

The English Reformation Revisited

The English Reformation Revisited:

*The Catholic Church and the
Anglican Communion*

By

David Salvato

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INTRODUCTION

The aim of this book is to reach a greater comprehension of the two Christian Communities¹, the Universal Catholic Church and the Anglican Communion, understanding of authority and law and how both of these elements influence each Community's ecclesiology and the lived Christian Faith.¹ The elements which are of assistance in this comparative study, as believed and defined in their respective Communities, are historical, juridical, theological and ecclesiological. A primary thread that guides this study is Law, most especially the Canon Law as understood and developed within the organic whole of Christ's Church's history and Tradition since its establishment by Jesus Christ Himself. Detaching such a comparative study from its foundation and historical reality would be a grave disservice to both Communities, and ultimately to the hoped for unity of all Christians.² Rather, with a focus on the genesis of Christ's Church, from Divine Law and Divine command to the manifestation of that in Canon Law, this book seeks to offer another way of 'doing theology' within the ecumenical field. That is to say, it contributes another perspective regarding the rift that occurred between the particular, Catholic, Church *in* England and the Universal Catholic Church at the inception of the English Reformation. This is done by investigating the substantial change *in law* that severed the Church *in* England from its juridic and sacramental

¹ The term 'Christian community' or 'Christian communities' will be used in this book when referring to both the Catholic Church and the Anglican Communion together. The Catholic Church professes that the fullness of Christ's Church subsists in the Catholic Church by divine institution (see *Lumen gentium*, n. 8), and because of vast differences in doctrine, spiritual life and interpretation of Scripture, the Catholic Church defines the Anglican Communion as an 'ecclesial community' rather than a church *per se* (see *Unitatis redintegratio*, n. 19). However, in this thesis, when referring to the Church of England the term 'Church' will be used, and when referring to particular communities in the Anglican Communion the terms 'church', 'churches' and 'church members' will be used since these are the terms used by the Anglican Communion.

² If the fullness of Christ's Church subsists in the Catholic Church, that is to say, the fullness of Faith, the divinely instituted Sacraments and the divinely instituted hierarchical government through Peter and the Apostles (and their successors), it seems, then, that the fullness of *unity* can only be found in the very same.

connection to the Apostolic See of Rome, and ultimately from being a unified part of Christ's Church.

An exposition is given of the laws implemented by Henry VIII and Parliament and the actual changes which resulted from them, both in things regarding the spiritual jurisdiction of the Church *in* England and in things regarding the Archbishop of Canterbury's own authority and jurisdiction over it. In other words, this book highlights the changes that occurred in the Church *in* England, through secular law, which not only caused the 'Western Schism' but effectively created a new Church, namely, the Church *of* England. As a consequence arising from the creation of a new Church, it becomes clear what happened to all things under the jurisdiction, authority and law of the Church *in* England and the transformation which the secular law (King and Parliament) necessarily imposed on them in the new Church *of* England. A detailed investigation demonstrates the transformation that took place with regard to: the Church *in* England's particular mission as part of and under the Universal Catholic Church, including the canonical mission given to the Archbishop of Canterbury by the Roman Pontiff; the Canon Law of the Catholic Church as applied in the Church *in* England; the ecclesiastical courts of the Church *in* England; and a bishop's power and authority which had originated in and was regulated by the Catholic Church. Although the vast majority of changes which took place in law occurred by way of Acts promulgated by King Henry VIII and Parliament, the years and centuries following the English Reformation's inception have been a constant witness to the continual change and evolution in the Church *of* England under the authority of the Common Law system as well as the authority of the English Crown, Sovereignty of Parliament and Statute law.

Furthermore, an in-depth look is made of the Archbishop of Canterbury's authority in the expansion of the Church *of* England as it paralleled the expansion of the British Empire in the world. With that is demonstrated the development of the Church *of* England's ecclesiology within the Empire and in, what has become, the Anglican Communion. Here, it becomes clear that although the Empire does not exist as it did at the beginning stages of the Anglican Communion, the English understanding of authority and law has inevitably formed the Communion's identity and ecclesiology. The Church *of* England, although remaining separate from the various 'autonomous' churches which have been established in the Anglican Communion, has remained *de facto* the parent Church of the Communion through its assistance in founding churches and through their link to the Archbishop of Canterbury. Because of the juridic 'autonomy' of each individual church in the Anglican Communion, it is difficult to

fully understand how it is governed at the global-level. Nonetheless, in order to grasp how the Communion seeks to 'govern' itself one must look at the 'Instruments of Communion' and the Anglican understanding of the Canon Law. Ultimately, the question remains whether or not such Instruments hold jurisdictional authority over the Communion as a whole, and if not, what type of authority they do possess.

In contrast to the changes which have occurred in the Church of England since the Reformation and to the development of the churches within the Anglican Communion, this study demonstrates that the Catholic Church's beliefs regarding authority, ecclesiastical power(s) (*sacra potestas*) and law as originating in Jesus Christ are infallibly fundamental to the mission entrusted to it by Christ. The theological notion of primacy as it originates in Christ the King is the interpretive key to understanding how this primacy, as an instrumental cause, was conferred on Peter, as Vicar of Christ, so that he and his successors could perpetually govern Christ's Church and infallibly retain unity in Faith and discipline. Beginning with the establishment of Christ's Church one is able to see that Christ Himself conferred a supernatural power(s) upon Peter and the Apostles, and that such power would perpetually aid their successors to not only teach and sanctify but also to govern the Church-as-Institution. Indeed, a re-discovery of the supernatural origin and end of Christ's Church, namely Christ as its origin and the offering of eternal salvation as its ultimate end, is a necessary component in any ecumenical study.

Furthermore, an examination of the distinctions between civil and ecclesiastical jurisdictions as understood by the Catholic Church exposes the differences in the respective Communities' ecclesiologies. The examination of these two different realms, from the Catholic Church's perspective, helps one to see the *de facto* and *de iure* separation which has always existed (to one degree or another), and must continue to exist, between the two jurisdictions present in this earthly world: 1) spiritual jurisdiction 2) secular (civil) jurisdiction. In this same light, and by virtue of the Church-as-Institution's supernatural origin, it is clear that Christ's Church must always possess a law and jurisdiction for her own governance and for all things pertaining to the Church's Faith and discipline. Indeed, the development and role of the Canon Law over the course of the Church's history has been a witness to this necessity as well as to the necessary belief and reality of the Roman Pontiff's plenitude of power (primacy of jurisdiction).

