

THE CHURCH AND ECCLESIAL COMMUNION
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Catholic Commentary on "Church and Community"
Bishop Gerhard Ludwig Müller, Regensburg

"Helping to restore the unity of all Christians is a main task of the Holy Ecumenical Second Vatican Council. For the Lord founded a single and unique Church, and yet several Christian communities claim to represent Christ's true heritage before people, they all confess to being disciples of the Lord, but they differ from one another in their thinking and go different ways, as if Christ himself were divided. Such a division, however, clearly contradicts the will of Christ, it is a nuisance to the world and a detriment to the holy cause of proclaiming the Gospel to all creatures. But the Lord of history, who pursues his plan of grace with us sinners in wisdom and patience, has recently begun to pour out serious repentance and a longing for unity more abundantly over the divided Christian world."

These moving opening words of the decree on ecumenism *Unitatis redintegratio* (No. 1) also apply to the definitive opposition of Catholic believers and not a few theology professors to the decisions of the First Vatican Council regarding the dogmas of the infallibility of the Pope and his primacy of universal jurisdiction, which ultimately led to the formation of an Old Catholic Church of the Union of Utrecht independent of Rome.

According to established Catholic teaching, the sacrament of ordination and especially the episcopal office in apostolic succession (with the exception of the more recent practice of ordination of women) is recognized in the Old Catholic Churches and a very large agreement in the doctrine and understanding of the seven sacraments has been established (cf. the evidence in *Church and Church Community* (pp. 14-18, 2. [5] - [12])).

The Old Catholic Churches, as well as the ancient Oriental and Orthodox Churches, undoubtedly belong to the basic Catholic understanding of the Church. For here the Church is understood as a sacramental reality in contrast to the various church communities of the Protestant-Reformation type.

The Commission's report

The Dialogue Commission under the presidency of Bishop Emeritus Paul-Werner Scheele and the Old Catholic Bishop Fritz-Rene Müller, Bern, has now, after 11 working sessions, published a final report on the current state of ecumenical efforts to achieve full communion between the Catholic Church and the Old Catholic Churches, which are united in the Utrecht Union.

The text of around 40 pages contains 8 official Old Catholic statements on the primacy of the Bishop of Rome in Appendix 8, starting with the Old Catholic Congress in Munich in 1871, through the Utrecht declarations and rallies of 1889 and 1920, and up to the more recent declarations, in which there is a positive response to the overall ecclesiology of Vatican II and the embedding of the doctrine of primacy in an understanding of the entire Church as a *communio ecclesiarum*.

Identifying commonalities

This also determines the approach to the doctrinal differences that have previously divided the Churches. By first developing the common basic view of the Church in God's plan of salvation, the controversial doctrinal statements can be seen in relation to the whole and no longer obscure, in their intensification, the comprehensive commonality in the doctrine of the origin, nature and mission of the Church of the Triune God. Similar to *Lumen gentium*, the Trinitarian-soteriological foundation is presented first, but also the historical realization in the person and mission of Jesus Christ. This is followed by a reference to the sacramental life of the Church in *martyria*, *leiturgia* and *diakonia*, the participation of all believers in the mission of the Church and the responsibility for its global mandate.

Dimensions of the Church

From this point of view, the Church also shows itself in its local and universal dimension and thus the important interaction of the local churches led by the bishop with each other regionally, nationally in synods and bishops' conferences and with the universal church, which - according to the Catholic understanding - is led by the Pope and the bishops in unity with him (*Lumen gentium* 8). The bishops are not alone in their local churches, insofar as they are surrounded by the presbytery, with whom they exercise the ministry of teaching, sanctifying and leading. There must also be an orderly coexistence with the laity in relation to the lay apostolate, but also the testimony of the laity in matters of faith (*sensus fidei fidelium*), about which Blessed John Henry Newman had already presented an illuminating study in the 19th century [1].

The basis would be a common hermeneutics

A common epistemology (hermeneutics) is also crucial in the question of how the revelation of God in Christ is conveyed historically and according to which criteria dogmatic, generally binding doctrinal decisions are to be made in controversial questions. What matters here is the interaction of the testifying authorities while preserving their distinctive weight in the overall structure: on the Holy Scripture, the Apostolic Tradition, the sense of faith of the people of God, the teaching authority of the bishops in the Council and the papal primacy, etc.

