archepiscopal sees of England). Pope Eugene IV intervened to definitively approve the precedence of the cardinals over every other hierarch in the Latin Church, be he archbishop or even patriarch. In his letter "*Non mediocri*," written in Florence and dated as of the eighth year of his pontificate (March 4, 1439 March 4, 1440), the pope traced the origin of the cardinalate to Saint Peter himself, attributed some of the Cardinals' privileges to the First Ecumenical Council of Nicea, which he dated as "about the year 330," declared that the cardinals constituted "part of his body," referred to the donation of Constantine, whose authenticity he, like all his contemporaries, naturally admitted, and referred as well to the honorific privileges with which this emperor was said to have endowed the cardinals, and concluded that it was a common canonical and traditional doctrine that the cardinals were superior to the (Latin) patriarchs.

As matter of fact, after this letter of Pope Eugene IV, the Latin patriarch of Jerusalem, who, as we have seen, was seated at the sessions of Ferrara after the first cardinal-bishop and before all the other cardinals, gave precedence from then on to the cardinals, and we see him at the last session of the Council of Florence, on July 6, 1439, sign the Bull of Union "*Laetentur coeli*" after the eight cardinals present.

So we see that in the discipline of the Latin Church, it is since 1439 that the cardinals, continuing their ascent, have taken precedence over the Latin patriarchs.

4. The Cardinals and Patriarchs at the Council of Florence

This applied only to the relations between the Latin cardinals and the Latin patriarchs. But when it came to the respective rank of the cardinals and the Eastern patriarchs, precedence was always granted before, during, and immediately after the Council of Florence to the Eastern patriarchs over the cardinals, and not only with the knowledge of the pope but at his express command. Our proofs naturally come from the history of the Council of Florence, because before that council, cardinals and Eastern patriarchs had never met and consequently the problems could not have arisen.

On January 8, 1438, the Patriarch of Constantinople, Joseph II, having arrived in Venice, received the homage in that city of a deputation composed of bishops and notables sent from Ferrara by Pope Eugene IV and led by Cardinal Nicola Albergati (also called Cardinal of Santa Croce), who had been named president of the council by the pope. On March 9, 1438, Patriarch Joseph II arrived in Ferrara. By order of the pope, the two youngest cardinal-deacons, Prospero Colonna and Domenico Capranica, went to welcome him.

On April 8 the first session of the council in which the Greeks participated was held in Ferrara. The Latins were to the right of the altar and the Greeks to the left. This was an ingenious compromise, for the left side of the altar, where the icon of Our Lord and the throne of the hierarch are located, was considered to be the first place by the Greeks, whereas the right side of the altar was considered by the Latins to be the first place. Thus the Patriarch of Constantinople faced the first cardinal-bishop.

When the council was transferred to Florence, the patriarch entered that city on January 23, 1439, with one cardinal on his right and another on his left (the same ones who had welcomed him in Ferrara).

So there can be no doubt that Pope Eugene IV considered the Patriarch of Constantinople to be superior in rank to his cardinals.

This view must have been shared by his immediate successors. Indeed, after the failure of the Council of Florence we see two cardinals raised to the patriarchal See of Constantinople: Bessarion, former Metropolitan of Nicea, and Isidore, former Metropolitan of Kiev. Both had been made cardinals by Pope Eugene IV on December 18, 1439. Now, Isidore of Kiev was promoted by Pope Pius II in 1458 to the patriarchal See of Constantinople, and when he died on April 27, 1463, Cardinal Bessarion was chosen to succeed him, and he remained the incumbent of the patriarchal See of Constantinople until his own death on November 14, 1472.

So here are two cardinals raised to the patriarchal dignity: a sign that the supreme pontiff of that time considered the patriarchal dignity in the East as being superior to the dignity of the cardinalate.

5. The Cardinals and the Eastern Patriarchs in Modern Time

What happened after that? From the middle of the 15th century to the beginning of the 18th century there was in the Byzantine East no patriarchal succession officially united with Rome.

This long absence of Eastern Byzantine patriarchs in the Catholic hierarchy sufficed to make the contrary point of view prevail among the canonists. The Latin West withdrew within itself. Its Latin institutions seemed to it the only valid ones in the entire Catholic Church. Inasmuch as in the West, since the time of Eugene IV, cardinals have held precedence even over the Latin patriarchs, it was thought that they must precede all patriarchs, even the patriarchs of the East.

This is a false analogy, because the Latin patriarchs are simply ordinary archbishops endowed with the purely honorific title of patriarch, whereas the Eastern patriarchs are true heads of particular Churches with a hierarchy of bishops under their jurisdiction, by the same right as the Bishop of Rome is the patriarch of the West.

On the other hand, however, there were not at that time any Eastern Byzantine patriarchs to defend their rights, and on the other hand the Romanists were not displeased to see the Eastern patriarchs identified with the honorific Latin patriarchs. Finally, the cardinals were continuing their unobstructed ascent in the hierarchy and assuming ever greater importance in the general administration of the Church, whereas the importance of the Eastern patriarchs, on the level of influence, wealth, and membership was continually decreasing.

That is why at the First Vatican Council the Roman Curia does not seem to have distinguished between the Eastern and the Latin patriarchs. They were all considered

inferior to the cardinals. It was even thought that the patriarchs of the East were being honored by being likened to the Latin patriarchs, because by virtue of the discriminatory theory of “precedence of the Latin rite” that was in favor in Rome during the 18th century the Latin patriarchs were supposed to take precedence over the Eastern patriarchs. However, Pope Pius IX intervened and declared that in the Catholic Church all rites were equal.

Thus, during the 19th century as well as at the beginning of this century, everybody, or almost everybody, was henceforth convinced that cardinals are the highest dignitaries in the Catholic Church after the Roman pontiff and must take precedence over patriarchs, whether they be from the East or from the West. Only the Melkite patriarchs have continued to claim for their patriarchal sees the rank that was assigned to them by the ecumenical councils, explicitly recognized by the popes up to the 15th century, and since then never explicitly revoked.

Part Two – Reasons for Respecting This Authentic Tradition in the Church

There is no doubt whatever that the primitive and authentic tradition of the Church places in the first ranks of the Catholic hierarchy after the supreme pontiff not the cardinals but the incumbents of the patriarchal sees of the East.

Must this tradition be respected? We believe that the answer should be an unhesitating “yes,” for the many reasons given below:

1. The reason of ecclesial tradition itself

In the first place, the Catholic Church owes it to itself to respect the decisions of the ecumenical councils, even in the matter of discipline. If, in the course of time a modification appears to be necessary, it is fitting to have it adopted by another ecumenical council or to have the authority of the supreme pontiff intervene in an explicit way to revoke it. Now, in the case of this serious question of the rank of the Eastern patriarchs, neither the popes nor subsequent ecumenical councils have revoked the decisions made by the first ecumenical councils. After the 15th century, certain Latin canonists have allowed themselves to make erroneous analogical deductions to support the rise of the institution of the cardinalate at the expense of the honor of the apostolic sees of the East.

2. The reason of apostolicity

The patriarchal institution in the East, contrary to what is happening in the West, is not simply an honorific title. It is founded first of all on the apostolicity of the see. When Canon 28 of Chalcedon sought to base on human considerations the first rank that it wished to grant, after Rome, to the See of Constantinople because that city had become the capital city of the Empire, it was Pope Saint Leo who took care to rectify the thinking of the Fathers of the council. He told them: “The structure of human things is not the same as the divine. The apostolic origin of a Church, its foundation by the Apostles, this is what assures it a higher rank in the hierarchy.” (Epist CIV, 3 = PL, Vol. LIV. Col.995)

In the Catholic Church the highest honor must be granted to the apostolic foundation. The reason that Rome is the mother of all the Churches is because it was founded by the Apostles Peter and Paul and because it was the definitive see of Peter.

This honor due to the preeminent “apostolic see” that is Rome applies by analogy to the other apostolic sees of Christianity, which are the patriarchates.

