

ВИДАННЯ
УКРАЇНСЬКОГО КАТОЛИЦЬКОГО УНІВЕРСИТЕТУ
ІМ. СВ. КЛИМЕНТА ПАПИ

EDITIONES
UNIVERSITATIS CATHOLICAE UCRAINORUM
S. CLEMENTIS PAPAE

*Праці Греко-Католицької Богословської Академії
Opera Graeco-Catholicae Academiae Theologicae*

Том LXIII-LXIV Vol.

Dr. I HOR MONČAK

FLORENTINE ECUMENISM IN THE KYIVAN CHURCH

о. проф. д-р ІГОР МОНЧАК

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ROME 1987 РИМ

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The theology of ecumenism
applied to
the individual Church of Kyiv

Rome 1987

*Друкується за благословенням
Блаженнішого Патріярха Йосифа*

Dedicated
to the blessed memory
of my beloved mother *Sophia*,
who taught me the greatest Wisdom
to *Love the Truth*.

AUTHOR

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ABBREVIATIONS

AAS	- Acta Apostolicae Sedis.
ASS	- Acta Sanctae Sedis.
DTC	- Dictionnaire de théologie catholique.
Analecta OSBM	- Analecta Ordinis Sancti Basilii Magni.
Zapysky NTŠ	- Zapysky Naukovoho Tovarystva imeny Ševčenko.
Zapysky UNT v Kyivi	- Zapysky Ukrainśkoho Naukovoho Tovarystva v Kyivi.
<i>Documenta Pontificum</i>	- Welykyj, Athanasius G., O.S.B.M. (ed.), <i>Documenta Pontificum Romanorum historiam Ucrainae illustrantia</i> , vol. I, Romae 1953.

INTRODUCTION

Ad totam Ecclesiam sollicitudo unionis instaurandae spectat, tam ad fideles quam ad pastores et unumquemque secundum propriam virtutem afficit, sive in vita christiana quotidiana sive in theologicis et historicis investigationibus.

(Concilium Vaticanum II,
Decretum de oecumenismo, art. 5).

The Second Vatican Council imposes a great obligation upon all faithful to undertake endeavours "secundum propriam virtutem" for the restoration of perfect unity in faith and charity among all Christians. Furthermore, the decree of the Council formulated the principles and methods of these universal efforts for unity in each sphere of human and ecclesiastical activity.

As far as the scientific field is concerned, the Council recommends that it be done "in theologicis et historicis investigationibus". The twofold scientific approach is due to the fact that theological discords are often caused by historical events. They are not implicated directly by the nature of the Church, which Our Lord established as "gloriosam ecclesiam non habentem maculam aut rugam aut aliquid huiusmodi, sed ut sit sancta et immaculata" (Eph 5, 27). The malignity and corruption of mankind causes dissent and separation among Christians. Consequently, the appropriate remedies for regaining ecclesiastical unity have to correspond to the actual state of ecclesiastic dissension. Hence, the historical investigation of causes, development and the present state of ecclesiastical discord is an indispensable premise for any effective unionistic attempt.

On the other hand, any re-established unity has to result as something natural to the intrinsic structure of the Church. It has to follow the intents of the Divine Founder of the Church; otherwise, all efforts are destined to fail. Therefore, a practical struggle for ecclesiastical union cannot be made without a profound knowledge of the structure of the Church. Ecclesiology, especially that part pertaining to the unifying aspect of

the Church, constitutes another indispensable premise for any unionistic attempt.

The lack of a sufficiently developed ecclesiology, expressed in the form of authoritative teaching, is one of the main reasons why the official attitude towards many unionistic problems revealed itself only as late as the Second Vatican Council. Indeed, it was this great assembly of the Catholic hierarchy that for the first time defined in an adequate and authoritative way the official teaching concerning the nature of the Church. The great conciliar document *Constitutio dogmatica de Ecclesia* considers thoroughly the Church in both of its aspects, spiritual and temporal, thus presenting a completely new image of "Christ's bride". Actually only the presentation of the one immutable Church is new. The truths regarding the Church, are as old as the Church itself. They were always practised and understood, although not always so expressly presented.

The same can be asserted about the other great ecclesiastic documents: *Decretum de Ecclesiis Orientalibus Catholicis* and *Decretum de oecumenismo*, based on the above-mentioned ecclesiological constitution. The principles, shown in the basic dogmatic constitution "De Ecclesia" of the Second Vatican Council, and applied to the existing particular Eastern Churches, along with the widely spread unionistic movement now in vigour among all Christians, enabled the publishing of two other ecclesiological decrees, comprehending altogether momentous and directive teachings. Especially the notion of particular Churches, contained in all three documents, but in a more developed form in the last two, widened considerably the outlines of ecclesiological studies towards this new direction.

Actually, the notion of particular Churches is not a new concept in ecclesiology. It existed throughout the history of the Church, being especially vivid among Eastern Christians. However, it now assumes a new form of authoritative teaching, since the ideas and the constitutive elements of the particular Churches were brought together in one document of the Supreme ecclesiastical authority. The greatest merit of the Eastern Churches and their beneficial contribution to the Universal Church were that they preserved the essential feature of Church structure throughout the centuries, thus offering a living example of diversified particular Churches.

In examining the "auriferous" elements contained in the "blocks separated from the auriferous rock",¹ the Council also

found in separated Christianity, especially in its Eastern part, elements of particular Churches.² This opened another large field for thorough investigation. The separated Christians were to be considered not only from the aspect of individual separations, but also as ecclesiastical communities, constituting units in themselves, although not in perfect unity with the Universal Church. Obviously, the Council could only furnish basic principles for this new direction of ecclesiological studies, leaving its elaboration and development to theologians in their researches.

Undoubtedly pioneering theological efforts involve an arduous undertaking, often requiring to elaborate new techniques appropriate for that specific scientific work, reorganization of different notions, the adoption of new terms and precise delimitative definitions. Without this, research in any new field is almost impossible. An acquaintance with the adopted divisions and definitions is indispensable in order to avoid confusion and misunderstanding. All this however tends to overburden a work, such as this one, that seeks to approach a new field: to conduct an investigation of the state of separation and the possibility of re-uniting separated Christians, especially Eastern, not as individuals, but rather as particular ecclesiastical units. However, if the work had to be contained within a reasonable extent, the treatment of many questions must be omitted.

Such is now the case with the different kinds of separation. On the basis of the investigation of Church structure, done mainly from the spiritual point of view, we can see the threefold analogy with the psychological faculties of the human being:

¹ This eloquent expression, admitting precious ecclesiastical elements in separated Churches, was pronounced by Pope Pius XI at the audience granted on January 9-th, 1927, to the members of the Federazione Universitaria Cattolica Italiana:

Non si conosce tutto quello che c'è di prezioso, di buono, di cristiano in quei frantumi dell'antica verità cattolica. I massi staccati da una roccia aurifera, sono auriferi anch'essi. Le venerabili cristianità orientali conservano una tale veneranza santità di cose, che meritano non solo tutto il rispetto, ma anche tutta la simpatia.