United in confession

In this document, the common basic view of the "one, holy, catholic and apostolic Church", which we confess together in the Nicene-Constantinopolitan Creed, is affirmed with the common statement of 1974, according to which the two churches "recognize with gratitude their extensive community in the confession and understanding of the traditional Catholic faith" and "rejoice in their agreement with regard to divine revelation and its transmission through the testimony of Holy Scripture and the Church, the seven sacraments and the ecclesiastical office exercised in apostolic succession" (p. 23).

The primacy of the Pope and the rejection of jurisdiction

Section 5 now begins with an explanation of how the primacy of the Pope is to be interpreted under Old Catholic auspices.

Fundamentally, the tradition of the entire Church recognizes the primacy of the Bishop of Rome as the successor of Peter and a special responsibility of the Pope for unity in doctrine and fidelity to apostolic tradition, but the two dogmas of Vatican I concerning the papacy and their confirmation in Vatican II are rejected.

Regarding the justification of the primacy, reference is made to the awarding of an honorary precedence to the Roman Bishop by ecumenical councils, but also to the application of the New Testament testimonies to Peter and their transfer to the paternal tradition of the double apostolic foundation of the Church of Rome in the martyrdom of Peter and Paul and the presence of their graves with the veneration that follows. Today, in a communion ecclesiology and a new orientation in the theology of office as service, the function of the primacy is described as a "Peter service" to the unity in faith and community in the life of the local churches, which as a community among themselves and in each other make up the one universal church (cf. *Lumen gentium* 23).

The Catholic side adds that Catholic dogma adheres to the Pope's teaching and jurisdictional primacy, but that according to the encyclical *Ut unum sint*, a form of exercising the primacy is sought that takes into account some of the concerns of the Old Catholic and Orthodox sides, by distinguishing the essential components of the primacy and some historically determined disciplinary relationships with the churches of the Latin West (cf. pp. 24-26; *Ut unum sint* 88-96).

The differentiated consensus as a method of ecumenism

Now, in the sixth and final section, the results of the dialogues to date that the two churches have been able to develop "on the way to full church communion" follow (p. 26-44).

The method for this is the differentiated consensus. The differentiated consensus has two components:

- 1. "A clear statement about the agreement reached in the fundamental and essential content of a previously controversial doctrine."
- 2. "An explanation that and why the remaining doctrinal differences, which must also be clearly identified, can be considered permissible and that the agreement in the fundamental and essential is not in question" (p. 26f.).

The fundamental agreements are again stated as follows: that the church is a sacramental reality that is founded on the Trinitarian mystery of God and is historically realized in Christological-soteriological terms in Christ and in the Holy Spirit and is founded on the eschatological completion of God's universal will for salvation. The Church itself is realized in the relationship of the local churches in relation to the universal Church, which exists and lives in them and from them (cf. *Lumen gentium* 23). With regard to the controversial nature of the papal primacy, it is stated:

“These agreements suggest that the doctrine of the primacy of the Pope formulated at the First Vatican Council, if it does not remove the Pope from the communion structure, no longer has to have the weight of a difference dividing the Church as it once did” (p. 28).

Open differences and a Catholic clarification

But now there are the open questions about ecclesiology, about the two Marian dogmas of 1854 and 1950, about the possibility of women being ordained as priests (but also as deacons and bishops). There also remains the question of the canonical status of Catholic priests who leave the Catholic Church to avoid their vows of celibacy and work as priests in the Old Catholic Churches.

Two open questions in particular are addressed here as follows: the papal primacy and the question of the ordination of women as priests.

1) The papal primacy

The indispensable prerequisite for the plena communio of the Old Catholic Church with the Catholic Church remains the acceptance of the binding doctrine of faith on the origin, nature and implementation of the primacy, carried out in faith and not just in external loyalty. The classification of the primacy doctrine of Vatican I in a communion ecclesiology of Vatican II and its development in the subsequent teaching documents of the Pope and the Synods of Bishops must be taken into account, as must its reflective deepening in post-conciliar Catholic theology.

