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# GEZAG ALS GAVE

*Gezag in de kerk in oecumenisch spanningsveld  
Symposium op 13 december 2003*



Uitgegeven door

Jan Hallebeek

Publicatieserie Stichting Oud-Katholiek Seminarie  
Aflevering 37

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## GEZAG ALS GAVE

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## INHOUD

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## INHOUD

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## PREFACE

Au fond il n'y a qu'un seul qui tient l'autorité, le Seigneur Jésus-Christ. Par l'autorité reçue du Père, Il est don et présent pour nous tous. Il n'y a qu'une seule obéissance qui est profitable à l'homme: l'obéissance de l'imitation du Seigneur. Dans l'Eglise nous essayons continuellement de concrétiser l'autorité du Seigneur pour qu'elle puisse fonctionner en attirant l'homme et le monde à la plénitude de la vie, la vie à laquelle l'Eternel nous appelle nous tous.

Ainsi nous est donné le seul critère se rapportant au ministère dans l'Eglise : ce critère amène l'homme et le monde à la plénitude de la vie. L'église catholique romaine de notre pays célébra en 2003 le cent cinquantième anniversaire de la reconduction de l'hierarchie catholique romaine. Nous l'en avons félicité sincèrement. La journée nationale ecclésiale organisée à l'occasion fut une grande festivité témoignant d'assurance et d'optimisme. C'est une bonne chose pour le rayonnement de l'évangile dans notre pays de voir les églises profondément convaincues de leur identité. La même assurance nous appelle à ne pas oublier la lutte de conscience de nos aïeux vieux-catholiques. Précisément la question comment l'autorité du Seigneur en tant que don pour l'homme et pour la société pourrait être vécue, les a motivés à prendre la direction qu'ils ont prise, même si les conséquences en étaient bien lourd à porter.

Finalement c'est la tâche commune à toutes les églises d'exprimer l'autorité du Seigneur dans les situations culturelles concrètes. Dans cette perspective ce symposium dont nous pouvons vous présenter les textes, nous le considérons avant tout comme une occasion de réflexion commune.. Depuis 1872 les vieux-catholiques ensemble avec les orthodoxes et les anglicans ont réfléchi sur ce genre de questions. C'est pourquoi nous ne voulons pas nous priver de leur apport à cette occasion. Il est évident que la coopération de la Réforme a pour nous exactement la même valeur. A la réalisation de l'église protestante aux Pays-Bas la question sur l'autorité a joué le même rôle.

Dans son intervention le professeur dr. Jan Hallebeek introduit le thème en prenant comme point de départ les événements autour du 'Schisme d'Utrecht'. Vu ces circonstances, la « reconduction » de l'hierarchie romaine fut un événement bien pénible pour cette autre église catholique qui existait pendant plus d'un siècle et qui n'avait épargné aucune peine pour colmater la brèche les séparant. Sans pour autant vouloir désavouer sa propre conception concernant l'autonomie de l'église locale, elle ne visait pas à perdre le lien avec le centre de l'église universelle. Au centre du problème de l'autorité se trouve en effet la question sur l'unité de l'Eglise et sur la façon dont cette unité peut se concrétiser.



L'intervention du Métropolitain Daniel de Jasi (Roumanie) pose le lien entre le don de l'autorité et la vocation de l'Eglise de rester dans la vérité. « Eglise » c'est un processus permanent et vulnérable de la recherche de la vérité et 'l'autorité dans l'Eglise' rend service à ce processus, luttant contre toutes sortes de division et d'aliénation qui doivent être démaquées en tant que péché.

L'autre intervention orthodoxe, celle du Métropolitain Jeremy de Suisse traite l'importance de l'église locale qui dans toutes ses particularités est l'image de l'Eglise Une. Le lien fraternel qui unit les églises entre elles, s'exprime dans les structures conciliaires. De cette façon on rend témoignage de l'unité réelle qui en même temps pare le danger du centralisme.

Précisément la question de la stature d'une unité supranationale des églises donne le point de départ de l'intervention du professeur dr. Martien Brinkman. Il constate que la réforme a mis de côté en grande partie cette question et il trouve dans le document Arcic '*The Gift of Authority*' une bonne synthèse entre une forme d'autorité universelle de l'un côté et une synodalité réelle de l'autre. L'idéal de 'l'unité dans la diversité' paraît surtout être bien précieux parce qu'il respecte le fait que cette diversité pourrait être une expression de la créativité de l'Esprit de Dieu. Il faut aborder alors les questions sur l'autorité dans et l'unité de l'Eglise sous l'angle de cette réalité pneumatologique.

L'évêque Christopher Hill, qui a participé aux entretiens formant la base de '*The Gift of Authority*' réfléchit sur la question de l'équilibre entre autonomie et solidarité. Le lien conciliaire que les églises ont ou n'ont pas entre elles dépend de cet équilibre. L'évêque met l'accent sur le fait que 'l'autorité' se joue sur le fond de la '*relation de dialogue*' qui existe également entre Dieu et les hommes. Sur ce fond aussi l'autorité est un processus dynamique au service de la construction de relations comme l'égalité et le respect entre les hommes, les chrétiens et les églises. L'étude future sur la réception de l'autorité, dont on a vraiment besoin, deviendra une tâche bien passionnante dans cette optique.

Dans l'intervention de la femme docteur Angela Berlis nous constatons la richesse de l'inspiration du mouvement vieux-catholique en rapport avec la question sur l'autorité en tant que service à l'unité. Aussi bien au début de l'église du 18<sup>ème</sup> siècle dans l'Eglise d'Utrecht qu'à l'occasion des premiers congrès vieux-catholiques, on était bien convaincu qu'un certain modèle synodal rendrait les meilleurs services à la prédication de l'évangile. La structure épiscopale-synodale qui s'est formée dans toutes les églises vieilles-catholiques, en donne en effet souvent la preuve. Ici il faut remarquer que la synodalité est plutôt une façon de savoir vivre que de structure, une façon de foi et de prière commune!

Par ce symposium et par l'édition de ce fascicule nous espérons vivement contribuer au débat sur l'autorité dans l'Eglise au service de son unité. Davantage à l'aide de ce fascicule nous espérons faire goûter le lecteur de l'inspiration orthodoxe – anglicane – et vieille-catholique, une inspiration qui à notre humble avis peut offrir des choses intéressantes dans ce domaine.

+ Dr. Joris A.O.L. Vercammen,  
Archevêque d'Utrecht

## INTRODUCTION TO THE THEME OF THE SYMPOSIUM

Jan Hallebeek

This very year, 2003, many Catholics in our country have commemorated what is called the “150 years’ restoration of Episcopal administration” (*150 jaar herstel van de bisschoppelijke hiërarchie*). For it was in 1853 that Pope Pius IX (1792-1878) established in the Netherlands a Church Province, consisting of five dioceses provided with an Archbishop of Utrecht and four Suffragan Bishops.<sup>1</sup> This so-called “restoration” disregarded the fact that in 1853 there were already a number of Catholic bishops in the Northern Netherlands, viz. those of the Roman-Catholic Church of the Episcopal Clergy (*Rooms-Katholieke Kerk van de Bisschoppelijke Cleresie*) or Church of Utrecht, which in later times would become known as the Old Catholic Church of the Netherlands. The Church of Utrecht consisted of a relatively small group of catholic faithful supporting the Utrecht Vicariate, also termed the Metropolitan Chapter. From 1723 onwards, this Chapter, relying on its indefeasible competences, had elected an Archbishop of Utrecht, who in his turn had nominated bishops of Haarlem and Deventer. Although the Church of Utrecht was not prepared to submit herself unconditionally to the Roman authorities, she considered herself as faithful to Rome and in a certain sense papalist.<sup>2</sup> The Roman Pontiff, on the other hand, refused to regard her bishops as the legitimate administrators of the Catholic Church in the Northern Netherlands, since they were consecrated — albeit in an emergency situation — without papal confirmation. However, the new bishops, nominated in 1853, were not intended to replace them, but to administer the larger community of the catholic faithful, which had submitted itself unconditionally to Rome, albeit not always without considerable objections. Until that time this party, also termed the Dutch Mission (*Hollandse Zending*), had been administered by the congregation *De Propaganda Fide* and through the papal nuncio. The Church of Utrecht considered the establishment of a new ecclesiastical administration in the Netherlands, which was supposed to replace the existing Church Province of Utrecht (founded in 1559), as illegal, a violation of her historical rights and a grievous wrong.

From present day perspectives, it would seem as if the Church of Utrecht did not understand that the times had changed. The new, liberal Constitution of

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1 More historical details can be found in J. Vis - W. Janse (eds), *Staf en storm; het herstel van de bisschoppelijke hiërarchie in Nederland in 1853; actie en reactie*, Hilversum 2002, with a concise bibliography on p. 348-353.

2 Not in the nineteenth century, ultramontane sense.

1848, irreversibly separating Church and State, compelled the secular authorities to treat all churches and religious parties equally. The Dutch Mission was no longer to be deprived of the ecclesiastical administration she wished for herself. On the third of March, 1853, the Church of Utrecht responded to the papal "restoration" by addressing King William III (1817-1890),<sup>3</sup> an echo of the ancient *recursus ad principem*, a legal institution which had functioned as a useful remedy under the *Ancien Régime* when monarchs and secular authorities could still set themselves up as patrons of the Church. However, under the new constitutional regimen, i.e. after the nineteenth century promulgation of freedom of religion and the separation of Church and State, this remedy was doomed.

In 1953, only fifty years ago, the centenary of 1853 was commemorated in a polemical atmosphere. In opposition to a self-glorifying celebration of "100 years crosier" by Roman Catholics, the Old Catholics emphasized their uninterrupted tradition of Catholicism in the Netherlands even throughout periods of repression by speaking about "1200 years crosier". Nowadays, we evaluate the events of 1853 from an ecumenical point of view and consider it more appropriate to congratulate our much larger sister church on having her own ecclesiastical administration to which she is entitled as is every other denomination. The present co-existence of two archbishops of Utrecht and two bishops of Haarlem regrettably stresses the fact that in 1853 there was no unity amongst the Catholics, however it only confirmed a long existing discord with roots in a distant past. On the other hand, we have to realize that this acceptance of the fact that there are two Catholic Churches in the Netherlands, is merely based on a modern constitutional and secular perspective. It still lacks an ecclesiological foundation. This implies that, although our Churches have respect for each other, from a theological point of view the situation is, in fact, unacceptable, both for Roman Catholics and Old Catholics.

The Episcopal administration introduced in 1853 was not the kind of administration to appeal to the Church of Utrecht. The newly established chapters were from 1858 entitled to submit candidates for a vacant see (a *ius commendandi*),<sup>4</sup> but a new bishop had to be nominated by the Roman Pontiff from a universal centre of administration. The chapter's recommendation had no binding force. Moreover, all diocesan bishops were shortly thereafter, as a consequence of Vatican I, once and for all subordinated to the Pope's universal jurisdiction.

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3 J. van Santen - H.J. van Buul - H. Heykamp, *Adres van de Rooms-Katholieke Oud-Bisschoppelijke Klerozij aan Z.M. den Koning der Nederlanden*, Utrecht 1853.

4 Cf. *Decretum S.C. De propaganda fide circa capitula cathedralia dioecesium in Regno Neerlandiae* of 17 July 1858 and *Instructio S.C. De propaganda fide pro Regno Neerlandiae circa commendandos ad episcopatum* of the same date.

The Church of Utrecht — as a Catholic Church which had preserved the office of diocesan bishop — was also acquainted with ecclesiastical authority and jurisdiction and this brings us to the very theme of this symposium: namely in which divergent ways can ecclesiastical authority be exercised, with particular reference to churches with an Episcopal structure? The answer to this question is not simple because tensions so easily arise between local churches on the one hand and the universal church on the other. To do justice to the local church with her own particular beliefs, tradition and culture can easily lead to conflict with preserving ecclesiastical unity on the global level. In this respect it may be noted that Old Catholics, by adopting a critical attitude towards an overcentralized structure of the Church, have by no means made things easier for themselves. Starting from the premise, that there can be no hierarchy among diocesan bishops, which includes the bishop of Rome, it is for local churches and their bishops sometimes almost impossible to preserve ecclesiastical unity by following a common course and acting in concert. During recent decades this has become clearly apparent. In case of disputed issues, such as the ordination of women, the historic structure of the Church on the global level demands laborious conciliar decision making processes. The local churches not only have to prepare for the eventual decision making in the International Conference of Old Catholic Bishops (IBC) through congresses, theological conferences, the *Internationale Kirchliche Zeitschrift*, etc., but afterwards a process of reception has to take place in the local Church.<sup>5</sup> Thus, Old Catholics are faced with the serious question of how we can nowadays build up and preserve a Universal Church.

For centuries we have stemmed from a tradition which has offered resistance to an overcentralized constitution of the Catholic Church. On the other hand, the Church of Utrecht considered herself to be faithful to Rome, not deviating from anything catholic. On several occasions she acknowledged the fact that the primacy of the Roman Pontiff over the other diocesan bishops is not just an honorary primacy, but one of ecclesiastical competence and authority.<sup>6</sup> It was only in the Declaration of Utrecht of 24 September 1889, i.e. after Vatican I had taken place and all chances of reconciliation seemed to be lost, that this traditional

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5 Cf. *Statut der in der Utrechter Union vereinigten altkatholischen Bischöfe*, Beiheft IKZ 91 (2001).

6 See *Verklaring onzer leer* from 1744 to Benedict XIV (1675-1758) (Latin version published in the *Acta et decreta* of the Second Provincial Council of Utrecht (1763), cf. *Mansi* Vol. 38, column 723 ff.) and *Decretum* III of the Council itself (*Mansi* Vol. 38, column 760); see also *Synodale brief aan Clemens XIII* from 1766 (published as *Epistola episcoporum et cleri ecclesiasicae provinciae Ultrajectensis (...)* [s.l.] 1767) and P. Buys, *Rome en Utrecht*, Amersfoort 1864<sup>2</sup>, p. 163-168.

view was somewhat modified.<sup>7</sup> From that time the term “historic primacy” took the place of ‘competence and authority’, while the Roman Pontiff was qualified as *primus inter pares*. Vatican II, in its turn, made it necessary to adjust the point of view of 1889. Thus, in 1970, the International Bishops’ Conference (IBC) issued a declaration, paving the way for an open dialogue concerning a jurisdictional primacy of the bishop of Rome. At the same time it expressed the hope that further developments would lead to a conciliar community of all churches, in which the original Petrine Ministry could acquire a new significance.<sup>8</sup>

Despite the fact that the Church of Utrecht has in the past acknowledged the primacy of Rome, there has always been a reservation, i.e. the opinion that the competence and authority of the Pope, for such long a period frankly confessed, exists only in certain prerogatives. The statements just mentioned, acknowledging the primacy, have to be seen against the background of certain ecclesiological principles held by our ancestors, e.g. that there can be no hierarchy among diocesan bishops, albeit that, in various respects, one of them may take priority.<sup>9</sup>

This restraint against an overcentralized Catholic Church is rooted in the distant past. During the Reformation, the Catholic Church in the Northern Netherlands was deprived of her visible position in social life. She was compelled to surrender her churches and monasteries. Prebends fell into the hands of Calvinist canons, and the presence of diocesan bishops was no longer tolerated by the Protestant authorities. However, according to the local, secular clergy, this did not imply that the Catholic Church had perished. There were still clergy and faithful laity, while the parishes were reorganized. There were still dioceses and within the Diocese of Utrecht even a territorial subdivision into areas under the supervision of archpriests. The Chapter of Haarlem survived the Reformation, while the Chapters of Utrecht continued, alive and well, in the guise of the Vicariate Council, founded in 1633. All evidence pointed to the fact that the pre-

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7 See also the declaration of F. Kenninck on behalf of the Dutch bishops and priests of 7 June 1922, published in *Internationale Kirchliche Zeitschrift* 12 (1922), p. 134.

8 See the declaration of the IBC from 29 June 1970, published in *Internationale Kirchliche Zeitschrift* 60 (1970), p. 57-59 and in U. Küry, *Die altkatholische Kirche; Ihre Geschichte, ihre Lehre, ihr Anliegen* [Kirchen der Welt III], Stuttgart 1978<sup>2</sup>, p. 458-460; cf. also the pastoral letter of the episcopacy of the Old Catholic Church of the Netherlands in *De Oud-Katholiek* 86 (1970), p. 153-156, 161-162 and in *Archief van de Kerken* 25 (1970), column 909-914.

9 See Z.B. van Espen, *Supplementum in Jus Ecclesiasticum Universum* (1727, published 1729), Pars I, titulus XVI caput II § 4.

Reformation Catholic Church was still in existence. It was only because of the Calvinist secular authorities, edicts prohibiting the presence of diocesan bishops, that ecclesiastical administration could no longer be exercised in the normal way. For this reason, the dioceses in the Northern Netherlands were formally administered not by several diocesan bishops, but by one Vicar Apostolic. How this complicated situation had to be understood was not clear. The secular clergy and a large number of the catholic laity considered the Vicar Apostolic to be their de facto diocesan bishop. In a number of cases the Vicar Apostolic was elected by local bodies, such as the Chapter of Haarlem and the Utrecht Vicariate Council, and then appointed as such by the Pope. Moreover, in practice there was not much that was different. According to the *ius commune* the Vicar Apostolic has ordinary jurisdiction at his disposal. As early as 1298 the *Liber Sextus* ruled that the administrator of a vacant diocese holds all the rights belonging to the bishop's jurisdiction and that he can exercise those rights freely, as can a bishop-elect after his election has been confirmed.<sup>10</sup> However, during the course of the seventeenth century, the Roman authorities increasingly considered the Church of Utrecht to be missionary territory, supervised by the congregation *De propaganda fide*. Several times they ignored the election by the local electoral colleges,<sup>11</sup> while the ordinary jurisdiction of the Vicars Apostolic was questioned.<sup>12</sup> As a response the Church of Utrecht clung increasingly to the fact that she was the uninterrupted continuation of the Catholic Church, as founded by St. Willibrord in the early Middle Ages and further to the fact that in the late-medieval concordats between the Pope and the German Emperor<sup>13</sup> this Church had never been subjected to any form of papal reservation.<sup>14</sup>

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10 VI 1.6.42: Is, cui procuratio seu administratio cathedralis ecclesiae plena et libera in spiritualibus et temporalibus a sede apostolica, cui soli hoc competit, est commissa, potest, alienatione bonorum immobilium duntaxat excepta, omnia, quae iurisdictionis episcopalis existunt, et quae potest electus exsequi confirmatus, libere exercere ...; cf. also VI 1.8.4.

11 In 1656 the Pope nominated Zacharias de Metz (ca. 1600-1661) as coadjutor to Jacobus de la Torre († 1661), without his being first elected by the clergy. In 1661 the Pope nominated Boudewijn Catz (ca. 1601-1663) successor to De la Torre in the place of coadjutor-bishop Johannes Baptista van Neercassel (1625-1686).

12 Examples with references to archival documents and literature can be found in J. Hallebeek, *De 'wondere afscheidspreekens' van pater Daneels: Oudewater 1705* [Publicatieserie Stichting Oud-Katholiek Seminarie, 31], Amersfoort 1998, p. 29-30.

13 The so-called *Concordata Germaniae*, especially the concordat of Vienna or Aschaffenburg of 1448. The text can be found in E. Münch, *Vollständige Sammlung aller ältern und neueren Konkordate*, Part I, Leipzig 1830, p. 88-93 and in K. Zeumer, *Quellensammlung zur Geschichte der Deutschen Reichsverfassung im Mittelalter und Neuzeit*, Tübingen 1913<sup>2</sup>, nr. 168 (p. 266-268).

In the middle of the seventeenth century, especially in the Dutch parishes guided by secular clerics, a modern type of religious life began to flourish. Great store was set by internal piety, the correct condition for receiving the sacraments, examination of personal conscience, religious knowledge and a biblical-liturgical orientation. Together with this went scepticism of all forms of external devotion, which created the impression these forms themselves independently produced certain results. A religiousness which attaches importance to individual conscience and religious knowledge, to a personal involvement in the Christian faith, both for the individual and the community, cannot possibly demand unquestioning obedience, nor can it force theology into a straitjacket, thus depriving its practitioners of freedom of conscience. This explains the resistance to the various documents which Rome at the end of the seventeenth and the beginning of the eighteenth centuries required to be accepted unconditionally, viz. the Formulary of Alexander VII (1665), condemning five propositions which were said to be derived from the posthumously published work *Augustinus* of Cornelius Jansenius (1585-1638), and the bull *Unigenitus* (1713), condemning propositions derived from the *Réflexions morales* of Pasquier Quesnel (1634-1719). Resistance to coercive measures from Rome was at the same time resistance to Rome's profound distrust of personal conscience and of independent pursuit of theological studies.

In the eyes of Rome, the study of theology at Louvain, where many secular clerics from the Northern Netherlands received their theological education, was suspect. It was orientated towards the Primitive Church, which it adopted as normative, realizing that the Gregorian Church Reform, building on the spurious, so-called Pseudo-Isidorian Decretals from the ninth century, had provided the Catholic Church in the West with a constitution fundamentally different from that of the Primitive Church. The pyramidal structure culminating in the Roman Pontiff as supreme judge of appeal and supreme lawgiver had never been the accepted practice of the Primitive Church and only became prevalent in the twelfth and thirteenth centuries. The Louvain theologians and canonists of the late seventeenth century looked for support in ecclesiastical theories which did not depend on the idea of one single centre of authority and power. These theories were in the meantime rejected by Rome, although in the past they had been regarded as legitimate, from time to time the prevailing view, accepted by General Councils and defended by great theologians. There was the theory of Conciliarism, i.e. that the Pope is subordinated to the judgment of the General Council. This doctrine prevailed at the Councils of Constance (1414-1418) and Basle (1431-1443). In 1717 it appeared to be still very much alive, when four French bishops appealed from the papal promulgation of the bull *Unigenitus* to

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14 This idea of continuity is well displayed in historical works such as *Batavia Sacra, sive Res gestae apostolicorum virorum qui fidem Bataviae primi intulerunt*, Brussels 1714 by Hugo Franciscus van Heussen (1634-1719).



a General Council. Certain views about the origin of ecclesiastical jurisdiction may have been of even greater importance. Building on authoritative texts from the Church Fathers, Joan Christiaan van Erckel (1654-1734), the parish priest of Delft, developed a Dutch version of this doctrine. In his view, the diocesan bishop derives his use of jurisdiction from the church as a whole, i.e. from the community of the faithful (clerics and laity). Thus, jurisdiction is exercised over the Church, where it essentially resides.<sup>15</sup> Looking back to the seventeenth century with this doctrine in mind, the Church of Utrecht could see in the Vicars Apostolic only diocesan bishops. If they had not already an ordinary jurisdiction on the basis of the *ius commune*, this would in any event have been true because of the fact that they had been elected by the local church, where ecclesiastical jurisdiction fundamentally resided, or because they received support from the local church. Thus, only in terms of canon law could the Vicars Apostolic not be considered diocesan bishops, in ecclesiological terms there was no doubt.