L'Osservatore Romano, 10-11 gennaio 1927

² Concilium Vaticanum II, *Decretum de oecumenismo*, art. 14-18, offer a large prospect of the ecclesiastical elements in the possession of separated Churches. In particular, the proper liturgical tradition (art. 15), discipline (art. 16), and diverse theological approaches (art. 17). These are in fact the constitutive elements of the autonomous life a particular Church.

intellectual, volitional and externally sensitive,³ accordingly there are three distinguishable kinds of ecclesiastical separation: heresy, schism and external alienation. Obviously, every division, including this one, is a simplification of the problem. Many other distinctions could be introduced, but this would lead to unreasonable verbosity.

The specific starting point of this work, namely the consideration of the Universal Church as comprehending diverse particular Churches, furnished an occasion to investigate the controversial question of episcopal faculties in separated Churches. As far as sacerdotal powers are concerned, there is unanimity as to its possession by separated clergies. The question is mainly one of the power of jurisdiction. Since the matter of jurisdiction in the separated Churches is interrelated with the communitarian aspect of those Churches, it could not be avoided in this study. Theologians, proceeding from a different starting point, namely stressing the individual aspect of separation, usually confine this complicated problem to a short paragraph at most.

Most Catholic theologians are of the opinion that a separated bishop is deprived of jurisdiction. This view is sustained by strong theological arguments, from which we here quote the principal ones. St. Thomas Aquinas states that:

Potestas autem iurisdictionalis est quae ex simplici iniunctione hominis confertur. Et talis potestas non immobiliter adhaeret. Unde in schismaticis et haereticis non manet.⁴

The Angelic Doctor proceeds in his reasoning also by considering the subjects of ecclesiastical jurisdiction. He asserts:

cum Ecclesia haereticos et schismaticos, et alios huiusmodi, privet subtrahendo subditos, vel simpliciter vel quantum ad aliquid, quantum ad hoc quo privati sunt, non possunt usum clavium habere.⁵

³ In fact, the same analogy is generally adopted in illustration of the Divine life of the Threefold Unity. Obviously, there cannot be found in God any correspondence with the external sensitive faculties, but the intellectual and volitional ones are analogically applied to the procession of the Divine Persons. There is also a tendency to distinguish memory from the intellectual faculty and this distinction is used in analogical applications. But more about this will be said later on in the text of this work.

⁴ St. THOMAS AQUINAS, *Summa theologiae*, II-II, q. 39, a. 3.

⁵ Ibidem, Supplementum, q. 19, a. 6; cf. also: q. 38, a. 2, ad 1.

Modern theologians combine the question of jurisdiction with the problem of membership in the Church. They affirm:

quicumque ad hac visibili compagine praecisus exsistit ... is iurisdictionis ordinariae incapax efficitur, et eam quam forte prius habebat, ipso separationis facto necessario debet amittere.⁶

The persuasive vigour of the quoted statements of these famous theologians is apparent. However, with all due respect towards these illustrious theologians and without any intention to diminish the authority of such eminent men, we should not be deterred from further studies of this controversial question, for the simple reason that new authoritative documents, such as the decisions of the Second Vatican Council, are now available.

Very expressive is the following clause from the conciliar *Constitutio dogmatica de Ecclesia*:

Episcopalis autem consecratio, cum munere sanctificandi, munera quoque confert docendi et regendi, quae tamen natura sua nonnisi in hierarchica communione cum Collegii Capite et membris exerceri possunt.⁷

It presents jurisdiction in some relation to the bishopric consecration, although stresses necessity of the "hierarchical communion" with the Head of the Episcopal College. Further on, the same document clearly states that a bishop cannot exercise the power originated in consecration without any restraint or regard for the Supreme ecclesiastic authority:

Haec potestas qua, nomine Christi personaliter funguntur, est propria, ordinaria et immediata, licet a suprema Ecclesiae auctoritate exercitium eiusdem ultimatim regatur et certis limitibus, intuitu utilitatis Ecclesiae vel fidelium, circumscribi possit.⁸

From this follows a positive obligation of every bishop willing to exercise episcopal power to remain in union with the Supreme Church authority. This is particularly specified with regard to the power of jurisdiction and teaching:

... communionem Apostolicam denegante, Episcopi in officium assumi nequeunt.⁹

⁶ BILLOT L., S.J., *Tractatus de Ecclesia Christi* (ed. 5), vol. I, Romae 1927, pp. 346-347; cf. also: ibidem pp. 305-307, 352-355.

⁷ Concilium Vaticanum II, *Constitutio dogmatica de Ecclesia*, art. 21.

⁸ Ibidem, art. 27.

⁹ Ibidem, art. 24.

*Infallibilitas Ecclesiae promissa in corpore Episcoporum quoque inest, quando supremum magisterium cum Petri Successore exercent.*¹⁰

These conciliar statements make evident that a bishop is not supposed to exercise jurisdiction and teaching as a single separate Hierarchy, but as a member of bishopric body headed by the Roman Pontiff:

Membrum Corporis episcopalis aliquis constituitur vi sacramentalis consecrationis et hierarchica communione cum Collegii Capite atque membris.

*Collegium autem seu corpus Episcoporum auctoritatem non habet, nisi simul cum Pontifice Romano, successore Petri, ut capite eius intellegatur, huiusque integre manente potestate Primatus in omnes sive Pastores sive fideles. ... Ordo autem Episcoporum, qui collegio Apostolorum in magisterio et regimine pastoralis succedit, immo in quo corpus apostolicum continuo perseverat, una cum Capite suo Romano Pontifice, et numquam sine hoc Capite, subiectum quoque supremae ac plenae potestatis in universam Ecclesiam existit, quae quidem potestas nonnisi consentiente Romano Pontifice exerceri potest.*¹¹

The Pope is actually the subject of the supreme power of jurisdiction and teaching for the whole Church:

*Romanus enim Pontifex habet in Ecclesiam, vi muneris sui, Vicarii scilicet Christi et totius Ecclesiae Pastoris, plenam, supremam et universalem potestatem, quam semper libere exercere valet.*¹²

*Hoc vero religiosum voluntatis et intellectus obsequium singulari ratione praestandum est Romani Pontificis authentico magisterio etiam cum non ex cathedra loquitur ...*¹³

*Qua quidem infallibilitate Romanus Pontifex, Collegii Episcoporum Caput, vi muneris sui gaudet, quando, ut supremus omnium christifidelium pastor et doctor, qui fratres suos in fide confirmat, doctrinam de fide vel moribus definitivo actu proclamat.*¹⁴

Hence, the person of the Roman Pontiff appears as an indispensable center of unity for the entire Church in all its members, particularly in regard to the power of jurisdiction:

¹⁰ Ibidem, art. 25.

