Position of the Moscow Patriarchate on the problem of primacy in the Universal Church

The problem of primacy in the Universal Church has been repeatedly raised during the work of the Joint International Commission on Theological Dialogue Between the Orthodox Church and the Roman Catholic Church. On March 27, 2007, the Holy Synod of the Russian Orthodox Church instructed the Synodal Theological Commission to study this problem and draft an official position of the Moscow Patriarchate on the problem (Minutes, No. 26). Meanwhile, the Joint Commission at its meeting on October 13, 2007, in Ravenna, working in the absence of a delegation of the Russian Church and without consideration for her opinion, adopted a document on the Ecclesiological and Canonical Consequences of the Sacramental Nature of the Church. Having studied the Ravenna document, the Russian Orthodox Church disagreed with it in the part that refers to synodality and primacy on the level of the Universal Church. Since the Ravenna document makes a distinction between three levels of church administration, namely, local, regional and universal, the following position taken by the Moscow Patriarchate on the problem of primacy in the Universal Church deals with this problem on the three levels as well.

1. In the Holy Church of Christ, primacy belongs to her Head – our Lord and Saviour Jesus Christ, the Son of God and the Son of Man. According to St. Paul, the Lord Jesus Christ *is* ***the head of the body, the church****: who is the beginning, the firstborn from the dead;* ***that in all things he might have the pre-eminence*** (Col. 1:18).

According to the apostolic teaching, *the God of our Lord Jesus Christ, the Father of glory, raised him from the dead, and set him at his own right hand in the heavenly places, far above all principality, and power, and might, and dominion, and every name that is named, not only in this world, but also in that which is to come.And hath put all things under his feet, and gave him to be* ***the head over all things to the church****,which is his body* (Eph. 1:17-23).

The Church, which is on the earth, represents not only a community of those who believe in Christ but also a divine-human organism: *Now ye are the body of Christ, and members in particular* (1 Cor. 12:27).

Accordingly, various forms of primacy in the Church in her historical journey in this world are secondary versus the eternal primacy of Christ as Head of the Church by whom God the Father *reconciles all*

things unto himself, whether they be things in earth, or things in heaven (Col. 1:20). Primacy in the Church should be in the first place a ministry of reconciliation with the aim to build harmony, according to the apostle who calls *to keep the unity of the Spirit in the bond of peace* (Eph. 4:3).

1. In the life of the Church of Christ, which lives in this age, primacy, along with synodality, is one of the fundamental principles of her order. On various levels of church life, the historically established primacy has a *different nature* and *different sources.* These levels are 1) the diocese (eparchy), 2) the autocephalous Local Church, and 3) Universal Church.

(1) On the level of *diocese*, primacy belongs to the bishop. The bishop's primacy in his diocese has solid theological and canonical foundations tracing back to the early Christian Church. According to the teaching of St. Paul, *the Holy Ghost hath made* [bishops] *overseers, to feed the church of God, which he hath purchased with his own blood* (Acts 20:28). **The source of the bishop's primacy** in his diocese is the apostolic succession handed down through episcopal consecration.**[1]**

The ministry of the bishop is an essential foundation of the Church: 'The bishop is in the church and the church is in the bishop and that if somebody is not with the bishop, he is not in the church' (St. Cyprian of Carthage**[2]**). St. Ignatius the God-Bearer compares the bishop's primacy in his diocese to the supremacy of God: 'Study to do all things with a divine harmony, while your bishop presides in the place of God, and your presbyters in the place of the assembly of the apostles, along with your deacons, who are most dear to me, and are entrusted with the ministry of Jesus Christ, who was with the Father before the beginning of time, and in the end was revealed' (Letter to the Magenesians, 6).

In his church domain, the bishop has full power, sacramental, administrative and magisterial. St. Ignatius the God-Bearer teaches us: 'Let no one, apart from the bishop, do any of the things that appertain unto the church. Let that Eucharist alone be considered valid which is celebrated in the presence of the bishop, or of him to whom he shall have entrusted it… It is not lawful either to baptize, or to hold a love-feast without the consent of the bishop; but whatsoever he shall approve of, that also is well pleasing unto God, to the end that whatever is done may be safe and sure' (Letter to the Smyrnaeans, 7).

The bishop's sacramental power is most fully expressed in the Eucharist. In celebrating it, the bishop represents the image of Christ, presenting the Church of the faithful in the face of God the Father, on one hand, and giving the faithful God's blessing and nourishing them with the truly spiritual food and drink of the Eucharistic sacrament, on the other. As head of his diocese, the bishop leads the congregation's divine worship, ordains clergy and assigns them to church parishes, authorizing them to celebrate the Eucharist and other sacraments and religious rites.