History has bequeathed to us, Old Catholics, the idea that in the Church authority can be exercised in a way different from that at present practiced by the Roman Catholic Church, maybe more in conformity with the way authority is exercised in the Anglican and Orthodox world. There are indications which indeed point in such a direction. The declaration “*The Gift of Authority*” (GA) of 12 May 1999 of the International Anglican-Roman Catholic Dialogue Committee<sup>16</sup> contains a number of texts, closely related to the Old Catholic ecclesiological inheritance, although these texts do not always pronounce clearly upon all its aspects. The document without qualification acknowledges that authority in the Church is derived from God’s authority,<sup>17</sup> but it does not elucidate exactly in which way.<sup>18</sup> It does seem as if the Church in its entirety, i.e. including both clerics and laity, plays a certain part in achieving this. It is the entire Church which cherishes the Apostolic Tradition and is responsible for faithfully handing on this tradition.<sup>19</sup> The teaching authority requires the co-operation of all

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15 A similar view on the origin of jurisdiction can also be found in the later works of Zeger Bernard van Espen (1646-1728).

16 The text of this document is published in *Origins: CNS documentary service* 29 (1999), p. 19-29. The qualification of authority as a gift can already be found in *Baptism, Eucharist and Ministry* [Faith and Order paper no. 111] of 1982 (Ministry § 15).

17 GA § 7 (i.f.): “... The root of all true authority is thus the activity of the triune God, who authors life in all its fullness.”

18 At least not in terms of canon law.

19 GA § 28: “The people of God as a whole is the bearer of the living Tradition. In changing situations producing fresh challenges to the Gospel, the discernment, actualization and communication of the word of God is the responsibility of the whole people of

faithful, not just the bishops.<sup>20</sup> However, “*The Gift of Authority*” does not ascribe a role to this co-operation with authority in the election of a diocesan bishop by clerics and laity, but merely in certain Synodal structures, while the character of the document does not allow the specific features of these structures (advisory or decision making Synods?) to be filled in.<sup>21</sup>

It may be clear that the role of the Church as a whole in the exercise of jurisdiction and teaching authority has to be further investigated. A major contribution to this discussion may be made by Catholic Churches, which have preserved the office of diocesan bishop but which at the same time, referring to the Primitive Church and appealing to tradition, reject the universal jurisdiction of the Pope. It is for this very reason that in this symposium, which we today offer to the Church of the Netherlands in the broad sense of the word, the view of these Churches on the way authority has to be exercised constitutes the central issue.

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God. The Holy Spirit works through all members of the community, using the gifts he gives to each for the good of all ...”

20 GA § 43: “The exercise of teaching authority in the church, especially in situations of challenge, requires the participation, in their distinctive ways, of the whole body of believers, not only those charged with the ministry of memory ...” See also *Baptism, Eucharist, Ministry*, Ministry § 15: “... Authority has the character of responsibility before God and is exercised with the cooperation of the whole community.”

21 Cf. also *Baptism, Eucharist & Ministry 1982-1990; Report on the process and responses* [Faith and Order paper no. 149], Geneva 1990, p. 127. See further about the document *The Gift of Authority* M. Root, *The Gift of Authority*; An observer’s report and analysis, in *The ecumenical review* 52 (2000), p. 57-71.

## L'AUTORITÉ DANS L'ÉGLISE ORTHODOXE

*Jeremy Caligiorgis*

Invité par l'Archevêque vieux-catholique d'Utrecht Joris A.O.L. Vercammen, avec l'approbation de Sa Sainteté le patriarche œcuménique Bartholomaios 1er, le Métropolitte Jérémie de Suisse a participé au Symposium organisé à Utrecht le 13 décembre 2003, consacré au thème: Le don de l'autorité, c'est-à-dire de la hiérarchie et du pouvoir exercé dans l'Église.

Dans son exposé, le Métropolitte de Suisse a développé la question du point de vue orthodoxe. Il a référé l'autorité de l'Église à la personne du Christ, en fondant notamment le sacerdoce du Christ dans la vérité de Dieu, cachée, symbolisée et finalement révélée dans l'Ancien Testament.

Parallèlement aux prêtres et grands prêtres, membres de la tribu sacerdotale de Lévi, seul le Christ est annoncé séparément comme grand prêtre : "Tu es prêtre pour l'éternité à la manière de Melchisédech". (Hebr 5, 6). Au chapitre 7, 1-10 de l'épître aux Hébreux, le sacerdoce du Christ est annoncé en la personne de Melchisédech, roi de justice, roi de Salem (paix), lui qui n'a ni père, ni mère, ni généalogie, ni commencement pour ses jours, ni fin pour sa vie, mais qui est assimilé au Fils de Dieu reste prêtre à perpétuité. Un autre prêtre est suscité qui ressemble à Melchisédech, un changement de sacerdoce, un changement de loi est opéré "car un changement de sacerdoce entraîne forcément un changement de loi" (Hebr 7, 12) et cela est irrévocable: "Le Seigneur l'a juré et il ne reviendra pas sur cela". (Hebr 7, 21; Ps 110 (LXX 109), 4.)

L'orateur s'est ensuite référé à la chorée de disciples dans leur rapport fonctionnel à la Personne du Seigneur qui en a fait des coopérants dans Son œuvre, des témoins sur terre de Son enseignement, des apôtres possédant puissance et pouvoir d'évangéliser le genre humain. Les hérauts de cette bonne nouvelle révélée seront accompagnés par le Saint-Esprit, le Paraclet: Il leur enseignera toutes choses et leur fera ressouvenir de tout ce qu'Il leur a dit (Jn 14, 26), les fera accéder à la vérité et leur communiquera tout ce qui doit venir (Jn 16, 13).

Dans la vie de l'Église, l'autorité est un concept intime lié à l'œuvre de la divine économie en Christ pour le salut du genre humain, prenant source dans la volonté de Dieu le Père, opéré par le Fils et accompli par l'Esprit Saint. Dans ce sens, l'incarnation du Fils et Verbe de Dieu manifeste dans le monde la volonté éternelle de Dieu le Père avec la coopération du Fils et du Saint-Esprit. Elle constitue la source de toute autorité, puisqu'elle est annoncée à l'époque de

l'Ancien Testament et réalisée à l'époque du Nouveau Testament : "pour que le Christ soit tout en tous".

Par conséquent, l'autorité dans l'Église est un concept christocentrique, puisque le Christ lui-même en est non seulement la tête, mais aussi le corps, incarné dans l'espace et dans le temps dans chaque Église locale. Cette incarnation du Christ est réalisée dans chaque Église locale avec la participation du corps ecclésial à l'expérience sacramentelle qui, centrée toujours sur la Divine Eucharistie, détermine, en même temps, le sens de l'autorité dans la vie de l'Église.

En effet, le ministère sacerdotal du Christ a ensuite été confié aux apôtres qui ont reçu du Seigneur de l'Église lui-même le pouvoir spirituel et l'inspiration du Saint-Esprit pour annoncer à toutes les nations le message salvateur de l'incarnation divine et pour matérialiser ce message dans chaque réalité ecclésiale concrète. Or, c'est le Christ que les apôtres ont reçu et c'est le Christ qu'ils ont donné au monde grâce à leur prédication apostolique sous la conduite du Saint-Esprit qui "constitue toute l'institution de l'Église".

Il semble donc évident qu'à l'ère de l'Église, au moment de la Pentecôte, c'est l'Église que les apôtres ont reçue, comme étant le corps du Christ prolongé dans l'histoire du salut et c'est elle qu'ils ont léguée à leurs successeurs grâce à la suite ininterrompue du sacerdoce du Christ et de Sa présence continue jusqu'à la fin des temps. Cela confirme l'expérience sacramentelle de l'Église "manifestée dans les sacrements", selon la formule lapidaire de Nicolas Cabasilas. Dès lors, toute notion d'autorité ecclésiastique prend source dans l'expérience sacramentelle et s'y réfère, de sorte que l'union des fidèles avec le Christ reste valable et réelle.

Le Christ entier est donc réellement manifesté et vécu dans l'expérience sacramentelle de chaque Église locale, opérée par le Saint-Esprit et garantie par les successeurs de l'autorité apostolique. Or, tout ce que le Christ opère dans le monde lors de la Pentecôte, il le fait en l'Esprit Saint au sein de son Église. De même, tout ce que l'Église opère dans le monde, elle le fait en Christ par le Saint-Esprit. Dès lors, tous les ministères ecclésiastiques assurent la vie sacramentelle de l'Église et sont confirmés par elle, puisque faute de référence à l'expérience liturgique, ceux-ci perdent leur contenu spirituel christocentrique et leur nécessité absolue dans la vie de l'Église.

L'histoire deux fois millénaire de l'Église a montré que chaque fois que l'autorité ecclésiastique s'est émancipée de l'expérience sacramentelle du corps ecclésial, il y a eu une crise inévitable entamant non seulement l'autorité ecclésiastique, mais aussi la cohésion spirituelle du corps ecclésial. Il n'est pas

absurde de constater que, durant la Réforme protestante, la crise de l'autorité ecclésiastique a eu des conséquences graves non seulement sur la continuité de l'autorité ecclésiastique traditionnelle, mais aussi sur l'unité spirituelle interne du corps ecclésial. Ainsi, la Réforme a contesté et finalement rejeté la nécessité de la succession apostolique des évêques, l'Église catholique romaine, lors du Concile de Trente (1545-1563) n'a pas pu répondre à la question cruciale de savoir si les évêques tirent leur autorité épiscopale du Christ ou du pape.

Confrontée parfois à des courants théocratiques, manifestes ou latents, l'Église orthodoxe a cependant préservé intact le noyau essentiel de l'autorité ecclésiastique, à savoir son lien infrangible avec l'expérience sacramentelle du corps ecclésial tout entier dans chaque Église locale. Dès lors, elle a évité les crises graves dans la façon de concevoir ou d'interpréter l'autorité ecclésiastique. Certes, elle a été confrontée à d'autres problèmes concernant la coordination des détenteurs du pouvoir ecclésiastique, notamment aux temps modernes. Cela pour deux raisons : l'ecclésiologie de l'Église locale ne pouvait pas toujours empêcher l'antagonisme ou les heurts entre Églises locales dans le fonctionnement du système conciliaire ; l'association de l'État moderne laïque à des accès nationalistes entravait le bon fonctionnement du système conciliaire.

Durant plusieurs siècles en proie aux difficultés, l'Église affronte ces épreuves ponctuelles préoccupant les relations interorthodoxes sans toutefois entamer l'essence de la tradition orthodoxe quant au fondement ecclésiologique de l'Église locale et quant au fonctionnement conciliaire des rapports des Églises locales. Le Patriarcat œcuménique, en sa qualité de garant de la discipline canonique et de la fonction conciliaire de l'Église orthodoxe, coordonne les Églises locales autocéphales ou autonomes pour affronter ensemble et de façon cohérente les problèmes actuels, fonction dont l'apogée sera la procédure lente, mais constante vers le saint et grand Concile.

Église, apostolicité, succession, hiérarchie, voie synodale, collégialité et œcuménicité forment de façon lapidaire la tradition ecclésiale commune pour étayer la continuité ininterrompue de l'Église, telle que le Christ l'a fondée et livrée pour être administrée et pour confirmer ensemble son unité selon l'apôtre Paul : "Je vous y exhorte donc dans le Seigneur, moi qui suis prisonnier: accordez votre vie à l'appel que vous avez reçu; en toute humilité et douceur, avec patience, supportez-vous les uns les autres dans l'amour; appliquez-vous à garder l'unité de l'esprit par le lien de la paix. Il y a un seul corps et un seul Esprit, de même que votre vocation vous a appelés à une seule espérance; un seul Seigneur, une seule foi, un seul baptême; un seul Dieu et Père de tous, qui règne sur tous, agit par tous, et demeure en tous." (Eph 4, 1-6.)

## HOLINESS AS CONTENT AND PURPOSE OF ECCLESIAL AUTHORITY AND AUTHORITATIVE TEACHING

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*Paper presented at the International consultation on: Authority and Authoritative Teaching, organized by the World Council of Churches (Faith and Order Commission), at the Durau Monastery, Romania, 1-8 July 2002.*

The issue of ecclesial authority and authoritative teaching was a permanent challenge for the life and mission of the Church in the world and it becomes a serious concern in the ecumenical debate for the understanding of the nature of the Church unity.

Very often the theological reflection on ecclesial authority is marked by the temptation of an ecclesiastical ideology of power or by the temptation of justifying a self-sufficient confessionalism.

The secularization of the society today, the religious pluralism and spiritual crisis of our civilization multiply such temptations and make more difficult the perception of the very content and purpose of the ecclesial authority. However, a careful study of the origin, content, manifestation and purpose of the ecclesial authority and authoritative teaching reveals the fundamental perception of the consciousness of the one, holy, catholic Church of the Apostles and Church Fathers that the very content and purpose of ecclesial authority is holiness and that holiness alone makes authentic authority. In this respect we understand why the manifestations, the means and the servants of ecclesial authority and authoritative teaching are called: the one *Holy* catholic and apostolic Church, the *Holy* Scriptures, the *Holy* Councils and Synods, the *Holy* Fathers of the Church, the *Holy* Lives of the Saints.

When the search for holiness diminishes in the life of the Church, the intensity of authentic ecclesial authority also diminishes, precisely because the holiness of life is simply the main purpose of exercising ecclesial authority.

For a deeper understanding of the link between holiness and ecclesial authority it is urgently necessary to ask and to respond the question: what is or who is the true source and purpose of ecclesial authority? In the New Testament we see that the authority in the Church is inextricably and intimately connected with the authority of Christ, the head of the Church.

Consequently, if we look attentively at the authoritative teaching of Christ we understand that the way in which Jesus Christ Himself exercises His authority reveals that the authentic authority is rooted in the mystery of the life of the Holy Trinity. In other words authority is issued from the Father, manifested and instituted in the Church by the incarnate Son, Jesus Christ, and constituted and communicated in the life of the Church throughout the centuries in the Holy Spirit. Since the authority of Christ is exercised in the fellowship and cooperation with the Father and the Holy Spirit, the purpose of this authority is precisely the manifestation and the communication of the divine eternal Trinitarian love and life into the world.

Christ's power and authority is manifested in *His teaching* (Matthew 7:29; Mark 1:22; 6: 2; Luke 4:32; 24:19; John 7:46), in *His miracles* (Matthew 8:26, 27; Mark 4:39; 6:51; Luke 8:24; Acts 10:38), in *His resurrection from the dead* (John 2:9-22; 10:17,18), in *His granting of eternal life* (John 6:27; 10:28; 17:2), in *His casting out of demons* (Matthew 8:29, 31-32; Luke 4:34; Luke 8:28, 32) and the *His acts "which none other man did"* (Matthew 9:33; John 15:24). But all these show that He receives His power from the Father and communicates it, through the Holy Spirit, to the Church.

In the words of Christ's Gospel is manifested the plan and the work of the Holy Trinity for the salvation of the world, in Christ's miracles and healings is manifested the beginning of humankind's salvation, as participation in the love and eternal life of the Holy Trinity. That is why the instituting of apostolic authority in the Church (Matthew 28:19) also contains the commandment to make disciples from all the nations and to baptize them *in the name of the Father, of the Son and of the Holy Spirit*, and to lead them on the way of salvation, toward life eternal.

The power and authority of Christ as authority received from the Father and communicated through the Holy Spirit to the Church reveals that *in God Himself authority is sharing, co-responsibility and cooperation*. Christ's authority is sharing in the authority of the Father and is revealing of the authority of the Father (John 5:17, 19, 21, 26; John 10:28-30, 36-38; John 10:38). The authority power of Christ is a saving authority power (Luke 23:42,43; John 10:28; John 14:2,3; Hebrews 7:25). The salvation of humankind is the restoration of the communion between humanity and God who created the human beings according to His image and likeness, e.g. according to the model of the Trinitarian communion (Genesis 1:27). The sharing of the Holy Spirit in the saving work of Christ is clearly mentioned in the Holy Scripture beginning with the incarnation

of Christ (Matthew 1:18, 20; Luke 1:35), in Christ's miracles (Matthew 12:28; Acts 10:38) and in the resurrection of Christ (Romans 1:4, 8:11; 1 Peter 3:18).

The Holy Spirit communicates the truth of the mystery of Christ to the Church and leads the Church to the fullness of truth, bearing witness to Christ (John 14:26; John 15:26). The Holy Spirit is the Spirit of truth and communion (2 Cor 13:13) between humankind and the Holy Trinity. The saving power or authority exercised by the Persons of the Holy Trinity is the power of love, of self-giving to one another and cooperation for the life of the world.

Jesus Christ, one of the Holy Trinity, unites in Himself humanity with God (John 14:20; Luke 22:25). He gives His life for the salvation of humanity (Mark 10:42). *Therefore all power (authority) was given to Him in Heaven and on Earth* (Matthew 28:18).

Following the example of Christ and bearing His Spirit as service to God and humans (1 Thes 2:6-10) the Church should manifest its authority not as a dominating power upon humanity but as a liberating service from sin and death, from all kind of egotism, isolation, oppression and marginalization. For the Apostles authority is first of all *gift of God* and *duty to serve*, the duty of preaching the Gospel, the duty of preserving the faith, the duty of keeping the unity of ecclesial communities (1 Cor 11:16-19; 1 Tim 6:20), the duty to work for the salvation of all nations and all categories of people, having the deep conviction that the Church as people of God, Body of Christ and Temple of the Holy Spirit is the "*pillar and bulwark of the truth*" (1 Tim 3:14).

The content of the authoritative teaching of the Apostles as servants of the Gospel of Christ (Ephes 3:7; Col 1:23) is primarily *the search of communion with God* (1 John 1:1-2), *search of the holiness of life* (Heb 12:14; 1 Peter 1:14-16) expressed in prayer, sacramental life and fraternal love towards all people (1 Tim 6:17; Tit 3:1, 8, 14; Ephes 4:2; Phil 1:9; Heb 13:1; 2 Peter 1:7). The pastors of ecclesial communities, bishops and priests, are *servants of the authority of Christ in the Church*, sharing in His saving love for the humanity.

Therefore they receive authority as service, being called by God (Acts 9:15; Ephes 3:7,8) and they are instituted as pastors of the Church by the Holy Spirit (Acts 20:28; 21:4; 2 Tim 1:14). They are consecrated to serve and to witness to the authority of God in the Church (2 Tim 2:21; 1 Thes 4:8); they are, as the Apostles were, co-workers with God for the salvation of humankind (1 Cor 3:6,9; 5:10; 2 Cor 6:1). The authority of the local community pastors does not derive only from their being chosen or delegated by the community or from their being appointed by a superior administrative authority of the Church, but essentially from their consecration, from their sanctification through the grace



of ordainment (2 Tim 2, 21), in order to work for the safeguarding, sanctification and the salvation of the faithful entrusted to them, so as Jesus Christ watched over His apprentices/apostles entrusted to Him by God the Father and prayed for them so that they be safeguarded in the name of God and in His truth: “*Thine they were, and Thou gavest them Me; and they have kept Thy word; (...) keep through Thine own name those whom Thou hast given Me, that they may be one, as We are; (...) sanctify them through Thy truth: Thy word is truth; (...) for their sakes I sanctify Myself, that they also might be sanctified through the truth.*” (John chapter 17, verses: 6, 11, 17 and 19).

Sanctified sacramentally and liturgically through ordainment (2 Tim 2, 21), the pastors of ecclesial communities should be examples of holiness through their right faith and pure life (1 Tim 4:12); they should urge the faithful toward holiness (Philippians 2:15; 1 Peter 1:14-16); they should pray for the sanctification of the faithful (1 Thessalonians 3:12-13; 5:23); and through their sanctification the Church becomes holy and without blemish (Ephessians 5:26-27).

When the pastors of the Church (the Apostles, bishops and priests) were gathered in councils and synods and, being inspired by the Holy Spirit, proclaimed the true faith, their teaching thus became *an authoritative teaching* and their gatherings were called *Holy Synods/Councils*.

However, the synodal teachings which are not inspired by the Holy Spirit and did not reflect the faithfulness to the Apostolic Tradition were not recognized as being authoritative teaching and remain only uninspired synods and teachings because it is the orthodoxy (correctness) of faith that makes the ecumenical councils holy and their teaching authoritative.

The Church as pillar of truth is precisely manifested throughout the centuries as interpreter of the Apostolic Tradition, starting with the fixation of the *canon of the Scripture*:

“Fixing the canon of the New Testament thus involved discrimination between those books seen as authoritative and so part of the sacred tradition and those that were not. It was felt to be a case not of the church’s conveying authority but recognizing an intrinsic authority already present. As Origen (ca. 185-254) put it, *‘The sacred books were not the works of human beings; they were written by the inspiration of the Holy Spirit at the will of the father of all through Jesus Christ’* (*De principiis* 4:9). Just as the writings bear witness to the acts of God in history, so the Church points to the Bible, preaching and teaching from its pages and subjecting itself to its guidance. But it also interprets it, providing the mainstream of tradition. The church recognizes in the Scriptures the classical,

normative account of Christian origins. So a sense of identity between the present and the Church's roots is guaranteed and a measure of stability secured."<sup>1</sup>

Based on the authoritative teaching of Christ and the Apostles contained in the canon of the Holy Scriptures, the Holy Fathers of the Church through their writings and the bishops of the Church gathered in the Holy Councils served the Church by rejecting the errors and proclaiming the truth of the faith as creeds or holy dogmas and the truth of Christian life in the *holy canons* (rules).

But only that definition of the faith and rules for Christian life which have *the same content as the Gospel of Christ* and make it relevant in different stages and contexts of history received authority in the consciousness of the Church.

At the same time, many of the leaders of the Church as authoritative teachers, in their passion for the saving truth, for the unity and holiness of the life of the Church, were inspired by the faith and sacrifice of the holy martyrs and by the holy lives of monks and nuns, and sustained by the faith, prayer and holiness of the laity. In this respect their authority was exercised as authoritative teaching for keeping the way of holiness and salvation for the ecclesial communities.

