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## Historical Considerations Concerning the Problem of the Primacy

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Isti (sc. Petrus et Paulus) sunt qui te (Roma) ad hanc gloriam provexerunt, ut gens sancta, populus electus, civitas sacerdotalis et regia, per sacram beati Petri sedem caput orbis effecta, latius praesideres religione divina quam dominatione terrena.<sup>1</sup>

In these words of Leo the Great for the Feast of Peter and Paul in 441, there seems to be an inextricable confusion of apostolic Rome and imperial Rome. Rome even becomes the new *populus electus*, almost the Israel of the new covenant. It is true that, on this and other occasions, Leo stresses the radical difference in the foundation and the very nature of this prerogative: political Rome being founded on fratricide, that is, on violence and murder, whereas Christian Rome is founded on the martyrdom of the new couple of founders, Peter and Paul, and so is opposed to imperial Rome as the *civitas Dei* of Augustine to the *civitas terrena*. However, it cannot be denied that here Christian Rome is not only an antithesis, but also completes and perfects imperial Rome, while it is itself transformed by the latter with its mentality and historic heritage. Peter as prince of the apostles is sent to Rome “ut lux veritatis quae in omnium gentium revelabatur salutem, efficacius se ab ipso capite per totum mundi corpus effunderet.”<sup>2</sup> Peter as *head* of the college of apostles is united to Rome as *caput mundi*, Christian universalism to Roman universalism. What is reflected here is the historical process of the primacy

<sup>1</sup> Leo the Great (PL 54, 422D–423A).

<sup>2</sup> *Ibid.*, 424A.

in the fourth and fifth centuries: Rome as place of the witness brought by the privileged apostolic tradition is transformed into Rome *caput mundi*, handing on to the world its laws (Peter as the new Moses, as *legislator* of the new covenant).<sup>3</sup> Few texts bring into such clear relief as that quoted above the historical reality and the historical problems of the primacy: on the one hand, its claim to represent and guard a unity and universality that are not political, that are of another nature; on the other hand, its involvement in the concrete human history of the struggles for power.

The historical problem of the primacy consists in the constant amalgamation—from the beginning and throughout all its further development—of these two factors that can never be clearly separated: concern for Christian unity and, at the same time, a conception of this unity in contingent forms of cultural unity, of better self-defense against ideologies or political systems, and even an expression of the primacy in political or quasi-political forms. And these factors cannot be distributed between two different periods—as has been several times attempted, beginning with Febronius and Döllinger: a first period of healthy, organic development, when the Bishop of Rome exercises his function of *centrum unitatis* in a subsidiary fashion; and a second period of cancerous, metastatic growth, the original sin of the primacy being situated in the Pseudo-Isidorian falsifications of the eighth century, in the “Gregorian turning-point” of the eleventh century, or already in the fourth and fifth centuries, when the Roman nobility became Christianized and juridical concepts altered the original concept of Petrine *parádoxis*. It must rather be said that the problem of *continuity* or *rupture* arises whenever the primacy, in response to new historical challenges, takes on a new historical form. As a general rule we can say that a right or a new idea is never invented without roots in the earlier tradition. At least the thought processes, the terms and concepts, the images are old; but in a new situation and in the context of a specific challenge, they are brought together into a new whole, in an overall image and a reality of the primacy that are a break with the past. This can be shown, for instance, in what was certainly the most incisive “revolution” in the history of the primacy, in the “reform” or “Gregorian turning-point” of the eleventh century.<sup>4</sup> The

<sup>3</sup> Cf. C. Pietri, *Roma christiana. Recherches sur l'église de Rome, son organisation, sa politique, son idéologie de Milinade à Sixte III (311–440)* 2 vols. Bibliothèque des Écoles Françaises d'Athènes et de Rome, 1<sup>st</sup> series, 224–25 (Paris: Boccard, 1976).

<sup>4</sup> Cf. Y. Congar, “Der Platz des Papsttums in der Kirchenfrömmigkeit der Reformer des 11. Jahrhunderts,” in J. Daniélou and H. Vorgrimler, eds., *Sentire ecclesiam*. Festschrift für Hugo Rahner (Freiburg: Herder, 1961) 196–217; idem., *Die Lehre von der Kirche von*

individual elements are traditional: Rome as *caput, fons, mater omnium ecclesiarum*, as having the *sollicitudo omnium ecclesiarum*.

