

A Response to the Joint International Commission for Theological Dialogue between the Roman Catholic Church and the Orthodox Church Document “Synodality and Primacy during the First Millennium: Towards a Common Understanding in Service to the Unity of the Church” (2016)

The North American Orthodox-Catholic Theological Consultation

Washington DC, October 28, 2017

Seeking to respond to the impetus of the Holy Spirit towards unity among Christians, the Joint International Commission for Theological Dialogue between the Roman Catholic Church and the Orthodox Church approved a document entitled “Synodality and Primacy during the First Millennium: Towards a Common Understanding in Service to the Unity of the Church” at its meeting in Chieti, Italy, on September 21, 2016.

This text is the first statement adopted by the Joint International Commission since the Ravenna Document, “Ecclesiological and Canonical Consequences of the Sacramental Nature of the Church: Ecclesial Communion, Conciliarity and Authority” (2007).

The Chieti text builds upon the earlier texts adopted by the Joint International Commission at Rhodes (1980), Munich (1982), Bari (1987), Valamo (1988), Balamand (1993), and Ravenna (2007). As part of its work, the North American Orthodox-Catholic Consultation has offered a response to each of these statements.

With thanks to God, we members of the North American Orthodox-Catholic Theological Consultation see the Chieti Statement as the fruit of perseverance in fidelity to our one Lord. It is a fruit holding many seeds, potentially yielding a harvest for the countless members of our Churches who experience the division every day in their lives and pray for it to be healed. Hoping to increase that harvest, we respond to Chieti.

Although this consultation does not speak officially for either of our Churches, we have been asked to represent them in this dialogue. We submit this response to our leaders, faithful, and the members of the International Dialogue for their prayerful consideration as a means of hastening progress along the path to full communion.

The North American Consultation also has been engaged in an ongoing discussion on the question of conciliarity and primacy in the Church. Established in 1965, our Consultation has produced 29 Agreed Statements. Among these are three statements directly related to the topic of Conciliarity and Primacy. These are: “Apostolicity as God’s Gift in the Life of the Church” (1986), “An Agreed Statement on Conciliarity and Primacy in the Church” (1989) and “Steps towards a Reunited Church: A Sketch of an Orthodox-Catholic Vision for the Future” (2010).

The North American Consultation welcomes the publication of the Chieti Document. Building especially upon the Ravenna Document, it shows the vitality of the International Dialogue and its commitment to work towards the restoration of full communion between our sister churches.

Like the Ravenna Statement (2007), Chieti addresses chiefly the relationship between synodality and primacy in the life of the Church. Rooted in our common understanding of the Holy Trinity and manifested in the Holy Eucharist, synodality and primacy are interrelated characteristics in every expression of church organization. They are mutually enriching and certainly not mutually exclusive characteristics.

It is true that our divergent understandings of synodality and primacy “played a significant role in the division between Orthodox and Catholics (§ 5).” The basic common understanding provided in the Chieti Statement as a whole is a very strategic foothold for next steps toward unity. Is it necessary, or even desirable, that we have absolutely identical understandings? Perhaps the ecumenical model of differentiated consensus is of service here: The Chieti Statement attempts to provide agreement on the fundamental outlines but preserves room for each of our Churches’ perspectives formed by our different experiences of the past millennia.

Our own Consultation said in 1989: “The two institutions, mutually dependent and mutually limiting, which have exercised the strongest influence on maintaining the ordered communion of the Churches since apostolic times have been the gathering of bishops and other appointed local leaders in synods, and the primacy or recognized preeminence of one bishop among his episcopal colleagues.”

God does reveal Himself in history (§ 6) as the One who loves us and who has wrought our salvation in history. We respond to God’s love by seeking the unity He wills, and what we find in the First Millennium to help us is that, “the relationship between synodality and primacy took various forms” (§ 7). Where there were multiple forms there can be in the future multiple forms.

Another consideration from history is that there were breaches of communion and struggles from the earliest days (Acts, I Corinthians, I John, Jude). This is, in a way, a sign of hope because it means that ecclesial communion is possible even when there are difficulties.