¹¹ Ibidem, art. 22.

¹² Ibidem.

¹³ Ibidem, art. 25.

¹⁴ Ibidem.

Romanus Pontifex, ut successor Petri, est unitatis, tum Episcoporum tum fidelium multitudinis, perpetuum ac visibile principium et fundamentum.¹⁵

Unde singuli Episcopi, quantum propria eorum perfunctio muneris sinit, in laborum societatem venire tenentur inter se et cum successore Petri ...¹⁶

Consequently, every bishop in order to be able to exercise jurisdiction is obliged to be provided with a canonical mission:

Episcoporum autem missio canonica fieri potest per legitimas consuetudines, a suprema et universali potestate Ecclesiae non revocatas, vel per leges ab eadem auctoritate latas aut agnitas, vel directe per ipsum Successorem Petri ...¹⁷

The way in which this canonical mission may be and was obtained in the course of centuries constitutes one specific problem. Another problem is the question to what extent the canonical mission influences ability of a bishop to govern his flock.

The Council Fathers neither intended nor could involve themselves in such detailed problems which "relinquuntur disceptationi theologorum".

Sine communione hierarchica munus sacramentale-ontologicum, quod distinguendum est ab aspectu canonico-iuridico, exerceri *non potest*. Commissio autem censuit non intrandum esse in quaestiones de *liceitate* et *validitate*, quae relinquuntur disceptationi theologorum, in specie quod attinet ad potestatem quae de facto apud Orientales seiunctos exercetur, et de cuius explicatione variae existant sententiae.¹⁸

However, in this research we could not avoid these particular points, since it deals with unionist problems. We were compelled to investigate those questions further, using the authoritative documents as firm starting point.

There is another outstanding and closely related problem which we could not avoid, namely, membership in the Church of non-Catholics.

¹⁵ Ibidem, art. 23.

¹⁶ Ibidem.

¹⁷ Ibidem, art. 24.

¹⁸ *Nota explicativa praevia*, N.B., to the *Constitutio dogmatica de Ecclesia*.

Obviously, as an indisputable principle the following statement of the supreme authority of the Second Vatican Council has to be admitted:

Illi plene Ecclesiae societati incorporantur, qui Spiritum Christi habentes, integram eius ordinationem omniaque media salutis in ea instituta accipiunt, et in eiusdem compage visibili cum Christo, eam per Summum Pontificem atque Episcopos regente, iunguntur, vinculis nempe professionis fidei, sacramentorum et ecclesiastici regiminis ac communionis.¹⁹

Here again we cannot indulge in an excessive brevity and simplification. It would be inaccurate if we would consider all men, who do not fulfil all the above mentioned requirements for membership of the Catholic Church, as one homogeneous mass of non-members. As a matter of fact, the same conciliar document offers some diversity among non-members, asserting as follows:

Ad hanc igitur catholicam Populi Dei unitatem, quae pacem universalem praesignat et promovet, omnes vocantur homines, ad eamque variis modis pertinent vel ordinantur sive fideles catholici, sive alii credentes in Christo, sive denique omnes universaliter homines, gratia Dei ad salutem vocati.²⁰

This affirmation is an evolution from the original idea of Pope Pius XII expressed in the Encyclical Letter "Mystici Corporis":

... singulos universos amantissimo animo invitantes ... [qui] inscio quodam desiderio ac voto ad mysticum Redemptoris Corpus ordinantur ...²¹

The Council document distinguished more specifically some different approaches of those non-Catholics, who "ordinantur" towards the Catholic Church:

Cum illis qui, baptizati, christiano nomine decorantur, integram autem fidem non profitentur vel unitatem communionis sub Successore Petri non servant, Ecclesia semetipsam novit plures ob rationes coniunctam.²²

Ii tandem qui Evangelium nondum acceperunt, ad Populum Dei diversis rationibus ordinantur.²³

¹⁹ Concilium Vaticanum II, *Constitutio dogmatica de Ecclesia*, art. 14.

²⁰ Ibidem, art. 13.

²¹ Pius XII, *Litterae Encyclicae Mystici Corporis*: AAS (1943) 243.

²² Concilium Vaticanum II, *Constitutio dogmatica de Ecclesia*, art. 15.

²³ Ibidem, art. 16.

The document points out further in the same articles some elements of these approaches to the Church, but it does not examine more closely their nature and the different kinds of them. This was left for a scientific research like one we have attempted. Obviously, the elaboration of the authoritative principles and the conclusions deducted from them are matters of author's opinion and they have to be judged accordingly. However, for a correct judgment in this matter, it is necessary to take notice of the scientific instruments used, namely the adopted definitions and distinctions in terms. Otherwise misapprehensions may easily occur.

The section in which the author is most constrained to adopt new terms and to elaborate proper distinctions is that which deals with the different kinds and methods of reunion. Scholars are usually preoccupied with the final aim of perfect unity of all Christians that hardly any attention is paid to different unionistic ways and methods that are adopted in practice. In fact, throughout the span of many centuries reunions were attempted in diverse ways, all of which may be classified into two main types. The common feature of one type is the required condition that the structure of particular Churches will be preserved. The other type strives for perfect unity and coherence in every aspect.

It is precisely in the time of Florentine Council that we, with increasing frequency, come across attempts to realize union according to different types. The XV century was a time of vivid "ecumenical movements", as we would call them now. Therefore this work deals with the historical period encompassing the Florentine Council and the era ending with the Council of Trent as an illustration of the various types of unionistic endeavours. For brevity and precision of expression we use the modern term "ecumenism" for unionistic activity of those times, although the term itself in this sense was unknown in the XV and XVI centuries.

As an illustration, it suffices to follow the unionistic development of one particular Church. Therefore, historical consideration is confined to the Kyivan Archbishopric-Metropolitanate. This Church is chosen not only because it had remained, up to the present times, the most numerous Eastern Catholic Church, but also because of its specific relation to the Florentine decisions and peculiar geographical problems.

The unionistic decisions of Florence found the largest and most enduring resonance in the Kyivan regions, although at the

Council itself that Church was not numerically represented to the proportion that it deserved. And yet the Kyivan Church was placed in a very complicated situation. Hardly in any other country were two different particular Churches, with their own hierarchical organization, distinct traditions and diverse concept of Church unity so tightly interwoven in a geographical sense. Therefore, their unionistic problems evolved throughout the XV-XVI century in a most remarkable and dramatic way.