An in-depth treatment is made of the divinely instituted office of the Roman Pontiff, as successor of Peter, and the divinely instituted College of Bishops, as the succession of the Apostolic Body with Peter as head of

the Apostles. The Petrine-office as understood by the two Ecumenical Councils, Vatican I and Vatican II, and as defined by the Canon Law illustrate the power and authority of the Roman Pontiff. Here, one must look closely at the Roman Pontiff as subject of 'supreme power' in the Church and what prerogatives such a power grants him in the exercise of his Petrine-office. As a completion of the former, it is necessary to understand the College of Bishops (never separated from the Roman Pontiff as its head) as the second subject of the same 'supreme power' in the Church, and how this has been expounded and understood since the Second Vatican Council. Following the divinely instituted hierarchical order of communion within the College of Bishops, it then becomes easier to understand the roles of the ecclesiastical institutions which assist the Roman Pontiff in his governance of the Universal Catholic Church. Thus, a study of the following is necessary: the Roman Curia, the Synod of Bishops, the College of Cardinals and the Papal Legates. An important interpretive key to understanding these institutions' roles is keeping in mind that each institution seeks the promotion of the common good, and each one participates in the necessary promotion of unity in Faith and discipline for the Universal Church.

A large focus is given to the two leaders of the Communities, the Roman Pontiff and the Archbishop of Canterbury, since they are both seen, in one way or another, as a focal point for their respective Community. What type of authority, according to law, each leader holds over his Community is deciphered. Moreover, and intimately connected to each Community's understanding of authority, an examination of each leader's jurisdiction within his proper Community is made, and the differences are clearly deduced.

Ultimately, it is this author's hope that such a comparative work will offer a scholarly perspective on what has divided the Catholic Church and the Church of England (and by extension the Anglican Communion) for centuries. Additionally, the hope is that this method of 'doing theology', namely, the study of each Community's understanding and belief regarding the origin of authority and law, as well as the authority that each Community's leader possesses, will contribute to a truthful and fruitful dialogue.

CHAPTER I

ARCHBISHOP OF CANTERBURY AND THE EVOLVING ENGLISH NATION

The Church in England: Two Jurisdictions—Ecclesiastical and Secular

One of the most important elements in the history of English Christianity was the development of the See of Canterbury. It was the first administrative See established by an emissary of the Roman Pontiff namely, St. Augustine, also known as the first Archbishop of Canterbury. Historically the See of Canterbury is known as the *Sede* of St. Augustine. The original See was founded by St. Augustine who was sent as a missionary by Pope Gregory the Great to evangelize the people of the Land of Kent at the end of the sixth century (circa 596). The town of Durovernum at which St. Augustine arrived would become known as the city of Canterbury. However, the history of Kent had already seen Romans before the arrival of St. Augustine. Under Julius Caesar the location was the capital city of Eastern Kent.¹ A close relationship between the future Archbishop and the pagan King was necessarily established upon his arrival to further the possibility of his mission. The King, Aethelberht, became Christian and under his patronage was established the church later known as the Cathedral of Christ Church. Two important aspects of this early church, still in communion with Rome, influenced the later development of the Church *in* England, especially after its break with Rome, namely, its relationship to the Monarch (and Parliament) and English Law. St. Augustine's (and his successors') dependence on the King, together with his *familia*, were the beginnings of an ecclesiastical government. In relation to the King St. Augustine was in practice dependent upon his goodwill in order to allow him to proselytize his

¹ See Edward Carpenter, *Cantuar: The Archbishops in their Office*, Oxford 1988, p.3.; See also A.F. Pollard, *The History of England: A Study in Political Evolution*, United Kingdom 2007, pp. 1-2.

people. And, according to Edward Carpenter, from Augustine's own assistants would come the administrative system that influenced the English constitution. So, it was together that the kings and the Church influenced one another to help mold the English nation. It grew out of the secular government's complexities and everything which surrounded it including its kings, barons, sheriffs, knights as well as its development and understanding of law, and it also grew out the complexities which the Irish monks and Catholic parochial system brought with Christianity. The King, along with Christianity, was certainly a strong reference point for the realm, providing the administrative organization for his land and the English people.

A huge turning point in English politics came under the reign of a Norman King, William the Conqueror. William ushered in a new political era in the eleventh century which would have a huge effect on the following centuries leading up to the Reformation. He was also the earthly instrument that enforced Pope Gregory VII's reform of the Canon Law for the universal Catholic Church, clarifying the separation of the two jurisdictions, secular and ecclesiastical. Indeed he ensured the separation of the Church courts from the civil courts in order to save the former from the latter's feudal influence.² William's successor, Henry I, sought a more centralized authority under his kingship. And it was under his grandson, Henry II, that government was being slowly and firmly fixed into what would become the English State. The infamous controversy surrounding the Church's jurisdiction over criminals in holy orders versus the civil jurisdiction over these same persons to be tried in a Royal court also occurred under Henry II. Henry, in his attempt to emphasize Royal Supremacy in his land, contended that a priest in holy orders who had committed murder or other criminous acts should, in addition to being tried in the Church courts, also be punished according to the 'law of the land'. And as history recounts the story, this notorious controversy was resolved with the murder of Thomas Beckett by Royal officials. Historians, depending on their religious bent, have either praised Henry II for seeking, and ultimately vindicating, Royal supremacy over the Catholic Church's jurisdiction, or they have praised Beckett for being a martyr and saint of the Church, standing up against the encroachment of civil authority. Perhaps between these two most cited views there is a middle ground, a more objective way of looking at the controversy; A.F. Pollard

² A.F. Pollard. *The History of England: A Study in Political Evolution*. p. 14.

rightly contends that Henry did not seize ecclesiastical jurisdiction,³ but rather he hoped to arbitrate the disputes between the two jurisdictions.³

Though controversy shrouded the medieval centuries leading up to the Reformation concerning the boundaries between ecclesiastical and civil jurisdiction, there was also a general belief that the Norman/Angevin Kings understood their role as temporal leader to also be blessed and even elected by God Himself. Thus, the idea that the conflict between the secular and ecclesiastical jurisdictions was a constant and bitter rivalry which sought the vindication of Kingly sovereignty over the Church is too simplistic. Just as it is exaggerated and simplistic to say that the Roman Catholic Church (Roman Pontiffs) claimed a sole temporal sovereign authority over Christian nations. In fact, taking into account the human tendency towards pride and greed, it seems more accurate to say that both Popes and Kings, at various times, arrogantly and sometimes wrongly sought the justification of his sovereignty over the other. At the same time, when pride and greed were set aside, the Church and Royal Sovereign, more often than not, commonly understood their defined role in society and their dependence on one another. However, when pride intervened conflict ensued. And although the union between the Archbishop of Canterbury and King was initially necessary and advantageous for both Church and Nation, by the medieval era ecclesial life had become too intertwined with Royal government. Indeed there was an unarmed war between the powers and freedom of the Church under Royal authority. The jurisdictions were blurred because the roles of bishops were also blurred, serving as both Church administrators, teachers and sanctifiers as well as Kingly officials. Consequently, this also led to the meddling of Kings in such things as episcopal elections. And at times, primarily for political advantage, a King was driven into subordinate service of the Pope, becoming a papal vassal. Just as the jurisdictions were blurred at the local level in England, the political alliances at the universal level were variable. But one thing is certain, there was still unity in the Western Catholic Church under the guidance and jurisdiction of the Roman Pontiff.