What, instead, is new is the gathering up, the collecting of all these individual elements into a coherent synthesis, in which Rome is no longer only the center but the source of unity, the head on which depends the health of the whole body. Each time a new historical reality is created, a form of primacy which did not previously exist, but which gives tradition as its reference, although in a form that is critically open to question (as, for instance, in the case of the arguments put forward in Vatican I in favor of papal infallibility) but which, in spite of the doubtful value of the individual arguments, is not without any foundation, because its fundamental line can be traced back almost to the beginning. This is the case, for instance, for papal infallibility: the idea developed slowly, but “the beginnings disappear”; it is not possible to fix a precise historical situation, a precise century in which it appears.<sup>5</sup> We find its roots in the first millennium: the privileged tradition of the Roman Church, founded on the twofold apostolicity of Peter and Paul, testified already by Irenaeus of Lyons;<sup>6</sup> then, from the fifth century, we find the idea, professed at times also by Eastern authors, that “the Roman Church has never been in error, nor can be in error, in the faith.” This idea is certainly not identical with the dogma of Vatican I, both because it is directed more to the Roman tradition as such, and because it is more global and less focused on individual new decisions as such and on the person of the Pontiff. Even Gregory VII, in his *Dictatus papae*, does not go beyond this old idea.<sup>7</sup> From the twelfth century, we have in the West the formula that it is for the pope to decide in matters of faith—stressing in this way the active aspect of new decision and not only preservation of the faith, but leaving still in obscurity the relation between pope and *consensus ecclesiae*.

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*Augustinus bis zum Abendländischen Schisma*, Handbuch der Dogmengeschichte. Christologie, Soteriologie (Freiburg: Herder, 1971) 53–68.

<sup>5</sup> Cf. K. Schatz, *Papal Primacy: From Its Origins to the Present*, trans. from German [*Der Päpstliche Primat: Seine Geschichte von den Ursprüngen bis zur Gegenwart*] by J. A. Otto and L. M. Maloney (Collegeville: The Liturgical Press, 1996) 117–23.

<sup>6</sup> *Adversus haereses* III/3, 1–2.

<sup>7</sup> No. 22: *Quod Romana ecclesia nunquam erravit, nec in perpetuum, Scriptura testante, errabit* (cf. no. 26). Cf. L.F.J. Meulenberg, *Der Primat der römischen Kirche im Denken und Handeln Gregors VII* (s’Gravenhage: Staatsdrukkerijen Uitgeverijbedrijf, 1965) 38–48; idem., “Une question toujours ouverte: Grégoire VII et l’infaillibilité du Pape,” in H. Mordek, ed., *Aus Kirche und Reich. Studien zu Theologie, Politik und Recht im Mittelalter*. Festschrift for Friedrich Kempf (Sigmaringen: J. Thorbecke, 1983) 159–71.

It is only from the fifteenth century, after the traumatic experience of the separation between the pope and the Council of Basel, that infallibility was placed decidedly in the pope by the anti-conciliarist authors; and this was done more unconditionally only in the Counter-Reformation. Finally, only after the French Revolution do many people begin to think of infallibility almost as the kernel and inner essence of the primacy. The *regimen supremum* is no longer the main question as in the *societas christiana* (and therefore the *plenitudo potestatis*) but rather, *certitudo* and therefore infallibility.<sup>8</sup>

One more ancient example of this link between tradition and a new historical challenge: the Council of Sardica in 342 decides that a bishop deposed by the provincial synod can apply to the see of Rome for revision of the sentence (not as an appeal in the strict sense!), initiating in this way a new synodal procedure.<sup>9</sup> The problem is new. The deep divisions in the episcopate as the Arian crisis begins create a situation with which the regional synods are no longer capable of dealing: a bishop deposed by a synod and defended by another bishop. The right conferred on the see of Rome was new, and no one even claimed that it was long-established. But neither was it merely a practical and pragmatic measure. The reason why Rome has to exercise this function is: *Petri memoriam honoremus*. In other words: it is the authority, not yet juridical, but religious, of the Roman Church, as Church of Peter and Paul, that qualifies it to exercise a juridical function that has become necessary in a new historical situation.