The historical events have already been described by many historians, although a definitive work about its complicated ecclesiastical development has yet to appear. Incomplete interpretations, from different points of view, by authors of diverse ecclesiastical and national background, are extant, but they have to be compiled for a complete and objective picture of the past conditions. Even the names of persons and places are referred to by these authors in such diverse ways that confusion often results for an uninformed reader. Therefore as a principle, we adopted the names in the original nomenclature.²⁴

In this work common historical events are referred to only insofar as they are required to situate the unionistic acts in the course of the historical development and to demonstrate their mutual interdependence. In order to obtain a thorough picture of this historical situation, the reader should consult the particular historical works. Here we wish to indicate only a few of them, especially those which describe the pertinent unionistic activity reviewed in the Historical part of this work. The quoted works are in different languages, written by authors of diverse national origins, belonging to various ecclesiastical denominations. This is intended to furnish a thorough, balanced picture of the historical events.

In English:

Halecki, Oskar, *From Florence to Brest*, Rzym 1958.
Catholic historian of Polish Latin origin.

In French:

Pierling, Paul, S.J., *La Russie et le Saint-Siège*, vol. I, Paris 1896.
Catholic historian of West-European origin.

²⁴ However, the English derivation of some names is so commonly used, that exceptions had to be made as for instance: Rome, Florence, Isidore etc., instead of Roma, Firenze, Isidoros etc.

In German:

Pelesz, Julian, *Geschichte der Union der ruthenischen Kirche mit Rom*, vol. I, Wien 1878.

Bishop and historian of Eastern Catholic origin.

Amman, Albert M., S.J., *Abriss der ostslawischen Kirchengeschichte*, Wien (1950).

Professor of the Pontifical Oriental Institute in Rome.

In Italian:

Amman, Albert M., S.J., *Storia della Chiesa Russa e dei paesi limitrofi*, Torino 1948.

Italian version of the German work mentioned above.

In Ukrainian:

Hruševskij, Mykhajlo, *Istoria Ukrainy-Rusy*, vol. V, Lviv 1905.

Eastern non-Catholic historian.

In Russian:

Bulgakov, Makarij, *Istoria russkoj Cerkvi*, vol. IX, S. Peterburg 1879.

Bishop and historian of the Muscovite non-Catholic Church.

Golubinskij, Evgenij, *Istoria russkoj Cerkvi*, vol. II, Moskva 1901.

Historian of non-Catholic Muscovite origin.

In Polish:

Chodynicki, Kazimierz, *Kościół Prawosławny a Rzeczpospolita Polska*, Warszawa 1934.

Catholic author of Polish Latin origin.

In order to induce the reader to come to a more objective judgement of the illustrative historical events, there are no historical digressions in our theological investigation. Instead, all the historical material is presented in the latter Historical part of this work. Although both the Theological and Historical parts were conceived and have evolved together, they are nevertheless presented separately. This allows for the presentation of a more extensive picture of the entire unionistic movement throughout a longer time span. Keeping in mind the general theoretical principles presented in the Theological part, the reader by following the evolution of historical events, can evaluate these and form his or her own judgement.

However, we want to draw the reader's attention to the specific use of some terms. Most theological studies consider faith, heresy and schism as terms in themselves, quite overlooking their adherents. Therefore all dogmatic aberrations are called heresies and all jurisdictional insubordinations are called schisms, regardless of the culpability of the subjects involved.

In our unionistic study primary attention is payed to the respective adherents. We do not adopt a purely juridical attitude towards the problem of aberrations and insubordinations, since

the moral responsibility of a particular subject is of prime importance in any unionistic endeavour. Consequently, our moral approach to the problem of separations induces us to understand under the term of *heresy* only this separation in which an actual responsibility for a deviation in matters of faith is involved. Likewise, the term *schism* is understood here as a responsibility for separation in the volitional sphere. Other externally existing separations, where moral responsibility is not present, are referred to as *alienation*. Hence, under the term *alienation* are included many states of separation, due to different causes, such as involuntary error in matters of faith, unconsciously inherited separations (in faith or jurisdiction only), and finally, simple physical separation from an ecclesiastical unit.

Evidently, there exist great differences among these diverse kinds of *alienation*. Involuntarily inherited heresy requires a different unionistic approach than *alienation* caused simply by a lack of communication. *Alienation* arrived at individually, differs from *secession* as a constituent of a separated ecclesiastical unit. To delve into these distinctions would lead us too far afield. Therefore for our theoretical approach from the moral point of view, it is more appropriate to comprehend under the term *alienation* all separations, where direct responsibility is not involved, although specific differences among these must not be underestimated.

In a purely dogmatic investigation, where truths of faith are considered in themselves, regardless of whether someone adheres to these willingly or not, it may be advisable to use the term "heresy" for any deviation in matters of faith, such as pertinacious, voluntary, or simply inherited without any personal reflection. In a strictly dogmatic work it would suffice to point out that responsible deviation in faith is called "formal heresy" and one involving no guilt "material heresy". However, for our unionistic work, where moral responsibility plays an essential part, it seems more advisable to include "material heresy" (and likewise "material schism") under an entirely different category of separation, namely *alienation*.

The same observation can be made with regard to ecclesiological works where ecclesiastical unity and separations in themselves are considered. Wherever there is a lack of unity in jurisdiction, the denomination "schism" is applied, and guilt is specified by the distinction of "formal" and "material schism". But that which is justifiable in studies of a strictly objective

approach, would result in inconvenience, even confusion, in our work emanating from a spiritually moral point of view.

The same moral approach to the past and present unionistic endeavours induces us to designate two different types of unionistic activities by two different terms: *ecumenism* and *uniformism*.

In the past not much attention was paid, at least not in the Western countries, to the ways and means by which unity of the Universal Church was attempted. Therefore different unionistic means were neither sufficiently distinguished nor properly designated.

Only in this century, when Western non-Catholics initiated an organized movement towards ecclesiastical unity, a proper term *ecumenism* was adopted. Since this movement is characterized by a strong maintenance of particular autonomies, the term *ecumenism* assumes to designate in general the tendency to retain diversity within ecclesiastical unity. Such a meaning was introduced even in the official documents of the Second Vatican Council. If we adopt this term to designate the unionistic trends of the past centuries, when adequate terminology was lacking, it is always used to designate the same movement as now.

Also the term *uniformism* is introduced here to designate all those unionistic movements where diversity is disregarded and only perfect unity in all respects is endeavoured.

Evidently, each of these notions allows for many variations and gradations. *Ecumenism* is not understood by all in the same way, thus resulting in different kinds of ecumenical ideas.

The concept of a comprehensive *ecumenism* was launched at the beginning of this century by His Beatitude Andrej Šeptyckyj, Archbishop - Metropolitan of Kyiv - Halyč. His pioneering ideas were appreciated, at least theoretically, only six decades later at the Second Vatican Council. In the meantime the ecumenical ideal was attenuated.

Some so-called *ecumenists* admitted liturgical diversity in different individual Churches, but at the same time strived for a strict juridical uniformity in the entire Universal Church. This partial or *liturgical ecumenism* flourished during the time when His Eminence Eugene Cardinal Tisserant (1936-1959) presided the Oriental Congregation in Rome.