Magna Carta—Freedom for the Church *in* England

In the midst of the ongoing debate between the King of England and Roman Pontiff, temporal jurisdiction and ecclesiastical jurisdiction, has arisen the famous and often quoted *Magna Carta*, also known as the Great Charter. It, like the Beckett conflict, has been used, or misused, to

³ Ibid. pp. 16-17.

propagate different views regarding authority and jurisdiction. One of the more commonly stated views is that the *Magna Carta* was, in part, the result of a struggle for freedom of the already independent ‘English Church’ over the Universal Catholic Church. In fact, this document was primarily the consequence of an internal struggle within England between the King and his barons. Only secondarily, and perhaps accidentally, was the Church included. The fight between the barons and King John must have certainly stirred up support among clerics on the side for freedom from a despotic king, desiring to defend the Church’s liberties from the Sovereign getting in the way of ecclesiastical elections. King John, although using his supposed loyalty to Pope Innocent to obtain the election of bishops he desired, did grant the Church liberty to freely elect their bishops. However, when the King betrayed his promise by making appeals to Rome, it was the bishops who, like the barons, petitioned the *Magna Carta* claiming their freedom from the King.

The *Magna Carta* essentially decreed that the Church in England would be assured freedom to elect their leaders in both ambits of the Church—bishops and abbots.⁴ After its inception in 1215, the *Magna Carta* was frequently referenced by leaders of the Church when they felt their freedoms being violated by the King; one instance, among many, occurred over twenty years after the initial document:

“Churchmen always objected to royal interference in episcopal elections, and Robert Grosseteste, the pious and learned bishop of Lincoln, wrote to the archbishop of Canterbury as early as 1240 concerning a forthcoming election. Grosseteste suggested that the archbishop send spokesmen to explain to the electors ‘the charter of King John concerning the granting of freedom of elections and the confirmation of Pope Innocent ... and the sentence directed against all violators of the liberties granted in the Great Charter of the lord king, in which it is granted that the English Church shall be free forever’”⁵

But there were other occasions besides elections in which the Church in England implored its freedom from the King’s intrusion as granted by the *Magna Carta*. One such instance was when King Edward I took half of the Church’s income as part of his attempt to recover financially from his military crusades.⁶ In response to the King’s arbitrary collection, the English clergy quickly appealed to Pope Boniface VIII whose subsequent

⁴ Ralph Turner, *Magna Carta*, London 2003, p. 68.

⁵ Ibid. p. 94. Internal quote from: Faith Thompson, *The First Century of Magna Carta, Why it persisted as a document*, p. 72.

⁶ Ralph Turner, *Magna Carta*, p. 102.

papal bull in 1296 forbade kings from taxing clergy without his permission. It is true that alliances between English kings and Roman Pontiffs, most especially from William the Conqueror until the Reformation, were unpredictable and therefore at times posed a dilemma for the clergy concerning which lord to obey. However, the Church *in* England, with the assistance of *Magna Carta*, undoubtedly believed itself to be free from arbitrary interference from kings. Even if there was a general agreement among the English clergy that a king had *some* role in assisting the Church's mission, there was still a belief that the king was their *secular* ruler while the pope was their *spiritual* superior.

Archbishop of Canterbury—Pre-Reformation

The Archbishop of Canterbury from the time of St. Augustine and up until the Reformation had a very prominent position in the Church *in* England and in the Universal Church. He was not only Archbishop of Canterbury but the primary Archbishop in England. Yet even before Archbishop he was first and foremost a priest and bishop, namely, he was pastor of his Cathedral Church and held primary jurisdiction in his diocese of Canterbury in East Kent. This meant that, like all diocesan bishops, he had the responsibility to make sure that life in all parishes of the diocese was being upheld according to the faith of Christ's Universal Church. As diocesan bishop it also meant that his office carried with it a defined jurisdiction of pastoral care over the sacraments of confirmation and holy orders in his diocese. Additionally, he held the authority over the visitation of clergy under his jurisdiction as well as the administrative authority in the ecclesiastical courts and appointments to ecclesiastical offices. As Archbishop, on the other hand, he held full authority and jurisdiction over his own province, the Province of Canterbury, which brought all persons, bishops, clergy and laity alike, under his pastoral care and authority. Being both Bishop of his diocese and Archbishop of the province of Canterbury also meant that he had a "double visitatorial responsibility", that is, not only to his own diocese, but to all the dioceses in the province of Canterbury.⁷

As is historically known, in 735 the Church *in* England was divided into two provinces, Canterbury and York, and this effectively created two primatial Sees. From 735 onwards there were frequent quarrels between the Archbishops of Canterbury and York over jurisdiction and over which Archbishop had primatial authority in England. In 1353, however, the

⁷ See Edward Carpenter, *Cantaur...*, p. 96.

rivalry was officially put to rest and since then an English agreement was established that the Archbishop of Canterbury would be known as the 'Primate of *All* England' while the Archbishop of York would be known as the 'Primate of England'.⁸ This must be due primarily to the prominence which the diocese and See of Canterbury had obtained by the medieval period as well as the historical significance that St. Augustine brought with him as an emissary of the bishop of Rome. The Archbishop of Canterbury's primatial status of all of England has also been reflected in the fact that it was, and still is, he who held the right and responsibility to crown the Sovereign.⁹ Whatever the case may be, the "supremacy of Canterbury"¹⁰, was a result of various factors throughout the progression of English Church history as well as the practical exercise of ecclesiastical power that was recognized by the Universal Church.