We can identify five of these new steps in the development of the primacy; each time traditional elements are gathered into a new synthesis, determined by a new historical challenge. Before the fourth century we cannot speak of a primacy of the Roman Church in juridical terms. But this does not mean that there did not exist any prerogative whatever of Rome. On the contrary, we can speak, right from the beginning, of a pre-judicial authority of a religious nature, a spiritual nimbus of the Roman Church, due to its twofold apostolicity. From the end of the second century, this qualifies the Roman *parádoxis* with a normative character that is not absolute or sufficient in itself: a greater *auctoritas*, but not *potestas*. This authority, that is more religious, pre-judicial, still applies

<sup>8</sup> K. Schatz, *Vaticanium I 1869–1870*, vol. 1: *Vor der Eröffnung* (Paderborn/Munich/Vienna/Zurich: Ferdinand Schöningh, 1992) 5f.

<sup>9</sup> C. III-V: J. D. Mansi, *Sacrorum conciliorum nova et amplissima collectio*, new ed., L. Petit and J.-B. Martin. Reprint [1<sup>st</sup> ed. 1759–1798] (Graz, 1960–1961) vol. 3, 7–10 (hereafter cited Mansi).

for the Church of Carthage in Augustine's day; and it is often still the role that the see of Rome has in relation to the Churches of the East in the first millennium, in the context of the pentarchy of the five patriarchs—although there is no unambiguous evidence of this. This does not mean, however, that it is a mere symbol of no practical importance. As a religious authority it is almost a super-judicial reference, which is invoked as refuge in emergency situations, when the normal juridical structures can no longer be of any help, as, for instance, after the so-called "Latrocinium" or "gangster synod" in Ephesus in 449 by Flavian of Constantinople, Eusebius of Dorylaeum, and Theodoret of Cyrus.<sup>10</sup>

1. The first new epoch-making step is therefore, in the fourth and fifth centuries, the process already mentioned, beginning with Damasus (366–384) and culminating with Leo the Great (440–461): the translation in *juridical terms* of the apostolic *parádoxis* as ultimate reference for the *communio* of the Church. From the Church qualified by the martyrdom and tomb of the two *coryphei*, Peter and Paul, the emphasis is transferred to the Bishop of Rome as "vicar" (not yet successor) of Peter and heir to his prerogatives. The historical background to this "rereading" is, on the one hand, we might say, "Roman inculturation," that is, the Christian transformation of the city and of its *forma mentis*; on the other hand, the grave trinitarian and christological crises in the Church, that threaten her unity and that the normal structures, even the synods, are no-longer capable of dealing with by themselves—we need only think of Seleucia/Rimini and Ephesus II. This new form of primacy—it is important to bear in mind—is only partially accepted in the East, by certain authors and at certain moments, especially of crisis, but not in general. More than ever, the further steps will be only Western.

2. The second step is the rank that Rome acquires in the conversion of the Germanic peoples in the seventh and eighth centuries; that is, Rome as *norm and guarantee of "correct" religious practice*, not only in matters of faith, but also in liturgy and law. The historical background is, on the one hand, Rome's new function for the unity and the common consciousness of the new peoples, especially for the Carolingian Empire; on the other hand, an "archaic" form of religiosity: to make contact with the divinity and take possession of the divine force, you have to practice

<sup>10</sup> See E. Schwartz et al, eds., *Acta Conciliorum Oecumenicorum* (1941ff) II.II.1 (II) 77–81; Theodoret of Cyrus, *Lettres*, Sources Chrétiennes 3 (Paris: Cerf, 1955) 56–58. Cf. S.O. Horn, *Petrou Kathedra. Der Bischof von Rom und die Synoden von Ephesus (449) und Chalcedon (451)*, Konfessionskundliche und Kontroverstheologische Studien 45 (Paderborn: Bonifatius-Druckerei, 1982) 76–99.