The language and way of thinking, which is strongly influenced by canon law, is opened up and integrated into the language of a sacramental and Eucharistic ecclesiology oriented towards mystery.

The opposition to the Catholic interpretation of papal primacy in the sense of Vatican I and II, which is expressed in the recognition of the Pope as a primus inter pares or the award of an honorary primacy, is not rejected as completely wrong. But these thought patterns require interpretation in the light of the general history of dogma regarding the doctrine of the Church, the episcopal office in apostolic succession and also that of the Pope, who is the successor in the service of St. Peter is particularly committed to the communion of the Church in its life, teaching and sacramental constitution.

Called by Christ

The Pope, as bishop, is equal to the other bishops in his ordination. But he is first among equals (in the episcopal dignity), just as Peter is equal to the other apostles in the apostolic office, insofar as the episcopal office of the Pope, as well as the apostolic office of Peter, has been established the essential function for the Church of being the perpetual visible foundation and principle of the unity of the Church, so that the episcopate is one and undivided (*Lumen gentium* 18). Because the primacy was conferred on Peter by Christ, it is of divine right. And because it was not conferred on Peter by the apostles or the councils or awarded to the popes, it is not *de iure humano*. Otherwise, the universal church would be just a sum of individual churches, which owe their unity only to the interpersonal consensus of the bishops and the agreement of their individual pastors. The primacy is certainly also an honor. But this honor can only have been granted to Peter and his legitimate successor as Bishop of Rome by the founder of the church.

Nor did the apostles choose Peter as their spokesman. A council can only recognize and testify to the primacy as a truth of faith. The determination of the order of the old patriarchal seats by the old councils refers to the jurisdictional areas and is somewhat unclear in concrete terms due to the different traditions that led to the formation of the patriarchates (Petrine seats, political justifications with the capital Rome or New Rome/Constantineople, the system of autocephaly of the patriarchs as heads of autonomous national churches). The Catholic theology of primacy also has little to do with the fact that Rome was the capital of a long-vanished world empire in the political sense. When the biblical passages on primacy were used to justify a developing doctrine of primacy in the 3rd century, the foundation in the nature of the church founded by Christ was clearly emphasized, thus highlighting the essential difference between the sacramental church and a political association founded by people. The primacy has the reason for its real institution in Peter and in the increasingly clear formation in the Roman church and is by no means based on a previous theological theory about primacy, which would then have to be put into practice. Irenaeus already underlines the Petrine character of the greater priority of the Roman church, which has a final orientation for the task of jointly preserving the apostolic tradition of the indivisible truth of revelation[1].

In this sense, the words of Joseph Cardinal Ratzinger are also valid: no more primacy doctrine can be expected from the East than corresponds to the tradition of undivided Christianity in the 1st millennium [3]. This statement cannot be read in a historicist or even ahistorical way. Rather, it refers to the existence and exercise of primacy in undivided Christianity in the East and the West before the schism of the 11th century.

Historical confirmation

Nor can the history of the Church in the first five centuries be idealized (*consensus quinqueseularis*). It was precisely here that the great disputes were fought in order to defend the correct understanding of the apostolic tradition against Gnosticism: the doctrine of the Trinity, the hypostatic union, the two natures, the will and energies of Christ, the validity of the sacraments administered by unworthy priests, the necessity of grace against the Pelagians, but also the teaching authority of the councils. Therefore, the principle *quod semper, quod ab omnibus, quod ubique* cannot be used schematically to relativize a later dogmatized doctrine of faith as incompatible with the teaching of the Church Fathers (e.g. the seven sacraments).

Better understanding in history

The development of the doctrine of primacy must also be seen in the context of a development of the doctrine of faith and the church constitution, in which its basic testimony in the early church comes to light more clearly and is proven and differentiated in the debate. The primacy of the Pope is not based on abstract, history-less speculation, but has its basis in the foundation of Christ, whose inner logic only emerges in the history of the church and requires constantly renewed theological reflection. In this way, deficiencies in understanding and one-sidedness in practice can be overcome and, ultimately, even contradictions can be integrated into a more comprehensive understanding of the interaction of episcopate and primacy, of local church and universal church, moving forward into the future of full communion of the previously institutionally separate churches in the one church.