During the Second Vatican Council there were attempts to broaden the ecumenical idea to comprehend the juridical diversity as well. Although this wider *ecumenism* is reflected in

the Conciliar documents, it is not yet generally accepted, especially in Vatican circles.

A comprehensive ecumenism admitting total autonomy of all individual Churches in all three aspects (liturgical, juridical and theological) has yet to mature in the Roman Catholic circles. The uniformitarian trend of the Council of Trent is still prevalent. It established itself due to extraordinary circumstances in the XVI century as an expedient remedy against the menace of Protestantism. It enormously simplified the government of the Church but at the expense of spiritual growth. Due to this jurisdictional simplification, the trend towards uniformity was promoted for centuries, culminating during the First Vatican Council and is still prevalent in the Roman Catholic mentality.

We have to return far back to the pre-Tridentine times to find a true ecumenism in its full evolvement. It was at the Council of Florence that a comprehensive ecumenism reached its highest point of realization in the course of the entire ecclesiastical history. All the Councils before the Florentine, although presided by Roman Pontiffs or their representatives, were in fact either predominantly eastern or western. During the Council sessions in Ferrara and Florence, for the first time and until now the only time in history, two individual Churches: Rome and Byzantium, headed by one Supreme Pontiff, were actually dealing as two autonomous partners. Therefore a comprehensive ecumenical collaboration of two or more individual Churches, autonomous in all three aspects (liturgical, juridical and theological), may be adequately designated as *Florentine ecumenism*, regardless of the period of history in which it occurred. Thus the term "Florentine ecumenism" adopted in the title and in the text of this work refers to the quality of Church unity rather than to the historical event of the fifteenth century.

We are using another new term: *individual Church* besides the generally used term *particular Church*. This is done for the sake of clarity, to avoid misunderstanding.

The term "particular Churches" (*Ecclesiae particulares*) is used at length in the documents of the Second Vatican Council and is understood in the sense of "comprehensive" or "Florentine ecumenical" autonomy of an ecclesiastic unit.²⁵ However, the lack of post-conciliar application of comprehensive Florentine ecumenism and some subconscious aversion to any autonomy

²⁵ Cf. notes 57 and 60 of the Theological part.

inside the Catholic Church, causes some practical confusion between the term "particular Church" and the uniformitarian notion of "partial Church" in the sense that it is "a part of an uniform Church".²⁶

The Western Catholics, dealing most of the time with only one Roman particular Church, may easily misapply the seemingly superfluous term "particular Church" to an administrative "part" (diocese) of the uniform Roman Catholic Church. This tendency may be reenforced by the not adequately defined use of the term in the new Code of Canon Law:

Ecclesiae particulares, in quibus et ex quibus una et unica Ecclesia catholica existit, sunt imprimis dioceses ...

Diocesis est populi Dei portio, quae Episcopo cum cooperatione presbyterii pascenda concreditur ...²⁷

In order to avoid confusion, we introduced in this work a specific term: *individual Church* to denote clearly an ecumenically autonomous Church unit, leaving the term *particular Church* for a rather general unspecified use.

Keeping in mind these precise meanings of the theological terms, the reader of this work can draw his or her own conclusions from the facts presented in the Historical part. However, the work would not be complete if the author himself would not do what he expects from others: that is to draw a final comprehensive conclusion from all the historical evidence

²⁶ This etymological confusion can be easily avoided in the Ukrainian translation, where "particular Church" is translated "pomisna Cerkva" and "partial Church" - "častynna Cerkva".

²⁷ *Codex iuris canonici*, Vatican 1983, can. 368 and 369.
The Code of Canon Law in English translation, London 1983, can. 368:

Particular Churches, in which and from which the one and only catholic Church exists, are principally dioceses ...

Ibidem, can. 369:

A diocese is a portion of the people of God, which is entrusted to a Bishop to be nurtured by him, with the cooperation of the *presbyterium* ...

Note the expression "principally" in contrast to "exclusively", although the notion of particular Church is not evolved any more in the C.I.C.

This "principal" notion of a particular Church as a diocese expressed in C.I.C. is far from the foremost idea of the particular Church presented in the documents of the Second Vatican Council, as quoted in the note 57 of the Theological part of this work.

presented in this study. Hence, it was altogether necessary to include the last part "Conclusions", containing the author's own summary judgement of all the events presented in the Historical part, in the light of the ecclesiological principles elucidated in the Theological part.

In expressing his conclusions, the author sought to be as objective as possible and to base them upon the presented facts. Therefore, in the sentences of the last part, he refers constantly to the appropriate passages in the preceding Theological and Historical parts. Proceeding this way, he comes to the conclusions which seem to him altogether convincing.

However, if a reader would prefer to make his or her own judgement or to do more research in the documents, he or she can only be welcomed. In any case, the present work would not lose its important role, because it would still serve as a stimulus to the research and to the enlightening of these complicated ecclesiastical problems and events. It is not the defence of any subjective opinion, but the Truth that constitutes the final aim of this work and of all really scientific researches.

Cognoscitis veritatem, et veritas liberavit vos (Jn 8, 32).

*You will learn the truth and the truth shall make you free
(Jn 8,32).*

THEOLOGICAL PART

CHURCH UNITY IN DIVERSITY

Benedictus Deus et Pater
Domini nostri Iesu Christi,
qui benedixit nos in omni benedictione
spirituali in caelestibus in Christo.

(Eph 1, 3)

1. THE DIVINE-HUMAN NATURE OF THE CHURCH

Sequentes sanctos Patres ... consonanter omnes docemus ...
unum eundemque Christum Filium Dominum unigenitum,
in duabas naturis

inconfuse, immutabiliter,

indivise, inseparabiliter

agnoscendum

nusquam sublata differentia naturarum propter unionem
magisque salva proprietate utriusque naturae.¹

In this solemn statement of the great Ecumenical Council of Chalcedon a very fundamental fact was emphasized.

By the mystery of the Incarnation, by which the God-Word was made flesh (Jn 1, 14), the Second Divine Person assumed the human nature, and by assuming, did not change it. Neither divine nor human nature were altered, when both joined into the one Person of Christ our Redeemer.

This great mystery was accomplished for the sake of man, that mankind may approach the divine sphere, so as to see the threefold Creator in his unity as He is (1 Jn 2, 3) and to join Him by an all-embracing mutual love. This ultimate goal of eternity was initiated here in time, because in the divine action, there is no interruption, but constant continuity. In the hypostatic union of the divine nature with the human, in the one person of Christ, the mystical union of Redeemer with mankind into one Mystical Body was installed. This mystical entity has to evolve towards the ultimate goal, when all may be one. "Ut omnes unum sint, sicut

¹ Concilium Chalcedonense, *Definitio de duabus naturis Christi*, (Denz. 31, 148).

tu, Pater, in me, et ego in te, ut et ipsi in nobis unum sint". (Jn 17, 21)

As in inception, so in evolution, the personal union of the physical Christ serves as a model, as "spectatissimum exemplar" ² for the other union of the Mystical Body of Christ.