We know the famous texts of certain popes which seek to ground the origin of patriarchal dignity as though on some sort of diffuse primacy of Peter, thus making them participate in a certain sense in the supreme solicitude for all the Churches that Peter bequeathed to his successors on the See of Rome: Peter to Jerusalem, Peter to Antioch, Peter to Alexandria (through his disciple Mark), Peter to Rome. Thus Pope Innocent (402-417) writing to the Bishop of Antioch, said: “Wherefore we observe that this has been attributed not so much because of the magnificence of the city as that it is shown to be the leading seat of the leading Apostle.” (PL, Vol. XX, col. 548)

Still more clearly, Pope Saint Gregory the Great (580-604) wrote the following in a letter to the Emperor Marcion: “He (the prince of the Apostles) exalted the see in which he deigned to settle and to finish his life on earth (Rome). He adorned the see to which he sent his disciple the evangelist (Alexandria). He confirmed the see in which he sat for seven years before leaving (Antioch). (PL, T. LXXVII, col. 299)

Jerusalem certainly cannot be excluded from the circle of these “Petrine” cities, for it was there that Peter first and so manifestly exercised his primacy.

While Constantinople cannot historically claim to have been founded by Peter or by another Apostle, it has other grounds, as we shall see, for its claim to patriarchal honor.

And so we see from the testimony of the popes themselves that the eminent rank of the patriarchates of the East in the Catholic Church is an honor due to their apostolicity. Cardinals do not occupy apostolic sees, and are not, as cardinals, successors of the Apostles. Now, what more important criterion is there than the apostolicity of a see, in a Church one of whose essential marks is that it is apostolic and at whose head is the “apostolic see”? Must not the apostolicity that made Rome the first see and the head of Christendom logically give the other sees that claim apostolic origin the first ranks after the Roman pontiffs? Is not apostolicity as a criterion of precedence, recognized by the pope and by the ecumenical councils, superior to every other criterion of precedence that could be claimed by the cardinals, some of whom in earlier times were not even priests?

Beyond this, the patriarchal sees, as the popes testify, participate in a certain way in the primacy of Peter. It is Peter who founded them, even if he did not remain in them permanently. From this Petrine origin the patriarchal sees have inherited not only a primacy of honor over all the other sees, but also a certain participation in the universal solicitude for the Churches, bequeathed by Peter in an eminent and absolutely unique right to his successors in the See of Rome.

From this it follows that the first auxiliaries of the pope in the overall administration of the Church are, according to the authentic tradition of the first centuries, not the cardinals

but the patriarchs. It was to the patriarchs that the pope first announced his election. The patriarchs, in turn, wrote their letter of communion to him immediately after their election. In moments of danger and during the dogmatic or disciplinary crises that convulsed the Christian world, it was to the patriarchs that the pope turned to devise a plan of action. When they could, the patriarchs maintained a permanent representative at the pope's side, and the pope maintained a legate called an apocrisiary by the side of his patriarch in Constantinople. In their letters to the patriarchs, the popes expressed themselves in very fraternal terms. It was evident that for the popes the Eastern patriarchs, the incumbents of the apostolic sees, were their brothers and their principal collaborators.

This apostolicity is the basis in the Catholic Church for the eminent rank given to the Eastern patriarchs.

3. The reason of gratitude

The Eastern patriarchs, however, have other grounds for occupying the first ranks after the pope. Christianity owes them this honor out of gratitude. Whatever the past and present merits of the cardinals, they are far from equaling those of the patriarchal sees of the East.

It was in Jerusalem that our salvation was accomplished. It was from Jerusalem that the faith spread first "in Judea, Samaria, Galilee, and in the entire world." According to our liturgical books and the constant tradition of the first Fathers of the Church, Jerusalem is the "Mother of all the Churches," for it was the first Church and it was from Jerusalem that all the other Churches were founded throughout the world.

Alexandria made the Christian faith reach out over Egypt, Pentapolis, Libya, Cyrenaica, Nubia, and Ethiopia. It brought monasticism to Europe. For a long time, it was the mouthpiece of Rome in the East.

It was in Antioch that the faithful were first called Christians. Antioch preached the Gospel throughout the then-known portions of Asia. It implanted the Christian faith in the Persian Empire, in India, and even as far as Mongolia and China.

Constantinople converted the Slavic world, which, by itself, once represented one third of Christendom.

Can the Catholic Church forget these first centers of Christianity? Is it not somewhat unfitting to give precedence over them to young Churches in America, Australia, or Africa which have just recently been founded, simply because their incumbents have been made cardinals?

4. The reason of fidelity to the promises given by the popes

In addition, the popes solemnly and repeatedly promised the Eastern patriarchs who reunited with the Holy See of Rome that none of their legitimate rights and privileges

would be diminished, that they would find again in the Catholic Church the same rank, rights, and prerogatives which they had enjoyed up to that time.

The promises are so numerous that it is hard to find one pope who did not feel obliged to repeat them, and in ever more solemn terms. In order not to lengthen this memorandum, we shall be content to cite only a few of these declarations, among those that are most significant:

- a. At Florence the union was proclaimed only on condition that all the rights and privileges of the Eastern patriarchs be safeguarded: “with all their privileges and rights preserved.” This solemn promise, originally made to the four Byzantine patriarchs, was repeated in the Bull of Union with the Armenians. (Cf. texts in J. Gill, *The Council of Florence*, Cambridge 1959, p.415).
- b. After Florence, more than once the Holy See of Rome proposed union to the Eastern patriarchs, always with the same conditions, that is to say “with all their privileges and rights preserved” (Cf. G. Hoffman, Patriarch Kyrillos Lukaris, in *Orientalia Christ.*, XV, 1, Rome 1929, p.53).
- c. On the occasion of proceedings for union, the Holy See of Rome solemnly promised the Eastern patriarchs that their dignity would not be diminished in any manner because of their union with Rome, but that on the contrary their rights and privileges would be fully maintained. Thus Pope Clement XI, writing on April 11, 1703, to the Coptic Patriarch John XVI: “By which salutary measure (namely union)... you would again set that distinguished patriarchal see in that place of dignity in which because of its extraordinary prerogatives.. almost all the records of the Catholic faith demonstrate that it was formerly placed.” And the pope continues: “When with the help of divine grace you will have fulfilled the laudable plan (of union), most certainly you will be able to convince yourself that We, having retained the practices of this Holy See, which strives not only not to diminish but indeed to protect and enlarge the rights and privileges of the Eastern Churches, will embrace you in the Lord with all the good will and testimonials that are harmonious with your office and dignity, and that nothing will ever be omitted by us that is deemed to be fitting for your future convenience, distinction, and splendor.” (Cf. J.P.Trossen, *Les relations du Patriarche Copte Jean XVI avec Rome (1676-1718)*, Luxembourg, 1948, pp. 171-172)

On July 8, 1815, Pius VII wrote to the Coptic Patriarch Peter VII: “We shall take care that the prerogatives and privileges of your see are most diligently restored and protected.” (*De Martinis*, Pars I, Vol. IV, p. 530)

Likewise, in 1824, Pope Leo XII promised the Coptic Patriarch of Alexandria that he would preserve all his ancient rights and privileges: “We grant to this Catholic Patriarchate of Alexandria, and to the one who will hold it, all the honors, privileges, prerogatives, titles, and all power that are based on the sacred canons or usages, which not unreasonable circumstances may support.” (Loc. cit., p. 651)

- d. Finally, here are more general and still more solemn promises:

Pope Benedict XV, in his famous “*Demandatam*” of December 24, 1743, wrote: “For the rest, we desire that all rights and privileges and the free exercise of your jurisdiction remain intact for your Brotherhood.” (Loc. cit. Vol.III, p. 130)

The great Pope Leo XIII wrote in the motu proprio “*Auspicia rerum*” of March 19, 1896: “For nobody can deny, inasmuch as it is fitting and wholly in order, that the patriarchal dignity does not lack among Catholics any of those supports and distinctions which it enjoys abundantly among the dissidents.” (*Acta S. Sedis*, T. 28 (1895-1896), p. 586)

More clearly still, in his apostolic letter “*Praeclara gratulationis*” of June 20, 1894, the same Leo XIII addressed the Eastern Churches in these terms: “Nor is there any reason that you should hesitate in that thereby [because of the union] we or our successors would detract anything from your rights, your patriarchal privileges, or the liturgical usage of any Church.” (Ibid., T. 26 (1893-4), p. 709)

It is certainly the heartfelt wish of the Holy See of Rome to honor its solemn promises. The greatest of the rights and privileges that the pope promised the Eastern patriarchs they would maintain is precisely the right to occupy in the Catholic Church the rank that the ecumenical councils and the authentic tradition of the Church assigned to them, namely, the first rank after the Roman pontiff. To relegate these patriarchs to the 100th place cannot constitute the maintenance of their rights and privileges, as solemnly promised by the popes at the time of the union and after the union.