“correct” rites, pronounce “correct” words; a wrong word, a rite in the wrong place or time, can ruin everything.<sup>11</sup> Rome, personified in St. Peter, the powerful holder of the keys of heaven, offers this guarantee more than anyone else.<sup>12</sup> So King Oswiu of Northumbria decides at Whitby in 664 to follow the Roman date of Easter; he is afraid that, otherwise, arriving one day at heaven’s gate, he will find no one to open it for him because he has incurred the wrath of Peter.<sup>13</sup>

3. The third epoch is from the eleventh to the thirteenth century, beginning with the Gregorian reform and culminating with the popes of the thirteenth century from Innocent III to Boniface VIII. From now on it is Rome *as head of the Church* upon whom the whole life of the body depends and all its functions; and the pope is “Vicar of Christ” (no longer of Peter).<sup>14</sup> The historical background is the functional link of the papacy in a West that is entering upon a new phase of its history. After the “archaic” period of undifferentiated unity of kingdom and priesthood in the three centuries between the kingly anointing of Pippin (751) and the Synod of Sutri (1046)—a period characterized, moreover, by the scarcity of super-regional contacts—the West is now entering a period of increased super-local contacts and, at the same time, of institutional differentiation. Many of these developments—from the struggle for the *libertas Ecclesiae* in the Gregorian period to the new religious orders no

<sup>11</sup> P.E. Schramm, “Karl der Große. Denkart und Grundauffassungen—die von ihm bewirkte Correctio,” *Historische Zeitschrift* 198 (1964) 306–45; idem., *Kaiser, Könige und Päpste. Beiträge zur allgemeinen Geschichte*, vol. I, *Von der Spätantike bis zum Tode Karls des Großen* (Stuttgart: Hiersemann, 1968) 302–41.

<sup>12</sup> R. Schieffer, “Redeamus ad fontem’, Rom als Ort authentischer Überlieferung im frühen Mittelalter,” in A. Angenendt and R. Schieffer, *Roma—Caput et Fons. Zwei Vorträge über das päpstliche Rom zwischen Altertum und Mittelalter*, Gerda Henkel Vorlesung (Opladen: Westdeutscher Verlag, 1989) 45–70; K. Schatz, “Königliche Kirchenregierung und römische Petrusüberlieferung im Kreise Karls des Großen,” in R. Berndt, ed., *Das Frankfurter Konzil von 794—Kristallisationspunkt karolingischer Kultur*, vol. 1: *Politik und Kirche, Quellen und Abhandlungen zur mittelhheinischen Kirchengeschichte* 80/1 (Mainz: Selbstverlag der Gesellschaft für Mittelhheinische Kirchengeschichte, 1997) 357–71.

<sup>13</sup> Bede [the Venerable], *The Ecclesiastical History of the English People*, ed. J. McClure and R. Collins (Oxford/New York: Oxford University Press, 1997) 3.25. A similar text of Alcuin from 798, recommends Roman baptismal practice, “ut, unde catholicae fidei initia accipimus, inde exemplaria salutis nostrae semper habeamus; ne membra a capite separantur suo; ne claviger regni caelestis abiciat quos a suis deviasse intelligit doctrinis”: in *Monumenta Germaniae Historica*, Ep. IV, No. 137, p. 215, r. 10–15.

<sup>14</sup> K. Schatz, “Papsttum und partikularkirchliche Gewalt bei Innocenz III (1198–1216),” *Archivum Historiae Pontificiae* 8 (1970) 61–111; K. Pennington, *Pope and Bishops: The Papal Monarchy in the 12th and 13th Centuries*, The Middle Ages (Philadelphia: University of Pennsylvania Press, 1984).

longer held to the *stabilitas loci*, and even to the universities—would not even be comprehensible without the decisive role of the primacy. On the other hand, this period marks also the definitive separation from the Oriental Church.

4. The fourth step is taken against the background of the ecclesiastical splits and divisions from the fourteenth to the sixteenth century; both those that were finally overcome, like the great papal schism of 1378 to 1417, and the later one between the papacy and the Council of Basel (1439–1449); and the schism that remained from the Reformation of the sixteenth century. The pope is now the *point of confessional identity*<sup>15</sup> or the criterion of the true Church. Understandably, the magisterium and infallibility now take on an importance they did not have as yet in the thirteenth century when it was still possible to find, in the same authors, a decisive affirmation of the *plenitudo potestatis*, together with a rudimentary concept of the papal magisterium or an affirmation of the council as ultimate reference in matters of faith.