In both the physical and the Mystical Body of Christ, the divine element is that which confers the sense of existence to the entire body.³ Hence, the most simple divine nature, one by essence, actuates in everything the tendency towards unity.⁴

On the other hand, it accomplishes unity in such a sublime way that it does not suppress any good values of the diversified human element, neither in the physical nor in the Mystical Body of Christ.

Therefore, we can apply to both of Christ's bodies, to Christ the Redeemer and to Christ's Church as well, the solemn statements of the Council of Chalcedon, that in the Church there are:

two natures

unconfused, unchanged,

undivided, unseparated,

the differences of these natures are not removed because of unification, but the properties of both natures are rather retained.

² Pius XII, *Litterae Encyclicae Sempiternus Rex*: Acta Apostolicae Sedis, 43 (1951), pp. 640-641: "... mystici Corporis Christi, cuius hypostatica unio est spectatissimum exemplar ..."

³ *Intelligitur Ecclesia tamquam imago fundatoris et capitis sui Christi in intima sua constitutione, qua ad similitudinem Verbi incarnati expressa est. Sicut Christus ... ita corpus eius Ecclesia ... duplici elemento, elemento per se humano ac visibili externo atque elemento divino et invisibili interno, quo humanum informatur et elevatur atque ita formaliter constituitur ecclesiasticum.* — J. FRANZELLIN, *Theses de Ecclesia Christi* (ed. 2), Romae 1907, pp. 314-315.

⁴ Therefore it was in the moment of accomplishment of the sacrifice of the cross that the Church was conceived and established; it is in the moment, in which the obstacle of sin is deleted to permit the Divine to come in touch with the human. — "Si exaltatus fuero a terra, omnia traham ad me ipsum (Jn 12, 32).

This opinion was confirmed by Pius XII, *Litterae Encyclicae Mystici Corporis*: AAS 35 (1943), p. 205:

Opus autem suum in Crucis patibulo consummavisse, haud interrupta Sanctorum Patrum testimonia asseverant, qui quidem animadvertunt in Cruce Ecclesiam a latere Salvatoris esse natam instar novae Evae, matris omnium viventium.

This does not contradict the fact that the external manifestation ("accomplishment" or "birth") of the Church took place on the day of Pentecost; it is when the communication of the Divine to the Human was accomplished and the unifying action of the Church was able to evolve towards the entire universe.

Retaining the properties of both the divine and the human natures, is essential and indispensable for the Church.

Complexio copulatioque earum duarum velut partium prorsus est ad veram Ecclesiam necessaria ... Sicut Christus, caput et exemplar, non omnis est, si in eo vel humana dumtaxat spectetur natura visibilis, quod Photiniani ac Nestoriani faciunt; vel divina tantummodo natura invisibilis, quod solent Monophysitae: sed unus est ex utraque et in utraque natura cum visibili tum invisibili; sic corpus eius mysticum non vera Ecclesia est nisi propter eam rem, quod eius partes conspicuae vim vitamque ducunt ex donis supernaturalibus rebusque ceteris, unde propria ipsarum ratio ac natura efflorescit.⁵

In fact, a consideration of the visible Church organization viewed separately from its spiritual divine element, would lead us astray to some kind of an ecclesiological nestorianism. Consequently, we should not give excessive emphasis to the divergences existing among Christians, abiding to them as to something unavoidable in this world and consider the ecumenical unity apart, as a different spiritual problem deferring it to escatological times.

On the other hand, minimization of the diversified human element of the Church as some irrelevant harmful ingredient of a purely spiritual Church, deserves to be called ecclesiological monophysitism.

Indeed, there has to be kept a perfect balance between the spiritual and the human element, between unity and diversity in the Church. By confusing both elements, we may be tempted to impose properties of one element unto the other, thus acting against the nature of the Church.

For instance, we may seek simplicity and uniformity in the human sphere of the Church, when these are, in fact, the properties of the divine sphere. Even if we should succeed in imposing uniformity upon the human element in the Church, we would only do harm, because one could be deceived by the external ecclesiastical uniformity and could neglect internal spiritual unity, which is essential for the Mystical Body of Christ.⁶

⁵ LEO XIII, *Litterae Encyclicae Satis cognitum*: Acta Sanctae Sedis, 28 (1895-96), p. 710.

⁶ An example of this human kind of unity (that is to say uniformity) can be found in the admirable organization of an army. But it indicates the merely

The true Church has to be perfectly united spiritually, but has to remain diversified according to the diversified nature of human subjects. We may call this the *universe*⁷ Church: one in its divine element, diverse in its human element.

We see once more an analogy between the two elements in the Church and the two natures of her Founder, Jesus Christ, and the means by which both of these were united as well.⁸ It was by

human origin of this corporation. If the same kind of unity would prevail in the Church, it would be more difficult to comprehend the real divine origin of unity in the Church and to distinguish the human organization from the divine.

Already in the first pages of the Holy Scripture the construction of the tower of Babel, a sign of intended uniformity, that the earth might be of one tongue and of the same speech, is reproached. — Cfr. the comment in: *La sacra Biblia*, ed. S. Garofalo (1961), pp. 46-48.

The spiritual relation between the multitude of languages, existing since the times of the tower of Babel, and the unifying action of the Holy Spirit was exposed in: J. TRAVERS, O.P., *Le mystère des langues dans l'Église*, in *Langues et traductions liturgiques*, Paris 1947, pp. 15-38.

⁷ The term "universe", a neologism, was introduced by S. TYSZKIEWICZ, S.J., in the book *La sainteté de l'Église christoconforme*, Rome 1945. There, the entire chapter (pp. 130-149) is dedicated to this matter. However, there the author considers the problem from a different angle, rather from a more static point of view. It seems that he bases the entire question of "university" on the principle of the analogical notion of *ens* (similarity and dissimilarity of all entia). Therefore the first law of the author's "les lois de l'université" reads: "Tout être est en soi universe" (p. 141). This law is considered so general that it includes even the other kind of *ens*, that is the *Ens per se*, the supreme Being of God, saying "nous pouvons dire qu'il est l'Unité infiniment parfaite et identique avec la Diversité infiniment parfaite" (p. 134). But this is rather a way of saying that all the diversities of creatures are mere participations in the most simple completeness of the Supreme Being, *Ens* and *Unum per se*. Although it cannot be denied that in God there is a "diversity" or rather a distinction between the three Persons, it is entirely different from the human diversity. The divine distinction between Persons is comprehended and "immersed" in the perfect unity of the Divine nature.

Our consideration of the "universe", on the contrary, is more dynamic, since it concerns a temporal evolution in the composed divine-human entity of the Church, where unity is based on the divine element and diversity is caused by the human element.