What is lacking in the introductory observations of the Chieti Statement is a reference to Baptism. As in earlier statements, there is much emphasis on the Eucharist. However, it is through Baptism that persons are first incorporated into Christ and his body which is the Church.

To express better the interrelationship of conciliarity and primacy, Chieti follows Ravenna in speaking of three levels of Church life: local, regional, and universal.

The Local Level

At the local level, Chieti says, “the bishop makes visible the presence of Jesus Christ. In the local church (i.e. a diocese), the many faithful and clergy under the one bishop are united with one another in Christ, and are in communion with him in every aspect of the life of the Church, most especially in the celebration of the Eucharist” (§ 8).

The principle here, that the *proestos* and the community are interdependent, extends far beyond the instance of the Eucharist. As Chieti says, it is a “constitutive element of the life of the local church” (§ 9). The road to unity is laid out through a primacy realized in an attitude of servanthood. On the practical level we have to have the courage to ask how well we have demonstrated servanthood in the primacy so far.

Subsequent paragraphs place great emphasis upon the ministry of the bishop. What appears to be lacking is a recognition of the role of other clergy and the baptized faithful in contributing to the well-being of the church and of bearing witness to the gospel in the world. Moreover, the faithful were normally involved in the process of electing a new bishop in the early church.

In this and previous statements, there is little mention made of the reality of the parish. In the perception of many, this is the true local church. The Eucharist is rarely celebrated by a ‘diocese’; it is normally celebrated in a parish.

The Regional Level

At the regional level, the Chieti text properly reminds us of the relationship which existed among bishops in the early church. Although they were responsible for overseeing their own dioceses, they were bound together with other bishops of the region. Chieti says: “There is abundant evidence that bishops in the early Church were conscious of having a shared responsibility for the Church as a whole. As St Cyprian said: ‘There is but one episcopate but it is spread amongst the harmonious host of all the numerous bishops’” (§ 11).

Chieti also makes use of Apostolic Canon 34 to support the perspective of the relationship among bishops and the leadership of the presiding bishop. Apostolic Canon 34 states, “the bishops must not do anything important without the approval of the head; he cannot do anything without the consent of all.” Primacy at the service of unity requires the labor of leading synodically.

Chieti does not take into account in this section the relationship between the bishop and the faithful. In the best tradition, the bishop is always related to a particular community

of believers. The early church envisioned the relationship of bishop and faithful to be like a marriage. In his meeting with other bishops, the bishop bore witness to the Christian faith expressed by his community.

The Universal Level

The section on the Church at the universal level in the Chieti text touches upon a number of significant issues and expresses valuable consensus. The section begins with an affirmation of the reality of the Pentarchy of the Church of the Roman Empire formalized by Emperor Justinian in the sixth century. Rome was affirmed as the first see without reference to the Petrine tradition.

Chieti says that “the order (*taxis*) of the five patriarchal sees came to be recognized, based on and sanctioned by the ecumenical councils, with the see of Rome occupying the first place, exercising a primacy of honor (*presbeia tes times*), followed by the sees of Constantinople, Alexandria, Antioch and Jerusalem, in that specific order, according to the canonical tradition” (§ 15). This affirmation is significant but also worthy of further elaboration. It speaks about primacy and conciliarity at the level of the patriarchal churches. Chieti does not provide much insight into the meaning of ‘primacy of honor’ that was accorded to Rome.

However, this section on the letters and diptychs in paragraph 17 does underscore how even the primacy of the very highest sees is related to synodality. And that synodality shows a primacy because it has a very specific order in which there is a first, a *presbeia tes times*.

Chieti states that, “In the West, the primacy of the see of Rome was understood, particularly from the fourth century onwards, with reference to Peter’s role among the Apostles. The primacy of the bishop of Rome among the bishops was gradually interpreted as a prerogative that was his because he was successor of Peter, the first of the apostles” (§ 16). Chieti continues by saying: “This understanding was not adopted in the East, which had a different interpretation of the Scriptures and the Fathers on this point” (§ 16). These observations are significant because they affirm that there were differences between West and East regarding the basis for the prerogatives of the Bishop of Rome. It would have been helpful, however, if Chieti had elaborated on the Eastern perspective on the prerogatives Rome in the first millennium.