This assumes extraordinary gravity the moment that the Holy See of Rome once again is proposing union to the Orthodox Churches, guaranteeing, on the condition of unity of faith and government, the safeguarding of their own liturgy and discipline. How could the Orthodox Churches not be tempted to mistrust when they see that the guarantees so solemnly given by the pope to the Eastern patriarchs who are in union have not been respected?

5. The reason of the apostolate for union

This consideration brings us to the definitive and conclusive reason why the Catholic Church owes it to itself to respect the rank that the Eastern patriarchs traditionally hold in the hierarchy. This reason is precisely the supreme interest of Christian unity.

Indeed, if the Eastern Catholic patriarchs claim for their apostolic sees the first ranks after the Roman pontiff, it is not out of vanity or out of a desire for vainglory.

Nor is it out of concern for antiquated ideas.

It is solely because the humiliating and in their view unjust position in which they are placed by the Catholic hierarchy constitutes an insurmountable obstacle to rapprochement and then to union with the Eastern Orthodox Churches.

In Orthodoxy, whatever the real and current importance of the patriarchal sees, the patriarchs continue to represent a summit in the hierarchy. They are the heads of Churches. Even a Patriarch of Moscow bows and kisses the hands of the patriarchs of the

ancient apostolic Sees of Constantinople, Alexandria, Antioch, and Jerusalem, regardless of the number of their faithful. These patriarchs know and proclaim that they are the highest dignitaries of the Church after the Roman pontiff. How can we speak to them of union if we do not recognize for them today what Pope Eugene IV recognized for their predecessors at the Council of Florence?

If the Orthodox patriarchs are thinking of reuniting some day with the Roman Church, it can only be in order to reoccupy in Catholicism the place that was theirs before the schism. But if they notice that this place is being refused them, and that in the event of reunion they are to be relegated after all the cardinals, or if—worse still—this place is promised to them but afterwards refused, there is little hope that the dialogue that has begun will culminate in union.

For all these reasons, and especially the last-mentioned, it seems to us that the supreme interest of the Church demands that the rank that authentic ecclesial tradition has assigned to the Eastern patriarchs and which the popes have promised be indeed maintained.

Part Three – Response to the Objections

1. It will be objected: This is a question of vanity and of human prestige.

- Not at all. Certainly, questions of precedence are very paltry, especially on the part of the disciples of the One who said: “The first among you must be the servant of all.” But the honor given to the hierarchs in the Church is not addressed to their individual persons but to their ministry, to Christ, and to the Apostles whom they represent. In this case, the privileged rank claimed by the Eastern patriarchs is, as we have seen, a recognition of the apostolicity of their sees and a debt of gratitude toward these first centers of the spread of Christianity. Besides, why would the patriarchs who claim their traditional rights be at fault, and not those who contest those rights so as to pass ahead of them? In any case, Patriarch Maximos IV has declared more than once that if it depended only on him, no one would snatch the last place in the Church from him, but that only the supreme interests of the respect for tradition and for Christian unity made him consider it his duty to claim the rank that is due to patriarchal dignity.

2. The following objection will also be made: Today the cardinals are universal auxiliaries of the pope, whereas the sphere of the patriarch’s ministry is limited to their flocks.

- Even if the patriarchs were not in any way auxiliaries of the pope, that would not be a reason for depriving them of the rank assigned to them by the ecumenical councils and the authentic tradition of the Church. The councils and the Fathers knew what they were doing.

Besides, we have seen through the testimony of the Roman popes themselves that, in a sound ecclesiology, the patriarchs were to be considered as the foremost auxiliaries of the pope, his innate auxiliaries.

The patriarchs are even more than auxiliaries of the pope; they are his brothers, incumbents like him—naturally without prejudice to his universal primacy—of the great apostolic sees of Christendom.

When addressing the cardinals, the pope says: “my son;” when he addresses the bishops, and especially the patriarchs, he says: “my brother.” The cardinals are freely created by the pope, and, as cardinals, are in no sense successors of the Apostles. The patriarchs are elected by the bishops of their Church and are, by the loftiest right, successors of the Apostles.

Compared with the nobility of apostolicity and the importance of the patriarchal ministry which participates secondarily in the universal solicitude of Peter’s successor, the claims of the cardinals to precedence cannot be supported unless the patriarchates are in fact treated as simply honorary titles. In that case, it would be understood that the patriarchs would not appear to be more important than the cardinals. But this is a distorted notion of the patriarchates, popularized by a certain self-interested ecclesiology that has no links to the authentic tradition of the Fathers.

3. Yet another objection is that the privileged rank of the patriarchs is a matter of simple ecclesiastical discipline decreed by the ecumenical councils. Now, what an ecumenical council has done can be abrogated by the pope or by another ecumenical council.

R. That is correct. Indeed no one claims that the rank of the patriarchs as established by tradition is immutable or of divine right. However, the fact that this rank *can* be changed is one thing, and that it *should* be changed is something else. Now, from what we have seen, no ecumenical council or pope has until now expressly given precedence to the cardinals over the patriarchs of the East. It is as if the matter were settled and not subject to possible contestation. It is our opinion, on the contrary, that so many and so serious decisions of the first ecumenical councils should be discussed at length, and then should be abrogated only if the supreme interest of the Church demands it, and then by an explicit contrary decision emanating from an ecumenical council or from the pope by virtue of his supreme power. It is not fitting that in such a serious matter the Eastern patriarchs should continue to be faced with a *fait accompli*, as happened at the last Vatican Council, and as we foresee will happen at the forthcoming council.

4. Another objection will be that the privileged rank of the Eastern patriarchs was founded on an actual importance that they no longer have today, whereas the cardinals are constantly gaining greater importance in the Church.

R. It is correct that the patriarchates no longer have in the Church the importance that they once had as true capitals of the Christian world. However, first of all, influence, wealth and numbers are not the only criteria of rank in the Church. Rome may some day be only a little town, or even disappear. It will nonetheless remain the Holy See of Rome and the head of all the Churches. In fact, as of now several dioceses in the world are already more “important” than Rome. Is this a reason to diminish its leadership? Admittedly Rome holds primacy in the Church by immutable divine right, but this example is cited here only to show that the rank of a see does not necessarily coincide with its real and current importance.

Besides, does anyone believe that the subvicariate dioceses of Rome are so very much more important than the other sees of Christianity that it is necessary to raise their incumbents to the rank of cardinals?

How many dignitaries there are in the Roman Curia who have almost no importance today and who nonetheless continue to receive precedence over bishops of larger and more important dioceses of the Christian world!

If there is any community in the world that respects traditions relating to precedence, it is certainly the Roman community. Why, then, must the Eastern patriarchs be the only ones who can no longer maintain their traditional rank?

Finally, resorting to *reductio ad absurdum*, if we say that the Eastern patriarchs must give up their traditional rank because their actual importance has declined and that of the cardinals is increasing, we logically have to place them not only after the cardinals but even after all the bishops whose dioceses are more “important” than those of the patriarchs.