The bishop's administrative power is expressed in that the clergy, monastics and laity of his diocese as

well as parishes and monasteries, except for stauropegial ones, and various diocesan institutions (educational, charitable, etc.) obey him. The bishop administers justice in cases of ecclesial offences. The Apostolic Canons state: 'Let not the presbyters or deacons do anything without the sanction of the bishop; for he it is who is entrusted with the people of the Lord and of whom will be required the account of their souls' (Canon 39).

(2) On the level of the *autocephalous Local Church*, primacy belongs to the bishop elected as Primate of the Local Church by a Council of her bishops.**[3]** Accordingly, the **source of primacy** on the level of the autocephalous Church is the election of the pre-eminent bishop by a Council (or a Synod) that enjoys the fullness of ecclesiastical power. This primacy is based on solid canonical foundations tracing back to the era of Ecumenical Councils.

The power of the Primate in an autocephalous Local Church is different from that of a bishop in his church domain: it is the power of the first among equal bishops. He fulfils his ministry of primacy in conformity with the church-wide canonical tradition expressed in Apostolic Canon 34: 'It behoves the Bishops of every nation to know the one among them who is the premier or chief, and to recognise him ***as their head***, and to refrain from doing anything superfluous without his advice and approval: but, instead, each of them should do only whatever is necessitated by his own parish and by his territories under him. But let not even such a one do anything without the advice and consent and approval of all. For thus will there be concord, and God will be glorified through the Lord in Holy Spirit, the Father, and the Son, and the Holy Spirit'.

The powers of the Primate of an autocephalous Local Church are defined by a Council (Synod) and fixed in a statute. The Primate of an autocephalous Local Church acts as chairman of her Council (or Synod). Thus, the Primate does not have one-man power in an autocephalous Local Church but governs her in council, that is, in cooperation with other bishops.**[4]**

(3) On the level of *the Universal Church* as a community of autocephalous Local Churches united in one family by a common confession of faith and living in sacramental communion with one another, primacy is determined in conformity with the tradition of sacred diptychs and represents *primacy in honour*. This tradition can be traced back to the canons of Ecumenical Councils (Canon 3 of the Second Ecumenical Council, Canon 28 of the Fourth Ecumenical Council and Canon 36 of the Sixth Ecumenical Council) and has been reconfirmed throughout church history in the actions of Councils of individual Local Churches and in the practice of liturgical commemoration whereby the Primate of each Autocephalous Church mentions the names of those of other Local Churches in the order prescribed by the sacred diptychs.

The order in diptychs has been changing in history. In the first millennium of church history, the primacy of honour used to belong to the chair of Rome.**[5]** After the Eucharistic community between Rome and Constantinople was broken in the mid-11th century, primacy in the Orthodox Church went to the next chair in the diptych order, namely, to that of Constantinople. Since that time up to the present, the primacy of honour in the Orthodox Church on the universal level has belonged to the Patriarch of Constantinople as the first among equal Primates of Local Orthodox Churches.

The source of primacy in honour on the level of the Universal Church lies in the canonical tradition of the Church fixed in the sacred diptychs and recognized by all the autocephalous Local Churches. The primacy of honour on the universal level is not informed by canons of Ecumenical or Local Councils. The canons on which the sacred diptychs are based do not vest the primus (such as the bishop of Rome used to be at the time of Ecumenical Councils) with any powers on the church-wide scale.**[6]**

The ecclesiological distortions ascribing to the primus on the universal level the functions of *governance* inherent in primates on other levels of church order are named in the polemical literature of the second millennium as “papism”.

3. Due to the fact that the nature of primacy, which exists at various levels of church order (diocesan, local and universal) vary, the functions of the primus on various levels are not identical and cannot be transferred from one level to another.

To transfer the functions of the ministry of primacy from the level of an eparchy to the universal level means to recognize a special form of ministry, notably, that of a ‘universal hierarch’ possessing the magisterial and administrative power in the whole Universal Church. By eliminating the sacramental equality of bishops, such recognition leads to the emergence of a jurisdiction of a universal first hierarch never mentioned either in holy canons or patristic tradition and resulting in the derogation or even elimination of the autocephaly of Local Churches.

In its turn, the extension of the primacy inherent in the primate of an autocephalous Local Church (according to Apostolic Canon 34) to the universal level**[7]** would give the primus in the Universal Church special powers regardless of whether Local Orthodox Churches agree to it or not. Such a transfer in the understanding of the nature of primacy from local to universal level would also require that the primus election procedure be accordingly moved up to the universal level, which would as much as violate the right of the pre-eminent autocephalous Local Church to elect her Primate on her own.