The spiritual authority coming from holiness of life of all people of God, not only bishops and priests, through the exercise of humility and compassion, penitence and renewal, reconciliation and diaconal work in the society remains permanently not only a complementary authority to the pastoral and magisterial authority but also a reminder that authentic authority is service for saving the communion with God and with one another, the unity of the Church as communion of the Saints.

Therefore St. Augustine could say: "*I am a bishop for you and a penitent together with you*" and Lactantius said that the true Church is the one who preserved the practice of penitence (e.g. the search for holiness).

Thus we consider that not only inside every Church, but also in the ecumenical encounter and dialogue concerning ecclesial authority it is necessary to avoid the separation of authority from the concern for spiritual conversion, renewal and reconciliation as manifestations of the search for holiness of life and unity of the Church.

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1 Raymond Hammer, "Authority of the Bible" in *The Oxford Guide to Ideas and Issues of the Bible*, Ed. Bruce M. Metzger and Michael Coogan, Oxford University Press, New York 2001.

If holiness does not remain the content and purpose of ecclesial authority and authoritative teaching there is the paradoxical risk to both secularize and sacralize the ecclesial authority, transforming it in a desire for power with a goal in itself.

Therefore, the knowledge of the life of the Apostles, martyrs, saints and the encounter with the humble and holy people is extremely necessary for the authentic understanding and exercise of ecclesial authority in the life of the Church today and it has always been in history.

## Conclusions

1. Authority is entrusted and received for that mission which serves communion with God and with one another, the holiness of life and the unity of the Church.

Authority is *a gift* and *a duty*, a gift to be cultivated and shared with others and exercised in communion, according to the model of the Holy Trinity, and a duty to be accomplished as co-responsibility with others and for others.

2. Authority grows or diminishes according to its content and manifestations: authority is service and struggle for truth and justice, for healing and reconciliation, for strengthening fellowship and unity and for bringing the joy of the Holy Spirit in the life of the Church in the life of society.

Authority is not a goal in itself but a way and a means for praising the love of God for the humankind, for defending the human dignity and the beauty of holiness expressed in the communion of the great diversity of persons, nations and generations gathered in the Church of Christ.

The exercise of ecclesial authority is at the same time *difficult and necessary*, it is fight against all fragmentations, divisions and alienations produced in the humanity by the forces of sin and death.

But ecclesial authority is also experience of the power of Christ's grace, of the love of God and of the communion of the Holy Spirit, especially when human knowledge and power are recognized as being limited, uncertain and unable by themselves to heal, to save and to sanctify lives of persons and communities.

# DE GEZAGSVRAAG: ZOWEL VOOR DE REFORMATA ALS VOOR DE ROMANA EEN PROBLEEM

Martien E. Brinkman

## Introductie

Aan de hand van twee bekende oecumenische teksten zal ik bij een aantal vragen stilstaan die de dialoog van enkele protestantse kerken met de Rooms-Katholieke Kerk oproept. Op twee vragen zal ik me met name concentreren: de vraag naar de betekenis van bovennationaal gezag en de vraag naar de verbanden waar binnen gezag in de kerk uitgeoefend kan worden. De eerste vraag is vooral een vraag aan het adres van de kerken van de Reformatie en de tweede vraag vooral een vraag aan het adres van de Rooms-Katholieke Kerk. Met deze invalshoek laat ik de vraag naar de concrete invulling van het begrip *episkopè* rusten. Uit de samen met A. Houtepen geschreven 'Epiloog' in de door ons beiden geredigeerde bundel *Geen kerk zonder bisschop? Over de plaats van het ambt in de orde der kerk* kan mijn standpunt in één zin samengevat worden: Vanuit de kerken van de Reformatie is een vorm van persoonlijk uitgeoefende bovenlokale *episkopè* niet alleen te verantwoorden, maar gezien de huidige oecumenische situatie ook gewenst.<sup>1</sup> Wat dat betreft sluit ik me geheel aan bij de inhoud van de onder Houtepens en mijn leiding in Utrecht verdedigde dissertatie van J. Kronenburg met de titel *Episcopus Oecumenicus: Bouwstenen voor een theologie van het bisschopsambt in een verenigde reformatorische kerk*.<sup>2</sup>

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1 M. Brinkman en A. Houtepen (red.), *Geen Kerk zonder Bisschop? Over de plaats van het ambt in de orde van de kerk* (IIMO Research Publication 46), Zoetermeer 1997, 266-274. Vgl. ook M.E. Brinkman, 'Episcopacy in the Ecumenical Discussion' en de samenvattende stellingen van een samen met O. Tjørhom geleide workshop 'Episcopacy in Ecumenical Perspective' in: J. Brosseder (Hrsg.), *Verborgener Gott – verborgene Kirche? Die kenotische Theologie und ihre ekklesiologischen Implikationen* (Forum Systematik Bd.14), Stuttgart 2001, resp. 188-198 en 199-201. Zie voor een congeniaal standpunt de o.l.v. A. v.d. Beek en G.G. de Kruijf verdedigde Leidse dissertatie van E.A.J.G. Van der Borght, *Het ambt her-dacht. De gereformeerde ambtstheologie in het licht van het rapport 'Baptism, Eucharist and Ministry'* (Lima, 1982) van de theologische commissie 'Faith and Order' van de Wereldraad van Kerken, Zoetermeer 2000.

2 J. Kronenburg, *Episcopus Oecumenicus. Bouwstenen voor een theologie van het bisschopsambt in een verenigde reformatorische kerk*, Zoetermeer 2003.

Concreet stel ik nu de vraag aan de kerken van de Reformatie: Hoe zijn geloofsbeslissingen die het gezag van de nationale kerk overstijgen, kerkordelijk vorm te geven? Mijn korte behandeling van die vraag zal duidelijk maken dat de protestantse kerken door deze vraag nog altijd — ook na 50 jaar wereldwijde oecumenische betrokkenheid — in verlegenheid worden gebracht. Eenzelfde verlegenheid creëert ook mijn tweede vraag. In feite wordt de Rooms-Katholieke Kerk nog steeds — ondanks Vaticanum II — in verlegenheid gebracht door de vraag hoe synodale en collegiale structuren nu precies werken. De eerste vraag illustreer ik aan de hand van de gemeenschappelijke verklaring van de Lutherse Wereldfederatie en de Rooms-Katholieke Kerk over de rechtvaardigingsleer (1999) en de tweede vraag aan de hand van de gemeenschappelijke verklaring van de Anglicaanse kerk en de Rooms-Katholieke Kerk over de gave van gezag in de kerk (1999).

### Het gezag van de overeenstemming over de rechtvaardigingsleer

Volgens de Amerikaanse, lutherse dogmahistoricus Pelican is het grote twistpunt tussen de kerken van de Reformatie en de Romana niet zozeer de leer van de rechtvaardiging maar veeleer de kwestie van het gezag in de kerk.<sup>3</sup> De recente overeenstemming tussen de lutheranen en de rooms-katholieken over de rechtvaardigingsleer lijkt hem daarin gelijk te geven.<sup>4</sup> Over het oude geschilpunt van de rechtvaardigingsleer kon men het na dertig jaar intensief gesprek eens worden, maar over de vraag naar het kerkelijk gezag van deze overeenstemming laaide ogenblikkelijk de discussie op.

Op zich is de vraag naar het kerkelijk gezag van een oecumenisch document zeer interessant. Bij mijn weten heeft bijvoorbeeld de Rooms-Katholieke Kerk tot nu toe nog nooit eerder van een *gezamenlijke*, oecumenische tekst gezegd dat het een officiële tekst *van* de Rooms-Katholieke Kerk is. Dat is nu wel nadrukkelijk gezegd en dat betekent feitelijk, dat de Lutherse stem nu ook enigszins in het Rooms-Katholieke leergezag door mag klinken. Dat roept tal

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3 J. Pelican, *The Christian Tradition. A History of the Development of Doctrine*, Vol.4: Reformation of Church and Dogma (1300-1700), Chicago/London 1984, 262.

4 Zie voor de tekst van de in 1997 vastgestelde en in 1999 officieel op 31 oktober te Augsburg in Duitsland ondertekende gemeenschappelijke verklaring, J. Gros, H. Meyer, W.G. Rusch (eds), *Growth in Agreement*, Vol. II: Reports and Agreed Statements of Ecumenical Conversations on a World Level, 1982-1998 (Faith and Order Paper No.187), Geneva/Grand Rapids 2000, 566-579.

van nieuwe, kerkrechtelijke vragen op. Welke plaats zal deze tekst bijvoorbeeld in het *depositum fidei* van de Rooms-Katholieke Kerk verkrijgen? Zal hij te zijner tijd ook in een nieuwe 'Denzinger' verschijnen?

Aan Lutherse zijde is die vraag minstens zo boeiend. De aan de 'Gemeenschappelijke Verklaring' voorafgaande geloofsgesprekken zijn namens de Lutherse kerken door de Lutherse Wereldfederatie met vertegenwoordigers van het Rooms-Katholieke Secretariaat voor de Eenheid gevoerd. De kerkelijke bevoegdheden van deze wereldwijde federatie van Lutherse kerken zijn echter nogal onduidelijk. De Lutheranen en ook de Gereformeerden kennen immers doorgaans alleen maar nationale kerken. Hun bovennationale verbanden in de Lutherse Wereldfederatie (LWF) en in de Wereldbond van Gereformeerde Kerken (World Alliance of Reformed Churches — WARC) hebben niet echt een kerkrechtelijke basis. Daarin voorziet een Lutherse of Gereformeerde kerkorde meestal niet. Ook de nieuwe kerkorde van de Protestantse Kerk in Nederland wordt door dat manco gekenmerkt. Men zoekt daarin vergeefs een passage over het gezag van bovennationale kerkelijke verbanden.<sup>5</sup> Tegenwoordig kan men vanwege de toenemende internationale contacten met de eigen zusterkerken in het buitenland en met andere kerken via de Wereldraad van Kerken hooguit de tendens signaleren internationale, oecumenische samenwerkingsverbanden met nadruk in de eigen kerkorde te vermelden. Een ecclesiologische status hebben ze echter doorgaans niet.<sup>6</sup>

De vraag naar het kerkelijk gezag van een gezamenlijke verklaring van de Rooms-Katholieke kerk en een internationaal samenwerkingsverband van Lutherse kerken is dus volstrekt legitiem. Doordat de Rooms-Katholieke Kerk echter zo vrijmoedig was die vraag in haar officiële antwoord op de consensus-tekst expliciet aan de Lutheranen te stellen, voelden de Lutheranen zich nogal aangevallen. Alsof de legitimiteit van gezag in hun kerk(en) in het algemeen ter discussie werd gesteld. In zijn antwoord had het Vaticaan immers met het oog op de kwestie van de representativiteit gesproken van het verschillend karakter van de twee te zetten handtekeningen. Ondanks alle waardering voor het streven van de LWF om door consultatie van de synoden van de afzonderlijke kerken tot een 'consensus magnus' te komen en aldus een echt kerkelijk gewicht aan

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5 Vgl. *Kerkorde en ordinanties van de Protestantse Kerk in Nederland inclusief de overgangsbepalingen*, Zoetermeer 2003, m.n. 181-186 ('Ordinantie 14: Het leven en werken van de kerk in oecumenisch perspectief').

6 W. Bleij, 'De gemeenschap van de lutherse kerken in de wereld' in: H.P.J. Witte (red.), *Kerk tussen erfenis en opdracht. Protestant en katholieken op weg naar een gemeenschappelijk kerkbegrip* (IIMO Research Publication 39), Utrecht/Leiden 1994, 231-242.

haar handtekening te geven, bleef voor het Vaticaan toch de vraag bestaan naar het 'echte gezag' van een handtekening namens de LWF.<sup>7</sup>

Blijkbaar heeft de LWF zichzelf ook het problematisch karakter van haar eigen kerkrechtelijk gezag gerealiseerd, want bij de uiteindelijke ondertekening van de gemeenschappelijke verklaring werd niet alleen een handtekening namens de LWF gezet maar ook door een aantal synodevoorzitters van nationale, respectievelijk regionale Lutherse kerken. Uitdrukkelijk was trouwens al eerder ook van Lutherse zijde de competentie van de leiding van de LWF tot het zetten van een handtekening in twijfel getrokken.

Op de katholieke vraag naar het kerkelijk gezag van de LWF werd echter desondanks van Lutherse zijde zó fel gereageerd, dat kardinaal Cassidy zich genoodzaakt zag aan het officiële Vaticaanse antwoord enige 'verhelderingen' (*elucidations*) toe te voegen. De Lutheranen lazen in deze vraag namelijk ook een zekere twijfel aan de theologische legitimiteit van de positie van de LWF. Het was het Vaticaan immers ook niet ontgaan, dat in met name Duitsland een ware 'Theologenstreit' over de te ondertekenen verklaring was ontstaan.<sup>8</sup> Nu, in die discussie wilde Cassidy zich uiteraard niet mengen. Daarom spreekt hij uit, dat er van de zijde van de Rooms-Katholieke Kerk geen enkele intentie bestaat het gezag van de consensus aan Lutherse zijde in twijfel te trekken.<sup>9</sup> Ook in de 'officiële verklaring' die vlak voor de ondertekening door beide gesprekspartners nog aan de tekst van de gemeenschappelijke verklaring werd toegevoegd, wordt in een 'Annex' nog eens expliciet gezegd, dat het antwoord van de Rooms-Katholieke Kerk niet het gezag van Lutherse synodes en van de LWF in twijfel wil trekken. Men onderstreept, dat de dialoog tussen beide kerken als gelijkwaardige partners is gevoerd (*par cum pari*) en dat men wederzijds de wijze waarop het proces van besluitvorming over deze leerkwesties is vorm gegeven, respecteert, niettegenstaande het feit, dat men ook vaststelt verschillende opvattingen over gezag in de kerk te hebben.<sup>10</sup>

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7 Zie voor dat antwoord, *Lutheran World Information* No. 13 (1998) 3-6, in.n. 5 (no.6).

8 Vanaf 1997 kan men deze discussie gedocumenteerd vinden in het blad *EPD-Dokumentation*.

9 *Ibidem*, No. 16 & 17 (1998) 4-6, m.n. 6.

10 *Ibidem*, No. 5 & 6 (1999) 16-18, m.n. 18 (no.4). Zie voor de Engelse tekst van de 'Official Common Statement' en van de 'Annex' *Growth in Agreement*, Vol.II, 579-582, m.n. 582 (no.4).

Deze aanvaring illustreert, hoe gecompliceerd het is een goed antwoord te vinden op de vraag waar de Lutherse Wereldfederatie het recht aan ontleende namens de in haar verenigde Lutherse kerken een gemeenschappelijke verklaring te tekenen. Indien dat recht niet in de verschillende kerkordes van de aangesloten kerken verankerd ligt, bestaat dat recht in feite niet. We stuiten hier op het probleem van de verhouding van de lokale, regionale en nationale kerk tot de universele kerk waarbij de universele kerk dan ook nog eens weer te onderscheiden is van de 'katholieke kerk' waar het Apostolicum over spreekt.

Al deze vragen zijn de afgelopen vijf jaar voorwerp van discussie geweest in de Nederlandse oecumenische dialooggroep Reformata-Catholica. Van haar beraadslagingen verscheen tot dusver alleen een engelstalige bundel met essays onder de titel *Of All Times and of All Places. Protestants and Catholics on the Church Local and Universal*.<sup>11</sup> Helaas laat de publicatie van een aantal puntige, samenvattende stellingen in het Nederlands nog steeds op zich wachten vanwege een slepende discussie bij met name rooms-katholieke kerkelijke organen over de vraag welk gezag aan deze stellingen over kerkelijk gezag moet worden toegekend.<sup>12</sup>

## De verbanden waarin het primaat kan worden uitgeoefend

Vanuit de internationale rooms-katholiek-anglicaanse dialoogcommissie, doorgaans kortweg ARCIC (Anglican-Roman Catholic International Commission) genoemd, is eveneens in 1999 een gemeenschappelijke tekst over het gezag in de kerk gepubliceerd onder de titel *De gave van gezag (The Gift of Authority)*, waarbij evenals in het Nederlandse woord 'gave' ook het Engelse woord 'gift' zowel naar een geschenk (*present*) verwijst als ook naar een talent, charisma (*talent*).<sup>13</sup> Een dergelijke tekst is extra interessant omdat van de protestantse kerken de Anglicana in haar gezagsstructuur het dichtst bij Rome staat. De An-

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11 Vgl. L.J. Koffeman and H. Witte (eds), *Of All Times and of All Places. Protestants and Catholics on the Church Local and Universal* (IIMO Research Publication 56), Zoetermeer 2001.

12 Zie voor een verslag op eigen titel van de inhoud van die stellingen het artikel van één van de rooms-katholieke deelnemers, dr. M. Wijlens, 'Local Churches and Their Groupings: A Roman Catholic Perspective', *Internationale Kirchliche Zeitschrift* 92 (2002) 100-117.

13 Vgl. voor de tekst o.m. *One in Christ* 35 (1999) 243-266.



glicaanse Kerk hecht veel waarde aan haar episcopale structuur en kent ook een zekere hiërarchische geleding van de ambten van priester, bisschop en aartsbisschop en vormt een ook kerkrechtelijk vorm gegeven wereldgemeenschap (*world communion*). Ook al erkent men het primaat van de paus niet, kent men de gehuwde priester en bisschop en laat men sinds enige jaren ook vrouwen tot het ambt toe, toch staat men theologisch en liturgisch in tal van opzichten dichter bij Rome dan bij de andere kerken van de Reformatie.<sup>14</sup>

Deze punten van verschil betreffen eigenlijk allemaal de gezagskwestie. Wie heeft het recht in deze kwesties te beslissen? Met wie voelt men zich in deze beslissingen 'in gemeenschap' en welke rol kent men die 'gemeenschap' toe in de eigen oordeelsvorming? Dat zijn de centrale vragen en dat zijn in wezen alle gezagsvragen. Die vragen en dan met name die naar de laatste, uiteindelijke autoriteit, bepalen al enige decennia de inhoud van de Anglicaans-Rooms-Katholieke dialoog. "Deze kwestie staat in het centrum van onze droevige verdeeldheid" zegt men dan ook in het voorwoord van *De gave van gezag*.

In het afrondende rapport (*Final Report*) van de eerste gespreksronde van de Anglicaans-Rooms-Katholieke Internationale Commissie (ARCIC I) uit 1981 waren al 3 documenten over *authority* opgenomen.<sup>15</sup> In het allereerste document dat als een aparte publicatie in 1976 verscheen, werd de vraag naar het gezag in de kerk al meteen toegespitst op het pauselijk primaat en werd daarover opgemerkt: "Het was precies het probleem van het pauselijk primaat waarin onze historische scheiding haar ongelukkig begin vond".<sup>16</sup>

In vele opzichten was men elkaar echter in dit eerste rapport van 1981 juist ook op het punt van het pauselijk gezag al genaderd, maar dat rapport verscheen

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14 Zie over de Anglicana o.m. St. Sykes/J. Booty/J.. Knight (eds), *The Study of Anglicanism*, London (1988) 1998 en W.M. Jacob, *The Making of the Anglican Church Worldwide*, London 1997.

15 H. Meyer and L. Vischer (eds), *Growth in Agreement. Reports and Agreed Statements of Ecumenical Conversations on a World Level* (Faith and Order Paper No. 108), New York/Geneva 1984, 61-118, m.n. 88-99 ('Venice Statement 1976'); 99-105 ('Elucidation 1981') en 106-118 ('Windsor Statement 1981'). Vgl. over deze documenten, M.J. Van Dyck, *Worden Rome en Canterbury één? Over een Evangelisch Gezag in de Kerk van Christus*, Tiel 1990 en ook P. Lüning, *Offenbarung und Rechtfertigung. Eine Studie zu ihrer Verhältnisbestimmung anhand des anglikanisch/römisch-katholischen Dialogs* (Konfessionskundliche und Kontroverstheologische Studien Band LXX), Paderborn 1999, 58- 263.

16 H. Meyer and L. Vischer (eds), *Growth in Agreement*, 88.

onder een ongunstig gesternte. Net op het hoogtepunt van de toenadering namen de anglicanen immers het besluit tot ordinatie van vrouwelijke priesters. Dat heeft het receptieproces van ARCIC 1 in Rooms-Katholieke kring bepaald niet vergemakkelijkt. Uiteindelijk verscheen de nogal kritische Vaticaanse reactie pas in 1991, tien jaar na dato.<sup>17</sup> Tegen die achtergrond is er moed voor nodig thans toch weer het thema gezag ter hand te nemen.

Dit nieuwe document weet op creatieve wijze een paar nieuwe invalshoeken te vinden in een op het eerste gezicht vastgelopen discussie. Die heeft men gevonden door in twee schijnbaar tegenstrijdige richtingen naar een nieuwe consensus te zoeken. Aan de ene kant komt men nader tot elkaar in de door de paus zelf al in de pauselijke encycliek *Ut Unum Sint* aangegeven richting van een 'universeel ambt van eenheid' (nrs.95-96).<sup>18</sup> En aan de andere kant nadert men elkaar in de eveneens door de paus, zowel in *Ut Unum Sint* (nrs 60-61) als in de pauselijke encycliek over de oecumenische relatie met de oosterse kerken, *Oriente Lumen* (nr. 21), aangegeven richting van een zekere zelfstandige jurisdictie van de verschillende patriarchaten.<sup>19</sup> Letterlijk wordt deze terminologie in *De gave van gezag* niet gebruikt, maar wie zich afvraagt waar het eenheidsmodel van ARCIC II concreet op uit zou kunnen lopen, komt wel haast automatisch bij zoiets als een min of meer zelfstandig patriarchaat uit.

Het door de paus genoemde voorbeeld van de oosterse, katholieke kerken, de met Rome geïntegreerde kerken dus, is met name zo interessant, omdat het hier gaat om kerken die officieel verklaard hebben zich met Rome verbonden te voelen. Juist van hen verklaart de paus als een soort oefening in 'eenheid in verscheidenheid' ten volle hun eigen organisatorische structuren te zullen respecteren. Binnen een dergelijke eenheid in verscheidenheid zou er ook ruimte voor de Anglicana kunnen komen als een soort westers patriarchaat van Rome. In feite komt het document *De gave van gezag* heel dicht bij die opvatting. Het is dezelfde benadering die ook al vijftien jaar eerder doorklonk tijdens de Mechelse Gesprekken tussen Anglicanen en Rooms-Katholieken. Die gesprekken (1921-1925) vonden plaats onder het motto dat pater Beauduin aan zijn befaamde toen ter discussie staande memorandum had meegegeven: 'verenigd, maar niet opgeslokt' (*united, but not absorbed*).<sup>20</sup>

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17 Zie Chr. Hill and E. Yarnold (eds), *Anglicans and Roman Catholics: The Search for Unity. The ARCIC documents and their reception*, London 1994, 156-166.