Another title which has often been given to the pre-Reformation Archbishop of Canterbury is that of Metropolitan. However, it was not widely used until after the Reformation. It was even asserted by Richard Burn's "Ecclesiastical Law" in the mid nineteenth century that the Archbishop of Canterbury held Metropolitan jurisdiction over Ireland and Scotland in the pre-Reformation Church and thus labeled a 'patriarch' and '*orbis Britannici pontifex*'.¹¹ It is more likely that Burns used such a title anachronistically in an attempt to give credence to the supposed grandeur and canonical independence that many Anglican scholars give to the post-Reformation Archbishop. What is historically accurate are the canonical rights and duties attached to the Archbishop as Metropolitan. They were fundamentally the same as those which he already exercised as Archbishop of his own province: appointment of ecclesiastical offices, administration of justice in the Provincial Court of Canterbury, Court of Audience and Court of Arches, as well as rights over suffragan bishops

⁸ The accord was made between Archbishop Simon Islip of Canterbury and Archbishop John Thoresby of York. See E. Carpenter, *Cantuar...*, p. 112.

⁹ See *Ecclesiastical Licences Act 1533*.

¹⁰ E. Carpenter, *Cantuar...*, p. 106.

¹¹ See Richard Burns, *Burn's Ecclesiastical Law*, London 1842, p. 196: "(...) the Archbishop of Canterbury anciently had primacy not only over all England but over Ireland also, and from him the Irish bishops received their consecration; for Ireland had no other archbishop till the year 1152. For which reason it was declared in the time of the two first Norman kings, that Canterbury was the metropolitan church of England, Scotland, and Ireland, and of the isles adjacent; the Archbishop of Canterbury was therefore sometimes styled a *patriarch*, and *orbis Britannici pontifex*;" See also F.D. Logan (ed.), *The Medieval Court of Arches*, Suffolk 2005, p. xxix for the use of the title "pontificate" when referring to the Archbishop of Canterbury.

and the duty to intervene should there be neglect on their part.¹² It is clear that the Metropolitan title has been progressively used and increasingly emphasized by the Church of England since the Reformation not only to set clearly defined limits between the Archbishops of Canterbury and York, but also to justify the Anglican Communion's development of 'inter-dependent' provinces, and to underline Anglican ecclesiology by asserting its claims to 'catholicity'.¹³ Besides, it seems unlikely that the Archbishop of York and the bishops of the Province of Canterbury would have recognized the Metropolitan title indiscriminately seeing as there were frequent feuds between the Archbishop of Canterbury and Archbishop of York as well as other bishops regarding the overuse of his Provincial jurisdiction. Although the use of the term Metropolitan as an honorific title was not impossible, it seems more likely, and has been cited so in historical documents, that the exercise of his lawful power and authority was denoted by the ecclesiastical offices granted him as Bishop of his diocese, Archbishop of the Province of Canterbury and Legate to Rome.¹⁴ After all, these were the legal titles granted to him by way of the Canon Law of the Catholic Church and the ones referred to in the ecclesiastical cases heard directly by him as Archbishop and by way of appeal. A bull issued by Alexander III referred to the Archbishop's right to hear causes both in the first instance and by appeal. Indeed, it wasn't until 1534, at the height of the Reformation, that the Archbishop's title was officially changed from Apostolic Legate to Metropolitan:

"On that date [4 November 1534] the Lower House, by a majority of thirty-four to five gave a negative answer to the question whether the Roman pontiff has any greater jurisdiction in this realm of England given to him by God in Holy Scripture than any other foreign bishop, and Cranmer gave orders that in future in all forms of proxy drawn up for Convocation the words "apostolicae sedis legatus" were to be omitted from his title, and the word "metropolitanus" substituted."¹⁵

As the Archbishop, together with the honorific title of Primate of *All* England, he assisted in directing the Church *in* England as its leader in things spiritual and ecclesiastical governance. Also, the Archbishop of

¹² See E. Carpenter, *Cantuar...*, p. 99-103; R. Burns, *Burn's Ecclesiastical Law*, p. 17; F.D. Logan, *The Medieval Court of Arches*, p. xxiv.

¹³ See Chapter IX for further details on Metropolitan jurisdiction within the Anglican Communion.

¹⁴ See generally F.D. Logan, *The Medieval Court of Arches & Jane Sayers, Papal Judges Delegate in the Province of Canterbury 1198-1254*, Oxford 1997.

¹⁵ Eric Kemp, *Counsel and Consent*, London 1961, p. 155.

Canterbury naturally sought to implement ecclesiastical discipline in accord with the Church's central governing system in Rome. In fact, by the fifteenth century an intricate system of ecclesiastical government had been established which assisted the Archbishop of Canterbury in his governance. One of the primary texts compiled for and used by the archbishops was known as the *Provinciale*. It was modeled after the *Decretales* of Gregory IX, seeking to fit its constitutions into the books and titles of the *Decretales*. It was based generally in western canon law and sought accord with papal law.¹⁶ Archbishop Dunstan of Canterbury (960-988), for instance, assisted in restoring monastic life, enforced clerical celibacy, and fought against simony.¹⁷ Dunstan, among eight other archbishops of Canterbury between 925 and 1066, travelled to Rome in order to receive the *pallium* directly from the pope.¹⁸ It was, and still is, a general custom of the Universal Catholic Church for archbishops to go personally to Rome to receive their *pallium*. This same custom applied to the Archbishop of Canterbury from the time of St. Augustine and continued through the medieval period. The cases in which the Archbishop could not travel to Rome, a papal legate would assist at the consecration. The Archbishop's other canonical title, that of legate, helped to provide the link between the Church *in* England and Rome, the Church's central governing system. The Archbishop of Canterbury was invested with the powers attached to the office of legate, and at the height of the medieval Canon Law's development numerous appeals were being sent to Rome from Canterbury (as well as by other English ecclesiastics).¹⁹ It is of great interest to note that the Archbishops of the Church *in* England before the Reformation took an oath to the pope and to the See of Rome. In fact, this form of consecration, according to the Roman Pontifical, continued until the reign of Edward VI. The oath went as follows:

"I John, bishop of P. from this hour forward shall be faithful and obedient to St. Peter, and to the holy Church of Rome, and to my lord the pope and his successors canonically entering. I shall not be of counsel nor consent, that they shall loose either life or member, or shall be taken, or suffer any violence or any wrong by any means. Their counsel to me credited by

¹⁶ See B.E. Ferme, "William Lyndwood and the Provinciale: Canon Law in an Undivided Western Church", in *Ecclesiastical Law Journal*, 4/20 (1997), pp. 621-622, 624.

¹⁷ See *The Oxford Dictionary of the Christian Church* (3rd ed.), Oxford 2005, p. 290.

¹⁸ See E. Carpenter, *Cantuar...*, p. 46.