If numbers, wealth, and membership were all that counted in the church, the Eastern patriarchates would count for nothing. But in Christ’s Church there is room for superior values: apostolicity, tradition, the initial Christian expansion, the proclamation of the Word, Christian unity. According to these values, infinitely more important than the former, the Eastern patriarchs still represent what deserves the greatest respect in Christ’s Church after the Roman papacy. These are values that do not pass away, and, thanks to them, the Eastern patriarchs have lost none of their true importance.

5. Finally, the objection is made that when the “true” patriarchs of the East, namely the Orthodox patriarchs, agree to think about union, it will naturally be necessary to recognize the eminent place they occupied before the schism. But the Eastern patriarchs presently in union are new creations of the Holy See, which therefore grants them the rank and powers that it deems appropriate.

- This concept, which denies the Eastern Catholic patriarchs the right to be considered the legitimate successors of their predecessors in their respective sees, is the new weapon that the “latinists” have used against the Catholics of the Eastern rites. Unfortunately for them, this concept, while it can, if necessary, be accepted by the Orthodox separated from Rome, is incomprehensible for Catholics and absolutely contrary to the concept of the supreme pontiffs themselves.

Since we cannot cite the countless pontifical texts supporting our view, we shall be content to reproduce those that concern our own Patriarchate of Antioch, whose incumbent Cyril VI Tanas officially proclaimed union with Rome in 1724. When the papal legate enthroned him on April 25, 1730, he proclaimed him “legitimate Greek Patriarch of Antioch.” (Mansi, Vol. 46, col. 189) Pope Benedict XIV, in his allocution in the consistory of February 3, 1744, recognized Cyril VI as the true and only incumbent of the Orthodox See of Antioch, and said of his dissident rival Sylvester that “he invaded the

patriarchal see,” and declared of the Melkites that in them “the venerable remnants of the Church of Antioch, formerly buried, are brought back to life” (Ibid., col. 340).³

In his letter of February 29, 1744, addressed to the same Patriarch Cyril, Benedict XIV expressed himself in this way: “While we consider that illustrious Antiochian Church of the Greeks, for a long time separated from the Roman See by a calamitous schism and ruled by patriarchs infected with that blemish, now it is at last committed to your brotherhood, in the safeguarding of a legitimate pastor.” (Ibid. col. 341) And the pope continued, rejoicing that it was henceforth possible once again to introduce the name of the Patriarch of Antioch into the diptychs of the Roman Church.

From all of this, it is clear that, for the popes, the Melkite Greek Catholic Patriarchate is the legitimate continuation of the successors to the See of Antioch. Therefore the same rights and privileges are due to its patriarchs as to his ancient predecessors.

Other objections can be found. It will be easy to answer them as well. The heart of the problem comes down to this: should the Catholic Church of our time purely and simply ratify the special development of the Latin West from which the cardinalate sprang, or should it harmonize in its heart the more recent institutions of the West with the more ancient institutions of the East? In other words, is Catholicism a broadened and conquering Latinism, or is it a divine, supra-regional, supra-national institution in which the traditions of the East and those of the West have equal inherent rights?

The problem of the rank of the Eastern patriarchs in the Catholic Church is not a question of vainglorious precedence. It postulates a return to more apostolic and hence more authentic ecclesiological concepts.

We know the outcome of all these discussions. By order of Pope Paul VI, the patriarchs, including the Latin Patriarch of Jerusalem, were placed beginning on Monday, October 14, 1963, on a platform set apart, to the right, facing the cardinals, as had been the case in Florence. History will some day relate the exhausting labors of Patriarch Maximos, with the help of his episcopate, to have this change accepted. On October 15, 1963, the patriarch wrote to Pope Paul VI to thank him for it.

³ Here the patriarch unwittingly subscribes to the rhetoric of uniatism from which both the Roman Church (in the Balamand Statement) and the Melkite Church (in the bishop’s 1995 Profession of Faith) subsequently distanced themselves.

For an Amelioration of the Conciliar Schema

The Eastern Commission had submitted to the session of January 1962 of the Central Commission the draft of a schema "On the Eastern Patriarchs." Since the patriarch did not expect to take part personally in that session, he sent from Damascus on December 21, 1961, a few notes intended to improve the contents of the draft:

This schema is of the greatest importance for the future of the union of Churches. The rights claimed in it for the Eastern Catholic patriarchs refer not to their humble persons but to their mission. Depending on the way that the Catholic Church treats these Eastern Catholic patriarchs, Orthodoxy will reach conclusions as to how its patriarchs will be treated in the Catholic Church the day that union can be achieved.

On this matter, here are a few criticisms to be made to the preamble, as well as to the expository portion of the document:

1. The preamble, intended in principle to introduce and justify the rights recognized for the patriarchs in the following section, seems rather to aim at minimizing these rights, as if it were feared that they might be an infringement on those of the supreme pontiff. Not only do the rights of the patriarchs not encroach upon those of the supreme pontiff, they confirm them. "My honor is in the honor of my brothers" are the words of Pope St. Leo. In addition, the wording of this preamble seems to need reworking.

a. "*Episcopi quoque, Apostolorum successores, ex divino iure, mediante tamen Romano Pontifice, plena pollent potestate ...* (Also the bishops, successors of the Apostles by divine right, although with the mediation of the Roman pontiff, are endowed with full power...).

This intervention or "mediation" by the Roman pontiff in the transmission of the divine right to the bishops seems to us contrary to the tradition of the Church. I fear lest it invite confusion and lest certain individuals might wish to give it a meaning that it does not have, for example, the meaning that all power in the Church emanates directly and exclusively from the Roman pontiff.

b. "*Si autem.. prae oculis iura habeantur, quae saeculorum decursu tacite vel expresse a suprema auctoritate concessa sunt ...*" (If, however,...those rights should be held up to view which in the course of the centuries have been tacitly or expressly conceded by the supreme authority...)

This phrase also invites ambiguity. The patriarchal institution has not always and exclusively depended on a tacit or explicit concession by the supreme pontiff. It was also created by the ecumenical councils, as No. II of the proposed schema acknowledges: "*quippe qui amplissima potestate, a Romano Pontifice vel a Concilio Oecumenico data seu agnita...*" (who indeed [have] the fullest power, given or acknowledged by the Roman pontiff or by an ecumenical council...) Now, an ecumenical council, even though it requires the confirmation of the pope, is not one and the same authority with him. The expression "supreme authority" designates in canon law the Roman pontiff as well as the ecumenical council. It would be wise to avoid ambiguity by clarifying the thought.

c. The same ambiguity occurs a little farther on where the patriarch is said to have a supra-episcopal power “*ex participatione pontificiae potestatis*” (by participation in the pontifical power). In one sense, it is true to say that the patriarchs, as heads of particular churches, participate in some manner in the universal solicitude of the Roman pontiff. But does this also mean that all supra-episcopal power, whether metropolitan, primate, or patriarchal, is necessarily an emanation or a delegation of the supreme power of the supreme pontiff?

The author of the preamble seems to wish to glide toward a theory that is not in any way defined—and which it is not advisable to define or even to encourage defining today. According to this theory, all power in the Church would be a delegation or an emanation of the power of the supreme pontiff.

2. The expository portion of the document seems to me to be well drafted, and I approve it except for the following points:

a. It is abnormal and prejudicial to the work of Christian unity that the patriarchal sees of the East be occupied by Latins, even those that are simply honorary. Thus Article IX proposes that the titular Latin patriarchates be eliminated, but it illogically makes an exception for the Latin Patriarchate of Jerusalem, whose continuance it recommends. We would say that on the contrary it is the Latin Patriarchate of Jerusalem that must above all be eliminated.