Also referring to the role of the Bishop of Rome, Chieti takes note of appeals of disciplinary matters to Rome from the East as well as the West during the first millennium. Reference is made to the council of Sardica in 343 AD and its effort to establish rules for such appeals. While Rome was an important place of appeal, it was not the only see which received appeals. Eventually, Constantinople also received appeals.

Chieti states that, “the Bishop of Rome did not exercise canonical authority over the churches of the East” (§ 19). Recognition of a primacy of honor did not lead to a form of universal jurisdiction.

Chieti devotes some attention to the Ecumenical Councils. It says that, “major questions regarding faith and canonical order in the Church were discussed and resolved by the ecumenical councils” (§ 18). Chieti acknowledges that “the bishop of Rome was not personally present at any of those councils, in each case either he was represented by his legates or he agreed with the council’s conclusions *post factum*” (§ 18).

Chieti does reference in paragraph 18 the Second Council of Nicaea in 787 AD which identified the criteria for the reception of a council as ecumenical. It also affirms: “Reception by the Church as a whole has always been the ultimate criterion for the ecumenicity of a council.” This is a significant statement indicating that a council is authentic and valuable if it is received by the Church. The issue of reception needs further study.

As the Joint International Consultation continues its work on synodality and primacy, we would offer some suggested areas of further study, expanding on many of the observations made above.

— **Attention should be given to the diversity of ecclesial models of the first millennium.** The early Church had a diversity of ecclesial organizational models, responding to local custom and need. These models should be examined more closely. For example, as the Chieti document itself points out, the churches of Alexandria and Rome had and continue to have specific internal organizational principles distinct from other churches. This is not necessarily a Church-dividing practice. A certain diversity is not only to be expected in Church life, but should be welcomed as healthy.

— **Ecclesial models often follow social and political practices of the day and locale.** While grounded in Church tradition and practice, different forms and arrangements were adopted according to need. Constantinople became the second see after Rome, because of its prominence as the new capital. Other patriarchates, as well as other metropolitan and episcopal sees, waxed and waned in importance and even territory according to the political situation. This became even more evident in the second millennium. For example, the emergence and/or creation of autocephalous churches, especially in the nineteenth century, paralleled newly-formed nation-states as various imperial arrangements collapsed. This process continues.

– **The other Churches of the East should be taken into consideration.** The example of the Assyrian Church and the Oriental Orthodox Churches must figure into any discussion of ecclesial order.

– **The rise of Islam during the first millennium and beyond cannot be ignored.** Many of the Churches of the East became subjects of Islamic rule. As Islamic rule extended over most of the Christian East it changed the nature of Church governance, and even Church order. It would be difficult to discuss the matters at hand without also taking into consideration the influence of Islam.

– **The emphasis on the role of episcopacy in the Church’s governance needs more nuance.** More mention could be made of ways in which members of the Church other than bishops participated both in Ecumenical Councils and in the life of the Church. Reference could be made to the role of saints, monastics, emperors, other clergy, and lay members of the Church, especially in the early Church, in selecting and affirming candidates for the episcopacy, and to the image of the bishop as president of the council of presbyters. Citing important examples such as these would give a fuller picture of how the Church actually functioned.

– **The second millennium presents many challenges to our ecclesiological presuppositions.** While recognizing that the primary focus of the Joint International Commission so far has been on the first millennium, we call attention to several issues present in the second millennium that should have an important influence on any future discussion on questions of ecclesial order: The **Protestant Reformation** called into question many of the ecclesiological principles considered normative in the Chieti document. **Eastern Catholic Churches** have been the subject of discussion, often painful, in both the Joint International Commission and in our own Consultation. These are an example of an alternative ecclesial vision, born out of a changed political environment. The **Ecumenical Movement**, of which our respective dialogues are the products, emerged out of an impulse at the end of the second millennium to change the ways in which the various Christian churches saw and dealt with each other. The desire was that the polemical model of the second (and even the first) millennium should give way to a more dialogical model. The importance of this shift should not be lost. **Communist rule and persecution** had and continues to have a profound effect on the Church in the East. There was hardly any aspect of Church life and polity that remained untouched. Among other things, many Church leaders were compromised. Authority was undermined. Normal Church order and governance was diminished and even destroyed in many places.