¹⁹ See J. Sayers, *Papal Judges...*, for a full treatment of appeals from the Church in England to Rome during this period.

them, their messengers or letters, I shall not willingly discover to any person: The papacy of Rome, the rules of the holy fathers, and the regality of St. Peter, I shall help and maintain and defend against all men. The legate of the see apostolic, going and coming, I shall honourably entreat. The rights, honours, privileges, and authorities of the Church of Rome, and of the pope and his successors, I shall cause to be conserved, defended, augmented, and promoted. I shall not be in counsel, treaty, or any act in the which any thing shall be imagined against him or the Church of Rome, their rights, seats, honours, or powers. And if I know any such to be moved or compassed, I shall resist it to my power, and as soon as I can, I shall advertise him, or such as may give him knowledge. The rules of the holy fathers, the decrees, ordinances, sentences, dispositions, reservations, provisions, and commandments apostolic, to my power I shall keep, and cause to be kept of others. Heretics, scismatics, and rebels to our holy father and his successors, I shall resist and persecute to my power. I shall come to the synod when I am called, except I be letted by a canonical impediment. The thresholds of the apostles I shall visit yearly personally or by my deputy. I shall not alienate or sell my possessions without the pope's counsel. So God help me and the holy evangelists."²⁰

Prior to the Reformation, there was still a deeply rooted sense, and reality, that the Archbishop of Canterbury was a part of the College of Bishops which stemmed from all the particular churches within the one Universal Catholic Church. The Archbishop of Canterbury was the representative of the Universal Catholic Church for the local Church *in* England, whose responsibility it was to teach, govern and sanctify the English people.

²⁰ R. Burns, *Burn's Ecclesiastical Law*, pp. 203-204.

CHAPTER II

PRIMACY OF THE ROMAN PONTIFF

Divine Institution of the Petrine-Office

In the Incarnation the divine and human natures are perfectly united to Christ's Person, and Christ's authority and power are the consequence of this unity. Like the instrumentality of Christ, both the Church and His Apostles (and successors) are instruments of His very power and authority as merited by His humanity in His death and resurrection, and they have been transmitted directly by Christ to the Apostles. Because Christ knew that He would not be physically present in the future for all the faithful, He elected ministers to continue His mission by preaching and acting in His name. It was for this same reason that Christ also entrusted to someone, in His place, to care for and govern the Universal Church. This person was Peter, the Apostle to whom Christ committed the *conservation* and *unity* of the Church.¹ The Catholic Church sustains that the primacy over the Militant-Institutional-Church was given directly to Peter by Christ in three separate events: 1) when Peter affirmed that Jesus was "the Christ, the Son of the living God" and Christ responded by giving him the keys, "Blessed are you, Simon Bar-Jona! For flesh and blood has not revealed this to you, but my Father who is in heaven. And I tell you, you are Peter, and on this rock I will build my church, and the powers of death shall not prevail against it. I will give you the keys to the kingdom of heaven, and whatever you bind on earth shall be bound in heaven, and whatever you loose on earth shall be loosed in heaven."²; 2) just before Christ's Passion when He says to Peter, "Simon, Simon, behold, Satan demanded to have you, that

¹ See St. Thomas, *Summa Contra Gentiles*, IV, 76: "(...) [E]t tamen, quia corporaliter non cum omnibus fidelibus praesentialiter erat futures, elegit ministros, per quos praedicta fidelibus dispensaret (...). Eadem igitur ratione, quia praesentiam corporalem erat Ecclesiae subtracturus, oportuit ut alicui committeret qui loco sui universalis Ecclesiae gereret curam. Hinc est quod Petro dixit ante ascensionem (...) ut ostenderetur potestas clavium per eum ad alios derivanda, ad conservandam Ecclesiae unitatem."

² Mt. 16:16-20.

he might sift you like wheat, but I have prayed for you that your faith may not fail; and when you have turned again, strengthen your brethren.”³; 3) and before Christ’s ascension when He tells Peter, “Feed my sheep”⁴. Just as the Church is indefectible and will endure to the end of the world because of Christ’s promise and conferment on the Apostles, it follows that the primacy of the Petrine-ministry, upon which the Church was founded, must also last until the end. Furthermore, if the office of Peter exists in order to ‘confirm the brethren’, and the brethren (of the Apostolic succession) will be present until the end of the world, then there must also be one who will fulfill that office until the end of the world.⁵ And since the unity of the disciples of Christ—bishops, priests, deacons, consecrated and laity alike—is found primarily in the unity of the Faith, but different opinions regarding the Faith is inevitable, that unity is best served by one head, the Roman Pontiff, who also has the authority to determine what pertains to the Faith.⁶ The underlying principle behind the Petrine-primacy is unity, first and foremost in things regarding the Faith, and secondarily in things regarding government, though the latter is intrinsically tied to the former. Unity in the Church, therefore, is achieved not merely by the ‘communion’, which *should* exist among Her members in the Faith, but also by the two-fold reality of subordination to Christ and the Roman Pontiff, Christ’s representative in the Militant-Institutional-Church.⁷ So Peter and his successors, as the inheritors of the Petrine-office, are truly the visible representative of Christ, the Kingly Head and Priest, for the whole Church: “For Christ himself, the Son of God, consecrates his Church and marks it for himself by the Holy Spirit as by his own character and seal (...) [a]nd in a similar manner the vicar of Christ, as a faithful

³ Lk. 22:31-33.

⁴ Jn. 21:17.; It should also be noted that Peter was confirmed by Christ in the ‘original form’ of the apostolic vocation (Lk. 5:1-11); he was present at the Transfiguration of the Lord and the Mount of Olives (Mk 9:2; 14:33); he was the first of the twelve Apostles to witness the Resurrected Christ (1 Cor. 15:3-7); and he was the person to whom Paul went for confirmation regarding his apostolic vocation (Gal1:18). For these and more regarding the question of the primacy of Peter in the Holy Scriptures see Joseph Ratzinger, “Il primato di Pietro e l’unità della Chiesa”, in *Euntes Docete*, 44 (1991), pp. 158-162.

⁵ See Giovanni Fablo, *Il Primato della Chiesa di Roma alla luce dei primi quattro secoli*, Roma 1989, p. 62.

⁶ “Ostenditur etiam quod ad dictum pontificem pertineat quae sunt fidei determinare.” St. Thomas, *Contra Errores Graecorum*, c. 36, 3-4.