This patriarchate of Jerusalem, founded by the Crusaders in 1099 in accordance with the mentality of that time, disappeared after their domination ended in 1273. It was not restored as a residential see until 1847 by Pope Pius IX. Since then and contrary to the explicit and repeatedly expressed will of the supreme pontiffs, this patriarchate has made every effort to latinize Eastern Christians, whether Orthodox or Catholic. This has constituted a painful denial of the pope’s declarations promising the Eastern Christians who returned to unity that they would not have to become latinized. Our own patriarchate has explained at length its point of view on this question in a brochure entitled: *Catholicisme ou Latinisme? A propos du Patriarcat latin de Jerusalem* (Harissa, Lebanon, 1961) [Catholicism or Latinism? Concerning the Latin Patriarchate of Jerusalem]. We ask that it be referred to for fuller information on this subject.

b. Given the mission of each Eastern Catholic Church, it appears difficult to reduce the patriarchal sees within the same territory to only one, just as it is difficult and harmful to limit the rites to one. The fact that there may be two or three Catholic incumbents occupying the same patriarchal see is a historical reality that cannot easily be avoided at this time. It is better to accept it as it is, to organize it, and to try to make the best of it, considering it as a division of labor rather than as a dispersion of energies. The disadvantages of this situation can be diminished if there is a sincere collaboration among patriarchs. This depends on the persons involved rather than on the institution itself. In any case, this phenomenon exists especially in the See of Antioch. On the other hand, in Jerusalem, where there had always been a single Catholic patriarch, the Holy See doubled the hierarchy by restoring the Latin patriarchate of Jerusalem. So we see this division of

authority is not always the fault of the Eastern Churches. I therefore completely reject this article X as premature, unrealizable and harmful.

c. Article XI cannot be accepted, and it is not in the best interests of the Catholic Church that it be accepted. If it is clearly understood what a patriarch is in the Eastern Catholic Church, it cannot be wished or allowed that he become a cardinal, even if this is merely an honorary title. It is not necessary to make the patriarchal institution an appendage in order to honor it. It is a sufficient dignity in itself in the Catholic Church. It must retain this dignity the way that it has been defined over the centuries.

d. In itself, Article XII is contrary to ecclesial tradition, namely, that the patriarchs of the East not participate in the election of the Roman pontiff. However, since this tradition has been changed in the direction of greater centralization, to the point that the Roman pontiff now intervenes in the confirmation of the patriarchs, and even very often in their election or nomination, another innovation can be accepted, namely, that the Eastern patriarchs participate in the election of the Roman pontiff. On the other hand, if, as Article XIII provides, the Eastern patriarchs are considered to be superior in rank to the cardinals, it is normal that they should also be the first to participate in the election of the Common Father of the Church. In this sense, I approve Article XII.

e. Article XIII proposes three drafts relating to the precedence of the patriarchs. Only the first draft, which maintains for the patriarchs the first rank in the Church after the pope, seems to us to conform to the decisions of the ecumenical councils and, of course, to the best interests of union. I reject the other two drafts, and I would like to see a decision made in this direction at the very opening of the Council, so that the presence of the Eastern Catholic patriarchs may not turn out to be disadvantageous to the work of union in this council, which is intended to be a prelude to union.

The Patriarchate and the Cardinalate; Latin Patriarchs of the East

At the last minute the patriarch decided, for serious reasons, that he must take part personally in the Central Commission's meeting of January 1962. When invited to speak on the theme of patriarchs, he set aside his written text and developed two important aspects of the problem: The patriarchate and the cardinalate, then the Latin patriarchs of the East. His talk was given on January 18, 1962.

I The Patriarchate and the Cardinalate

The patriarchate and the cardinalate are two institutions of different orders. A patriarch is the head of a particular Church, and generally the incumbent of an apostolic see. According to the decisions of the ecumenical councils, the Bishop of Rome, in addition to his universal primacy in the Church, is also considered to be the Patriarch of the West, the first of the five classical patriarchs of ancient times. After the pope, considered as Patriarch of the West, next in order of priority come the Patriarchs of Constantinople, Alexandria, Antioch, and Jerusalem. Later on, other so-called minor patriarchates were constituted in the East, and purely honorary patriarchs were constituted in the West.

As for the cardinals, they were originally the immediate auxiliaries of the pope in his office as Bishop of Rome (the cardinal-priests and the cardinal-deacons), or in his office as Metropolitan of the Roman Province and as patriarch of the West (the suburban cardinal-bishops).

When the East and the West were still united, no one could have imagined that these immediate auxiliaries of the Roman pontiff could eclipse the incumbents of the other patriarchal sees of the East.

Then, little by little, cardinals increased in rank in the hierarchy, until even the primates of the Western Church were relegated to the background. But this rise of the cardinalate occurred at the moment when the West and the East were divided.

When partial reunions were achieved between the Roman Church and the majority of the Eastern Churches, the question arose as to the relations of priority between the Catholic patriarchs of the East and the cardinals who had meanwhile been promoted to the pinnacle of the hierarchy of the West.

A twofold question arises here: first, which of the patriarchs or cardinals are to have priority in the hierarchy of the Catholic Church; second, whether it is fitting that the Eastern patriarchs be named cardinals through the free choice of the supreme pontiff.

As to the first question, namely the order of precedence between the patriarchs of the East and the cardinals, the Commission of the Eastern Churches answered by voting by a majority in favor of the honorific priority of the Eastern patriarchs. I ask the venerable members of this commission to ratify in this manner this schema that has been presented to us. It is not a question of personal pride or human prestige. If it were simply a matter of our humble person, we would on the contrary see to it that no one would snatch the lowest place in the Church from us. But Orthodoxy is listening intently. The Holy Father

wishes to prepare in this council the paths toward Christian unity. If the Orthodox patriarchs of the East should desire union today we should be able to show them that the Catholic Church continues to reserve for them the place that is rightly theirs through the decision of the ecumenical councils and through the explicit promises of the popes. Besides, it is not normal that the cardinals, who are the auxiliaries and sons of the pope, should proceed ahead of the patriarchs, who are his brothers in the apostolic sees.

As to the second question, namely, whether it is fitting that the patriarchs of the East become cardinals, I believe, contrary to Article XI of the schema proposed to us, that we must answer in the negative. In fact, if we really understand what a patriarch is in the Catholic Church, we must not, in my humble opinion, either wish or permit that he be made a cardinal. One must not wish it, since by the very fact that he is a patriarch he possesses an eminent rank in the Catholic Church, as we have said earlier. Nor must we permit it, for it is unthinkable that a patriarch should become a deacon, a priest, or even a suffragan bishop of the Roman Church. Even if these titles are purely honorary and do not correspond with reality, it remains abnormal that a patriarch, the head of a Church, should become a member of the clergy of another Church.

However, there is nothing to prevent a priest or a simple bishop of the Eastern Church from becoming a cardinal, as did Bessarion and Isidore of Kiev.

There is a trend in the Catholic Church today which tends to reaffirm the institution of the patriarchate. Now, the best way to do this is still to respect the meaning of the patriarchate in the East, to safeguard its authentic place, and to recognize its legitimate rights.

In achieving this, we should not consider the number of faithful subject to each of the patriarchal sees or the influence of their respective Churches. The criteria of numbers and influence are neither the only nor the most important ones in the Catholic Church. If they were, then the Archbishop of New York, or Paris, or Malines (in Belgium) would precede all the suburban bishops who govern much less important dioceses.

In reality, we know that the Christian Church owes a debt of gratitude to these great Eastern sees that spread the Gospel to Asia, Africa, and even to Europe, and we owe a debt of respect toward the sees founded by the Apostles. That is the origin of the rights and privileges of the great patriarchs of the East.

II The Latin Patriarchates of Eastern Sees

Today in the Latin Church of the West there is a double series of patriarchs: the Latin patriarchs of Western sees, such as Venice, Lisbon, and Goa, and the Latin patriarchs of Eastern sees, such as Constantinople, Antioch, and Jerusalem.

Concerning the Latin patriarchs of the Western sees (Venice, Lisbon, Goa), I have nothing to say.

As for the Latin patriarchs who occupy the Eastern sees, I must distinguish between the sees that are purely titular, such as Constantinople and Antioch, and the see of Jerusalem, which was once again made a residential see in 1847.