5. The fifth step (so far the last, but who knows?) supposes, as historical background, the French Revolution, Western liberalism, the separation of State and Church and the dissolution of the *societas christiana*, culminating in the definitions of Vatican I. There is a stronger affirmation of the aspect of primacy as point of identity; not, however, only as center and reference point for the Catholic world against a Protestant world, but as the “stable rock” of the Church against the tempest of the times.<sup>16</sup> Understandably, the emphasis is moved still further in the direction of the magisterium, of the security that the primacy is called to communicate in a world where nothing is secure. To this are added the historical possibilities the papacy comes to enjoy through modern means of transport and communication; already in the time of Pius IX, and more still, with the “travelling papacy” of Paul VI and John Paul II. This brings about, among other things, a “personalization” of the primacy: more and more the person of the pope takes the place that was formerly

<sup>15</sup> U. Horst, *Papst–Konzil–Unfehlbarkeit. Die Ekklesiologie der Summenkommentare von Cajetan bis Billuart*, Walberger Studeien. Theologische Reihe 10 (Mainz: Matthias-Grünewald-Verlag, 1978); idem., *Unfehlbarkeit und Geschichte. Studien zur Unfehlbarkeitsdiskussion von Melchior Cano bis zum 1. Vatikanischen Konzil*, Walberger Studeien. Theologische Reihe 12 (Mainz: Matthias-Grünewald-Verlag, 1982).

<sup>16</sup> Y. Congar, “L’ecclésiologie de la Révolution française au concile du Vatican sous le signe de l’affirmation de l’autorité,” in R. Aubert et alii. *L’ecclésiologie au XIX siècle*, [Unam Sanctam] 34 (Paris: Cerf, 1960) 77–114; H.J. Pottmeyer, *Unfehlbarkeit und Souveränität. Die päpstliche Unfehlbarkeit im System der ultramontanen Ekklesiologie des 19. Jahrhunderts*, Tübinger theologische Studien 5 (Mainz: Matthias-Grünewald-Verlag, 1975).

occupied as object of veneration by the tombs of the apostles and the martyrs.

As I have said, for all these new developments the question arises of continuity or rupture, and therefore of legitimacy. The new steps must become legitimate through a substantial continuity, a substantial fidelity to tradition. Furthermore, I would say that there are two positions that are not possible, because both are an immunization against history and cannot advance the ecumenical dialogue. One would be a traditionalism that would deny a priori the legitimacy of the new steps and for which, if a primacy was ever recognized, it would have to be reduced to the dimensions of the first three centuries. The other would be the “Catholic” danger, that is, the equally aprioristic defense of the historical developments as being brought about under the guidance of the Holy Spirit. We have to accept the possibility of developments that are against the Gospel, if not in the judgement of a whole era, which as a whole is always very vast, ambiguous, and heterogeneous, at least as regards particular aspects.

I would say now that this dialogue about the historical processes that, throughout history, have created the primacy in the Catholic sense, cannot take place only in systematic fashion by comparing each time the evidence from before and from after the process. To speak about the primacy, we have to enter into the history that created or at least developed it. There is now a certain consensus that the “divine right” of the primacy and its “institution by Jesus Christ” cannot be understood statically and unhistorically. To grasp the implications of this “institution,” that is, of the Petrine passages in the New Testament, we need the experiences from history and we have to wait until the fourth century for these to appear with sufficient clarity. So, for any judgement about the primacy, we need to discuss the Christian importance of the historical challenges to which it tried to respond; we need also to speak about the value of the responses that were given from the viewpoint of the Gospel—and, of course, also about the experiences of the Churches that lived without the primacy. The fundamental question as to how the unity of the Church can be maintained as visible, that is, as a unity of faith and sacraments in mutual recognition, cannot be solved a priori, without recourse to the experiences of the actual history. The judgement about the primacy is therefore intimately bound up with a theological concept of the history of the Church. This does not, of course, mean imposing a priori categories of “salvation history” on a reality that is always multiform, but rather, taking the sources as basis and trying to understand them in the context of their time, and then interpreting them in the light of the Gospel, but of the Gospel situated in the context of the time.