The Old Catholic view is strongly influenced by the local church due to its historical origins with the emergence of a church in Utrecht separated from Rome (1723) and the Old Catholic churches due to the contradiction to Vatican I and is clearly conceived from the perspective of the individual bishop. From a Catholic perspective, while emphasizing the constitutive importance of the sacramental episcopal office for a local church, it must also be considered that the episcopal office itself has always had a responsibility for the universal church. In the episcopal ordination, the new bishop is always necessarily integrated into the college of bishops, just as the Twelve were called together to the circle of apostles and thus also had a connection to Peter, whom Christ himself placed at the head of this college.

2) On the ordination of women

The most difficult problem currently preventing full communion is the sacramental ordination of women in most Old Catholic churches. This is not just a matter of different interpretations of a common object of faith, but of the fact of an intervention in the substance of the sacrament of ordination, which must be qualified by both the Catholic and Orthodox churches as an invalid administration of the sacrament.

The basic hermeneutical question: Who evaluates the tradition?

The Old Catholic side claims that the common tradition of the whole of Christianity of only giving the spiritual office to men is only a sociologically conditioned adaptation to a patriarchal society. But that is precisely the question: how should such a tradition be assessed and who is authorized to determine whether it is a coincidental condition or an aspect that belongs to the substance of the sacrament of ordination. This decision about the substance of the sacrament of ordination rests solely with the supreme teaching authority of the Pope and the bishops in unity with him. Despite the remaining differences, the unanimous testimony of the Orthodox bishops, who represent the apostolic tradition and binding nature of the doctrine of the sacrament of ordination, which a woman cannot validly receive, is significant here.

Church communion with the Old Catholic Church therefore presupposes that the invalidity of this ordination of women is declared and that in future the ordination of women to the sacramental office is dispensed with, thus returning to the common tradition of all Catholic churches.

With regard to former Catholic priests, recognition of their continued service in the churches of the specifically Old Catholic tradition (or partial rite within the Latin West) can be permitted in a one-off act of reconciliation and sanctification. In the future, however, Catholic priests with a vow of celibacy will no longer be able to move to an Old Catholic diocese just to get married.

Regaining unity in the spirit of truth

In his 1995 encyclical *Ut unum sint*, John Paul II recalled the Catholic Church's commitment to ecumenism as well as the ecumenical encounters of recent decades, which make it clear that where there is a struggle for the common commitment to regaining visible unity in the spirit of truth, hopeful signs and results pointing to the future are also achieved. The International Roman Catholic - Old Catholic Dialogue Commission has made an important contribution to this with its report on the Church and Church Community.

The words of the encyclical of John Paul II apply to their dialogue: "Dialogue is also a natural instrument for comparing different points of view and, above all, for examining those differences which constitute an obstacle to full communion among Christians. [...] Love of truth is the deepest dimension of a credible search for full communion among Christians. Without this love, it would be impossible to face the objective theological, cultural, psychological and social difficulties which one encounters in the examination of differences. To this inner, personal dimension must be added inseparably the spirit of love and humility. Love towards the interlocutor, humility towards the truth which one discovers and which may require revisions of statements and attitudes" (*Ut unum sint* 36).

ENDNOTES

- [1] For the entire topic, see Gerhard Ludwig Müller (ed.), *The Primacy of the Successor of Peter in the Mystery of the Church*. Studies of the Congregation for the Doctrine of the Faith (Würzburg 2010).
- [2] John Henry Newman, *Draft of a Doctrine of Assent* (= *Selected Works of John Henry Newman*, Vol. VII) (Mainz 1961).
- [3] Cf. Joseph Ratzinger, "Rome and the Churches of the East after the Lifting of the Excommunication of 1054", in: Gerhard Ludwig Müller (ed.), *Joseph Ratzinger Collected Writings*, Vol. 8 in two volumes (= JRGS 8) (Freiburg 2010) 754-773.