⁸ PARENTE P., *Theologia fundamentalis* (ed. 4), Rome 1962, p. 205, presents briefly in a scheme the comparison between Christ and the Church. Although the image in this presentation may seem over simplified, it enunciates properly the essential components of the Church as the Mystical Body of Christ. It reads as follows:

Naturae quidem divinae Christi respondet in Ecclesia principium operativum supernaturale ex Christo Capite tamquam ex fonte derivatum;

the act of the Holy Spirit, that the divine nature united itself with the human into the one person of Christ; and it was because of the Spirit of Charity that the Redeemer united Himself with mankind into one Mystical Body of the Church.

Since this unified entity of the Church is supernatural, it cannot find any entirely corresponding image in the created natural world. All analogies can only reflect to a certain extent the supernatural essence of the Church. Nevertheless, presenting the Church as a sheepfold, a vine, a building, a temple, a wedding, a family, a city or similar images, facilitates the comprehension of this supernatural body.⁹ The Church can find a most perfect reflection, however, only in a most perfect creature of this world that is in man. Therefore, the comparison most used and most developed into single particularities is the human body. The head of the body represents Christ, the Redeemer, and the multiple corporeal members stand for the human element in the Church.¹⁰

The comparison fails only in this that the members of the

naturae autem humanae Christi respondet in Ecclesia concreta societas fidelium; denique personae divinae Christi respondet in Ecclesia Spiritus Sanctus.

⁹ These images were already used by Jesus Christ and his Apostles in their preaching. They are also briefly related in: Concilium Vaticanum II, *Constitutio dogmatica de Ecclesia*, art. 6.

The image of the Church as the people of God is evolved further in the Constitution: *ibidem*, art. 9-17. — Cfr. also: Y. CONGAR, O.P., *The Church: The People of God*, in *Concilium* (engl. lang.), nr. 1 (1965), pp. 7-19; R. SCHNACKENBURG and J. DUPONT, O.S.B., *The Church as the People of God*, in *Concilium*, *ibidem*, pp. 56-61.

¹⁰ The comparison was briefly assumed by the Second Vatican Council, *Constitutio dogmatica de Ecclesia*, art. 7. — The idea is more widely exposed in the encyclical *Mystici Corporis*: AAS 35 (1943), pp. 199-204. — Cfr. also the articles quoted in the previous note.

It may not be superfluous to note that in the Middle Ages the term "mystical body" was used to denote the Holy Eucharist, as is profoundly exposed in the work of H. DE LUBACK, S.J., *Corpus Mysticum, L'Eucharistie et l'Église au Moyen Age* (ed. 2), Paris 1949. However, even in those times the concept of the Church as the Mystical Body of Christ was not entirely alien (cfr. *ibidem*, pp. 116-135). Rather it should be said that the three entities designed as "body" (physical Christ, Eucharist and Church) were set in close mutual relation (cfr. *ibidem*, pp. 89-115, and also 297-339).

In the last decades, that is after the promulgation of the respective papal encyclical, many theologians have written on the subject of the Mystical Body of Christ, meaning the Church. Among these may be noted the major work of S. TROMP, S.J., *Corpus Christi quod est Ecclesia*, 3 vol., Romae 1946-1960.

human body are mere unconscious instruments whereas the liberty and responsibility of the members of the Church are to be respected. All remain persons in their own right. For this reason the Church is called not simply a body, but the Mystical Body of Christ. Consequently, the unification of the members of the Church must proceed in a more sublime way than in the human body. In the latter it is a spiritual but created soul which unifies all the members and forms them into one effective unity. Being spiritual, it is one in the entire body and one in each part or member. In the Mystical Body, this task is much more eminently fulfilled by the Divine Spirit.

Quodsi divinum hoc ... vitae virtutisque principium attente consideramus ... facile intelligimus illud nihil aliud esse nisi Paraclitum Spiritum ... Huic autem Christi Spiritui ... id quoque attribuendum est, ut omnes Corporis partes tam inter sese, quam cum excelso Capite suo coniungantur, totus in Capite cum sit, totus in Corpore, totus in singulis membris. «Hoc affirmare sufficiat, quod cum Christus Caput sit Ecclesiae, Spiritus Sanctus sit eius anima».¹¹

In the body, the soul acts principally through its two faculties: the intellect and the will. Some former scholars used to place the capacity of memory in the same line, distinguishing thus three main forms of the soul's activity: intellect, memory and will.¹²

¹¹ *Mystici Corporis*: AAS 35 (1943), pp. 218-220, (Denz. 2288). Some theologians distinguish in the Mystical Body the effective influence of divine graces from the proper role of the Holy Spirit. With regard to this tendency S. TROMP, op. cit., vol. III, p. 123, writes as follows:

S. Robertus Bellarminus, sequens Angelicum ... nonnumquam vocat animam Ecclesiae ipsum Spiritum Sanctum, nonnumquam omnia dona omnesque gratias complexive.

...valorem quaestionis de duplici anima supernaturali non esse exaggerandum. Versamur enim in metaphora ...

Indeed, the graces of the Holy Spirit acting in the Mystical Body can be compared to the faculties of the soul. Therefore, it seems superfluous to distinguish as did C. JOURNET, *L'Église du Verbe Incarné*, vol. II, Fribourg Helv. 1951, between the uncreated soul (the Holy Spirit) and the created one (the complex of graces) of the Mystical Body.

¹² The triple distinction was adopted by St. AUGUSTINE for his illustration of the great mystery of the Holy Trinity, although he set memory in close relation to intellect:

... Memoria, intelligentia, et voluntas unum sunt essentialiter, et tria relative... - *De Trinitate*, lib. X, cap. 11: PL 42, 982.

Furthermore, the soul sustains and motivates the human body.¹³

In the Mystical Body, the most direct action of the Holy Spirit which sets the members in close relation to the Divine, consists in the infusion of "tres illas virtutes, quibus nos inter et cum Deo artissime copulatur: christianam inquam fidem, spem caritatemque".¹⁴ They perform the role of the spiritual faculties of the "mystical soul", namely of the Holy Spirit, in the Mystical Body.

The supernatural life of the Mystical Body is sustained by the graces of the Holy Spirit and motivated through the ecclesiastical hierarchy empowered by the same Spirit.¹⁵

An analogy can be drawn between the circulatory and the nervous systems in the physical body, and the divine graces and ecclesiastical hierarchy in the Mystical Body. The former sustains

Mens imago Trinitatis in sui ipsius memoria, intelligentia et voluntate ...
... difficile in ea dignoscitur memoria sui, et intelligentia sui. Quasi enim non
sint haec duo, sed unum duobus vocabulis appetetur ... amorque ipse non
ita sentitur esse ... - Ibidem, cap. 12: PL 42, 984.