With this in view, there are some more remarks to make:

1. It is certainly clear that the primacy did not develop only as a result of theological factors and ecclesiastical necessities, but also *through political factors and interests*, these moreover being closely inter-related in pre-modern times. More than political factors in the strict sense, which can usually change in a short space of time, it was often a matter of long-lasting models of political thought. We need only think of the influence of reflection about the best form of state constitution on ecclesiological thinking from the thirteenth to the nineteenth century: e.g., the idea of *princeps legibus solutus* coming from Roman law and its repercussion in the concept of the pope as being above positive law.<sup>17</sup> The conciliarists, on the contrary, take as reference corporativist concepts of society, or at least, the *regimen mistum* as the best constitution according to Aristotle. However, papal authors of the fifteenth century, starting with Torquemada, also use the argument of monarchy as the best form of government,<sup>18</sup> so does Bellarmine, for whom it goes without saying that Christ must have given his Church the constitution that is naturally the best.<sup>19</sup> On the contrary, it is a Gallican like Tournely who affirms: for the State the absolute monarchy may be the best form of government, but a different law is right for the Church.<sup>20</sup> Paradoxically, after the French Revolution, Gallicans and Ultramontanes move in opposite directions. In the “Civil Constitution” of the Revolution we have the consequent attempt to introduce democratic principles into the Church, while the Ultramontanism that will triumph in Vatican I stresses contrast with the political trends of civil society: the dogma of infallibility even as antithesis and “counter-dogma” against the principles of 1789. These factors certainly contribute at least to the relativising of particular forms of primacy. This is true also for all the functions closely linked to the role of Rome as factor of unity in Western civilization from the time of

<sup>17</sup> L. Buisson, *Potestas und Caritas. Die päpstliche Gewalt im Spätmittelalter*, Forschungen zur kirchlichen Rechtsgeschichte und zum Kirchenrecht 2 (Cologne: Böhlau, 1958) 82–86; W. Ullmann, *Principles of Government and Politics in the Middle Ages* (London: Methuen, 1961); M. Wilks, *The Problem of Sovereignty in the Later Middle Ages. The Papal Monarchy with Augustinus Triumphus and the Publicists*, Cambridge Studies in Medieval Life and Thought. New Series 9 (Cambridge: Cambridge University Press, 1963).

<sup>18</sup> J.A. Black, “Politische Grundgedanken des Konziliarismus und Papalismus zwischen 1430 und 1450,” in R. Bäumer, ed., *Die Entwicklung des Konziliarismus: Werden und Nachwirken der konziliaren Idee*, Wege der Forschung 279 (Darmstadt: Wissenschaftliche Buchgesellschaft, 1976) 295–328.

<sup>19</sup> *De Summo Pontifice* lib. I, c. 3.

<sup>20</sup> H. Tournely, *Praelectiones theologicae de Ecclesia Christi*, vol. I (Paris: R. Mazieres, 1749) q.3, a.6. “Quale sit a Christo institutum regimen Ecclesiae,” 535–72.

Charlemagne. If these remarks are necessary, we also need to consider two aspects of these “political factors”:

a) Certain political factors consist rather in the collapse of earlier political supports; for example, the fall of the empire in the West during the barbarian invasions, and the secularization of the State after the French Revolution. These developments show more clearly the need for a *centrum unitatis* in the Church, an authentically ecclesiastical need that was formerly obscured.

b) On the other hand, we have to ask ourselves which political factors were an obstacle for the function and importance of the primacy. Could we not say, for instance, that, already in the first millennium, the role of the emperor and the empire made the primacy superfluous, at least in normal times: because Eastern Christianity lived more by the unity between Church and empire, because the emperor could decide differences between the patriarchs, the need for an *ecclesiastical centrum unitatis* was not felt so urgently? So it seems to me that the crucial and exceptional moments when this unity was broken, as for instance, in the Iconoclastic conflict of the eighth century, are especially important in trying to define the common tradition. The formula that is often used: “return to the unity that prevailed in the first millennium before the separation,” is historically vague and ambiguous. Especially as regards the role of Rome in the pentarchy (first in a series of equals or a special service of unity?), interpretations differ greatly, according to periods and persons, not only between Rome and the Orient, but also between Oriental authors. What we need to ask is rather: how and with what criteria did the Orient find unity within itself and with the West in moments of crisis, for example, in the Nicene II of 787?<sup>21</sup>