In itself, it is abnormal and prejudicial to the work for the union of the Churches for the Eastern patriarchal sees to be held by Latin titulars. In fact, these Latin patriarchates were created at the time of the Crusades on behalf of the political-religious domination of the Franks in the East. In particular, the survival of a Latin patriarchate in Constantinople is felt very painfully by our Orthodox brethren who cannot forget the excesses of the Fourth Crusade. Besides, the Holy See of Rome seems to wish to prepare for the pure and simple elimination of these titles, since it has been leaving these sees without titulars for some years now. I therefore believe that the elimination of these honorary Latin patriarchs of Constantinople and Antioch does not present any great difficulty.

On the contrary, the schema that is presented to us seeks to make an exception, in Part 2 of Article IX, for the Latin Patriarch of Jerusalem, so that in this very Eastern see a Latin incumbent is maintained, who is not merely honorary but residential, as he is today.

At this point, I earnestly beg the venerable members of this Commission not to consider what I have to say as a personal matter. I have here beside me His Beatitude Archbishop Gori, the worthy and greatly-revered incumbent of this Latin Patriarchate of Jerusalem, whose post I would ask to be cancelled, naturally in the manner and at the moment that the Holy See of Rome deems advisable. His Beatitude Archbishop Gori, the incumbent of the see, is our colleague and our friend. What will be said of the see does not in any way concern his dear person, whom we love and respect because of his dignity and his remarkable qualities. Nor does it concern our own poor person, who already has one foot in the grave. What is at stake here is a lofty question of principle that affects to the highest degree the existence of the Catholic Church in the Holy Land.

I deem before God, therefore, that it is illogical and harmful to the best interests of the Catholic Church and to the progress of union to make an exception in favor of the Latin Patriarchate of Jerusalem. This Latin patriarchate of the most venerable see, that of Jerusalem, must be abolished. The Patriarchate of Jerusalem must be Catholic, but not Latin. It must remain an Eastern see.

The Latin Patriarchate of Jerusalem was created by the Crusaders in 1099, on behalf of Frankish domination in Palestine. It was attuned to the mentality of that period, according to which a Latin hierarchy was needed to correspond with Latin domination. In fact, when the Latin-Frankish domination ceased in 1273, with the fall of St. Jean d'Acre into the hands of Muslims, the Latin Patriarchate of Jerusalem ceased to exist. It became a purely honorary title until 1847, the date on which Pope Pius IX, for political-religious reasons that it would take too long to explain here, deemed it good to restore it as a residential see.

Since then, and contrary to the express will of the supreme pontiffs, the Latin Patriarchate of Jerusalem has latinized Eastern Christians, both Orthodox and Catholic, instead of letting them remain in their Eastern rite.

The presence of this Latin patriarchate in Jerusalem cannot please the Eastern Christians, since it reminds them of Frankish domination and the exile of their own patriarchs. Whatever one makes of it, it is still a foreign patriarchate. In our own time, we Catholics must not be the last ones to open our eyes. What is happening at the present time in the Afro-Asiatic countries is such that we can understand that it is good for the Catholic Church to be represented everywhere not only by a local hierarchy but also by a local rite, especially if this rite is of the greatest antiquity and answers to the spirit and needs of the people for whom it was created. Today all the peoples of the world are gaining their independence. Must the Church be the last, for human reasons, to share this history lesson?

Finally, the latinization of the East, undertaken by the Latin Patriarchate of Jerusalem, constitutes a painful repudiation of the explicit declarations of the popes, who promised the Eastern Christians who return to unity that they will not be latinized.

If the Eastern Christians can be Catholic without being Latin Catholics, I ask: why, then, maintain in the East, in the middle of the twentieth century and in a Muslim land, a Western patriarchate that can survive only by latinizing at the expense of the Eastern Church?

For all these reasons, I owe it to my conscience and to my fidelity to Christ to ask for one of two things: either that this Latin patriarchate not be an exception to the general plan that is proposed to us to eliminate all the Latin patriarchs of the East, or that this question not be dealt with by the council but be left to the judgement of the Holy Father, who, through the grace given him, will see what appropriate steps should be taken according to the variable needs of the times. In the last analysis, this is a purely administrative matter that ecumenical councils are not in the habit of handling.

Besides, what I ask for is the elimination of the Latin Patriarchate of Jerusalem as a *patriarchate*, and not the elimination of the Latin rite or the Latin community in the Holy Land. The East offers hospitality to everybody. Far more, I hope that the Latin presence in the Holy Land may be more vital and stronger still, without the necessity of clothing the person who governs this Latin community in the Holy Land with the patriarchal dignity. The Patriarchate of Jerusalem is an Eastern patriarchate, and I believe that it must remain Eastern.

Final Declarations on the Patriarchate

In the end, the Eastern commission decided not to present a distinct schema "On the Eastern Patriarchs." The subject was to be treated in a few paragraphs within the schema "On the Eastern Catholic Churches." Patriarch Maximos IV, in his intervention at the Council on October 15, 1964, expressed his views on the matter:

In its disciplinary proposals the present schema "On the Eastern Churches" constitutes, generally speaking, a certain progress, for which we wish to congratulate the Eastern Commission that prepared it.

Unfortunately, we cannot say the same about what in the schema stems from a more doctrinal or more ecumenical vision of the problems.

Thus, for example, the preamble praises the Catholic Church for always having had the highest esteem for the institutions of Eastern Christianity. In doing so, it sets up the Catholic Church, which extends this praise, as opposite to or as distinct from the Eastern Churches which are the objects of this praise. This leads to the belief either that the Catholic Church is identical with the Latin Church, which is not correct, or else that the Eastern Churches are not in essence in the Catholic Church, which is equally incorrect.

And yet of all the chapters in the present schema the weakest is without doubt the one devoted to patriarchs (Nos. 7-11). This chapter, as it has been presented to us, is inadmissible. It defies history and in no sense prepares for the future.

In dealing with the most venerable institution of the hierarchy after the Roman primacy, the schema has succeeded only in giving definitions that are academic and also incomplete, while expressing platonic hopes, most often repeating recent canonical texts, as if Vatican II had not been called to take a few steps forward but had to be content with the imposed status quo.

Four important comments need to be made:

1. It is false to present the patriarchate as an institution just for the East. It is a universal institution of the Catholic Church that is proud to have at its head the veritable successor of Peter in the Roman See. The foremost patriarch of the Catholic Church is the Bishop of Rome, as the ecumenical councils have declared so many times, as it appears in the official titles of the pope in the "*Annuario Pontificio*," as is confirmed by the very name of this "patriarchal" basilica of Saint Peter where we are assembled. We are also reminded by the name of the residence of the Bishop of Rome, the Lateran Palace, perpetuated in archives and in stone: "*Patriarchium*." As successor of Peter in his universal primacy over the whole Church and as Bishop of Rome, the pope is also Patriarch of the West. Patristic tradition and the ecumenical councils have always considered him to be such, without ever believing that this could be detrimental to his primacy. Why would the pope, who does not feel diminished by reason of the fact that he is the Bishop of Rome and as such the equal of the bishops, feel diminished by reason of the fact that he is also patriarch of the West, and on that level the colleague of the Eastern patriarchs? Today we have gone too far in forgetting the concept of the "Patriarchate of

the West” and replaced it by the institution of a few honorary titles. This last-named institution must disappear in order to make way for the true concept of the patriarchate, a concept that is absolutely necessary for a serene dialogue with Orthodoxy. Why deny these facts, as if that could wipe them out of history?

2. The patriarchate is not an anonymous institution. The councils that the schema cites have recognized this dignity as applying to certain designated sees that they cited by name, for specific reasons peculiar to those sees. Now, these sees should be cited once again, even if the list needs to be complemented by the names of other patriarchal sees that have been created more recently. It is not permissible to speak of the Eastern patriarchs without citing even once, for example, the Holy See of Rome or the Ecumenical See of Constantinople, whose incumbent represents, above and beyond any consideration of numbers or temporal influence, the leading dignitary of the Orthodox Church, recognized and honored as such by His Holiness Pope Paul VI. As far as the drafters of the schema are concerned, it would seem that the historic encounter between His Holiness Pope Paul VI and His Holiness Patriarch Athenagoras I means nothing at all.