4. The Lord and Saviour Jesus Christ warned his disciples against the love of rulers (cf. Mt. 20:25-28). The Church has always opposed distorted ideas of primacy, which have begun to creep into church life from old times.**[8]** In Councils' decisions and works of holy fathers, such abuses of power were condemned.**[9]**

The bishops of Rome, who enjoy the primacy of honour in the Universal Church, from the point of view of Eastern Churches, have always been patriarchs of the West, that is, primates of the Western Local Church. However, already in the first millennium of church history, a doctrine on a special divinely-originated magisterial and administrative power of the bishop of Roman as extending to the whole Universal Church began to be formed in the West.

The Orthodox Church rejected the doctrine of the Roman Church on papal primacy and the divine origin of the power of the first bishop in the Universal Church. Orthodox theologians have always insisted that the Church of Rome is one of the autocephalous Local Churches with no right to extend her jurisdiction to the territory of other Local Churches. They also believed that primacy in honour accorded to the bishops of Rome is instituted not by God but men.**[10]**

Throughout the second millennium up to today, the Orthodox Church has preserved the administrative structure characteristic of the Eastern Church of the first millennium. Within this structure, each autocephalous Local Church, being in dogmatic, canonical and Eucharistic unity with other Local Churches, is independent in governance. In the Orthodox Church, there was no and has never been a single administrative center on the universal level.

In the West, on the contrary, the development of a doctrine on the special power of the bishop of Rome whereby the supreme power in the Universal Church belongs to the bishop of Rome as successor to St. Peter and vicar of Christ on the earth has led to the formation of a completely different administrative model of church order with a single universal center in Rome.**[11]**

In accordance with the two different models of church order, different ways, in which the conditions for canonicity of a church community were seen, were presented. In the Catholic tradition, the necessary condition for canonicity is the Eucharistic unity of a particular church community with the chair of Rome. In the Orthodox tradition, canonical is a community which is part of an autocephalous Local Church, and through this it is in the Eucharistic unity with other canonical Local Churches.

As is known, attempts to impose the Western model of administrative order upon the Eastern Church were invariably met with resistance in the Orthodox East. This is reflected in church documents**[12]** and

polemical literature aimed against papism, which comprise a part of the Tradition of the Orthodox Church.

5. Primacy in the Universal Orthodox Church, which is the primacy of honour by its very nature, rather than that of power, is very important for the Orthodox witness in the modern world.

The patriarchal chair of Constantinople enjoys the primacy of honour on the basis of the sacred diptychs recognized by all the Local Orthodox Churches. The content of this primacy is defined by a consensus of Local Orthodox Churches expressed in particular at pan-Orthodox conferences for preparation of a Holy and Great Council of the Orthodox Church**[13]**.

In exercising his primacy in this way, the Primate of the Church of Constantinople can offer initiatives of general Christian scale and address the external world on behalf of the Orthodox plenitude provided he has been empowered to do so by all the Local Orthodox Churches.

6. Primacy in the Church of Christ is called to serve the spiritual unity of her members and to keep her life in good order, *for God is not the author of confusion, but of peace* (1 Cor. 14:33). The ministry of the primus in the Church, alien to temporal love of power, has as its goal *the edifying of the body of Christ…that we…by speaking the truth in love, may grow up into him in all things,* ***which is the head, even Christ****,from whom the whole body…according to the effectual working in the measure of every part, maketh increase of the body unto the edifying of itself in love* (Eph. 4:12-16).

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[1] It includes election, consecration and reception by the Church.

[2] Ep. 69.8, PL 4, 406A (Letter 54 in the Russian version)

[3] As a rule, the pre-eminent bishop heads the main (pre-eminent) chair in the canonical territory of his Church.

[4] The autocephalous Local Church can include complex church entities. For instance, in the Russian Orthodox Church, there are autonomous and self-governed Churches, metropolitan regions, exarchates and metropolises. Each of them has its own form of primacy defined by a Local Council and reflected in the church statute.

[5] A reference to the primacy of honour of the chair of Rome and the second place of the chair of Constantinople is made in Canon 3 of the Second Ecumenical Council: 'The Bishop of Constantinople, however, shall have the prerogative of honour after the Bishop of Rome; because Constantinople is New Rome'. Canon 28 of the Fourth Ecumenical Council clarifies this rule and points to the canonical reason for the primacy of honour of Rome and Constantinople: 'The Fathers in fact have correctly attributed the prerogatives (which belong) to the see of the most ancient Rome because it was the imperial city. And thus moved by the same reasoning, the one hundred and fifty bishops beloved of God have accorded equal prerogatives to the very holy see of New Rome, justly considering that the city that is honored by the imperial power and the senate and enjoying (within the civil order) the prerogatives equal to those of Rome, the most ancient imperial city, ought to be as elevated as Old Rome in the affairs of the Church, being in the second place after it'.