2. An aspect that is often forgotten: the effective exercise of the primacy is closely dependent on the *historical possibilities of communication*: travel, exchange of letters, cultural interchanges. Where there is little communication, as between Western countries after the barbarian invasion, primacy remains a dead letter. The growth of the function of primacy in the West from the eleventh century is closely related to the

<sup>21</sup> An important testimony is that of Mansi 13, 208 ff. Cf. V. Peri, “La synergie entre le Pape et le Concile œcuménique. Note d’histoire sur l’ecclésiologie traditionnelle de l’Église indivise,” *Irénikon* 56, 2 (1983) 163–93. Other parallel texts: Mansi 12, 1134; PG 100, 597 A/B. We can recall Teodoro d’Abu Qurra (around 800) as example of an author for whom the pope becomes the decisive authority, since the emperor is not important: H.J. Sieben, *Die Konzilsidee der Alten Kirche*, Konziliengeschichte Reihe B, Untersuchungen (Paderborn: Schöningh, 1979) 169–91, esp. 177.

general phenomenon of the increase at this time of communication and supra-local contacts, which was consciously fostered by the papacy through pilgrimages, councils, and new religious orders. Vice-versa, we can ask if some Churches outside the Roman Empire became separate, not for theological reasons, not by decision, but simply for lack of contact. There were models of unity in the first millennium that suppose very sporadic communication and for particular countries (Gallia, Spain) an isolation such that, for instance, an event of primary historical importance like the conversion of King Reccared of the Wisigoths from Arianism to Catholicism in 587 became known in Rome only four years later. These models, therefore, make no sense for our time. From this point of view also a “return to the unity of the first millennium” is a utopian dream, although some elements and structures of this unity (e.g., the polycentrism of the pentarchy) are still of importance today.

3. Closely related to the problem of communications is the *distinction between claim and reality* (whether the claim is made by Rome or by official recognition in the periphery). Officially recognizing the see of Rome as the norm not only for faith, but also for rites and customs, can go together with persistently going one’s own way when Roman decisions are not agreeable. This applies, for instance, for the Carolingian period, e.g. in the question of the Filioque and in the non-recognition of Nicene I: Only printing in the sixteenth century and, still more, modern communications in the nineteenth and twentieth centuries, made possible in practice a centralism that formerly existed only in theory.

4. A history of the primacy would be incomplete and a mere “history of the victors” if it abstracted from *the resistance and the obstacles* that the increasing affirmation of the primacy met with throughout its history. The resistance runs like a guiding thread through the history, from the controversy over the date of Easter and over the baptism of heretics to the opposition in Vatican I, and, still to modern contestation of Roman centralism. We have to say, moreover, that these episcopal, conciliarist, and Gallican trends also belong to Catholic tradition. It is true that they are not systematically structured before the late Middle Ages, but they have paleochristian roots. Above all, the concrete development of the primacy itself points to two structural limitations that were interior moments without which the primacy could not have developed.

a) The primacy developed within a *polycentrism*, in which not all the episcopal Churches (apart from Rome) were on the same level. The *Sedes apostolicae* enjoyed a special authority. The Church of Rome was only the most outstanding example of a general principle: that the

Churches historically closer to the apostles were on a higher level than the others. This concept became, from the third century, that of the (three) principal Churches (later considered by Rome to be the three *Sedes Petrinae*): Rome, Alexandria, Antioch; and from Chalcedon, that of the patriarchal pentarchy.<sup>22</sup> It seems to me that the concept according to which all the Churches outside Rome are on the same level and only Rome enjoys a primacy of divine right, is clearly expressed for the first time in the *Libri Carolini* about 791.<sup>23</sup>

From Pseudo-Isidore the prevailing theory in the West is that, for other Churches, a special rank can only be founded on a concession from the Church of Rome, which calls other Churches in *partem sollicitudinis*, while always retaining the *plenitudo potestatis*.<sup>24</sup> This can be found also in the formula for union of Lyon II,<sup>25</sup> but Florence marks the return to the polycentric model of the pentarchy, although in a somewhat artificial confrontation with the monarchical primacy.<sup>26</sup> Theologically the question of polycentrism remains open even after Vatican II. On the one hand, it is clear that the special position of the “Apostolic Churches,” and more still of the five patriarchs (considered at times as the true “successors of the Apostles”<sup>27</sup> or as the “five senses of the body of the Church”)<sup>28</sup> is based on conceptions that are historically outdated. But, on the other hand, should we not affirm the ecclesiological rank (not merely the administrative rank as a purely practical necessity) of inter-

<sup>22</sup> Cf. F. R. Gahbauer, *Die Pentarchie-theorie. Untersuchung zu einem Modell der Kirchenleitung von den Anfängen bis zur Gegenwart*, Frankfurter theologische Studien 42 (Frankfurt: Knecht, 1993).