18 Zie voor de tekst o.m. *Origins* 25 (1995) 49-72.

19 Zie voor de tekst o.m. *Origins* 25 (1995) 1-13.

20 Zie vooral E. Lanne, 'L'église anglicane unie non absorbée' et 'le contexte oecu-

Beide op zich tegengestelde denkrichtingen, in de richting namelijk van én een sterkere beklemtoning van universeel gezag én een sterk accent op synodaliteit, collegialiteit, enz., verzwakken elkaar niet in dit nieuwe rapport, maar versterken elkaar eerder. Een groter accent op universele verbondenheid maakt onder bepaalde omstandigheden immers ook meer ruimte voor diversiteit mogelijk, terwijl de officiële erkenning van diversiteit in kerkstructuren het ook gemakkelijker maakt tot de erkenning van een universeel gezag te komen. Diversiteit is dan geen bedreiging voor de eenheid, maar eerder een garantie voor de eenheid.

Indirect is dan zelfs voor de kwestie van de ordinatie van vrouwelijke priesters een zekere ruimte gecreëerd. Als immers het ene geünieerde patriarchaat, het oosterse, gehuwde priesters kent binnen een unie met Rome waarin het celibaat onmiskenbaar de toon zet, waarom zou dan het andere, in dit geval het nieuwe, geünieerde anglicaanse patriarchaat, ook geen vrouwelijke priesters kunnen kennen binnen een unie met Rome waarin het mannelijk priesterschap onmiskenbaar de toon zet? Daarmee is overigens ten aanzien van dit punt al beduidend meer gezegd dan het document zelf doet. Dat verwijst alleen naar het thema van de ordinatie van vrouwen als indicatie van de actualiteit van de gezagsvraag (nr. 30).

## Stappen naar zichtbare eenheid

De zopas geschetste twee denkbewegingen zijn in het onderhavige document voortdurend door elkaar heen geweven. Het ene accent houdt als het ware telkens het andere in evenwicht. Met name op die vervlechting zal ik me in het navolgende richten en een volledige opsomming en bespreking van de inhoud van het document achterwege laten.<sup>21</sup> Daartoe richt ik me vooral op het laatste

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ménique au moment des Conversations de Malines' en voor de tekst van het beroemde Memorandum, 'The Anglican Church, United not Absorbed. Memorandum by a Canonist read by Cardinal Mercier (1925)' in: A. Denaux / J. Dick (eds), *From Malines to ARCIC. The Malines Conversations Commemorated*, Leuven 1997, resp. 3-33 en 35-46. Vgl. ook J. Dick, *The Malines Conversations Revisited*, Leuven 1989 met daarin opgenomen de originele Franse tekst van het memorandum (216-225).

21 Zie daarvoor o.m. A. Denaux, 'De anglicaans/rooms-katholieke dialoog over gezag in de kerk' in: J. Haers, T. Merrigan en P. De Mey (red.), *Volk van God en gemeenschap van gelovigen'. Pleidooien voor een zorgzame kerkopbouw aangeboden aan Professor Robrecht Michiels bij zijn emeritaat*, Averbode 1999, 458-482.

hoofdstuk: 'Overeenstemming in de uitoefening van gezag: Stappen naar zichtbare eenheid' (nrs. 51-63: *Agreement in the Exercise of Authority: Steps Toward Visible Unity*). Daarmee laat ik veel boeiende zaken onbesproken. Ik denk dan bijvoorbeeld aan de uiterst instructieve passages over een dynamisch traditiebegrip (nrs. 14-18); over de historische gelaagdheid van de Schrift (nrs. 19-23) en over diachrone en synchrone katholiciteit (nr. 26).

Ten aanzien van de overeenstemming over de aard van het kerkelijk gezag en de manier waarop het wordt uitgeoefend, zeggen de gesprekspartners:

*Indien deze verklaring over de aard van het gezag en de wijze waarop dit wordt uitgeoefend, wordt aanyaard en in praktijk gebracht, zal deze kwestie niet langer een oorzaak van voortgaande breuk in de gemeenschap tussen onze twee kerken zijn (nr. 51).*

Zichzelf op weg ziende naar 'volledige kerkelijke gemeenschap' doet men een aantal suggesties voor de wijze waarop de bestaande, hoewel nog altijd onvolledige, gemeenschap toch al meer zichtbaar zou kunnen worden door de stimulering van de collegialiteit tussen de bisschoppen van beide kerken en door een nieuwe wijze van uitoefening en aanvaarding van het universele primaat (nr. 51). Daartoe signaleert men zowel in de Anglicana als in de Romana een aantal niet te veronachtzamen ontwikkelingen.

Zo wijst men op de wijze waarop de Anglicaanse Kerk zelf haar universele beslissingsstructuren tot voorwerp van onderzoek heeft gemaakt. Het centrale uitgangspunt in die nadere bezinning is, dat wereldwijde synodale structuren de mogelijkheid moeten hebben de verschillende kerkprovincies te beïnvloeden en te ondersteunen, maar dat diezelfde structuren er nooit toe mogen leiden dat een provinciale beslissing 'overruled' wordt door een breder kerkverband, zelfs niet als een dergelijke beslissing de eenheid van de wereldwijde kerkgemeenschap bedreigt. Binnen dergelijke structuren kan dan vervolgens gesproken worden over de versterking van de rol van de aartsbisschop van Canterbury en kan ook een 'universeel ambt in dienst van de christelijke eenheid' in beeld komen. Dat alles impliceert dat het niet alleen om de 'autonomie' van de verschillende kerkprovincies zal moeten gaan, maar ook om hun onderlinge afhankelijkheid (*interdependence*) (nr. 53).

In de Rooms-Katholieke Kerk signaleert men vooral na het tweede Vaticaanse concilie een beweging in omgekeerde richting, namelijk een geleidelijke ontwikkeling — men spreekt van een 'evolutie' — naar meer synodale structuren zoals de nationale en regionale bisschoppenconferenties en de bisschoppensynodes. Een zelfde ontwikkeling ziet men ook op het plaatselijke vlak. De parti-

cipatie van leken (mannen en vrouwen), religieuzen, diakenen en priesters in parochiale en diocesane raden, enz. is officieel vastgelegd.

Dat alles brengt de ARCIC-commissie tot de conclusie, dat er in de Anglicaanse Kerk een duidelijke tendens te bespeuren is naar universele structuren die de beleving van de koinonia kunnen versterken en dat in de Rooms-Katholieke Kerk een neiging valt waar te nemen naar sterkere lokale en zogenaamde intermediaire structuren (bisschoppenconferenties, enz.). Beide tendensen bevestigen de indruk van de commissie, dat op alle niveaus van de kerk naar een adequate wijze van gezagsuitoefening dient te worden gezocht.

Dat laatste betekent ook dat aan beide tradities vragen kunnen worden gesteld. Zo werkt de Anglicana weliswaar wel aan de versterking van de gezagsstructuren tussen de verschillende kerkprovincies, maar zijn er binnen de Anglicana ook gezagsinstrumenten (*instruments of oversight*) denkbaar die het mogelijk maken dat er beslissingen worden genomen die bindend zijn voor de hele wereldwijde kerkelijke gemeenschap? In welke mate kunnen eenzijdige stappen van afzonderlijke provincies of diocesen in zaken die de hele kerk aangaan de koinonia verzwakken? Weliswaar wordt laconiek vastgesteld dat anglicanen op zich wel met enige anomalieën kunnen leven als het gaat om de handhaving van de eenheid van de kerk, maar wordt ook geconstateerd, dat die anomalieën de eenheid van de kerk bepaald niet versterken. Hier wordt dan met name gedacht aan de regels ten aanzien van de eucharistie, de uitoefening van *episkopè* en de uitwisselbaarheid van de ambten. Men doelt hier dan ongetwijfeld op de voorzieningen die in de Anglicana getroffen moesten worden om de 'gewetensbezwaarden' ten aanzien van de vrouwelijke priester tegemoet te komen. Voorzieningen die bijvoorbeeld ook in de grote protestantse kerken in Nederland zijn getroffen ten behoeve van die gemeenten binnen bijvoorbeeld de Nederlandse Hervormde Kerk die geen vrouwelijk predikant als voorganger wensen.

Uiteindelijk spitsen de vragen aan het adres van de anglicanen zich toe op de vraag hoe zij om zullen gaan met de vraag naar een universeel primaat nu die vraag niet alleen uit hun eigen kerkelijk leven opkomt, maar ook uit de oecumenische dialoog (nr. 56).

### **Gezamenlijke erkenning van een universeel primaat**

Het bovenstaande heeft de ARCIC-commissie er toe gebracht te spreken over een universeel primaat 'dat gezamenlijk kan worden gedeeld':

*Het werk van de commissie heeft geresulteerd in voldoende overeenstemming over het universeel primaat dat voor ons als een gave kan worden gedeeld, om voor te stellen dat een dergelijk primaat zou kunnen worden aangeboden en ontvangen zelfs voordat onze kerken in volledige gemeenschap met elkaar zijn (nr. 60).*

Men onderstreept, dat beide tradities uitzien naar een dergelijk ambt dat in collegialiteit en synodaliteit als een ambt van de *servus servorum Dei (Ut Unum Sint, nr. 88)* wordt uitgeoefend en dat in staat mag worden geacht de legitieme verscheidenheid van tradities te garanderen. Er is immers ook een eenheid mogelijk die de verscheidenheid niet bedreigt en een verscheidenheid die de eenheid niet te niet doet, maar eerder versterkt. Een dergelijk primaat zou op profetische wijze een effectief teken van eenheid voor alle christenen kunnen zijn en een teken van echt leiderschap voor de hele wereld. Een universeel primaat in deze stijl zal het theologisch onderzoek en de vele andere vormen van zoeken naar de waarheid van harte begroeten en stimuleren, zodat hun resultaten zowel de menselijke wijsheid als het geloof van de kerk kunnen verrijken en versterken. Een dergelijk primaat zal de kerken bijeenbrengen in allerlei soorten van consultaties en op diverse discussiefora. Het zou de twee belangrijke conclusies van dit rapport bevestigen, namelijk:

*dat de anglicanen openstaan voor en verlangen naar een ontdekking en heraanvaarding (reception) onder bepaalde, heldere voorwaarden, van de uitoefening van een universeel primaat door de bisschop van Rome*

en:

*dat de rooms-katholieken openstaan voor en verlangen naar een heraanvaarding van de uitoefening van het primaat door de bisschop van Rome en het aanbieden van een dergelijk ambt aan de gehele kerk van God (nr. 62).*

Uit het feit dat *beide* kerken uitgenodigd worden het universeel primaat opnieuw te aanvaarden, kan men de conclusie trekken dat het de ARCIC-commissie bepaald niet gaat om de eenzijdige, anglicaanse aanvaarding van een ongewijzigde, rooms-katholieke wijze van uitoefening van dit primaat. Dan zou er ook geen sprake van een echte dialoog zijn geweest. En tot een dergelijke, eenzijdige dialoog waarin een van beide partijen haar eigen positie niet ter discussie zou stellen, riep de paus in *Ut Unum Sint* ook bepaald niet op toen hij sprak over een dialoog vanuit een 'houding van bekering'(nr. 82) en over het vinden van een 'wijze van uitoefenen van het primaat die (... ) open staat voor

een nieuwe situatie' (nr. 95). Vandaar dat ook de rooms-katholieke gesprekspartner hier uitspreekt open te staan voor en te verlangen naar een vernieuwde visie op het universeel primaat, uitgeoefend in echte collegialiteit en synodaliteit. Met zoveel woorden zou men kunnen zeggen: men komt tot de aanvaarding van het in het Rooms-Katholicisme bewaarde instituut van een universeel primaat in een met name in de Anglicana bewaarde stijl van leiderschap.

Daarmee lijkt een oecumenische mijlpaal bereikt. In geen enkel ander geloofsgesprek met Rome is de afgelopen drie decennia zoveel toenadering op het gebied van de Petrusdienst bereikt. In zoverre zou men kunnen zeggen, dat de paus er inderdaad in geslaagd is de discussie over het primaat opnieuw aan te zwengelen. Uiteraard betekent dat allerminst dat in dit document nu alle problemen opgelost zijn. In elk geval drie problemen springen eruit: dat van de verhouding tussen *episkopè en sensus fidelium* (1), dat van de onfeilbaarheid (2) en dat van de verhouding van primaat en collegialiteit, respectievelijk synodaliteit (3).

## De spanning tussen episkopè en sensus fidelium

In dit document wordt sterk benadrukt, dat de uitoefening van *episkopè* nooit gescheiden mag worden van het in *symphony* (nr. 30) met het gehele volk van God beleden geloof. Het is de Heilige Geest die deze harmonie tussen kerkleiding en kerkvolk (het volk van God) tot stand brengt in een *sensus fidelium* waarvan herder en kudde gezamenlijk deel uitmaken (nr.38).<sup>22</sup> We zien hoe de tekst hier recht wil doen aan de ambtsopvattingen binnen de 'low church'- vleugel van de Anglicana, waarin veel waarde wordt toegekend aan het recht van elke gelovige om de autoriteit en daarmee ook de authenticiteit van de kerkleiding te toetsen aan de Schrift en de overgeleverde leer.<sup>23</sup> Aan de andere kant wil

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22 In nr. 29 en 30 brengt men hiertoe de notie van een *sensus fidei* en *fidelium* in verbinding met de gedachte van een 'ambt van herinnering' dat de gelovigen niet alleen aan het verleden van de kerk herinnert, maar ook aan de haar beloofde toekomst. Vgl. nr. 29: 'Dit *sensus fidei* kan worden omschreven als een actief spiritueel onderscheidingsvermogen, een intuïtie die gevormd wordt door deelname aan de liturgie als gelovig lid van de kerk. Wanneer dit vermogen wordt uitgeoefend in gemeenschap met het geheel van gelovigen, kunnen we spreken van de uitoefening van het *sensus fidelium*'. Zie ook nr. 30 waar van het 'ambt van herinnering' wordt gezegd: 'Door een dergelijk ambt houdt de Heilige Geest in de kerk de herinnering levend aan wat God deed en openbaarde en stimuleert het de hoop op wat God zal doen om alle dingen tot eenheid in Christus te brengen'.

23 Zie D. Carter, 'Where are we ecclesialogically?', *One in Christ* 35 (1999) 228-242, m.n. 238: 'ARCIC stresses the authority of the whole Church, the *consensus fi-*

men echter de uitoefening van *episkopè* ook niet geheel en al afhankelijk maken van de instemming van de gelovigen. Ergens moet toch ook een laatste woord gesproken kunnen worden. Die bevoegdheid (*exousia*) komt het leergezag toe vanwege zijn uitleggende taak ten opzichte van de Schrift. In de uitoefening van deze door de Heilige Geest geleide functie kan op grond van Christus' eigen beloftewoord over het 'bewaren' van de kerk door de tijd heen ook van de onfeilbaarheid (*indefectibility*) van zowel de kerk (nr. 41) als ook van het leeraamt (nr. 42) gesproken worden.

Dit leeraamt kan echter nooit uitgeoefend worden zonder de deelname (*participation*) van heel de kerk (nr. 43). Zonder deze mist het zijn doel. Zonder de aanvaarding door het gehele volk Gods is er immers geen vruchtbare uitoefening van het leergezag mogelijk. Al kan er dan ook vanwege het 'tegenover' van het Woord Gods in de strikte zin van het woord niet van een afhankelijkheid van instemming worden gesproken — bijbelse waarheid is altijd meer dan louter consensuswaarheid —, zonder die instemming kan het leergezag toch ook niet functioneren. Binnen dit spanningsveld dient elke uiteenzetting over het gezag in de kerk geformuleerd te worden en dit document doet daar een vruchtbare poging toe door te spreken van de door de Heilige Geest bewerkte tweeenheid (harmonie, *symphony*) van *episkopè* en *sensus fidelium*.

## Onfeilbaarheid

Al tijdens de eerste ronde van de anglicaans-rooms-katholieke dialoog (ARCIC I) was niet alleen over een universeel primaat gesproken, maar ook over de uitoefening van dit primaat door de bisschop van Rome. Dit document sluit zich daar expliciet bij aan (nr. 46). In feite komt men zelfs tot een herformulering van het onfeilbaarheidsdogma van Vaticanum I, ook al haast men zich er meteen aan toe te voegen, dat een dergelijke, uitzonderlijke vorm van gezagsuitoefening binnen, niet buiten, het college van bisschoppen niet een sterkere garantie van waarheid van de zijde van de Heilige Geest heeft meegekregen dan de plechtige formuleringen van oecumenische concilies (nr. 47). Desondanks wil men wel heel nadrukkelijk spreken van een 'gave' die de kerk in dit unieke ambt van God heeft ontvangen (nrs. 46-47).

Over de (on)dankbaarheid van de kerk voor deze 'gave' wordt al vele eeuwen gediscussieerd. Paus Paulus VI noemde zijn ambt zelf in 1967 in een toespraak

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*delium*, in a manner that should prove appealing to Churches in the radical Protestant and Free Church traditions'.



tot het Secretariaat voor de Eenheid het “ernstigste obstakel in de oecumene”.<sup>24</sup> Ter overwinning van dit obstakel wordt vaak op de *relatio* van bisschop Gasser ten tijde van het eerste Vaticaanse Concilie van 1870 gewezen. Hij bracht toen belangrijke nuanceringen aan in de interpretatie van de wijze waarop de paus *persoonlijk, afzonderlijk* en op *absolute* wijze tot formuleringen van de leer zou kunnen komen die uit zichzelf (*ex se*) irreformabel zouden zijn, en niet afhankelijk van de *consensus ecclesiae*.<sup>25</sup> Sommigen lezen nu in nr. 47 van het document *De gave van gezag* zelfs min of meer een samenvatting van bisschops Gassers vier uur durende betoog ten tijde van het concilie.<sup>26</sup>

In elk geval is duidelijk, dat de ARCIC-commissie ook hier een evenwicht probeert te vinden tussen enerzijds een zo genuanceerd mogelijke interpretatie van Vaticanum I, anderzijds een zo sterk mogelijke honorering van soms aan het gallicanisme herinnerende motieven uit het anglicanisme. Dat komt dan vooral tot uitdrukking in de al eerder genoemde kwalificaties, zo men wil nuanceringen, die men dit primaat toedicht. Zo spreekt men inderdaad opvallend nadrukkelijk over een primaat dat ‘legitieme verscheidenheid erkent’ (nr. 60); ‘theologisch onderzoek beschermt’ (nr. 61) en dat door de anglicanen slechts ‘onder bepaalde, heldere voorwaarden’ (nr. 62) kan worden aanvaard. Van een klakke-loze overgave van de anglicanen aan Vaticanum I is dus allerminst sprake.

Jammer is dat in dit document niet verwezen wordt naar de historische omstandigheden waaronder Vaticanum I tot zijn formuleringen kwam. Men kan immers Vaticanum I ook uitleggen als een positief pleidooi voor de vrijheid van de kerkelijke verkondiging tegenover de die vrijheid bestrijdende burgerlijke autoriteiten en als een poging tegenover het historicisme de mogelijkheid van de articulatie van een ‘absoluut betrouwbare’ waarheid in de geschiedenis te beves-

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24 Vgl. ‘Address of Pope Paul VI to the Secretariate Given at the Conclusion of the Annual General Meeting, April 28, 1967’, *Information Service* 2 (1967), 4: “The Pope, as we all know, is undoubtedly the gravest obstacle in the path of ecumenism”.

25 Vgl. N.P. Tanner (ed.), *Decrees of the Ecumenical Councils*, Vol.II (Trent-Vatican II), London- Washington 1990, 816. Zie voor een Engelse vertaling van de in J.D. Mansi, *Collectio Conciliorum Recentiorum*, vol. 52, Arnhem 1927, 1204-1230 opgenomen *relatio* van bisschop Gasser, J.T. O’Connor, *The Gift of Infallibility. The Official Relatio of Bishop Vincent Gasser at Vatican Council I*, Boston 1986, 19-91.

26 Zo b.v. W. Henn, ‘A Roman Catholic Commentary on ARCIC-11’s *The Gift of Authority*’, *One in Christ* 35 (1995) 267-291, m.n. 282-285. Zie voor een wat terughoudender interpretatie van de betekenis van Gassers *relatio* ter concilie, A. Houtepen, *Onfeilbaarheid en Hermeneutiek. De betekenis van het infallibilitas-concept op Vaticanum I*, Brugge 1973, 306-317 en 324-325.

tigen.<sup>27</sup> In feite gaat het dan om de betrouwbaarheid van Gods beloften. In die beloften gaat het inderdaad doorgaans niet om een brede consensuswaarheid en ook niet om een waarheid die bij voorkeur door burgerlijke autoriteiten onder woorden wordt gebracht. Of echter een dergelijk dogma van de onfeilbaarheid van de paus ter zekerstelling van de vrijheid en authenticiteit van de verkondiging van de kerk nog altijd ook voor ons nu het meest adequate middel is ter legitimatie van die vrijheid, zal in sterke mate afhangen van de vraag in hoeverre het spreken van de paus door de gelovigen als het spreken van heel de kerk, kortom als *sensus fidelium*, beleefd kan worden.

## Primaat en collegialiteit

Door zo nadrukkelijk de discussie over zijn eigen ambt binnen een 'dialogo van bekering' ter sprake te brengen, heeft de paus een openheid gecreëerd die voordien voor bijna onmogelijk werd gehouden. Het zou me niet verbazen indien in dit spreken over 'bekering' de invloedrijke Franstalige oecumenische gespreksgroep, Groupe des Dombes, ook haar sporen nagelaten heeft.<sup>28</sup> Het heeft een openheid mogelijk gemaakt die zich aan het eind van de vorige eeuw in allerlei symposiumverslagen over dit thema weerspiegelde. Ik noem daarvan twee voorbeelden.

In 1997 organiseerde de *North American Academy of Ecumenists* in Toronto een symposium onder de titel 'The Papacy: Stumbling Block or Stepping Stone to Christian Unity?'. De Canadese, rooms-katholieke oecumenicus Tillard maakte daar in zijn bijdrage onder de titel 'The Mission of the Bishop of Rome: What is Essential, What is expected?' de collegialiteit tot een sleutelbegrip tot het verstaan van de uitoefening van het primaat. Daartoe gaf hij een centrale rol aan het citaat van Gregorius de Grote dat in het derde hoofdstuk van *Pastor Aeternus*, de dogmatische constitutie over de kerk van Vaticanum I, geciteerd wordt: "Mijn eer is de solide kracht van mijn broeders (*Meus honor est fratrum meorum solidus vigor*)".<sup>29</sup> Met andere woorden: de eer van de paus wordt aangetast wanneer aan de bevoegdheden van de bisschoppen wordt getornd. Het

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27 A. Houtepen, a.w., 331-366 en W. Kasper, 'Dienst an der Einheit und Freiheit der Kirche. Zur gegenwärtigen Diskussion um das Petrusamt in der Kirche', *Catholica* 32 (1978) 1-23, m.n. 18.