3. If we wish to be faithful to history, which is as it were the action of the Holy Spirit in the Church, we must not forget that the incumbents of the patriarchal sees were intimately linked to the universal solicitude for the whole Church entrusted to Peter and his successors. The popes and the Eastern patriarchs were, during the period of union, the peaks of the universal episcopate. Almost as soon as he was elected, the Bishop of Rome would send his profession of faith to the four Eastern patriarchs. And the latter, as soon as they were enthroned, did the same exclusively among themselves and with the Bishop of Rome. And so a patriarchal college was constituted in the Church, or as we would say today, a “summit” of universal solicitude, through which, while safeguarding the inalienable and personal rights of the successor of Peter, was brought about the visible collegial communion of all the episcopate. Their exchange of “irenic” letters (the name in use in Orthodoxy) would be proof enough of this, without mentioning the exchange of the pallium, sent by the patriarchs to the pope as well as by the pope to the patriarchs, and the commemoration by each of the patriarchs of the Bishop of Rome and of the other patriarchs.

It is certainly up to the supreme authority in the Church to renew or rejuvenate these forms of ancient ecclesial communion. But the principle on which they were founded must not be passed over in silence if we wish to offer our Orthodox brothers a rough draft of the charter of union.

4. Finally, the patriarchate is not merely an honorary dignity. Its dignity can only be the external expression of its actual importance. Besides, we must not heap honors and precedence on the Eastern patriarchs, only to treat them afterwards as subordinates whose authority is limited in its smallest details by infinite obligatory recourse, both in advance and afterwards, to the offices of the Roman Curia. While leaving untouched the prerogatives of the successor of Peter, each patriarch, with his Holy Synod, must under ordinary conditions be the ultimate recourse for all the business of his patriarchate. It is this internal canonical autonomy that saved the Eastern Christian Churches from all sorts of vicissitudes over the course of history. It could be an interesting formula to envision

for other ecclesial groups that find themselves in exceptional situations. It could also serve as the basis for union between the Catholic Church and other Churches, in the West as well as in the East.

Venerable Fathers, when we speak of the East, we must not think only of those who humbly represent it today within the bosom of Roman Catholicism. We must reserve a place for those who are absent. We must not have a closed circuit of Catholicism in a dynamic and conquering Latinity on the one hand and a rather weak and absorbed fragment of the East on the other. We must leave the circuit open. Let us make Catholicism faithful to its solemn affirmations, to its definition of “catholic” in the sense of universal. Let us make it great, not for our humble persons and communities in blessed communion with Rome, but so that our original Churches can recognize themselves in it when it has been enlarged, in fact as well as legally, through the accomplishment of love, to universal dimensions.

Patriarch -Cardinal

What Patriarch Maximos dreaded—being made a Cardinal—was to happen to him. It was the greatest trial of his life. Taken by surprise by events, the butt of misunderstanding, the patriarch gave the ultimate proof of his faith: he placed his trust in the pope. Summing up and repeating in part the different declarations through which he sought to legitimize his attitude, the patriarch on March 14, 1965, in the Cathedral of Beirut, gave an important discourse “on his acceptance and of the dignity of the cardinalate.” The discourse represented the ultimate evolution of his thinking. We are publishing an extensive part of it:

Most beloved sons:

You have chosen, in the person of your revered Pastor, our brother Archbishop Philip Nabaa, to invite us to celebrate before you a solemn Liturgy on the occasion of our return from Rome where the supreme pontiff His Holiness Paul VI has just given the Eastern Church a greater global radiance by conferring the cardinalate on some of its patriarchs, with full respect for the dignity of the Eastern Church, its particular mission, and its ancient traditions.

We for our part would like to profit from this happy occasion to explain to you, with the clarity and frankness that is our custom, this question whose true nature has escaped certain persons, for it is not without difficulties, given the historical, canonical, and theological implications which have given rise to differing interpretations.

Yes, for valid reasons, we have now accepted the dignity of the cardinalate, just as for valid reasons we had in the past excused ourselves from receiving it. In acting in this way we have not deviated from the course which, with God’s grace, we have always tried to follow.

Here are a few clarifications:

I. The reasons that formerly motivated the refusal can be summed up in a few words: patriarchal dignity in the East, especially the dignity of the apostolic sees, constitutes a peak above which there is only the papal primacy which extends to the entire Church, both East and West. As for the dignity of the cardinalate, from its origins it has been an institution of the particular Church of Rome. Organized during the Middle Ages, it evolved over the centuries, but it never ceased being a Western dignity whose incumbents were considered as counselors or auxiliaries of the pope in the central administration. We likewise know that according to the decisions of the ecumenical councils, in particular the first seven, equally recognized by the East and the West, there are five apostolic patriarchates in the universal Church: Rome, which holds primacy in the entire Church, a primacy that the Eastern Church recognizes as much as Western Church, even though they do not agree as to the extent or scope of this primacy, then Constantinople, Alexandria, Antioch, and finally Jerusalem.

Therefore, since the patriarchal institution constitutes a peak in the East, surpassed only by the papacy, and since on the other hand the cardinalate is, in the patriarchate of the

West, an accessory dignity and of more recent institution, it is not normal for the dignity of the cardinalate to be conferred as an indication of promotion to someone who already possesses through the patriarchate the highest dignity. For a patriarch, the very fact of receiving this dignity as a promotion constitutes an incompatibility with the discipline of the Eastern Church.

That is the truth that, for years and even before the present the Second Vatican Council, we have worked and continue to work to propagate, in order to make it known to the Christian West where the idea of the patriarchate has almost vanished. In fact, the only existing patriarchate in the West is the patriarchate of Rome. Now, this Roman patriarchate has somehow been merged with the papacy. It has become so completely identified with it that its distinctive signs are no longer discernible, and it has become, so to speak, simply a title. Moreover, for many, if not the majority, that pointing out that the pope is also the Patriarch of the West arouses astonishment, if it is not considered an offense against the Holy See of Rome and a diminution of its rank. But is it possible to open a dialogue with a view to union with our Orthodox brothers if the authentic rights of the patriarchates recognized by the ecumenical councils are not restored to them? Now, these authentic rights require that the patriarchal sees succeed one another in rank without intermediaries, according to the established order of precedence: Rome, Constantinople, Alexandria, Antioch, and Jerusalem.

For these many reasons, we have maintained that the cardinalate, as it has existed in the Latin Church, was not appropriate for an Eastern patriarch.

II. As for the reasons that now justify the acceptance of this dignity, they may be summed up in the following considerations:

1. The role of the cardinalate, under the impetus of His Holiness Pope Paul VI, is manifestly evolving. It is being transformed from being a local and Western institution into a worldwide and catholic institution embracing both the East and the West. Today the cardinalate has in fact become a senate of the entire Catholic Church.

In order to emphasize this transformation and avoid any confusion, we have chosen not to use the expression “Cardinal of the Holy Roman Church,” but to say simply “Cardinal of the Holy Church.” In this way everybody will understand that in accepting the cardinalate we did not join the Western Church, but that we have remained Eastern, faithful to the East. Thus the evolution of the very notion of the cardinalate entails an evolution in our attitude toward it. 2. In addition, the valid motives that militated against the acceptance of the dignity of the cardinalate by an Eastern patriarch have disappeared, or almost so. There remains only a trace of them that will progressively disappear, we hope, thanks to the understanding shown by His Holiness Pope Paul VI with respect to existing realities, and thanks also to his heart's openness to the dimensions of the world.