⁷ See Thomas R. Potvin, “Authority in the Church as Participation in the Authority of Christ According to Saint Thomas”, in *Église et Théologie*, 5 (1974), p. 247; St. Thomas, *Summa Theol.*, II-II, q. 39, a. 1, c.

minister, by his own primacy and directive care preserves the universal Church subject to Christ.”⁸

Development of the Petrine-Office in the Early Church

A bridge between the Old and New Covenants is present in the office conferred by Christ to Peter. The link is found in Abraham, a ‘rock’ chosen by God, which is renewed by way of the new rock, or ‘cefas’, Peter: “Peter appears to be put on equal footing with Abraham; his office for the new people, the *Ekklesia*, is vested with a cosmic and eschatological meaning, corresponding to the nature of this people.”⁹ But there is a great difference between the Old and New since the New Covenant is established by and in Christ. Consequently, the promise given to Peter as a ‘rock’, upon which the Church is built and sustained, goes beyond time and his personal existence.¹⁰ In other words, the office and primacy of Peter is perpetuated in the successor of the bishop of Rome (Roman Pontiff), as witnessed by Scripture and affirmed by the Church’s lived-theology. However, what is missing in the New Testament is an explicit affirmation of the ‘succession of Peter’ which, according to Joseph Ratzinger, is not surprising since the Gospels and Pauline Epistles do not deal with the question of a post-apostolic Church.¹¹ Furthermore, Ratzinger rightly points out that the ‘primacy of Rome’, i.e. the recognition that Rome held the authentic apostolic Faith, is actually older than the officially canonized Holy Scriptures. Rather, the conferment of ‘primacy’ was necessarily implied since it is strictly connected to the perpetual duration of the Church and because of Her need for a guide and protector of the Faith. Ultimately, the affirmation of the primacy and

⁸ Gregory Rocca, “St. Thomas Aquinas on Papal Authority”, in *Angelicum*, 62/3 (1985), p. 472.; “Ipse enim Christus Dei Filius suam Ecclesiam consecrat et sibi consignat Spiritu Sancto quasi suo caractere et sigillo, ut ex supra positis auctoritatibus manifeste habetur; et similiter Christi vicarius suo primatu et providentia universam Ecclesiam tamquam fidelis minister Christo subiectam conservat.” St. Thomas, *Contra Errores Graecorum*, c. 32, 3-13.

⁹ “Pietro appare messo in parallelo con Abramo; la sua funzione per il nuovo popolo, la *Ekklesia*, riveste un significato cosmico ed escatologico, corrispondente al rango di questo popolo.” J. Ratzinger, “Il primato di Pietro...”, p. 166.

¹⁰ See Ibid. p. 168.

¹¹ See Ibid. p. 170.; According to Fabio, the succession of the primacy of Peter in time pertains to the events of salvation which, like the Incarnation of Christ, are one and non-repeatable. See G. Fabio, *Il Primato della Chiesa di Roma...*, pp. 54-55.

successor of Peter is found in the history and lived Tradition of the Church. More so than concrete proof regarding the way in which the 'succession of primacy' has been verified since Peter, it is a 'truth of the Faith' and an historical fact that the bishops of Rome (Roman Pontiffs) are the exclusive inheritors of the primacy of Peter.¹² Indeed, it was by the end of the first century, only thirty years after Peter's death, that his primacy was considered an irreversible fact which did not only pertain to the past.¹³ Moreover, the first two centuries of the Church's life are witness to the fact that the Church in Rome held a prestigious position over all the Churches. St. Irenaeus provides evidence regarding the first successors to Peter and says that because of the prominent origin of the Church in Rome as the Church of Peter and Paul's martyrdoms each Church, and the whole of the faithful, must be in accord with it since she conserves the faith and tradition of the Apostles.¹⁴ Additionally, St. Clement's letter (circa 96) to the Church in Corinth bears witness to the exercise of ecclesiastical discipline and demonstrates his 'authority' over it, as successor of Peter, as he pleads with the those in the community who have rebelled against being obedient to their presbyters. His letter reveals the portrait of a man who was used to the role of guiding and governing the faithful.¹⁵ It immediately became apparent within the first two centuries that a two-fold reality existed between the primacy of Peter and the primacy of Rome: the primacy of Peter, whose powers are linked to the person who succeeds him, i.e. the Roman Pontiff, in the location where Peter founded a church and was martyred, namely, Rome. The Church in Rome became known as the 'Cathedra of Peter', the guarantor of orthodoxy and unity in Faith, because of its link to the Apostle Peter. Due to the persecutions and its development in the pagan world, it is clear that the Church's government was not as well recorded as it was once it became legalized. However, it was believed that the bishop of Rome held a particular prestige and functioned as the protector of the Faith and ecclesiastical discipline; he intervened in things regarding doctrine and liturgy.¹⁶ It was St. Cyprian,

¹² Umberto Betti, "Il Vescovo di Roma erede dei poteri di Pietro", in *Divinitas*, 1 (1962), p. 114.

¹³ See J. Ratzinger, "Il primato di Pietro...", p. 170.

¹⁴ See Adv. Haeres. III, c. 3, 1 & 2: "Fundantes igitur et instruantes B. Apostoli Ecclesiam Lino Episcopatum administrandae Ecclesiae tradiderunt... Succedit autem ei Anacletus. Post eum tertio loco ab Apostolis episcopatum sortitur Clemens..."

¹⁵ See U. Betti, "Il Vescovo di Roma...", pp. 127-128.

¹⁶ See Carlo Fantappiè, *Introduzione storica al diritto canonico*, Bologna 2003, p. 45.

bishop of Carthage (circa 250), who emphasized the ‘petrinity’ of the See of Rome by using the term *locus* (place), linking the bishop of Rome with the Cathedra of Peter; he made recourse to Pope Cornelius regarding the schismatics of Carthage, addressing his plea “*ad Petri cathedram*”.¹⁷ Cyprian maintained that the Cathedra of Peter was the original foundation of ecclesiastical unity and yet asserted, at the same time, the equal dignity of all the bishops, sustaining that each bishop alone had to respond to God for the administration of their Sees.¹⁸ At this point, although there was not a clear ‘juridic authority’ over all the bishops connected to primacy, the bishop of Rome was a “point of reference for the Universal Church” which meant that “only in communion with the See of Rome was there a guarantee that one was in the true Church of Christ.”¹⁹

The Church’s preoccupation by the fourth century was over the maintenance of the *true* Faith, to which the Ecumenical Councils alone can testify. Indeed, it was the first six Councils which systematically defined the Faith by way of the creeds and provided theological explanations concerning Christ as both God and Man. Though these councils all took place in the East, it was still believed that the See of Rome, the place of Peter and Paul’s martyrdoms, held a preeminence among the other Sees.²⁰ Several Fathers of the early Church connected the true Faith with the See of Rome and the necessity of all churches to be in communion with it. St. John Chrysostom, in reference to Peter, stressed his quality as ‘rock’ and the powers, by way of the keys, which he received. Chrysostom’s ecclesiology reflected his belief regarding the need for communion with the Church in Rome and, *in praxis* as a bishop himself, made appeals to Rome.²¹ St. Ambrose affirmed the connection between the primacy of Peter and his successors with the Episcopal See of Rome.²² He also affirmed the Bishop of Rome’s role as protector of the

¹⁷ See Ep. 59, 14 p. 683 as quoted in Michele Maccarone, “Sedes Apostolica – Vicarius Petri”, in *Il Primato del vescovo di Roma nel primo millennio, ricerche e testimonianze*, Città del Vaticano 1991, pp. 275, 276.