28 Groupe des Dombes, *Pour la Conversion des Églises. Identité et changement dans la dynamique de communion*, Paris 1991.

29 N.P. Tanner, a.w., 814.

*cum et sub Petro* veronderstelt dus ook altijd een *cum fratribus*. Komt dat laatste tekort, dan komt het eerste ook tekort. Tillard acht het een van de grootste manco's van de Latijnse kerk dat tot op de dag van vandaag de bevoegdheden van bisschoppen(conferenties) ten opzichte van het primaat in het canoniek recht niet echt goed zijn vastgelegd. In dit verband pleit hij met name voor een nadere uitwerking van het principe van de subsidiariteit.<sup>30</sup> Dat de discussie hierover in de Rooms-katholieke kerk allerminst verstomd is, moge blijken uit het unieke en publieke debat dat de kardinalen Kasper en Ratzinger de afgelopen jaren over de relatie van de universele kerk tot de lokale kerk gevoerd hebben en dat voor een deel parallel loopt aan het debat over de kerkrechtelijke positie van de regionale bisschoppenconferenties.<sup>31</sup>

In 1997 organiseerde het *Centro pro Unione* in Rome een symposium over hetzelfde thema onder de titel 'Petrine Ministry and the Unity of the Church. Towards a Patient and Fraternal Dialogue'. Vooral de bijdrage van Schatz aan dit symposium sprong in het oog, omdat hij aan de opmerking van de paus in *Ut Unum Sint* (nr.95) over het openstaan voor nieuwe situaties als het ware een historische basis gaf. Met zoveel woorden zei hij: het primaat heeft nooit iets anders gedaan dan zichzelf continu tegenover nieuwe historische situaties herdefiniëren. Zo signaleert Schatz bijvoorbeeld in een tijdsbestek van zo'n 1500 jaar minstens vijf ingrijpende accentverschuivingen.<sup>32</sup>

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30 Een aantal teksten van referaten tijdens dit symposium is gepubliceerd. Zie voor J.M.R. Tillards bijdrage *Ecumenical Trends* 27(1998) no. 1,1-9. Zie verder J.H. Erickson, 'First Among Equals: Papal Primacy in an Orthodox Perspective'; van protestantse zijde M.E. Brinkman, 'An Emerging Consensus on Papal Primacy? Some Developments in Western Europe' en van pentecostal zijde R. Kydd, 'Does Christian Unity Require Some Form of Papal Primacy?', *Ecumenical Trends* 27 (1998) resp. no.2, 17-25 en no.3,38-42 en 43-46.Vgl. voor de benadering vanuit de oosterse orthodoxie ook O. Clement, *Rome autrement. Un orthodoxe face à la papauté*, Paris 1997.

31 Vgl. K. McDonnell, 'The Ratzinger/Kasper Debate : The Universal and Local Churches', *Theological Studies* 63 (2002) 227-250 en over de kerkrechtelijke positie van de bisschoppenconferenties M.Wijlens, 'The Intermediate level in the Roman Catholic Church: An Organizational or Ecclesiological Category?' in: L.J. Koffeman and H. Witte (eds), *Of All Times and of All Places*, 95-130.

32 Kl. Schatz, 'Historical Considerations Concerning the Problem of Primacy' in: J.E. Puglisi (ed.), *Petrine Ministry and the Unity of the Church. Towards a Patient and Fraternal Dialogue*, Collegeville 1999, 1-13. Schatz signaleert in de 4e en 5e eeuw de juridische aanduiding van Rome als plaats van de apostolische overlevering (1); in de zevende en achtste eeuw als norm en garantie voor een correcte religieuze praktijk (2); in de elfde en twaalfde eeuw als hoofd van de kerk (3); in de veertiende tot de zestiende

## Conclusie

Op het kerkelijk gezag van bovenationale gremia hebben de kerken van de Reformatie nog nauwelijks gereflecteerd. In wezen ligt dit hele terrein nog braak. De lutheranen en de gereformeerden zouden op dit terrein veel van de Anglicana, de oud-katholieken en ook van de oosterse orthodoxie kunnen leren en in potentie ook van de Romana, ware het niet dat de Romana haar eigen potenties in deze zo gebrekkig benut en daarom ook niet wervend etaleert. Dat maakt de dialoog met de Rooms-Katholieke Kerk vaak zo gecompliceerd. Uit haar rijke geschiedenis kunnen steeds weer uiterst zinvolle invalshoeken in herinnering worden geroepen, maar ze worden vaak maar mondjesmaat door de huidige hiërarchie her- en erkend.

Toch kan het document van de ARCIC-commissie *De gave van gezag* niet los gezien worden van door de paus zelf in gang gezette ontwikkelingen. Het is evident dat er zich mede daardoor het afgelopen decennium belangrijke ontwikkelingen hebben afgespeeld in de nadere, theologische bezinning op de wijze waarop het primaat kan worden uitgeoefend. Die ontwikkelingen hebben ook de Wereldraad van Kerken, de Lutherse kerken en de Gereformeerde Kerken niet onberoerd gelaten.<sup>33</sup> De relatie die ARCIC II bijvoorbeeld legt tussen het begrip *episkopè* en het begrip *sensus fidelium* staat niet los van de discussie over de 'receptie' van oecumenische teksten die met name op grond van de reacties van de lidkerken op de zogenaamde Limatekst over doop, eucharistie en ambt (1982) van de Wereldraad van Kerken in de jaren tachtig is gevoerd.<sup>34</sup> Dat de oogst van deze recente ontwikkelingen zo moeizaam binnengehaald kan worden, zal alles te maken hebben met de vaak tegen elkaar inlopende bewegingen die we de laatste decennia in de oecumene kunnen signaleren. Om slechts één voorbeeld te noemen: De atmosfeer die de encyclieken *Ut Unum Sint* en *Orientalis Lumen* uit 1995 ademen, is nu eenmaal een totaal andere dan die van *Dominus Iesus* uit 2000.

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eeuw als centrum van confessionele identiteit (4) en vanaf de Franse revolutie als rots van zekerheid te midden van onzekere tijden (5).

33 Zie voor een goed overzicht van de dialoog met de Lutherse kerken, H. Meyer, "Suprema auctoritas ideo ab omne errore immunis": The Lutheran Approach to Primacy' in: J. F. Puglisi (ed.), *a.w.*, 15-34. Zie voor een breder overzicht van protestantse bijdragen aan de discussie, M.E. Brinkman, a. a.

34 Vgl. W. G. Rusch, *Reception. An Ecumenical Opportunity*, Geneva 1988.

Daarmee is echter niet een decennium aan vruchtbare oecumenische openingen zomaar weggevaagd. Als denkmogelijkheden en daarmee ook als toepassingsmogelijkheden behouden die openingen hun waarde. De aandacht voor de *consensus ecclesiae* die door toedoen van Vaticanum I zo op de achtergrond was geraakt, zal vanwege de toenemende vraag naar een interculturele traditiehermeneutiek alleen maar sterker worden.<sup>35</sup> De erkenning van het geheel eigen karakter van de inculturatie van het Evangelie in niet-westerse contexten maakt het immers steeds ingewikkelder, maar daarom ook dringender het gemeenschappelijke — dat waarover consensus bestaat — in de wereldchristenheid adequaat te formuleren.

Een tweede punt dat in *De gave van gezag* de aandacht trekt, is de wijze waarop men het oude geschilpunt over de vraag of het primaat nu een instelling *iure divino* of *iure humano* is, pneumatologisch oplost door te verwijzen naar de wijze waarop naar bijbels getuigenis de Heilige Geest de kerk in de loop der tijden bij haar waarheid bewaart. Daar waar de Geest Gods aan het werk is, is immers het onderscheid tussen God en mens van elke concurrentie (Schoonenberg) ontdaan, terwijl toch het menselijk bestaan niet van zijn ambivalenties ontheven wordt.<sup>36</sup> Daarmee is de vraag naar de instelling van het ambt uit de juridische sfeer gehaald en geplaatst binnen het kader van de bezinning op de (menselijke) instrumenten waarvan de Geest Gods zich binnen het raamwerk van de *providentia Dei* bedient. Dan is de gezagsvraag intrinsiek verbonden met de wijze waarop God Zijn volk door de geschiedenis leidt. Eenmaal in dit verband geplaatst zou de ontkenning van de legitimiteit van het 'openstaan voor nieuwe situaties' — een legitimiteit die *Ut Unum Sint* nadrukkelijk onder woorden brengt - in feite op een miskennis van de onnaspeurbaarheid van de creativiteit van de Geest Gods neerkomen. Derhalve acht ik een pneumatologische benadering van de vraag naar de verbanden waarbinnen in de kerk over gezag kan worden gesproken, de meest perspectief biedende.

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35 Vgl. *A Treasure in Earthen Vessels. An Instrument for an Ecumenical Reflection on Hermeneutics* (Faith and Order Paper No.182). Zie ook M.E. Brinkman, *Verandering van geloofsinzicht: Oecumenische ontwikkelingen in Noord en Zuid. Een aanzet tot een interculturele traditiehermeneutiek*, Zoetermeer 2000.

36 Vgl. P. Schoonenberg, *God of mens: een vals dilemma*, 's-Hertogenbosch 1965, later uitgewerkt in Idem, *Hij is een God van mensen*, 's-Hertogenbosch 1969, 9-48.

## THE GIFT OF AUTHORITY – AN ANGLICAN PERSPECTIVE.

*Looking for a Balance between Autonomy and Solidarity*

Christopher J. Hill

1. The responses to *The Gift of Authority*<sup>1</sup> have been extraordinarily varied. From time to time one would think that different critics were reading an entirely different text. This may indicate a certain amount of eisegesis as well as exegesis; that is to say there is as much interpretation being put into the text as being read out of it. These range from protestant denunciations to somewhat superficial comments made by Hans Küng. We all come to texts with certain presuppositions and assumptions and *The Gift of Authority* is certainly no exception to this. A factor which has surprised me on reading some of the more negative criticisms of *The Gift of Authority* is that it has not been read in the context of earlier Anglican/Roman Catholic discussions. This in spite of the fact that the text of *The Gift of Authority* specifically claims that it does not start from nothing but builds upon the work of the first Anglican Roman Catholic Commission (ARCIC) and its earlier statements on authority (*Authority I and II* and their *Elucidations*).<sup>2</sup>

I have written about the extent of earlier agreement in a series of essays on *The Gift of Authority* entitled *Unpacking the Gift*<sup>3</sup> and will not elaborate here. It is sufficient to say that *The Gift of Authority* does not come without a considerable corpus of past Anglican Roman Catholic agreement, some of which has been in part received by the (very different) authorities of both communions.<sup>4</sup>

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1 *The Gift of Authority: Authority in the Church III. An Agreed Statement by the Anglican-Roman Catholic International Commission ARCIC*, CTS, London, 1999.

2 For these reports see *Anglicans and Roman Catholics: The Search for Unity*, eds. Christopher Hill and E. J. Yarnold SJ, SPCK/CTS, London, 1994.

3 *Unpacking the gift: Anglican resources for theological reflection on The Gift of Authority*, ed. Peter Fisher, Church House Publishing, London, 2002.

4 For an edited selection of official responses to ARCIC's earlier work see *Anglicans and Roman Catholics: The Search for Unity* op. cit.

2. A second preliminary remark must be noted. It is the double affirmation in *The Gift of Authority* that any structure of authority can be oppressive and destructive as opposed to the way of Jesus Christ. This is clearly recognized in *The Gift of Authority*.<sup>5</sup> But equally *The Gift of Authority* wrestles with the realistic recognition that structures of authority are indeed necessary in the Church and have always existed. It is facile to have a romantic assumption that power cannot be abused in more democratic looking structures or in churches where the words power and authority are eschewed altogether. A house church can embody more oppressive structures of authority than the Papacy or Anglican diocesan episcopacy. All structures can be corrupted and indeed have been.

3. Throughout *The Gift of Authority* we meet a dynamic understanding of the question rather than something fixed and static. In spite of some criticisms to the effect that the laity are excluded from an exercise of authority in *The Gift of Authority*, this seems hardly to correspond with the actual text of what is said in the document. Such criticisms reflect perceptions about the present exercise of authority within the Roman Catholic Church. In ARCIC's dynamic understanding of authority the exercise and acceptance of authority in the church "is inseparable from the response of believers to the Gospel". This leads on to the *Leitmotiv* of *The Gift of Authority*: God's 'Yes' and our 'Amen'. Authority is seen here as *personal, relational, dynamic, spiritual and intrinsic to faith* (paragraphs 7 - 10). If commentators ignore these crucial paragraphs they will misunderstand all that follows. It is claimed to be "the key to the exposition of authority in this statement". The corollary to this is that those exercises of oppressive authority in any church (which is not God's 'Yes' accepted in the freedom of our 'Amen') are not in accordance with Christ or the tenor of this agreement. For example a Roman Catholic taking seriously this dynamic understanding of authority, God's 'Yes' and our 'Amen' — that is the integral relationship between the exercise of authority and the response of the whole church — has been right to question whether a decision about, say, the marriage of clergy or the restriction of ordination to males, is an authentic exercise of authority because it lacks the 'Amen' of many people within that church.

4. ARCIC draws its hermeneutic of God's 'Yes' and our 'Amen' from St Paul's Second Letter to the Corinthians. This is done not by exact correspondence to the Corinthian context but by drawing out the principle which Paul is applying in particular circumstance and extrapolating it to wider questions of authority in the Church. At II Corinthians 1.18-20 Paul speaks of the 'Yes' of God to humankind which will never fail to elicit an 'Amen' because all God's promises are confirmed in His 'Yes' to Christ. Elsewhere Paul speaks of the

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5 *The Gift of Authority*, op.cit., paragraph 5.

Spirit of God speaking within us articulating that which we cannot by ourselves express. Paul sees the same Spirit as active in his own exercise of authority in relation to the Corinthian church and in the Corinthian response for which he looks. In spite of difficulties he does not doubt that God is working through him and each faithful Christian at Corinth. This is the presumption of *The Gift of Authority* in making God's 'Yes' and our 'Amen' its *Leitmotiv*. Authority is always a double process, critical reception while not adding to the 'formal' authority of an initial decision confirms its authenticity or otherwise. The 'Yes/Amen' *Leitmotiv* is therefore both important and subtle. If something is not God's 'Yes' in Christ we are not intended to say 'Amen', for both come from the same Spirit and only if something is truly God's 'Yes' does the Spirit also call for our 'Amen'.

5. Individual and corporate faith and response are expounded carefully in *The Gift of Authority* (paragraphs 11-13). The role of individual conscience is accorded "a vital role to play" but the believers 'Amen' is "to all that the whole company of Christians receive and teaches as the authentic meaning of the Gospel and the way to follow Christ". Protestant individualism (not itself *classically* Protestant but post-Enlightenment) is ruled out. So also would forms of individualistic liberalism or 'romantic' Anglo-Catholicism.

6. Authority is reflected in the whole Christian community, laity as well as clergy, bishops and Pope. "The revealed Word, to which the apostolic community originally bore witness, is received and communicated *through the life of the whole* Christian community" (emphasis mine, paragraph 14). We here meet Tradition, *paradosis*: a dynamic concept as it finds expression in the Greek New Testament. This New Testament dynamic of *paradosis* is weakly served by the inevitable but static translation in English as 'tradition'. Nor is Tradition as *paradosis* understood as essentially intellectual or propositional. Tradition is the constitutive elements of ecclesial life. *The Gift of Authority* carefully defines its terminological use of this phrase. There is a "constant and perpetual reception and communication of the revealed Word". Our 'Amen' "is a fruit of the Spirit who constantly guides the disciples into all truth; that is into Christ who is the way, the truth and the life". All this is part of the living *memory* of the Church. The notion of Tradition (better the dynamic *paradosis*; the life, teaching and practice of the apostolic Church being handed on) as a living corporate memory will be new to some Anglicans. Anglicans have usually thought of tradition in retrospective terms, looking back to the Creeds, for example. It is however entirely consistent with the biblical notion of the 'story' of God's people handed on, most especially the crucial Passover paradigm in which the youngest person present receives the story of salvation *and* enters into it for himself *now*. It is also at one with much contemporary NT hermeneutic, in which the stories about



Jesus the Christ are understood to have been re-told – handed on – in particular communities and applied to the new circumstances of those churches. That which is ‘handed on’ is proclamation, sacraments and moral life in communion. *The Gift of Authority* interestingly remarks that this is “at the same time the context of Tradition and its result.” This could theoretically be ‘open-ended’ or free rolling. It is not, however, because of the Holy Scriptures.

7. *The Gift of Authority* begins its treatment of Holy Scripture unequivocally: “Within Tradition the Scriptures occupy a unique and normative place and belong to what has been given once for all” (see paragraphs 19-23). Against the Scriptures the Church has “constantly to measure its teaching, preaching and action”. The Scriptures are alone the corpus of the inspired Word of God. They are “uniquely authoritative”. The Old Testament Scriptures were both re-received and re-interpreted as revelation of God’s final word in Christ. The New Testament Scriptures reflect the ‘memory’ of the People of God being applied in various local situations. The Canon of the Scriptures “was at the same time an act of *obedience* and of *authority*”. This is usefully explained: obedience in the discernment of God’s ‘Yes’; an act of authority in declaring under the guidance of the Holy Spirit that these and not others were inspired and included. Individual (or private) interpretations of Scripture are subject to the faith of the whole community: “Word of God and Church of God cannot be put asunder”.

8. *The Gift of Authority* examines the question of reception and re-reception (paragraphs 24 and 25) and this is important for the later logic of the document. The re-reception of Tradition, that is the freedom to receive the apostolic Tradition in *new* ways, is an essential part of the picture. There is also a clear recognition of human finitude and sin; a recognition of neglect and abuse.

9. In its understanding of catholicity two sentences in *The Gift of Authority* are of crucial importance: “Christ promises that the Holy Spirit will keep the *essential and saving truth* in the memory of the Church, empowering it for mission (cf. John 14.26; 15.26-27). This truth has to be *transmitted and received anew by the faithful* in all ages and in all places throughout the world in response to the diversity and complexity of human experience” (emphases mine). *Essential and saving truth* will be kept in the memory of the Church (including the Spirit’s capacity for re-reception i.e. reform of abuse and error) and this memory of *essential and saving truth* has indeed been actually applied afresh in each generation and culture (as when classically Nicaea used a non-Scriptural term to defend Gospel truth against Arianism through the use of the term *homoousios* — one substance).

10. *The Gift of Authority* explains and expounds its understanding of catholicity further (paragraphs 27-31). Diversity confirms catholicity. The “*people of God as a whole*” is the bearer of this living memory. The Holy Spirit is active in all members of the Church - not least theologians! - bishops, clergy and people *all give and receive from each other*. Each Christian has an intuition of faith (*sensus fidei*). As a whole there is a *corporate sensus fidelium*. Though those ordained to a ministry of oversight have a “*ministry of memory* as they proclaim the Word, minister the sacraments, and take part in administering discipline for the common good”, this ministry of memory and the wider *sensus fidelium* of which that ministry is a part “exist together in a reciprocal relationship”.

11. Thus far ARCIC believes Anglicans and Roman Catholics can agree. But we need to retrieve a shared understanding. This will mean trying to understand the best meaning of theological language which is strange or uncongenial. I believe it is a sound and indeed essential ecumenical principle to always try to understand theology and practice in another church in its best possible light rather than its worst. On the same principle it is good practice to hear a tradition speak for itself rather than place reliance on someone else’s caricature articulated for polemical purposes. I have called this a hermeneutic of trust.<sup>6</sup> So when another tradition uses technical language such as *sensus fidei* or *sensus fidelium*, we need to unpack such phrases in a positive way rather than with suspicion. ARCIC helps us in this process with such phrases as “the ministry of memory”. The *sensus fidei* is therefore helpfully interpreted as “an active capacity for spiritual discernment, an intuition that is formed by worshipping and living in communion as a faithful member of the Church”(paragraph 29).

12. ARCIC fully enunciates the principle of *synodality*. This is not exactly Synodical government as we have it in the Anglican Communion but the *principle* of the whole Church *walking along* a common way – the way, the truth and the life. Synodality is understood literally as walking together. Anglicans should not make an easy assumption that we have such synodality in perfect form. At the very height of a synodical debate in the General Synod of the Church of England the legal secretary of the Synod calls the Synod to “divide”, that is to say, to vote. Yet division is the opposite of synodality! (I owe this acute observation of Anglican Synodical procedure owing more to parliamentary practice than true synodality to the former Co-Chairman of ARCIC II, Bishop Mark Santer.).

13. From synodality in the local church (diocese) the text moves to the bishop of the local diocese. There are rare but right occasions when the bishop

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6 See my chapter in *Unpacking the Gift*, op.cit.

is required to exercise juridical authority for the sake of the health of the Body of Christ as a whole. Discipline is a mark of the Church of the New Testament and of today.

## II

14. It is at this point that we reach the key question of this symposium: the relation between the local (diocesan) church or a province of local churches, and the wider universal communion of churches: the question of autonomy and solidarity. *The Gift of Authority* speaks of this balance and then investigates a number of important and controversial subjects such as 'indefectibility' and 'infallibility', a continued discussion of reception, the role of the college of bishops, and even an anticipatory recognition of the Roman Primacy in advance of ecclesial communion. I intend in this lecture to explore the question of the relation between the local and universal church in the light of *The Gift of Authority* and then to follow this with a number of more personal remarks in this area, rather than move on to expounding in detail the latter part of *The Gift of Authority*. In this way I can reflect more exactly the precise concerns of this symposium.

15. ARCIC begins with the principle that no diocese is self-sufficient. Synodality (walking together) is required for communion between local diocesan churches. The bishops serve synodality both personally and collegially in many different ways over history and today in all our churches. ARCIC enunciates the principle: "The maintenance of communion requires that at every level there is a capacity to take decisions appropriate to that level." Strictly speaking the only levels Anglicans can "take decisions" are the diocesan and the national (provincial). This is our ambiguous legacy from a nation-state reformation. The sharp theological question this puts to us is: is this an ecclesiological principle; are Anglican Churches forever tied to the sixteenth century nation-state model? Could there be circumstances in which a wider authority could or should be recognised *for the sake of communion and mission*?