<sup>23</sup> *Libri Carolini* III.11: *Monumenta Germaniae Historica* Concilia Suppl. 123.

<sup>24</sup> P. Hinschius, ed., *Decretales Pseudo-Isidorianae et capitula Angilramni* (Leipzig: Bernhardi Tauchnitz, 1863) 712. Then in a Salzburg falsification, about 970/980: *Monumenta Germaniae Historica Scriptores* VII.404.

<sup>25</sup> In the confession of the Greek Emperor Michael Palaeologus: “. . . Ad hanc (sc. Romanam ecclesiam) sic potestatis plenitudo consistit, quod ecclesias ceteras ad sollicitudinis partem admittit; quarum multas et patriarchales praecipue diversis privilegiis eadem Romana ecclesia honoravit . . .” in H. Denzinger and A. Schönmetzer, eds., *Enchiridion Symbolorum. Definitionum et declarationum de rebus et fidei et morum*, 36th ed. (Freiburg/Rome/Barcelona: Herder, 1976) no. 861, hereafter cited *DS* followed by number of paragraph.

<sup>26</sup> In the decree of union “Laetentur coeli”: the order of the five patriarchs is recognized and their privileges and rights are safeguarded, without being derived from the *plenitudo potestatis* of the Roman Church (*DS* 1308).

<sup>27</sup> Cf. Teodoro Studita (PG 99, 1417).

<sup>28</sup> Anastasio the Librarian (Mansi 16,7). At the same time, the imperial commissar Baanes applies Matt 16:18 to the five patriarchs, who can never be in error, all at the same time, in matters of faith (Mansi 16, 140).

mediate structures between Rome and the individual episcopal Churches, in consideration of the fact that without these structures the primacy could not have developed?

b) The relation between *pope and council* is at times one of conflict. Historically, we have, on the one hand, to recognize, already in the first millennium, the important role played by Rome for a clear line of continuity and legitimacy of the councils: councils once recognized will be defended at all costs, councils condemned by Rome cannot be given authority. But this is only one side of the medal; solving these conflicts by a total and absolute subordination of the council to the pope means not taking seriously enough the experience of history. Above all, the history of the primacy cannot overlook the fact that the very unity of the primatial summit was once restored, not through the primacy itself, but by a council and through the theory that (at least in such an emergency situation) the council is above the papacy. This was the case of the papal schism that was terminated by the Council of Costanza and through the decree *Haec Sancta* of 1415. I cannot here go into the details of this complicated affair. To be sure, the discussions about the content and value of this decree that were provoked and stimulated by Vatican II have shown with certainty that *Haec Sancta* was not and did not intend to be a dogmatic definition. But this does not mean that the decree has no significance at all for the Church of the future. I think Brian Tierney is right in affirming that we cannot deny all value to this decree, since in the situation of the time it was the only means of safeguarding the unity of the Church and the continuation of the papacy.<sup>29</sup> To consider illegitimate *Haec Sancta* and the procedure of the Fathers of Costanza is to “saw off one’s own branch,” by contesting the very means without which the unity of the primatial summit could not be restored. So we can say that this procedure keeps its character of “model” for cases of extreme emergency, such as schism and a heretical pope: in these cases a council, without prior papal authorization, could consider itself to be a “supra-judicial” authority, just as the Bishop of Rome was in certain cases arising in the fourth and fifth centuries.

<sup>29</sup> B. Tierney, “Hermeneutics and History. The Problem of *Haec Sancta*,” in idem., *Church Law and Constitutional Thought in the Middle Ages*, Collected Studies Series 90 (London: Variorum Reprints, 1979) 354–70, here 362.