– **The third millennium presents various issues.** The technology and politics of the modern era have altered societies and cultures globally. The most significant change has been what some call secularization, the denial of God, but which might be more

accurately understood as the irrelevance of God. Some of the signs are obvious. Others are symptoms. War and subsequent famines have caused unprecedented **movements of populations**. The “east” and “west” we commonly refer to in our discussions have increasingly diminishing relevance. We regularly hear of the **distinction between “real” and “virtual.”** This has enormous ecclesiological and even ontological implications. If there is one constant in the organization of the Church, from the time of the Last Supper until now, it is the actual, physical, locally based, Eucharistic community as the quintessential expression of the Church. Moreover, we believe the Incarnation of the Savior is validation of the sanctity of matter, of the creation. The **emphasis on the individual**, as over and against the group, has become a real challenge to any type of understanding of Church. This frame of thinking is already challenging the Church on multiple levels. What does being a member of the Body of Christ mean? These issues and more will require answers to questions that we are not accustomed to asking.

In Conclusion

As a Consultation, we are interested in the accent placed on the common understanding of primacy and synodality as being “in service to the unity of the Church.” We believe the key lies here: primacy and synodality truly have to be exercised “in service to the unity of the Church.” Servanthood is both action and attitude. Christ is the real model for this, Christ with the towel wrapped around His waist, when He said He was modeling mutual service.

Our unity witnesses to the unity of God, and is meant to glorify Him by showing the beauty of the Gospel incarnate in many particular churches. Again, the question we must ask is about our praxis ... are we setting precedent today for a united Church which is consonant with our unity in the First Millennium?

And so, we pose these questions for consideration: Are we asking more of each other than we did when we shared communion? With all we share and with all the cost of the division, do we still have the right to remain divided? Are we true to the rule laid out by the Apostles at the Council of Jerusalem: “It seemed good to the Holy Spirit and to us ... to require nothing beyond the necessary”? (Acts 15:28)? Were we already united, and if we knew the cost to the Body of Christ, would the things we are talking about be enough to divide us? Do we resist the temptation to define too much? Do we understand that Christian unity is a gift of the Holy Spirit that comes through holiness, prayer, fasting, and sacrifice? Do we understand that every day millions of families live with the pain of division in their hearts? Do we understand that our churches are emptier because we are missing the unity Christ prayed for, “so that the world may believe”? (John 17:21)

Our North American consultation reaffirms the conviction set forth in our statement of 2010: “Steps Towards a Reunited Church: A Sketch of an Orthodox-Catholic Vision for the Future,” where we said, “The challenge and the invitation to Orthodox and Catholic Christians, who understand themselves to be members of Christ’s Body precisely by sharing in the Eucharistic gifts and participating in the transforming life of the Holy Spirit, is now to see Christ authentically present in each other, and to find in those structures of leadership that have shaped our communities through the centuries a force to move us beyond disunity, mistrust, and competition, and towards that oneness in his Body, that obedience to his Spirit, that will reveal us as his disciples before the world.” (¶ 10)

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About Our Dialogues

The North American Orthodox-Catholic Theological Consultation was established in 1965 by the Standing Conference of Canonical Orthodox Bishops in America, now the Assembly of Canonical Orthodox Bishops of the United States, and by the National Conference of Catholic Bishops, now the United States Conference of Catholic Bishops. Since 1997, the Canadian Conference of Catholic Bishops has been a co-sponsor.

The Joint International Commission for Theological Dialogue between the Roman Catholic Church and the Orthodox Church was established in 1979.

The Joint Committee of Orthodox and Catholic Bishops in the United States has met since 1981.

More information on the work of this Theological Consultation, including links to the full text of Statements and other documents issued by it, may be found at the respective sites of:

The Assembly of Canonical Orthodox Bishops in America:

www.assemblyofbishops.org/ministries/dialogue/orthodox-catholic/

and The United States Conference of Catholic Bishops:

www.usccb.org/beliefs-and-teachings/ecumenical-and-interreligious/ecumenical/orthodox/index.cfm