[6] There are canons used in polemical literature to give a canonical justification to the judicial powers of the first chair of Rome. These are Canons 4 and 5 of the Council of Sardica (343). These canons, however, do not state that the rights of the chair of Rome to accept appeals are extended to the whole Universal Church. It is known from the canonical codex that these rights were not limitless even in the West. Thus, already the 256 Council of Carthage chaired by St. Cyprian responded to the claims of Rome to primacy expressed the following opinion about relations between bishops: 'neither does any one of us set himself up as a bishop of bishops, nor by tyrannical terror does any compel his colleague to the necessity of obedience; since every bishop, according to the allowance of his liberty and power, has his own proper right of judgment, and can no more be judged by another than he himself can judge another. But let all of us wait for the judgment of our Lord Jesus Christ, who is the only one that has the power both of preferring us in the government of His Church, and of judging us in our conduct there' (Sententiae episcoporum, PL 3, 1085C; 1053A-1054A). The same is stated in the Letter of the Council of Africa to Celestine, the pope of Rome (424), which is included in all the authoritative editions of the code of canons, particularly, Book of Canons as a canon of the Council of Carthage. In this letter the Council rejects the right of the pope of Rome to accept appeals against judgements made by the Council of African Bishops: 'We earnestly conjure you, that for the future you do not readily admit to a hearing persons coming hence, nor choose to receive to your communion those who have been excommunicated by us…'. Canon 118 of the Council of Carthage forbids to make appeals to Churches in

overseas countries – which is anyway implied by Rome as well: Clerics who have been condemned, if they take exception to the judgment, shall not appeal beyond seas, but to the neighbouring bishops, and to their own; if they do otherwise let them be excommunicated in Africa'.

[7] As is known, there is not a single canon that would allow of such practice.

[8] As far back as the apostolic times, St. John the Theologian in his Epistle condemned Diotrephes 'who loves to be the first' (3 Jn. 1:9).

[9] Thus, the Third Ecumenical Council, seeking to protect the right of the Church of Cyprus to have her own head, stated in its Canon 8: 'the Rulers of the holy churches in Cyprus shall enjoy, without dispute or injury, according to the Canons of the blessed Fathers and ancient custom, the right of performing for themselves the ordination of their excellent Bishops. The same rule shall be observed in the other dioceses and provinces everywhere, so that none of the God beloved Bishops shall assume control of any province which has not heretofore, from the very beginning, been under his own hand or that of his predecessors. But if any one has violently taken and subjected [a Province], he shall give it up; lest the Canons of the Fathers be transgressed; or the vanities of worldly honour be brought in under pretext of sacred office; or we lose, without knowing it, little by little, the liberty which Our Lord Jesus Christ, the Deliverer of all men, hath given us by his own Blood'.

[10] Thus, in the 13th century St. Herman of Constantinople wrote, 'There are five patriarchates with certain boundaries for each. However, in the recent time a schism has arisen among them, initiated by a daring hand which seeks to dominate and prevail in the Church. The Head of the Church is Christ, and every attempt to obtain domination is contrary to His teaching' (cit. in Соколов И.И. Лекции по истории Греко-Восточной Церкви. – СПб., 2005. С.129).

In the 14th century, Nilus Cabasilas, Archbishop of Thessaloniki, wrote on the primacy of the bishop of Rome, 'the pope indeed has two privileges: he is the bishop of Rome… and he is the first among the bishops. From Peter he has received the Roman episcopacy; as to the primacy, he received it much later from the blessed Fathers and the pious Emperors, for its was just that ecclesiastical affairs be

accomplished in order' (De primatu papae, PG 149, 701 CD).

His Holiness Patriarch Bartholomew states, 'We all, the Orthodox… are convinced that in the first millennium of the existence of the Church, in the times of the undivided Church, the primacy of the bishop of Rome, the pope, was recognized. However, it was honorary primacy, in love, without being legal dominion over the whole Christian Church. In other words, according to our theology, this primacy is of human order; it was established because of the need for the Church to have a head and a coordinating center' (from the address to the Bulgarian mass media, November 2007).

[11] Differences in the church order of the Roman Catholic Church and the Orthodox Church can be seen not only on universal but also local and diocesan levels.

[12] In the 1848 Encyclical, the Eastern Patriarchs condemn the fact that bishops of Rome turned the primacy of honour into lordship over the whole Universal Church: "We see very primacy transformed from a brotherly character and hierarchical privilege into a lordly superiority." (Par. 13). The dignity of the Church of Rome, the Encyclical states, "is not that of a lordship, to which St. Peter himself was never ordained, but is a brotherly privilege in the Catholic Church, and an honor assigned the Popes on account of the greatness and privilege of the City" (Par. 13).

[13] See in particular, the Decision of the Fourth Pan-Orthodox Conference (1968), Par. 6, 7; the Procedure of Pan-Orthodox Pre-Council Conferences (1986), Par. 2, 13.

Source: https://mospat.ru/en/news/51892/