¹⁸ See C. Fantappiè, *Introduzione storica al diritto canonico*, p. 56.

¹⁹ “un punto di riferimento per la Chiesa universale”, “solo nella comunione con la sede di Roma ha la garanzia di essere nella vera Chiesa di Cristo” G. Fabio, *Il Primato della Chiesa di Roma...*, p. 161.; See also Joseph Ratzinger, “Considerazioni nell’attuale momento circa Il Primato del Successore di Pietro nel mistero della Chiesa”, in *L’Osservatore Romano*, 31 ottobre 1998, p. 7, n. 3.

²⁰ See, for instance, G. Fabio, *Il Primato della Chiesa di Roma...*, p. 165.

²¹ See *Ibid.* p. 181.

²² “Negare non potes scire te in urbe Roma Petro primo cathedram episcopalem esse collatam, in qua sederit omnium apostolorum caput Petrus, unde et Cephas est appellatus, in qua una cathedra unitas ab omnibus servaretur, (...). Ergo

Faith and unity in Christ's Church while also recognizing the extension of collegiality in the various geographical regions, that is, "the legitimate autonomy of the other bishops in their regions and the exercise of episcopal collegiality through local councils, called in order to examine questions regarding these local regions" and yet the importance that the bishops and their churches "always remain in communion with the successor that Christ left us as His vicar."²³ And with St. Augustine the Church in Rome became the 'Apostolic See' *par excellence*, a term which had also been used for the other three Sees—Jerusalem, Antioch and Alexandria—was now identified primarily with Rome in order to underline Peter's perpetual ministry in his successors.²⁴ However, it must be noted that Augustine did not leave out the other 'Apostolic Sees', but rather emphasized the Roman See as that which held primacy among them due to its Petrine origin. Indeed, when referring to the 'supreme authority' in the Church with regard to deciphering who was in communion, and who in schism and heresy, he included the 'Apostolic Sees' as the criteria which determined orthodoxy.²⁵ It was also St. Augustine who set the stage with his philosophical-theological conception of hierarchical order both in nature and society. It was this conception which would have great influence on the political structure of the Church's place in society in the middle ages.²⁶ But even before Augustine, Pope Liberius, in a letter to Eusebius (bishop of Vercelli), made reference to Rome as the 'Apostolic See' which generates communion. And it had been used by both Tertullian and Cyprian in reference to Rome's privileged status as granted by Christ through Peter. Thus by the fourth century, Rome was seen as the center for communion in the Church universal whose See had been recognized as a

cathedram unicam, quae est prima de dotibus, sedit prior Petrus ..." *Contra Parmenianum*, II, 2-3 (P.L. 11, 947). Ed. C. Ziwsa, C.S.E.L. 26 (1893) p. 36 as quoted in G. Fablo, *Il Primato della Chiesa di Roma...*, p. 186.

²³ "S. Ambrogio è dunque un esempio di come coesistono, e lo vedevamo in radice in S. Cipriano, la netta affermazione del primato di Pietro e dei suoi successori sulla cattedra di Roma, cui si riconosce il ruolo di garante dell'ortodossia e dell'unità della Chiesa, con il riconoscimento delle legittime autonomie dei vescovi nelle loro regioni e dell'esercizio della collegialità episcopale mediante i concili locali che sono chiamati ad esaminare le questioni che riguardano i singoli luoghi, tenendosi sempre in comunione con il successore di colui che Cristo ci ha lasciato come suo vicario." G. Fablo, *Il Primato della Chiesa di Roma...*, p. 191.

²⁴ See *Ibid.* p. 199-200.

²⁵ See *Ep.* 232, 3; *PL* 33, 1028 as quoted in M. Maccarone, "Sedes Apostolica – Vicarius Petri"..., p. 338.

²⁶ See Florencio Hubeňák, "La influencia de Dionosio Areopagita en la Civitate Dei", in *Derecho Canónico*, 70/174 (2013), p. 100.

visible ‘institution’: “The *Sedes apostolica*, thanks to its reference to Peter, becomes an institution of the Church, both visible and concrete which, according to the fourth century ecclesiology, is a *consortium*, a communion for those who wish to remain in the orthodoxy of faith (...).”²⁷ In Rome, the Cathedra of Peter even had its own feast day, the *Natale Petri de cathedra* (birth of Peter’s cathedra), celebrated on 22 February in order to commemorate the birth of the Church in Rome as well as its perpetual succession in Peter’s successors.²⁸

By the end of the fourth century Christianity had been sanctioned as the official religion of the Empire. On the 27th of February 380, Theodosius, emperor of Constantinople, proclaimed that Christianity was the religion to be practiced in the entire Empire, and in doing so he also declared it with special reference to Peter and the Church in Rome.²⁹ During this same period, Pope Damasus (366-384) was emphasizing his authority as bishop of Rome in addition to the prestige of the Roman See, and in turn giving a more juridic significance to both the Roman Pontiff and the See. In two specific instances, Damasus makes reference to, and utilizes, his authority to judge with regard to issues surrounding ecclesiastical discipline. In one instance he praises presbyters in Beryttos (Beirut) for having made recourse to the Apostolic See regarding their bishop since it held the authority to give judgment. In the second instance, Damasus presents the Roman discipline regarding continence to the bishops of Gallos as a universal discipline, and whose transgression involves an exclusion from communion with the Apostolic See.³⁰ Damasus was also the first pope to recall Matthew’s gospel, 16:18, with reference to his office.³¹ Under Pope Siricius (384-399), ecclesiastical discipline and the universal notion of statutes to far reaching churches increased. Siricius’ decretal letter to the bishop of Tarragona, Imerio, expressed grave concerns regarding liturgy, baptism, penance and chastity; in this sense, he demonstrated his prerogative to intervene in affairs of the ecclesiastical

²⁷ M. Maccarone, “Sedes Apostolica – Vicarius Petri”..., p. 282: “La *Sedes apostolica*, grazie a questo suo riferimento a Pietro, diventa una istituzione, visibile e concreta, della Chiesa, che è, secondo la ecclesiologia del IV secolo, un *consortium*, cioè comunione, cui partecipa colui che vuole rimanere nella ortodossia della fede (...).”