16. At the last Lambeth Conference this was raised in a number of ways and, importantly, in the Resolution<sup>7</sup> for an enquiry as to if or when the Archbishop of Canterbury could intervene in another Anglican Church. This was passed by a sizeable majority; some however defended as sacrosanct a doctrine of absolute provincial autonomy. Significantly, the historical reason for the resolution was the desperate situation in Rwanda where there were no authorities left in the Church. Bishops were in prison or in exile, civil war raged and genocide reigned. The Archbishop of Canterbury was morally right to take the

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7 Lambeth Conference 1998, Resolution IV.13

action he did in sending in a commissary; as he also did under similar circumstances in the Sudan. The Lambeth Conference commended the Archbishop of Canterbury's intervention! But if morally right why not ecclesologically right, *under extreme and emergency circumstances*? This is quite different from centralised (ultramontaine) running of dioceses throughout the universal church from a central bureaucracy in Rome on a day-to-day basis. *The Gift of Authority* could helpfully have brought out this distinction rather more clearly for Anglicans and others. The earlier exercise of primacy by the Roman See (roughly speaking before the Gregorian Reform) was not in relation to day-to-day matters but only in cases of appeal or where manifestly a particular church had either erred from the true faith or was subject to disciplinary and organisational chaos. It was only in such circumstances that the earlier primacy was exercised, perhaps with the exception of the sending of mission to un-evangelised peoples which is a different matter but which also sheds light on *The Gift of Authority's* understanding of a primacy for mission as well as unity.

17. Behind the debates of the last Lambeth Conference (1998) lay divisions over questions of human sexuality, and in particular whether same-sex relationships could or could not be seen, under some circumstances, as within the intention of God. This is highlighted by the question of 'openly gay' clergy. In the last month this debate has been transformed from one of theory to practice by the ordination of Gene Robinson to the see of New Hampshire, duly confirmed by the Episcopal Church of the United States of America; and a little earlier by the decision of the Diocese of New Westminster in Canada to provide a form of service for the blessing of 'gay' couples, though this had been rejected by the wider Canadian Church. The New Hampshire ordination was preceded by a special meeting of the Primates at Lambeth at which the Church in the USA was invited to forego this action. I will resist the temptation to get into too much detail in this highly controversial area. For our purposes however these two developments raise in the most dramatic way the question of the autonomy of either a diocese (New Hampshire) or a Provincial Church (the Episcopal Church of the USA). This question had already been raised in a rather tentative way in *The Virginia Report*<sup>8</sup> in preparation for the Lambeth Conference, and since the Conference in a more direct way in an unofficial report from a number of third world Primates called *To Mend the Net*.<sup>9</sup>

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8 *The Virginia Report: The Report of the Inter-Anglican Theological and Doctrinal Commission*, Anglican Consultative Council, London, 1998.

9 *To mend the Net: Anglican Faith & Order for Renewed Mission*, Drexel W. Gomez & Maurice W. Sinclair eds., The Ecclesia Society, Carrollton, Texas, 2001.

18. It seems to me that the really crucial and quite difficult question is already suggested in *The Gift of Authority* in a sentence I have already quoted: "The maintenance of communion requires that at every level there is a capacity to take decisions appropriate to that level". That is easy to say and give assent to. The difficulty is knowing *which* decisions are appropriate to the various levels and how decisions are taken at each level.

19. Already, a quarter of a century ago, the Lambeth Conference was wrestling with the question of the ordination of women to the presbyterate, and later to the episcopate. On the one hand the cultural context of the Church seems to demand the admission of women to the diaconate, presbyterate and even episcopate; on the other hand Anglicans have consistently claimed to be only part of the *una sancta*, and to possess only the three-fold historic ministry of the catholic Church in East and West, which is an argument for reticence in change without the consent of the wider Church possessing the same ministry. In practice, as I have said, the only machinery for Anglican judicial decision-making is at the provincial level. And that is where action has in fact been taken. At the Primates meeting of only a few weeks ago, immediately prior to the New Hampshire ordination, the Primates agreed to establish a Commission on Difference. In their Statement the Primates were adamant that such actions as might be taken in New Westminster and New Hampshire "would not unilaterally alter the teaching of the Anglican Communion" as expressed in the last Lambeth Conference. On Gene Robinson it was said that his ministry as a bishop would "not be recognised by most of the Anglican world, and that many Provinces would regard themselves as out of communion with the Episcopal Church". The Commission was invited to reflect on the issues of division facing the Anglican Communion, including canonical considerations. It remains to be seen whether there is any way of surmounting the question of provincial autonomy in a way which is also consistent with Anglican ecclesiology and history.

20. One of the problems would seem to be that there are few models of supra-provincial decision-making. The Moravian Church is trans-national. The Union of Utrecht is similarly so, but cannot (as I understand it) bind member churches: similar issues have arisen for the Old Catholic Churches with the ordination of women as to Anglican Churches. This leaves the contemporary Roman Catholic Church. Many Roman Catholics as well as most non-Roman Catholics would argue that this is not the best model as it still epitomises a Vatican I centralisation and denies the proper application of the principle of subsidiarity. The churches are therefore in an ecumenical dilemma.

21. I suggest that the ARCIC emphasis on the doctrine of reception – God's 'Yes' and our 'Amen' – could offer a very fruitful way into this ecumenical

dilemma. I will illustrate this in relation to the question of the ordination of women. On the surface of the matter Scripture appears to be indecisive on the question of the ordination of women, not least because the 'concept' of ordination only emerges towards the end of the New Testament period. The argument from tradition appears to be more decisively against.<sup>10</sup> The Roman Catholic model of a central magisterium has considered the question and it is well known that it does not believe it has the authority to authorize such a change.<sup>11</sup>

22. However, this model precisely presupposes that change has to be authorized *centrally* before any such a development can take place. Is this true to the history of either doctrinal development or development of order in the Church? In doctrinal matters it is clear that at the early Ecumenical Councils creedal consensus was normally reached by canonizing the baptismal creed of a *particular church*.<sup>12</sup> In other words local development was recognized as expressing wider orthodoxy. Similarly, the Canon of Scripture emerged from those scriptures which were being liturgically read locally. The development of church order is less precise. Nevertheless, it is absolutely clear that the development of the threefold order of bishop, presbyter and deacon emerged from a wider pluriformity of ministries in the second century at about the time of the close of the Canon of Scripture. This is not to say that all local developments were always approved. The Ecumenical Councils devote many canons to the condemnation of heretics. My point is that initiatives always arise in the local or particular church, locally enculturated in its mission. After local reception such initiatives come for wider reception. The local 'Amen' of God's people is tested by the wider 'Amen' of the universal church.

23. This insight points to further study of the local church and its relationship to the wider communion of churches. If the universal church is ecclesiological prior to the local church then all development must be received by

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10 Though see Ute E. Eisen, *Women Officeholders in Early Christianity: Epigraphical and Literary Studies*, The Liturgical Press, Minnesota, 2000; (originally published as *Amtsträgerinnen im frühen Christentum. Epigraphische und literarische Studien*, Vandenhoeck & Ruprecht, Göttingen, 1996), who argues somewhat persuasively that there is more evidence for women officeholders in Church history than previous 'filtered' accounts have recognised. See also John Wijngaards *The Ordination of Women in the Catholic Church: Unmasking a Cuckoo's Egg Tradition*, Darton, Longman and Todd, London, 2001.

11 See the Declaration of the Sacred Congregation for the Doctrine of the Faith: *Inter Insigniores*, October 1976.

12 See J. N. D. Kelly, *Early Christian Creeds*, Longmans, London, 1960.

the universal church first. I do not think this is how church history has actually happened! If however the local or particular church is prior ecclesialogically (without falling into congregationalism) then developments can take place locally on the understanding that the local church should, in principle, be in communion with the wider church which will also 'test' new insights and developments taking account of local reception but also seeking universal reception: the 'Amen' of God's people to God's 'Yes' in Christ.

24. A final observation on the doctrine of reception explored in *The Gift of Authority* concerns universal reception. Insufficient study has yet been given to the status of a decision or formal teaching of the universal church which has manifestly not been universally received. The classical example of this must be the non-reception of the dogmatic definitions of the Council of Chalcedon (451) by the Coptic and Syrian Churches. Recent christological statements made between the leaders of these Churches and Pope John Paul II, as well as the Patriarch of Constantinople Bartholomew I, indicate an acceptance of dogmatic diversity on the grounds of an underlying unity of intention. Less satisfactory is the continuing tension – and non-acceptance – of official Roman Catholic teaching by probably a majority of lay-catholics in Europe and North America in relation to the Papal teaching contained in *Humanae Vitae* (1968). Manifestly, a considerable portion of God's people are not giving their 'Amen' to this teaching. Does this indicate contumaciousness or that God's 'Yes' is not in this official teaching? This matter also has some bearing on homosexual relationships as it raises the question of whether human sexuality is always and only to be expressed with explicit intention for pro-creation. These issues are beyond the scope of our discussion in this symposium and are 'flagged' here only for the sake of systematic completeness. I do note however that both these very different examples of non-reception of official teaching are within very specific cultural contexts. This may be significant.

25. As to our main theme, it will be clear that I would propose further study of the doctrine of reception — helpfully expressed in terms of God's 'Yes' and our 'Amen' by ARCIC — in the specific context of the ongoing discussion of an *ecclesiology of communion*, and in particular the polarity between the autonomy of the local church and its solidarity (in principle) with the universal communion of churches. There is a cluster of interrelated questions covering such a study of *communion*. As a post-script to this lecture I list some of these issues in summary form. Each one would probably require a further symposium!

- Communion in the Early Church was not synonymous with uniformity or peaceful co-existence. It included sharp diversity and controversy.<sup>13</sup>
- Communion ecclesiologies Catholic (Ratzinger)<sup>14</sup>, Orthodox (Zizioulas)<sup>15</sup> and Protestant (Volf)<sup>16</sup> have all been based on the communion of the Holy Trinity, again enshrining (though in different ways) the principle of diversity.
- Communion has limits, both doctrinal and ethical, as is clear from a reading of the First Epistle of John and all Church history.
- Communion has traditionally been linked to the Creed(s) in baptism/confirmation and to Confessions (both Reformation and Roman Catholic) which have very largely been concerned with orthodoxy rather than orthopraxy. Only in recent times (eg. in relation to the Reformed tradition in South Africa under *apartheid*) has the question of right praxis arisen as a matter of communion between churches. (Communion has, of course, been denied to *individuals* on the grounds of behaviour throughout the history of the Church.)
- The study of communion in the ecumenical movement has similarly been the preserve of Faith and Order; for Anglicans the Lambeth Quadrilateral of Scripture, Creeds, Sacraments and Episcopate has been the agreed norm. Now that acceptance of homosexual practice is seen by many to contradict Scripture, the question of the *hermeneutic* of Scripture is added, just as the ordination of women raises the *hermeneutic* of tradition.
- Communion presupposes different cultural, missionary contexts (synchronic catholicity): the question is whether such different contexts justify or at least permit radical diversity of doctrine (eg. the debate about Chalcedon) or practice (eg. as in permissive, though temporary, consent – dispensation – for polygamy by the churches in certain missionary contexts).

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13 See Nicholas Sagovsky *Ecumenism, Christian Origins and the Practice of Communion*, Cambridge University Press, Cambridge, 2000.

14 See for example Joseph Ratzinger, *Theologische Prinzipienlehre: Bausteine zur Fundamentalthologie*, Erich Wewel Verlag, Munich, 1982.

15 John D. Zizioulas, *Being as Communion: Studies in Personhood and the Church*, Darton, Longman and Todd, London, 1985.

16 Miroslav Volf, *After Our Likeness: The Church as the Image of the Trinity*, William B. Eerdmans Publishing Company, 1998.



- Communion ecclesiologies tend to emphasise the eucharistic local church as the place where the Church of Christ fully exists; there are tensions between some exponents of communion ecclesiologies which start from the local, and those which start from the universal (cf. the debate between Kasper and Ratzinger).<sup>17</sup>
- Starting with the mission of the local church and its embodiment in a local culture will point to a minimum of matters over which wider canonical communion is broken: nevertheless for this necessary minimum some organs of discernment are necessary at the universal level; episcopal, synodal, collegial, conciliar or primatial.
- Communion ecclesiologies usually root the unity of the Church in the mystery of the communion of the Triune God, rather than the episcopate as such (*contra* to the Congregation for the Defence of the Faith (1992) *Letter on the Church as Communion*).<sup>18</sup> This has the merit of placing less weight on the ministerial office or ecclesial structures for the maintenance of unity.

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17 Walter Kasper, *Tablet*, June 2001.

18 See David McLoughlin's chapter, *Communio, Models of Church: Retic or Reality?* in *Authority in the Roman Catholic Church: Theory and Practice* ed. Bernard Hoose, Ashgate Publishing Limited, Aldershot, 2002.

# EPISCOPAL-SYNODICAL CHURCH STRUCTURE AND AUTHORITY IN DIALOGUE

Angela Berlis

## Introduction

In spring 2003, it was announced that in celebration of the 150<sup>th</sup> anniversary of the “re-introduction of Roman Catholic hierarchy” into the Netherlands a major event was planned for 7 June 2003. Many Roman Catholics reacted initially with some hesitation. What was this event intended to be? It was not a “Katholikentag”, for it was the initiative of the Roman-Catholic Bishops, whereas the German *Katholikentag* is organised by lay people. It is perhaps not surprising that many people suspected that those attending an event entitled “Catholic with heart and soul” would be those who would in any case tend to an uncritical acclamation of bishops. Some doubted that such an event could be of any use at all, and simply stayed away.<sup>1</sup> A number of nuns who did not attend the festival challenged bishops to reflect on the function of the hierarchy in the past and for the future, rather than simply celebrating themselves.<sup>2</sup> Others believed that by staying away they would simply confirm the bishops in their authority; people in this group attended specifically in order to demonstrate that they and their opinions—for instance regarding the position of women or women’s ordination—do indeed exist in the church.<sup>3</sup>

In the end, the Roman Catholic Bishops could be satisfied. Around 9000 church members and guests attended the celebration, which (in contrast to the event marking the centenary celebration) was neither triumphalist nor over-exuberant. Many experienced the day as “gezellig-katholiek” (good-naturedly Catholic), and there were no major disputes.

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1 Compare the reports in the Dutch journal *Trouw*: for instance, Pieter van der Ven, Geen debat bij 150 jaar kromstaf, in: *Trouw*, 4 April 2003, 14; Elma Drayer, Een dag alleen voor echte katholieken, in: *Trouw*, 10 June 2003, 10. I wish to express my thanks to Bishop Dr. Jan-Lambert Wirix-Speetjens, Prof. Dr. Jan Hallebeek and drs. Dick Schoon for their critical comments on earlier versions of this article and to Dr. Charlotte Methuen for translating my text into English.

2 See Nonnen weigeren mee te doen aan feestje 150 jaar kromstaf, in: *Trouw*, 27 May 2003, 12.

3 See Elma Drayer, Een dag alleen voor echte katholieken, in: *Trouw*, 10 June 2003, 10.

What I find interesting about the Dutch Roman Catholic Church's jubilee year is what is going on in the background. Not only do important questions about the form and significance of contemporary Roman Catholicism play a central role, but so too does the question of authority within the church, which is articulated clearly by many of the critical voices, and is implicit also in others.<sup>4</sup>

As an Old Catholic, I could write this off as an internal Roman Catholic problem. But I believe that a deeper point is surfacing here, for similar questions also play a role in the Old Catholic context. Recently a report of this year's meeting of the Old Catholic International Lay People's Forum included the comment: "The International Bishops' Conference is a committee of bishops who represent the whole church. For that reason, lay representation is neither provided for, nor seen as necessary. The IBC therefore has no synodical structure."<sup>5</sup>

This brings me to our theme. For both these reactions — on one hand, the concern about an event initiated only by bishops in order to acclaim an episcopal hierarchy, and on the other doubts as to whether a committee consisting exclusively of bishops can represent an episcopal-synodical church in its entirety — demonstrate the relevance of questions of authority and church structures in today's church. One reason for this is the democratic nature of our society and of the ideas of people today. The Flemish theologian Jan Kerkhofs has recently commented that "leadership which excludes involvement has been rendered unacceptable by the evolution of Western society towards democracy."<sup>6</sup> However, the influence of democratic forms of thought alone cannot suffice. It is necessary also to consider synodical, collegial and conciliar structures, and this I wish to do in this paper.

In doing so, I shall discuss the development of Old Catholic ideas of authority and of episcopal-synodical structures and sketch the current position. I shall also consider an Old Catholic understanding of the role of the Bishop of Rome in today's church.

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4 See, for instance the papers given at the Symposium "Daarom toch katholiek? Kerk, cultuur, maatschappij en de katholieke identiteit," Tilburg, 25 November 2003. On authority, see in particular Erik Borgman's lecture, "The erosion of hierarchy".

5 See: *Freiwilligkeit erhalten. Abschließende Diskussion und Resultate über die Zukunft des Laienforums*, in: *Christen heute* 47 (2003), 258.

6 Jan Kerkhofs highlights this point: *Macht in de kerk. Democratie, gezag en leiderschap in de kerk van vandaag en morgen*, Tiel 2003.

## Dutch Old Catholics in the nineteenth and twentieth centuries

During the nineteenth century, the division between the Roman Catholics of the Old Episcopal Clergy (*Cleresie*) and the “papal” Roman Catholics became ever wider, both institutionally (1853) and dogmatically (1854; 1870).<sup>7</sup>

In 1853, an episcopal structure was created for the papal Roman Catholics. This development resulted in the existence of two Archbishops of Utrecht and two Bishops of Haarlem in parallel; structurally, it cemented the schism between Utrecht and Rome which had existed since the beginning of the eighteenth century. A Concordat between the Dutch government and the Vatican had existed since 1827, but only with the promulgation of the liberal Constitution in 1848 and the Denominations Act (*Wet op de Kerkgenootschappen*) of 1853 did it become possible to appoint bishops for the papal Roman Catholics. The Constitution and the Act of 1853 defined the separation of church and state; one consequence was that from then on the government took a back seat in religious questions. The Roman Catholics of the *Cleresie* (that is, the Old Catholics), had been seeking reconciliation with Rome throughout the eighteenth and early nineteenth centuries, but they were powerless in the face of these constitutional developments. Powerless with respect to the outside world, their internal structures riven by conflict, and shrinking in numbers: this is the situation of the Roman Catholic Church of the Old Episcopal *Cleresie* in the mid-1850s. They still felt themselves to be the true holders of the inherited rights of the local church: after all, the right to elect their own bishops had been the cause of the schism in the eighteenth century. Moreover, the *Cleresie* understood the local church to have a certain degree of autonomy, a conviction which was rooted in the understanding that all bishops were equals. At the same time, in the face of the political and ecclesiastical developments which eventually led to the events of 1853, members of the *Cleresie* felt increasingly isolated and misunderstood.<sup>8</sup>

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7 A linguistic note: the Old Catholic Church of the Netherlands still uses the official name “Roman Catholic Church of the Old Episcopal *Cleresie*”, especially in its dealings with the secular authorities. See *Statuut voor de Oud-Katholieke Kerk van Nederland, Vierde herziene uitgave*, [Amersfoort] 2002 [= Statuut OKKN], Art. 1. In this article, I distinguish therefore between the “Roman Catholics of the *Cleresie*” and the “papal Roman Catholics”.

8 For a detailed discussion of the situation of the Roman Catholic Church of the Old Episcopal *Cleresie*, see Dick J. Schoon, *Oude en nieuwe bisschoppen. De ‘oud-katholieken’ en 1853*, in: Jurjen Vis / Wim Janse (eds), *Staf en storm. Het herstel van de bisschoppelijke hiërarchie in Nederland in 1853: actie en reactie*. Hilversum 2002, 166-187. For a contemporary view, see [Christine von Hoiningen-Huene], *Die Kirche von Utrecht*, in: *Deutsch-evangelische Blätter*, hg. von W. Beyschlag, 9 (1884), 12, 793-829.

While the schism was institutionally cemented in 1853, the dogmas declared in 1854 and 1870 (and, much later, in 1950), deepened it dogmatically. From this time on, Rome and Utrecht were no longer divided by the dispute over the Formula of Alexander VII, the constitution *Unigenitus* and the question of whether the Vicariate (effectively the chapter of Utrecht) had had the right to elect the Archbishop of Utrecht. The declaration of the dogmas of papal infallibility and of the universal jurisdiction of the Pope by the First Vatican Council, together with the two new Marian dogmas (1854 and 1950), introduced questions of dogma into the conflict. Combined with the development of the Old Catholic movement as a response to the First Vatican Council, primarily in German-speaking countries (leading in 1889 to the *Union of Utrecht*<sup>9</sup>), this led to a number of important changes in the Church of Utrecht.<sup>10</sup> Increasingly, ecclesiastical independence from Rome came to be accepted as a given fact (although until 1907 the Eucharistic prayer included the Pope alongside the local bishop, an indication that from the perspective of the Church of Utrecht, communion with the Bishop of Rome was understood still to exist). In 1889, the Dutch bishops signed the Utrecht Declaration, thereby distancing themselves from Tridentine Catholicism in as much as the dogmatic decisions of the Council of Trent were not in accordance with the faith of the early church.<sup>11</sup> The *Cleresie* (which tended increasingly to refer to itself as the Old Catholic Church of the Netherlands) found a new focus in the reforming tendencies (spiritual, moral and ecclesiological) implicit in its own history, and showed itself to be open to the reform interests of German-speaking Old Catholicism. In 1910 the Eucharist began to be celebrated in the vernacular (as had long been the case for the pastoral offices) and from 1922 celibacy was no longer a prerequisite for

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This article also appeared in English, but I have been unable to find a copy of the English version.

9 See for more information: Urs von Arx, *The Old Catholic Churches of the Union of Utrecht*, in: Paul Avis (ed.), *The Christian Church. An Introduction to the Major Traditions*, London 2002, 157-185; Jan Visser, *The Old Catholic Churches of the Union of Utrecht*, in: *International Journal for the Study of the Christian Church* 3 (2003) 1, 68-84.

10 See Wietse van der Velde, *De Oud-Katholieke Kerk van Nederland: geschiedenis*, in: Angela Berlis et al., *De Oud-Katholieke Kerk van Nederland. Leer en leven*, Zoetermeer 2000, 13-88.