Here, then, are the principal changes that have in fact already occurred and whose absence has until now prevented the patriarchs of the East from accepting the dignity of the cardinalate:

a. According to Latin usage, every cardinal received a titular church in Rome, which he was supposed to administer as a bishop, priest, or deacon. In this way the cardinals became, even though in appearance only, bishops, priests, or deacons of the particular Church of Rome and became, so to speak, a part of its local clergy. Obviously, this was not applicable to the situation of an Eastern authority, especially if it is patriarchal. Now, according to the new dispensation, the Eastern patriarchs receive no Roman titles but enter the sacred college in the title of their own patriarchal sees.

b. A second modification in the discipline in effect until now affects the rank of the Eastern patriarchs in relation to the cardinals. We know that the ancient ecumenical councils decided that the Eastern patriarchs occupied the first rank after the patriarch of Rome. But during the centuries of separation the Christian West experienced a disciplinary evolution that was independent of the East. As a result, it came to consider the cardinalate as the highest dignity in the Church after the papacy. It thus gave the cardinals, even those who were laymen, deacons, or simple priests, precedence over all the bishops, archbishops, and patriarchs. On the basis of this unilateral evolution, the canon law for the East promulgated in 1957 relegated Eastern patriarchs to the last rank after cardinals, and indeed after every representative of the pope, even simple priests. Such an error cannot be accepted by Eastern tradition.

Today, the Holy Father intends to recognize in practice the prerogatives of the Eastern patriarchs. At the second session of the council he transferred their places, having them face the cardinals. Today, he introduces them, at least a few of them, into his supreme council, by recognizing their right of precedence not only over all the Catholic bishops and archbishops of the entire world, numbering over 2,000, but also over the cardinals as well, except for those whom His Holiness considers as forming a single person with him, namely the six cardinals who are placed at the head of the so-called suburban dioceses, and who are immediately subject to the Roman metropolitan. Even this exception is subject to change, and it is possibly a first step toward recognizing the rights of precedence and the other historical prerogatives of the Eastern patriarchs, not because of their entrance into the college of cardinals, but simply by reason of the fact that they are patriarchs.

c. The third modification of the discipline in effect until now is that in accepting the dignity of the cardinalate we do not cease to consider the patriarchal dignity as a peak in the ecclesiastical hierarchy, after the papal dignity. As for the cardinalate, we consider it an additional responsibility given to us for the good of the universal Church. That is why we do not see the cardinalate as a promotion in the strict sense of the word. We were and we remain above all the patriarch of our patriarchal sees. To this primary and fundamental dignity we shall add the title of cardinal, indicating an additional and independent responsibility that we assume in the council of His Holiness the Pope and in the Roman dicasteries (congregations, tribunals, offices, etc.) for the good of the whole church. That is the reason we have changed nothing of our attire, of our general comportment, of our daily routine, or of our traditional titles. His Holiness the Pope himself, when he graciously spoke to us, continued to address us as Beatitude and Patriarch. We are preserving this title as a precious patrimony of the Church. In our turn, we shall ask that we continue to be called: "His Beatitude the Patriarch." That is what we were, that is what we shall remain.

d. A fourth change has affected the investiture ceremony of the cardinals. This ceremony included gestures, symbols, and words incompatible with the patriarchal dignity. Inherited from the Middle Ages when the papacy experienced its temporal apogee, it was inspired by the customs of feudalism. The pope transformed this rather secular ceremony and replaced it with the most sublime of the liturgical rites, namely a Eucharistic concelebration, in which he joined with us in consecrating and receiving the Body of Christ. To this rite he has added the fraternal embrace, the symbol of our greater collaboration with His Holiness in carrying, as His Holiness says, the weight of the keys of the Kingdom that have been entrusted to him for the government of the Church. By this gesture the pope soared like an eagle from earth to heaven. Who would have predicted a few years ago that such a transformation would come about in so short a time?

All these things and other less important ones have produced a change in the cardinalate which we cannot fail to take into consideration as if it had never occurred. It is one thing to hold fast to principles, and it is quite another to apply them according to the variable circumstances and events that arise. Levelheadedness is the principal quality of good judgement.

These bold modifications that are indispensable for dialogue with Orthodoxy, for the sake of restoring the necessary equilibrium of the Church, have been realized today in great part, sooner than expected, bringing divergent points of view closer together and saving the time and efforts of those participating in the dialogue.

3. If we add to all that has been said the reiterated wish of our Holy Father the Pope to see us closer to him in the central administration—for the general good of the Church, with the aim of making it reach out more to the world in order to give this world back to Christ—we would have thought that we were failing in our duty if we had not responded to this paternal appeal coming from the pope's apostolic heart. If, in accordance with our axiom, we wish to remain faithful to the East and to Orthodoxy, should we be less faithful to the Catholic Church?

Another consideration is added to this, namely: in questions in which opinion is divided and in which theoretical discussion is still possible, it is permissible for each one to express his point of view on the serious measures that the highest authority intends to take. But once this duty of forewarning is accomplished, there is nothing more pleasing to God and more useful to men than conforming to the wishes of superiors. If, indeed, the Catholic Church can take glory in anything, it is certainly in its spirit of order and discipline which has enabled it to experience an unparalleled spiritual development in the world.

It is also a principle followed from the earliest days by the Eastern and Western Churches that in controversial questions the view of the Bishop of Rome must prevail, for the common tradition recognizes in him the function of arbiter, moderator, director, and chief pastor in the universal Church of God.

Two motives have inspired us, in agreement with our Holy Synod, to assume the attitude that we have followed and which, in our view, must be followed. These are on the one hand our personal conviction, following the changes made in the institution of the cardinalate, and on the other hand the reiterated wish of our Holy Father the Pope, for whom we nurture in the depths of our heart the greatest respect, veneration, and love. For God has chosen him to lead the Church according to the legitimate requirements of our times, after his predecessor of holy memory had opened its bronze portals to the world.

Perhaps God also willed this new situation for the Eastern patriarchs so as to permit them to make their voices heard more forcefully by the Latin world in which their faithful are already scattered to the four corners of the world.

Here we call to mind another consideration which has determining weight in the decision of our brothers the bishops. History and experience are the best teachers. At the synod that we held during the summer of 1962 to study the conditions for our participation in Vatican II, which was soon to open, an extremist opinion was expressed and discussed which advised us to boycott the council and not participate in it as a form of protest, until the Holy See of Rome granted us our rightful demands. But the Holy Synod decided that we had to be content to formulate the necessary reservations and then take part in the council. If the extremist position had then prevailed and we had abstained from being present at the council, we would not have accomplished the great good that God, through no merit on our part, has worked through us. Today, likewise, we are convinced that our positive attitude toward the cardinalate—although this institution, in its relations with the patriarchate has not attained its fullest development—is preferable to the attitude of negative intransigence which, had we adopted it, would perhaps have inspired in certain groups an ephemeral reaction of admiration and praise, but which would surely have prevented any efficacious contribution on our part within the council, not only for the good of our particular Church but also for the good of the ecumenical movement itself.

We also think that it would be underestimating the great personages of Orthodoxy—as has been reported to us from one of them—to suppose that they are incapable of understanding that the cardinalate, like every other ecclesiastical institution, is susceptible to evolution and has in fact evolved.

My very dear sons, we have wished to give you these brief clarifications so that you might know the real truth, just as it is, and so that you might appreciate the efforts of your spiritual leaders who are working not for their own personal interests but for the interests of the universal Church and yours as well. We have also done this so that you might know the efforts being made by His Holiness Pope Paul VI, who, in his work of understanding and openness to the Eastern Churches, must also take into account the mentality of hundreds of millions of our Western Catholic brothers and the ancient traditions in effect in the Roman Curia, and all of this so as to bring hearts closer together in view of the union of the holy Churches of God, efforts that history will record with his name in letters of gold.

As for us, we shall actively and humbly pursue our apostolic ministry for the remainder of the days that will be given to us to live on this earth, so as always to do the will of

Christ, to whom we have consecrated our life and all that we are. To Him, with the Father and the Holy Spirit, be honor and glory forever.