²⁸ See Ibid. p. 278.

²⁹ “quam divinum Petrum apostolum tradidisse Romanis religio usque nunc ab ipso insinuata declarat quamque pontificem Damasum sequi claret et Petrum Alesandrie episcopum.” *Codex Theodosianus*, XVI, I, 2, ed. Mommsen-Meyer, I, 2, p. 833.

³⁰ See M. Maccarone, “Sedes Apostolica – Vicarius Petri”..., pp. 283-285.

³¹ See C. Fantappiè, *Introduzione storica al diritto canonico*, p. 57.

life of the whole Church.³² He also applied the Pauline notion of *sollicitudo omnium ecclesiarum* to his Petrine-ministry. Siricius introduced a juridical element to the inheritors of the Roman See, namely, that the successor receives and possesses all the property and rights which his predecessor had held.³³ The notion that the Roman Pontiff alone had authority, and not just the Roman See, continued to increase into the fifth century and assisted in the developing juridical role of the pope in relation to the Universal Church. Three succeeding popes in the first quarter of this century testified to this. During the pelagian controversy Pope Innocent I's *auctoritas* was sought out by the bishops of the Council of Carthage and Milevi. Under Pope Zosimo the title *peculiaris reverentia* was attributed to the Roman Pontiff. Boniface I, in his letter to the bishops of Tassaglia, attributed to the Apostolic See (*caput ecclesiarum*) a princely role (*principatus*) which authorized communion, from which some of them were trying to separate themselves.³⁴ Pope Innocent I reserved major causes (of the West) to the Roman See, including those sentences passed in synods, and Boniface I extended this primacy also over the East, with resistance on the part of the Eastern churches who continued to claim their own proper autonomy.³⁵ At the same time, however, the term 'college of bishops' was first used in the correspondence between Pope Celestine and the bishops at the Council of Ephesus, making specific reference to succession of the Apostles: "It is an inheritance and succession from the college of the Apostles to the colleges of bishops, in which Celestine also locates himself".³⁶ Phillip, one of the legates sent by Pope Celestine, claimed the special prerogatives of Peter's cathedra at the Council, referring to him as the 'head of the Apostles', the 'column of the Faith', the 'foundation of the Catholic Church', and referred to Pope Celestine as his successor. These were all titles which had been used, in one way or another, in the previous two centuries as found in letters and the Fathers of the Church. Pope Leo the Great, a strong defender of communion in the Universal Church, believed in the primacy of the Roman Pontiff due to the special dignity which Christ granted him through Peter. Indeed, he

³² See M. Maccarone, "Sedes Apostolica – Vicarius Petri"..., pp. 287-293.

³³ See Ibid. p. 289.

³⁴ See Ibid. pp. 295, 297, 302.

³⁵ See C. Fantappiè, *Introduzione storica al diritto canonico*, p. 57.

³⁶ "E' una eredità e successione da collegio degli apostoli a collegio dei vescovi, entro cui Celestino colloca se stesso (...)." M. Maccarone, "Sedes Apostolica – Vicarius Petri"..., p. 304 who quotes Fellermayr, *Tradition und Sukzession*, in the paragraph: *Die Bischöfe als Erben der Apostel bei Papst Cälestin*, I, pp. 333-346 as the author who pointed out this portion of the letter of Celestine to the Council.

maintained that the bishop of Rome was the “focal center of the entire visible unity of the Catholic Church”, and he did not doubt that he himself “was just as much Christ’s vicar as was the Prince of the Apostles”; he was aware of the responsibility, by divine mandate, he had to have for all the churches.³⁷ Leo was also aware that only he retained the episcopal dignity of the Petrine-office, while the extraordinary dignity held by Peter, as the Apostle chosen by Christ, ceased at his death; the intercession on the part of Peter, however, had not ceased.³⁸ In other words, Leo gave the Petrine-ministry a deeper understanding in relation to the Mystical Body of Christ. He saw the Militant-Institutional-Church as readily connected with the Triumphant-Celestial-Church. With this conception, he connected his office with Peter, Prince of the Apostles, as interceding on his and the Church’s behalf in heaven: “Peter, whom the pope substitutes and represents, is not the Peter far away in time as his predecessor of the Roman See, but rather Peter living in heaven, where he resides in a special way in a *societas cum Christo*, thanks to which he continues to exercise his episcopal ministry.”³⁹ Ultimately, Leo’s understanding of the Mystical Body of Christ, as operative both in heaven and on earth, reveals the universality of the Church and the Roman See’s importance for it. In this way Leo was the first to provide a doctrinal formulation concerning the bishop of Rome’s (Roman Pontiff’s) ‘primacy of jurisdiction’:

“Christ first gave the keys to Peter, as to a prince, through whom the bishops receive analogous powers, while the apostolic see of Rome is like the head of a body formed by the other churches. The *sedes Petri* is the center of the *communio episcoporum* through whom the care of the universal Church must converge, and is shared by all the bishops in a hierarchical way: the bishop of Rome, the archbishops of major cities, the metropolitans, and other bishops. The sequence Christ-Peter-Church, as attested to in the third century, is now substituted with Christ-Peter-pope or Roman Church-other bishops or churches.”⁴⁰

³⁷ See *Aeterna dei sapientia*, nn. 42, 45; Ep. 14. 1 to *Anastasius, bishop of Thessalonica*, PL 54. 668 as quoted in *Ibid.* n. 49 (English translations from www.vatican.va).

³⁸ See M. Maccarone, “Sedes Apostolica – Vicarius Petri”..., p. 319.

³⁹ “Il Pietro che il papa sostituisce e rappresenta non è il Pietro lontano nel tempo, suo predecessore nella sede romana, bensì il Pietro vivente nel Cielo, dove gode di una speciale *societas cum Christo*, grazie alla quale continua ad esercitare quel suo ministero episcopale.” *Ibid.* p. 319.

⁴⁰ “Cristo ha dato Pietro per primo le chiavi come ad un principe, attraverso Pietro i vescovi ricevono comunicazione di poteri analoghi, e il seggio apostolico di Roma è come la testa del corpo formato dalle chiese. La *sedes Petri* è il centro