11 See Point 5 of the Utrecht Declaration of 1889, in: Urs Küry, *Die altkatholische Kirche. Ihre Geschichte, ihre Lehre, ihr Anliegen*, 2nd edition, ed. Christian Oeyen, Stuttgart 1978, 453. Compare also *ibid.*, 38.

ordination. In this theological and ecumenical reorientation, the ideal of the *ecclesia primitiva* was (and remains) both guideline and source of inspiration.<sup>12</sup>

In 1953, on the occasion of the centenary of the introduction of the “Roman Hierarchy in 1853”, the Old Catholic Bishops wrote a pastoral letter in which they clearly recognized that none of these changes would have taken place without the events of 1853.<sup>13</sup>

Part of this reorientation included the increased attempt to give greater expression to synodical aspects of the church. German-speaking Old Catholicism was certainly an influence in this process, although it was initially thought by the Utrechters to have gone too far. At the Catholic Congress in Munich 1871, Theodor Stumpf argued for a juridically secured right of lay people (i.e. lay men!) to participate in the leadership of the church.<sup>14</sup> This must have sounded very strange to the ears of those representatives of the Church of Utrecht who were present at the congress.

The Church of Utrecht had always had synodical structures. Bishops were elected by the Chapters, whose rights to do so were recognised by the Pope in several concordats of the 15<sup>th</sup> century. After the Reformation, Rome came to consider the Northern Netherlands as a mission territory, thereby ceasing to recognise the diocesan structures. In the ensuing conflict between Rome and Utrecht, Utrecht appealed to the established right of the Vicariate, as continuation of the Cathedral Chapter to elect a bishop, supported in its position by the

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12 See the Utrecht Declaration of 1889 (in: *ibid.*). Compare also Bert Wirix, *De ecclesia primitiva: een spiegel voor de kerk van nu!*, in: Jan Hallebeek / Bert Wirix (eds), *Met het oog op morgen. Ecclesiologische beschouwingen aangeboden aan Jan Visser*, Zoetermeer 1996, 233-241.

13 See Herderlijke Brief voor het jaar 1953 naar aanleiding van de invoering der Roomse Hierarchie in het jaar 1853, in: *De Oud-Katholiek [= OK]* 69 (1953), 37f.; reprinted in: *Twaalf honderd jaar kromstaf. Naar aanleiding van 100 jaar Kromstaf in de Rooms-Katholieke Kerk*, 3-6.

14 See Angela Berlis, *Frauen im Prozess der Kirchwerdung. Eine historisch-theologische Studie zur Anfangsphase des deutschen Altkatholizismus (1850-1890)*, Frankfurt 1998, 127; for a detailed discussion of the thought of Theodor Stumpf, see Joachim Vobbe, *Theodor Stumpf aus Koblenz – ein Cusanus-Verehrer an der Wiege der alt-katholischen Synodal- und Gemeindeordnung*, in: *IKZ* 93 (2003), 65-82.

Louvain Canonist Zeger-Bernard van Espen.<sup>15</sup> This position may have been inspired by the doctrine that every ecclesiastical authority is founded in the church as the communion of believers.

This understanding of the church as local church<sup>16</sup> is expressed also in other factors, such as the wide dissemination of editions of the Bible and of the Canon of the Mass in the vernacular and the development of local liturgical and spiritual traditions. In 1763 — after the schism between Rome and Utrecht — a provincial synod was held in Utrecht at which willingness to reconcile with Rome was expressed.

For a long time in the Cleresie, synodality on the leadership level was restricted to those who were ordained (i.e. the clergy and bishops).<sup>17</sup> It was not until some decades after the formation of the Union of Utrecht in 1889 that synodical

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15 For Z. B. van Espen, see the theme issue of *Ephemerides Theologicae Lovanienses* to appear in 2004. See also Jan Hallebeek, Questions of canon law concerning the election and consecration of a bishop for the Church of Utrecht: The *casus resolutio* of 1722, in: *Bijdragen. Tijdschrift voor filosofie en theologie* 61 (2000), 17-50.

16 As formulated in the *Orthodox / Old Catholic Dialogue*, the local church is here understood as follows: "As a fellowship of believers united around the bishop and the priests and as the Body of Christ, each local Church is the manifestation of the whole Christ in one particular place. It represents the sacramental reality of the whole Church in its own locality. For it is in no divided form, that the life, that has been given to the church by God the Father through the presence of Christ in the Holy Spirit, is given to the local Churches; each local Church, on the contrary, has that life in its fullness. Thus, for all the differences in custom and usage, the life of the local Churches is in essence one and the same. ... This unity of life in the local Churches reflects the unity of the Holy Trinity itself," in: *Koinonia auf altkirchlicher Basis. Deutsche Gesamtausgabe der gemeinsamen Texte des orthodox-altkatholischen Dialogs 1975-1987 mit französischer und englischer Übersetzung*, ed. Urs von Arx, Beiheft zur *Ik2* 79 (1989), no.4, 111/2,190.

17 It should be noted that this did not include all those ordained. For many years, only a small number of clergy shared responsibility for church leadership: the episcopacy and the members of the Chapter of Utrecht. Besides the bishops and canons, participants at the Provincial Council of 1763 included Archpriests (comparable to Deans) and French theologians. It was not until the mid-1880s that the clergy began to gather as a whole.

structures were expanded to include lay people.<sup>18</sup> The Synod was established in 1919. Nowadays, it consists of elected representatives from each parish and elected clergy representatives (in a ratio of 2:1) and a synodical commission.<sup>19</sup> In contrast to the synods of Germany and Switzerland, established in the 1870s, lay women could be members of the Dutch Synod from the beginning.

The Dutch synod has no decision-making competence, but only an advisory capacity. In 1918, a motion that the synod should be accorded a decision-making competence failed to gain sufficient support,<sup>20</sup> and when, much later, in the 1970s and 1980s the Bishops once again presented this option for discussion, the synod once again opted to retain its advisory function.<sup>21</sup> The Synod advises the Bishops and the "Collegiaal Bestuur", the Collegial Board. Since 1993 it has approved the church's annual budget and in this way exercises influence on ecclesiastical policy in general.<sup>22</sup>

A further extension of synodality can be seen in the changes to the method of electing bishops. Elected in 1920, Archbishop Kenninck was the last bishop to be elected without the active participation of laity. Lay people were previously involved in episcopal elections to the extent that the church council of the parish or parishes in the city where the election was taking place (e.g. Utrecht) would await the result in the rectory. Today episcopal elections take place with the active involvement of lay people. Each year, the Collegial Board publishes a list of the lay people who are entitled to vote in each diocese.<sup>23</sup> In the Diocese of

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18 See Govaert Christiaan Kok, *Vernieuwing van het kerkrecht*, in: Coen van Kasteel et al. (eds), *Kracht in zwakheid van een kleine wereldkerk. De Oud-Katholieke Unie van Utrecht*, Amersfoort 1982, 173-185.

19 See Art. 170, Statuut OKKN. The lay representatives exercise a number of votes which is related to the size of their congregation. They may be advised by a deputy, who has no vote (*Secundus*).

20 See Govaert Christiaan Kok, *Uit de geschiedenis van de synode. Een kleine kerk op weg in de 20e eeuw*, (Publicatieserie Stichting Oud-Katholiek Seminarie 17), Amersfoort 1987, 11. Kok also offers a summary of the Synod's development and a critical evaluation of its work.

21 *Ibid.*, 49.

22 This structure was experimental until 1 January 1997; thereafter it was adopted officially.

23 See Art. 157, Statuut OKKN.



Haarlem, the Bishop is elected by the active clergy of the Diocese and the lay electoral college.<sup>24</sup> The number of lay people is half the number of clergy. In the Archdiocese of Utrecht, the chapter co-opts all clergy under 70 years of age and the lay electoral college to take part in the election. In this way, the electoral college—which was long the chapter and still formally is—does not give up its rights, but agrees to share them with others in the case of the election of a bishop.<sup>25</sup> In the diocese of Haarlem the election of a bishop is organised differently: from the eighteenth century the Bishop of Haarlem was nominated by the Archbishop of Utrecht on the ground of his *ius devolutionis*, since the chapter of Haarlem took the side of Rome and chose not to exercise its own right to elect the bishop. The chapter was dissolved in 1853, and after a period of uncertainty and disagreement the chapter's rights came to be exercised by the bishop and all active clergy. Here the mode of election is closer to the *usus* of the early church.

In the early 1980s, after preliminary discussions in the 1970s the growing conviction of the necessity of giving lay people direct responsibility in church leadership resulted in the establishment of the “Collegiaal Bestuur” (Collegial Board). The Board operates on the provincial level; through it the Bishops share the leadership of the church with representatives of the laity and the clergy.<sup>26</sup> Besides the two bishops, the membership of the Board is made up of two clergy representatives, elected by the clergy of the Archdiocese of Utrecht and the Diocese of Haarlem respectively,<sup>27</sup> three lay representatives elected by the Synod (one from each Diocese and one freely elected), and the General Treasurer.<sup>28</sup> The rights of the lay people do not infringe the authority of the Bishops.

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24 See Art. 126, Statuut OKKN and the so-called *Haarlemse reglementen*, Art. 12.

25 See Art. 125, Statuut OKKN.

26 In 1974 the church report *Bezinning op beleid* recommended that lay people should be given direct responsibility in church leadership (see OK 90 [1974], 133). The shared responsibility through the Collegial Board (= CB) was anchored in Canon Law in 1984 (see OK 100 [1984], 72). For the spheres of authority of the CB and the Bishops, see Art. 155, Statuut OKKN. On the role of the CB, see also Art. 156, Statuut OKKN.

27 In Haarlem the elected Dean is also a member of the CB; in Utrecht a member of the clergy is elected.

28 See Art. 148, Statuut OKKN. For the organisation as a whole, see Wietse van der Velde, *Hoe werkt de kerk? Organisatie en leven van de Oud-Katholieke Kerk van Nederland*, in: Berlis et al., *De Oud-Katholieke Kerk van Nederland*, 109-121.

The Bishops retain exclusive competence in matters pertaining to the preaching of the gospel and the preservation of the teaching of the church, to religious education, to church services and other liturgical matters, to the administration of the sacraments, to the practice of pastoral care and to church discipline.<sup>29</sup> Each Bishop has a right of veto over decisions made by the Collegial Board.<sup>30</sup>

### **Episcopal-synodical Church Structure: some reflections on issues of synodality and authority**

Following on from this discussion of a particular situation, I wish here to offer some fundamental reflections on episcopal-synodical church structure. At the beginning of his book on the Old Catholic Church, which first appeared in 1966 and has since become a classic, the Swiss Bishop Urs Küry noted that “The early church was constituted according to episcopal-synodical principles.”<sup>31</sup> This form of constitution can be found in the New Testament ordering of the congregation (particularly in Acts and in the Pastoral Epistles) and became well established towards the end of the second century. For the Old Catholic Church and its theology, the early church is the primary guide and measure, also when it comes to this episcopal-synodical structure.

Reflections about authority in the church were given a new impulse by German-speaking Old Catholicism in the nineteenth century. This must be understood against the background of liberal Catholicism, liberal tendencies and the spread of historical critical scholarship. The experience of the dogmatising of papal infallibility and jurisdictional primacy, together with the way in which these new dogmas were “planted” in the dioceses (here one should avoid speaking of “reception”) gave the Old Catholics good reason to consider their own understanding of authority in the Church. The first Old Catholic congresses of 1871-1873 were attended mainly by German Old Catholics, together with ecumenical guests (Anglicans, Orthodox, and Protestants) and Old Catholics from Switzerland, the Habsburg Empire and the Netherlands. These congresses reflect both disappointment with bishops who had gradually submitted to Rome, and the

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29 Art. 155, Statuut OKKN.

30 Art. 162, Statuut OKKN.

31 Küry, *Die altkatholische Kirche*, 17.

hope of renewal in the office of bishop.<sup>32</sup> The hope was that the episcopal office could be re-established to function as it had in the early church.<sup>33</sup>

The following aspects were important in this discussion:

1. Against the new Vatican dogmas, the Old Catholics held: “We reject every attempt to exclude the bishops from direct and independent leadership of the individual churches.<sup>34</sup> According to Catholic teaching, the Bishop “holds the proper right to rule in his own diocese.”<sup>35</sup>

2. This was not an upholding of episcopalism, in the sense that it assumed that ecclesiastical authority belongs not to the Pope alone, but to the whole College of Bishops.<sup>36</sup> It was not intended that the infallible Pope should be replaced by an infallible Bishop, as one lay representative commented at the second congress, held in 1872 in Cologne.<sup>37</sup> The aim was the rediscovery of the office of Bishop as it had been in the early church.

3. In his first pastoral letter of 1873, Bishop Joseph Hubert Reinkens from Germany discussed these ideas in more detail,<sup>38</sup> emphasising the importance of the election of bishops, and suggesting that, if they lived today, none of the great bishops of the early church—including the Popes—would recognise the

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32 On the German Old Catholic Congresses, see Berlis, *Frauen im Prozess der Kirchwerdung*, 86-272.

33 For a detailed discussion, see Christian Oeyen, *Gibt es ein spezifisch altkatholisches Verständnis der kirchlichen Autorität?*, in: *IKZ* 66 (1976) 107-119.

34 Programme of the Catholic Congress in Munich, 1871, point II: see Küry, *Die altkatholische Kirche*, 450.

35 Nuremberg Declaration, 26 August 1870, point 4: see Küry, *Die altkatholische Kirche*, 444.

36 See Oeyen, *Autorität*, 109.

37 *Verhandlungen des zweiten Altkatholiken-Congresses zu Köln. Stenographischer Bericht*, Köln [1872], 61.

38 For Reinkens' understanding of the office of bishop see Angela Berlis, *Wir da oben, wir da unten. Über die Beziehung von Synodalität und Bischofsamt*, in: *Christen heute* 47 (2003), 267-271, especially 269.

authority of even one of the contemporary Roman Catholic bishops as legitimate. "In those days, they would never have seen a bishop as belonging to the college of *catholic* bishops unless he had been elected by the clergy and the people,"<sup>39</sup> Reinkens argued. The election of a bishop by his church is an expression of the relationship between the local church and the bishop (elect).

4. According to Bishop Reinkens, the Bishop may not be a sovereign. His office is to proclaim the good news and to be "organiser and administrator of the sacraments."<sup>40</sup> The Bishop is the keeper of the house of God. Reinkens writes that Christ entrusted the power of the keys to the *Church*, and those who exercise that power are administrators, and nothing more.<sup>41</sup> In this view, Reinkens comes very close to the opinion held by Dutch Old Catholics, that the bishop's authority and jurisdiction is rooted in and derived from the Church.<sup>42</sup>

5. The Church is made up not only of those who hold office, but is a community of both clergy and laity. This idea is found both in the Church of Utrecht and in German-speaking Old Catholicism.<sup>43</sup> To cite Reinkens once more, "The ecclesia of Sacred Scripture is solely and only the community of those baptised in Christ, the unity of people and clergy."<sup>44</sup> A primary interest for the Old Catholics was to do away with the hierarchical separation of clergy and laity and to see the church rather as the "people of God", sealed through the Holy Spirit in baptism.<sup>45</sup>

6. To understand believers not as subjugated servants but as the children of God automatically entails the assumption that they have certain rights. This is

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39 Joseph Hubert Reinkens, *Hirtenbriefe*, Bonn 1897, 3.

40 *Ibid.*, 16. Reinkens is here alluding to 1 Cor 4:1.

41 *Ibid.*

42 Jan Hallebeek, Alonso "El Tostado" (c. 1410-1455). His doctrine on jurisdiction and its influence in the Church of Utrecht, (*Publicatieserie Stichting Oud-Katholiek Seminarie* 29), Amersfoort 1997, in particular 32f.

43 *Ibid.*, 25.

44 Reinkens, *Hirtenbriefe*, 35.

45 J.H. Reinkens, *Ueber Einheit der katholischen Kirche. Einige Studien*, Würzburg 1877, § 3.

the basis of the understanding of the primary responsibility of the Bishop as “God’s housekeeper”, with responsibility shared by the whole church. In the Old Catholic Church, this shared responsibility is also anchored in canon law and is greatly valued in the life of the individual churches.

The particular form of the episcopal-synodical structure differs from church to church. For instance, the synods of the Old Catholic Church in Germany and of the Christ-Catholic Church in Switzerland have greater competence than that of the Old Catholic Church in the Netherlands. The episcopal-synodical structure may also be realised through a variety of structures and bodies. Thus the Archdiocese of Utrecht has both a meeting of all clergy (the “Presbyterium”) and a chapter which advises the Archbishop. However, the principle that the Bishop exercises his authority collegially and synodically within his diocese is common to all. Bishops and Dioceses who wish to join the Union of Utrecht will only be admitted if they have episcopal-synodical structures and if both laity and clergy are involved in the leadership and administration of the church.<sup>46</sup>

In recent decades, awareness of the importance of synodality has also increased in ecumenical dialogues. I would point here in particular to the report of ARCIC III, *“The Gift of Authority.”*<sup>47</sup> In the Netherlands, the “Joint Commission Rome-Utrecht,” which has been in existence since 1997, has also pointed out, that “most traditions are united in seeing the necessity of a synodical ‘context’ for the exercise of episcopal office.”<sup>48</sup> This Commission, an initiative of the Roman Catholic Society for Ecumenism, was made up of Old Catholics and Roman Catholics. Bishops may not behave as autocrats, but are called to “confer synodically with priests, deacons, and other representatives of the church and to confer collegially with their episcopal colleagues.” However, despite this fundamental agreement, the report also adds that “the form of synodical conferring takes different forms and has different authority.” If the church is to be

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46 See the guidelines of the IBC for the recognition of a church as an independent Old Catholic Church of the Union of Utrecht, 27 June 2002, <http://www.utrechter-union.org/german/ibk-dokumente003.htm> (as visited 13 December 2003).

47 *The Gift of Authority. Authority in the Church III. An Agreed Statement by the Anglican – Roman Catholic International Commission ARCIC, Toronto – London – New York 1999*, especially §§ 34-40. In § 40 it is noted that, “In the Roman Catholic Church the tradition of synodality has not ceased.”

48 Het gezamenlijk erfgoed in vreugde delen. Advies aan het bestuur van de Katholieke Vereniging voor Oecumene inzake de verhouding tussen de Oud-Katholieke en de Rooms-Katholieke Kerk in Nederland, 's-Hertogenbosch 2004, no. 30.

convincing, the Commission believes the “participation of all spheres within the church” to be necessary. The specific responsibility of the Bishops for maintaining tradition and for the preservation of unity is thereby not restricted.<sup>49</sup>

As yet there has been no official Old Catholic reaction to the Anglican-Roman Catholic report “*The Gift of Authority*.” However, the International Old Catholic Bishops’ Conference discussed the report at its conference in 2001, and Jan Visser raised a number of critical questions, including the following: “Both churches have institutions which embody synodality. But here too the question must be asked: how do these institutions function in practice? From the top down or from the bottom up?”<sup>50</sup>

### Aspects of synodality

According to the Greek word from which it derives, synodality means to travel a road together. *Synodos* is a gathering, but also a group of travellers. In the Acts of the Apostles, those who proclaim Jesus, crucified and resurrected, are referred to as “the people of the (new) way” (Acts 9:2). These people of the way follow Christ together, who is “the Way” (John 14:6). In the New Testament, the term *synagein* is used to refer both to the synod of the Apostles (Acts 15:6) and the gathering of the community to celebrate the Eucharist (1 Cor 5:4).

In a similar way, the word “ecclesia” indicates the combining of the synodical ordering of the church with the church’s understanding of itself as a eucharistic community. One might argue that “the synodality of the church arises from its essence as a eucharistic community.”<sup>51</sup>

Besides these rather semantic remarks to the term “synodality” I would point also to the content given to the term in the context of the New Testament. There is frequent allusion to the double origin of the church: on the one hand the apos-

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49 Ibid.

50 Jan Visser, *Autorität in der Kirche. Altkatholische Betrachtungen anlässlich des Berichtes der ARCICC III “The Gift of Authority”*, Zeist 2001 (unpublished), 12.

51 Theodor Nikolaou, *Zur Synodalität der Kirche. Kirchengeschichtliche Betrachtungen*, in: Gunther Wenz (ed.), *Ekklesiologie und Kirchenverfassung. Die institutionelle Gestalt des episkopalen Dienstes*, Münster – Hamburg – Berlin – London 2003, 43-62, here 48.

toxic task given by the resurrected Christ; on the other hand the filling of the whole community with the Spirit at Pentecost. These two principles are not exclusive, as is made clear by the Pauline image of the one body of Christ which has many members (1 Cor 12). The apostolic task and the responsibility of leadership which arises from it are a part of the body of Christ.

At the Munich (Old) Catholic Congress of 1871, Johannes Huber, professor in Munich, drew on this Pauline image. His interpretation was shaped by the polemical conflict around the First Vatican Council and the contemporary context of the industrial revolution. Huber suggested: "Whatever the Church is, she must be it also as a result of the inward involvement of all its members. The Church, unlike a machine, should not be set in motion by *one* hand and sent in a particular direction; instead, the Church builds itself organically from the living and creative power of Christian teaching which is present in every member of the Church."<sup>52</sup>

Synodality begins with the shared action of the whole people of God: of laity and clergy, of theologians and bishop(s). The church lives and grows as a result of the interplay between clergy and laity and their shared responsibility.

The soil in which synodality can grow, be learned and lived is the congregation, as Bishop Joachim Vobbe recently wrote: "The foundation for synodical life is the 'creation of Christian community' that is, the community of self-aware, engaged, active, Christians living together in fellowship."<sup>53</sup>

Synodality assumes maturity and responsibility. This is not simply a matter of knowing one's rights and responsibilities; nor is it only a matter of applying one's own expertise in questions of conscience or within one's own sphere of knowledge. Synodality is a matter of bearing responsibility and sharing in the implementing of decisions made in synodical consensus.

In the Old Catholic Church, synodality is expressed in the shared process of decision making in conversation and prayer together. Synodality is not only about action; it is an attitude, rooted in the knowledge that we are always journeying together.

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52 Stenographischer Bericht über die Verhandlungen des Katholiken-Congresses abgehalten vom 22. bis 24. September 1871 in München, Munich 1871, 7.

53 Vobbe, Theodor Stumpf aus Koblenz, 82.

Synodality assumes a critical awareness of power. It is therefore important that minorities and the views of minorities can be articulated and heard. For it is not a question of finding a majority, but of finding a consensus which is based on a common mind and which will thus be carried by many. This latter aspect is important if decisions made by synod are to be implemented in the life of the church.

Synodality assumes subsidiarity. This means that responsibilities on a particular level are accepted and exercised there, so that decisions are not simply passed on to a higher level (or taken over by a higher level).

Synodality requires a distinction be drawn between “power” and “authority.”<sup>54</sup> Authority is not given automatically with an ecclesiastical office, but must always be granted by others who accept that authority. The election of a particular person as a bishop or as a member of a committee or other body in the church is not only the expression of trust, but also the according of authority to that person. Without this authority, a person cannot fulfil what is appropriate to the duties of his or her office. When a person is synodically elected, he or she is accorded an authority and given space appropriate to his/her function within which s/he is able to act independently. This is not a question of *absolute* freedom of action, but of action and authority granted by the church in a synodical way and of responsibility held in accordance with that authority. Authority and power are thus held in balance and are exercised, not in an uncontrolled way, but with accountability.

Synodality assumes leadership structures which see leadership as service, that is, as listening, with speech and action based upon what has been heard. If church leadership is understood in this way, it will seek to offer the treasures of the tradition to believers in such a way as to take seriously the experiences and the lives of people today. I would suggest that in the Old Catholic church authority is exercised in dialogue. An example of this way of exercising authority is the process leading up to an ordination: the views and voices of the church are heard, but in the end the bishop decides whether or not a particular person will be ordained.

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54 See Angela Berlis, *Amt und Autorität im ausgehenden 20. Jahrhundert*, in: IKZ 85 (1995), 243-261. This article discusses the understanding of power and authority as developed by Max Weber and expanded by the Dutch theologian, Johannes van der Ven: Johannes van der Ven, *Ecclesiologie in context*, (Handboek praktische theologie), Kampen 1993, 252-283.



Instead of authority in dialogue, one could, with Jan Visser, speak of “authority in reciprocity.” “Authority in the church serves to ensure that the salvation which took place once and for all in Christ continues in all times and in all places.”<sup>55</sup> According to Jan Visser, authority is “primarily inter-personal and reciprocal, formed by human encounters in partnership.”<sup>56</sup> This aspect must not be lost even in the “higher” echelons of the church. Like Kurt Stalder, Jan Visser gives preference to an authority which is always exercised in an “epistemic” way, even when it is the authority of a superior.<sup>57</sup> In other words, institutionally anchored authority gains recognition through the ability of the officeholder to convince. Such a view of synodality assumes the personal exercise of authority and responsibility. In the Old Catholic view, *episkopé* is best exercised in this personal dimension, i.e. personally, by concrete individuals, rather than through a committee or another institutional body.<sup>58</sup> *Episkopé* should here be understood less in terms of “oversight” but rather as the “exercising of responsibility.”<sup>59</sup>

Synodality is realised at different levels in the church: at the level of the local congregation, and at Diocesan or Provincial level, for instance by the consecration of a new bishop by the neighbouring bishops. Ultimately, synodality is the basis of ecumenism:

“The accountable competence of the laity is particularly important in grass-roots ecumenism and for the reception of ecumenical dialogue in local congregations.

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55 Jan Visser, *Autorität in der Kirche*, 9.

56 *Ibid.*, 10.

57 See Kurt Stalder, *Autorität im Neuen Testament*, in: *idem*, *Die Wirklichkeit Christi erfahren. Ekklesiologische Untersuchungen und ihre Bedeutung für die Existenz von Kirche heute*, Zürich 1984, 142-188. He refers to “deontische Autorität” (deontic authority), the authority of a superior, and “epistemische Autorität” (epistemic authority), the authority of one who has knowledge. Stalder derives this distinction from J.M. Bochenski and applies it to the authority of Jesus.

58 See Martien Parmentier (ed.), *The Ecumenical Consistency of the Porvoo Document*. Papers read at a symposium held by the Anglican – Old Catholic Society of St. Willibrord at Amersfoort, Netherlands on 15 October 1997, (Publicatieserie Stichting Oud-Katholiek Seminarie 35), Amersfoort 1999.

59 Urs von Arx, *Identität und Differenz. Elemente einer christkatholischen Ekklesiologie und Einheitsvision*, in: Helmut Hoping (ed.), *Konfessionelle Identität und Kirchengemeinschaft. Mit einem bibliographischen Anhang zu "Dominus Iesus"*, Münster 2000, 109-136, 114. The ideas of Urs von Arx are here based upon the considerations of Kurt Stalder, *Episkopos*, in: *idem*, *Die Wirklichkeit Christi erfahren*, 11-39.

Ecumenism will only be successful if it is sustained by the whole people of God.”<sup>60</sup>

The external representation of the local church by its bishop was an early development. The bishop is accordingly responsible both to his diocese and to the wider Church. This includes not only the Church in all places, but also the Church at all times, as is symbolised by the doctrine of the Apostolic Succession. It is the task of the bishops to keep in mind the needs of the Church in the context of the whole church in all times and all places. This is sometimes a difficult balancing act, for the bishop must seek to be fair to all, to have a good sense of what is possible and what is necessary, whilst also bearing the *primary* responsibility in his local church for the preservation of the unity of the whole Church. This final level of synodality is best realised in an ecumenical council. But although there is unlikely to be such a council in the foreseeable future, it is nevertheless our task to practise “conciliarity” and conciliar living together.

The Union of Utrecht offers one means of making visible the community and communion of the local church with other local churches. The Union binds together the Old Catholic Bishops and their churches. The preamble of the Statutes of the International Old Catholic Bishops’ Conference (IBC) formulates it thus: the bishops “are at the intersection of primarily belonging, as individuals, to their local or national church on the one hand, and of taking, as a college, primary responsibility for the fellowship and communion of the local and national churches on the other hand.”<sup>61</sup>

This means that an Old Catholic bishop represents his church, which he leads synodically and collegially, to his fellow bishop in the International Bishops’ Conference, while to his church he represents the Communion of the Union of Utrecht, of which he is collegially and synodically a part. From the beginning, the Old Catholic Bishops’ Conference was understood as a synodical body.<sup>62</sup> In

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60 Klaus-Dieter Gerth, *Synodalität und Bischofsamt*, in: Angela Berlis / Klaus Dieter Gerth (eds), *Christus Spes. Liturgie und Glaube im ökumenischen Kontext: Festschrift für Bischof Dr. Sigisbert Kraft*, Frankfurt / Bern / New York 1994, 143-156, here 155f.

61 Statute of the Old Catholic Bishops United in the Union of Utrecht, A, no. 4, in: *Beiheft zur IKZ 9* (2001), 30.

62 This does not imply that the IBC is either an ecumenical or a provincial council. Rather, the legal character of the IBC is instead comparable to provincial conferences of bishops: see Jan Hallebeek, *Canon Law Aspects of the Utrecht Union*, in: *IKZ 84* (1994), 114-127.

December 1886, three years before the establishment of the Union of Utrecht, Bishop Reinkens wrote to his friend and colleague, the Swiss Bishop Herzog: "I heartily agree with your wish that we could come together in a Conference with the Dutch [Bishops]. You rightly refer to this as a Synod."<sup>63</sup>

In contrast to the view of the lay person cited at the beginning of this paper, that the International Bishops' Conference has no synodical structure, it thus becomes clear that the Bishops' Conference is indeed to be understood as a synodical body.<sup>64</sup> The real point of the protest of the Old Catholic Lay People's Forum is the IBC's failure to include the perspective of lay people. But this perspective is rooted elsewhere, namely in the local church and its synod, but also in the institutions of the Old Catholic Church in a wider sense, such as the International Old Catholic Congresses and the International Old Catholic Theological Conferences.<sup>65</sup> Moreover, the specialists consulted by the International Old Catholic Bishops' Conference regularly include lay people. The Orthodox theologian Theodor Nikolaou sees the fact of the representation of local churches by their bishop as "probably the most important 'democratic element' in the synodical ordering of the church,"<sup>66</sup> for this representation preserves not only the collegiality and equality of the bishops, but also the independence of the local churches.<sup>67</sup>

In recent decades, both ecumenical contacts to other churches and the discussion of topical questions such as the ordination of women have triggered new reflections on the ecclesial content of the International Bishops' Conference and the relationship between the Bishops' Conference and the individual local churches.

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63 Bischof J.H. Reinkens to Bischof Eduard Herzog, Dezember 1886, Episcopal Archive Berne AH 36.

64 The Statutes also indicate this: Statute of the Old Catholic Bishops United in the Union of Utrecht, A, no. 4.

65 See *ibid.*, B, Art. 3h.

66 Nikolaou, *Zur Synodalität der Kirche*, 50.

67 *Ibid.*

Ecumenical developments on the level above the local church<sup>68</sup> have attributed a certain authority to the International Bishops' Conference which has had the consequence that "the relationship of the International Bishops' Conference to the autonomy of its member churches and vice versa has to be considered anew."<sup>69</sup> From these topical questions it has become clear that it is necessary to have timely information about developments which are affecting other churches. Besides this improvement of communication with one another, a process of consultation and reception has been defined.<sup>70</sup> This is intended to ensure that in such questions justice is done both to the local church level and to the level above the local church, so that both can fulfil their responsibilities without reducing the rights and responsibilities of the other level.

### **Some comments on the relationship between Old Catholics and the Bishop of Rome**

Given the issues discussed in this paper, it seems logical to conclude with some thoughts on the role of the Bishop of Rome and his primacy as seen today.

In *Lumen Gentium*, the constitution of the Second Vatican Council, the doctrine of the primacy of the Pope is complemented by teachings about the office of the bishop and the College of Bishops. This is an important advance. However, the emphasis on the responsibility of the College of Bishops for the whole church could not counter Roman centralism.<sup>71</sup> The College of Bishops is not under-

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68 The "level above the local church" does not immediately imply the "universal level". See the discussion in the as yet unpublished report of the Dialogue Commission Reformatio-Catholica (Commissie Dialoog Reformatie – Catholica), *De universele en de lokale dimensie van de kerk, Rapport aangeboden aan de leiding van de Samen op Weg-kerken, de Oud-Katholieke Kerk en de Rooms-Katholieke Kerk in Nederland*, Utrecht 2003.

69 Jan Visser, *Die Beziehungen zwischen dem Vatikan und der Utrechter Union aus altkatholischer Sicht*, in: Hans Gerny / Harald Rein / Maja Weyermann (eds), *Die Wurzel aller Theologie: Sentire cum Ecclesia. Festschrift zum 60. Geburtstag von Urs von Arx*, Bern 2003, 309-325, here 324.

70 See Statute of the Old Catholic Bishops, B Order, Art. 6, in: Beiheft zur IKZ 91 (2001), 34f.

71 A number of examples can be found in Kerkhofs, *Macht in de kerk*, 71-86. See for example p. 75, where he reports a comment of Archbishop J. Quinn of San Francisco: "There can be no talk of collegiality if bishops are understood only as carrying

stood as holding an authority equivalent to that of the Pope (in which case the Bishop of Rome would be one amongst many bishops); instead the primacy of the Pope retains its own authority.<sup>72</sup> The question of whether bishops hold their jurisdiction directly from Christ or whether it is mediated through the Pope is not answered in this document.<sup>73</sup>

The sovereignty of the Pope in questions of his Primacy of Jurisdiction is not questioned by the Second Vatican Council or by the teachings about the College of Bishops. Instead, the Pope's freedom of action is clearly emphasised.

Recent developments have shown that the College of Bishops is scarcely involved in questions of legislation and the ordinary and immediate jurisdiction of the papal sovereign in "particular churches".

In the modern Old Catholic understanding (which seeks to reflect that of the early church), all bishops have equal status. That one bishop could legally prevail over the others is unthinkable. Collegiality is defined in terms of this fundamental equality. What is possible is a primacy of honour, that is, a *primus inter pares* ("first amongst equals"). The Declaration of Utrecht of 1889 rejects the Vatican dogmas on "infallibility and universal episcopate or the ecclesiastical omnipotence of the Pope," while recognising the Pope's "historic primacy".<sup>74</sup> However, a real reconsideration of primacy as an instrument of the unity of the church did not begin within Old Catholicism until the second half of the twentieth century.<sup>75</sup> Old Catholic thinking in this matter is often strongly

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out papal directives. There is no serious consultation or dialogue. The curia and the nuntius see themselves as a *tertium quid* between the Pope and the College of Bishops. Important questions such as contraception, women's ordination, general absolution or celibacy may not be discussed."

72 Hermann J. Pottmeyer, *Die Rolle des Papsttums im Dritten Jahrtausend*, (Quaestiones Disputatae 179), Freiburg – Basel – Wien 1999, 99.

73 According to Canon 375, § 2, CIC 1983 bishops receive episcopal jurisdiction at their consecration, but may exercise it only in hierarchical community with the Pope and the members of the College of Bishops.

74 Utrechter Erklärung der Bischöfe der altkatholischen Kirchen vom 24. September 1889, no. 2, in: Kury, *Die altkatholische Kirche*, 452.

75 See Angela Berlis, *Überlegungen zur ökumenischen Zukunft des Petrusdienstes aus altkatholischer Sicht*, in: ThQ 178 (1998), 148-154.

characterised by an ecclesiology which focuses heavily upon the local church. Although this is important and understandable, given Old Catholic history, it does sometimes lead to the neglect of the wider context, especially when the local church is equated with “independence”. We Old Catholics must learn to re-integrate the universal dimension of the Church into our picture and to keep it there.<sup>76</sup>

In doing so, it is important to have an eye not only to historical events, but also to the fears which led to particular developments. One reason for the nineteenth-century development of the papacy towards a model based on secular sovereignty was the fear of the fragmentation of the church in the face of modernity, while the Old Catholic emphasis on the local church (sometimes too exclusive) resulted from the fear of the erosion of the rights of the local church and its bishops. Both positions idealise a particular historical manifestation of the church — the medieval church and the early church respectively — whilst placing too little faith in the Holy Spirit, who leads the Church.

Given contemporary circumstances, it is important to reconsider the ecumenical significance of the Bishop of Rome. This results not least from Pope John Paul II’s call for “a patient and fraternal dialogue” in his encyclical *Ut unum sint*.<sup>77</sup> It springs also from the increasing awareness of the problem of division in the face of the necessity of Christians speaking together, as one voice, in response to some questions. The latter aspect, which must of course be understood in the context of contemporary globalisation, is particularly present in the Anglican Communion.<sup>78</sup>

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76 See for instance: Dialogue Commission Reformatio-Catholica, *De universele en de lokale dimensie van de kerk*, esp. §§ 52f.

77 Ioannes Paulus, *Ut Unum Sint*. On commitment to Ecumenism, 25 May 1995, § 96. The encyclical can be found at: [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/encyclicals/documents/hf\\_jp-ii\\_enc\\_25051995\\_ut-unum-sint\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_25051995_ut-unum-sint_en.html) (as visited 13 December 2003).

78 See, for instance, John Hind: “the difficulty Anglicans find in speaking with a clear or single voice on this [sc. approaches to papacy] and some other important matters does highlight one of the main problems facing the Anglican Communion at the moment” (John Hind, *Papal Primacy: An Anglican Perspective*, in: *Ecclesiastical Law Journal* 7 [2003] 33, 112-126, here 117). Norman Doe suggests in a recently delivered paper how the legal systems of particular Anglican Churches, if shared principles are induced from the profound similarities between their laws, can contribute to global communion: Norman Doe, *Canon Law and Communion*, in: *International Journal for the Study of the Christian Church* 3 (2003), 85-117.

Recently Urs von Arx has suggested that “a reformulation of the *Missio* of the Bishop of Rome as primate ... must be situated in a theology of the local church.”<sup>79</sup> That is, the Bishop of Rome’s function as primate is founded in the fact that he is first a diocesan bishop. In order that he may function as the bearer of *primary* responsibility (*primus inter pares*), he must be accorded certain duties and responsibilities, for an office of honour cannot function if it is constituted only by honour. But it must also be ensured that the authority of the one bearing primary responsibility is subsidiary, that is, that it does not take on tasks which could be carried out much more effectively and more directly by other people at other levels.<sup>80</sup> Ideally, the Primate should “serve the synodical processes of the church,” for instance, by initiating decision-making processes.<sup>81</sup> The Bishop of Rome’s authority is rooted in his role as “primate in the sense of the first amongst others bearing primary responsibility for communions of local churches,” and not in any understanding that he should “stand over the communions of local churches as the bearer of a singular office for a so-called universal church.”<sup>82</sup>

## Conciliarity and synodality

Conciliarity is very closely connected to the concept of synodality, but is more focused on the aspect of the discovery of truth. Conciliarity means to confer together and to share insights, fears and experiences. According to the Swiss Old Catholic theologian Kurt Stalder, conciliarity is a continuing process of

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79 Urs von Arx, Ein “Petrusamt” in der Communio der Kirchen. Erwägungen aus altkatholischer Perspektive, in: IKZ 93 (2003), 1-42, here 6.

80 Hind, Papal Primacy, 125. Hind points here to Resolution III.3 of the 1988 Lambeth Conference, which is in turn based on The Virginia Report: The Report of the Inter-Anglican Theological and Doctrinal Commission, London 1997, 29 (chapter 4: The Principle of Subsidiarity). The resolution can be found at: <http://www.anglicancommunion.org/lambeth/3/sect3rpt.html> (as visited 12 December 2003). In his discussion of Archbishop Quinn, Kerkhofs notes the apparent powerlessness within the Roman Catholic Church when it comes to applying the principle of subsidiarity to its internal structures.

81 Von Arx, Ein “Petrusamt” in der Communio der Kirchen, 14; see also Berlis, Überlegungen, 152.

82 Ebd., 41.

searching for truth and making decisions in which all members of the church are involved. In the "truth which is continually being rediscovered truth, a normative consciousness is also discovered ... which empowers [people] to make all necessary decisions and to adequate shared action."<sup>83</sup>

According to Stalder, this claim holds both for the local church and for the church in its geographically universal dimension. For Stalder, conciliarity is constitutive for membership of the church: "In so far as a person is involved in this process of searching for truth and making decisions, he shows himself to be a member of the church."<sup>84</sup>

To give an example: in an important question such as the ordination of women, which is currently exercising many churches, it cannot be possible for one instance of power to know the end-result of a process of consultation or to dictate that result. Some time ago, an Orthodox theologian, the American Thomas Hopko strongly criticised the way in which Rome has sought to give a definitive response to the question of women's ordination since 1994.<sup>85</sup> He himself is not in favour of the inclusion of women in ecclesiastical offices; however, it is nevertheless clear to him that there must be a process of reaching an opinion which takes seriously the individual members of the people of God. What is important in this view, which is also held by others, is that it expresses a certain understanding of conciliarity: conciliarity means hearing the voices of the whole people of the church.

Unless it results from a "conciliar process" every authoritative decision in this—and in other important questions—is implausible. On the other hand, the leadership of a church which sets in train a conciliar consultation gains great moral authority. The way in which the question of the ordination of women was dealt with gives an example of how authority operates within the Old Catholic churches. In 1976, the Bishops' Conference declared it to be impossible to include women in the apostolic office. However, this decision was not unanimous. One of the bishops voted against the statement and as a result the decision did not have to be implemented in the local churches. Moreover, this declaration was not received in the Western European churches; instead a proc-

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83 Kurt Stalder, *Konziliarität und Petrusfunktion in der Kirche*, in: Ders., *Die Wirklichkeit Christi erfahren. Ekklesiologische Untersuchungen und ihre Bedeutung für die Existenz von Kirche heute*, Zürich 1984, 105-109, hier 107.

84 *Ibid.*

85 Thomas Hopko, *Women and the Priesthood*, New York 1999, 256ff.



ess of discussion began.<sup>86</sup> In the course of this process it became clear that the questions being raised did not only concern the ordination of women, but that more structural questions were also brought up. Specifically, it was being asked how it is possible to retain the autonomy of the local church whilst at the same time preserving the unity of the church. I have already indicated that for the consideration of similar difficult questions in the future, the statutes of the International Bishops' Conference envisage a process of consultation in the local churches which is intended to lead to a common solution in the IBC. We have not yet reached the end of this process, but the International Bishops' Conference and the Old Catholic Churches have achieved a solution which weakens neither the jurisdiction of the individual local bishops nor the moral authority of the International Bishops' Conference as a whole. Indeed, the opposite is true, for each bishop acted in accordance with the mind of his own church (as required by the statutes). Nevertheless, a dilemma remains: the process of searching for truth can also end in churches discovering that they cannot agree and deciding that they must go their separate ways. Such a division is easier to avoid in the model of a universal church focused around a strong centre of authority than in a conciliar model. Nevertheless, Old Catholics prefer the conciliar model, although it must be corrected by the vision and the model of universal unity.

In a recent lecture, Archbishop Joris Vercammen spoke of the relational character of "conciliarity."<sup>87</sup> For him, conciliarity is also connected to reconciliation, and with the kind of witness that the church gives in the world. For that reason,

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86 For a brief summary of the discussions of women's ordination in the Old Catholic Church, see Urs von Arx / Anastasios Kallis, Introduction, in: *Anglican Theological Review* 84 (2002) 3, 491-500, here 493-495. (This is the introduction to a special volume of the ATR, "Gender and the Image of Christ", giving the results of two Orthodox / Old Catholic consultations in 1996.) For a consideration of the decision not to receive the IBC's statement in the context of the discussion of the opening of the diaconate to women in the Old Catholic Diocese of Germany, see: Angela Berlis, "Diakonin soll sie sein...!" Die Frauenordination im Gespräch der (alt-katholischen) Kirche, in: Angela Berlis / Klaus-Dieter Gerth (eds), *Christus Spes. Liturgie und Glaube im ökumenischen Kontext: Festschrift für Bischof Dr. Sigisbert Kraft*, Frankfurt / Bern / New York, 1994, 47-62. The lack of reception of the IBC's statement of 1976 was officially recognised at a meeting of the IBC in 1997: see Statement of the IBC, 14 July 1997, in: OK 113 (1997), 86.

87 Joris Vercammen, *Kansen voor een katholieke geloofscultuur*, Amersfoort 2003 (unpublished), 13.

the conciliar model can never simply accept that divisions occur. Conciliarity is a key term which guarantees the vitality of the church.

Vercammen points to the necessity of structures which support such a conciliarity, both internally, in order to allow the church to develop a form which enables active and committed involvement,<sup>88</sup> and externally, in order to support the witness of Christians in the world.

I hope that these Old Catholic experiences of synodality and of the authority which develops from the practice of an episcopal-synodical church can offer food for further thought. To that extent, I hope that these reflections will be understood as an Old Catholic gift to ecumenism.

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88 See Paul M. Zulehner, *Abschied von der Beteiligungskirche? Eine pastorale Fehlentwicklung*, in: *Stimmen der Zeit* 128 (2003) 221, 435-448.

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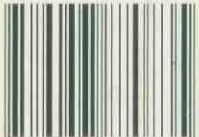
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