Even the great ascetic writer of modern times, St. JOHN of the CROSS, distinguished memory as a separate equal faculty:

The first faculty of the soul, which is the understanding, has now been
instructed ... It now remains to do likewise with respect to the other two
faculties of the soul, which are memory and will ... - *Ascent of Mount Carmel*,
book III, chapter 1.

St. THOMAS AQUINAS, on the contrary, considers memory as a passive aspect of the intellect:

Unde patet, quod memoria non est alia potentia ab intellectu: ad
rationem enim potentiae passivae pertinet conservare, sicut et recipere.
— *Summa theologiae*, I, q. 79, a. 7.

¹³ It is the circulatory system with its center in the heart which sustains the natural life of the body. Hence it seems justified, partially at least, the ancient Hebrew presentation of blood as the seat of the soul and the heart as the center of all spiritual activity, even intellectual. However, it is the nervous system which actually directs all members.

¹⁴ *Mystici Corporis*: AAS 35 (1943), p. 227. Of these three theological virtues, hope is closely related to faith and both pertain rather to the intellectual sphere of man. Considered separately, hope reposes on the memory of revealed truths and pledges. Charity in turn should be set in relation to the faculty of the human will.

¹⁵ Ille est, qui caelesti vitae habitu in omnibus corporis partibus cuiusvis est habendus actionis vitalis ac reapse salutaris principium. — Ibidem, p. 219.

Quaemadmodum enim divinus Redemptor Paraclitum misit veritatis Spiritum, qui suas partes agens, arcanam sumeret Ecclesiae gubernationem, ita Petro eiusque Successoribus mandavit, ut suam in terris gerentes personam perspicibilem quoque christianae reipublicae moderationem agerent. — Ibidem, p. 227.

and motivates the human body; the latter sustains and motivates the Mystical Body.¹⁶ The nervous system is concentrated in the brain and the hierarchical system of the Church is headed by Christ. Notwithstanding the distinction between sustentation and motivation, both are entirely coherent because both derive from the most simple Spirit of God. This ensures the inner spiritual unity of the Church.¹⁷

However, as far as the human subjects are concerned, the Holy Spirit in His action respects all the individual members of the Church. Consequently, the infused virtues of faith, hope and charity are received differently by each individual and in a diverse manner are applied to human action.¹⁸

¹⁶ There is a common tendency to attribute to the Blessed Virgin in this analogy the place of the heart of the Mystical Body. Cfr. M. SCHEEBEN, *Handbuch der katholischen Dogmatik*, vol. III, Freiburg 1927, pp. 511-512; S. TROMP, *op. cit.*, vol. III, p. 209; A. BENI-S. CIPRIANI, *La vera Chiesa*, Florence (1953), pp. 411-412; and others.

In the papal documents the Mother of God is considered as the treasurer of all graces. Cfr. LEO XIII, Encyclica *Octobri mense*: ASS 24 (1891), 196 fol., (Denz. 1940 a); PIUS X, Encyclica *Ad diem*: ASS 36 (1903-4), 453 fol., (Denz. 1978 a).

Neither are Eastern non-Catholic theologians hesitant in attributing to the Blessed Virgin the eminent role of distributing graces or even in calling her "heart of the Church". Some recent theologians are even inclined to exaggerations. Cfr. f.i. S. BULGAKOV, *Kupina neopalimaja*, Paris 1927; and the critic of this author made by: T. SPÄCIL, *De theologis conceptibus et doctrinis prof. Sergii Bulgakov*, in *Orientalia Christiana*, vol. VI (1928), p. 206 fol.

¹⁷ PARENTE P., *loc. cit.*, writes as follows:

... Spiritus Sanctus ... utrumque elementum, divinum videlicet et humanum, in perfecta unitate consociat vinculis *internis* (virtutibus, donis gratia) et vinculis *externis* (Sacramentis et hierarchia praesertim primatu Romani Pontificis).

Evidently the Sacraments and the hierarchy are only insofar external as externally manifested, but both are spiritual in essence. The Sacrament, in its inner meaning is nothing other than grace, and the hierarchy is indeed spiritually empowered.

¹⁸ The classical principle: quidquid recipitur ad modum recipientis recipitur, is here verified.

The best example of diverse application of the same inspiration can be seen in the differences and the personal imprints of the four inspired authors of the same holy Gospel.

Evidently, the custom of attributing to the third Person of God the vivifying and unifying action in the Church does not intend to exclude the other two Divine Persons from this activity. Indeed, every external Divine action proceeds from the whole Trinity, although theologians usually attribute this to one or the other Divine Person.

As the impulse of the Holy Spirit is triple, exercised by three cardinal virtues, so the activity of the Church in its members is threefold: prophetic, sacerdotal and regal. The preaching activity ("pro-phetes" — predicate — preacher) of the divine truth implants the faith among the Church members. By the sacerdotal mediation, through divine worship and sacramental pledges, the faithful approach towards the eternal object of their hope. Finally, by the regal activity of the Church, the relations of creatures with their Creator and with their fellow beings are regulated according to mutual charity.

Indeed, the ecclesiastical power and authority, being directly instituted by our most merciful Redeemer, differ in essence from the civil order. The latter is based on coercive force and external obedience and therefore, remains content with external fulfillment of its ordinances. On the contrary, Jesus Christ, conferring authority on his disciples and in particular the supreme power on St. Peter, placed it clearly with regard to the virtue of charity.¹⁹ Likewise, in fulfillment He requests conscientious adherence, while respecting the liberty of conscience and uses no coercion.

Respect for the free human personality produces variety in ecclesiastical activities, all inspired by the same Holy Spirit through the same theological virtues.

Exaltatus autem in cruce et glorificatus Dominus Iesus Spiritum promissum effudit, per quem Novi Foederis populum, qui est Ecclesia, in unitatem fidei, spei et caritatis vocavit et congregavit ...

Spiritus Sanctus ... Ecclesie unitatis sit Principium ... Iesus Christus ... Spiritu Sancto operante ... communionem perfecit in unitate. in confessione unius fidei, in divini cultus communi celebratione, necnon in familiae Dei fraterna concordia.²⁰

The same idea of unity in faith, in sacramental grace and in communal charity ("agape"), is expressed by the ancient Christian slogan: "one faith, one baptism, one altar".

¹⁹ Jn 21, 15-17. Christ openly pointed out the difference between secular princes, who rule, and ecclesiastical superiors, who minister, since He himself came not to be ministered unto, but to minister (Mt 20, 25-28). Cfr. also: Lk 22, 24-30.

²⁰ Concilium Vaticanum II, *Decretum de oecumenismo*, art. 2.

Holy Scripture is filled with expressions testifying to the unity of the faithful in the three theological virtues: faith, hope and charity, which in turn can be reduced to unity in the Holy Spirit:

Si enim ne minimus quidem actus, qui ad salutem conducatur, elici potest nisi in Spiritu Sancto, quomodo possunt innumerare cuiusvis gentis, cuiusvis stirpis multitudines in supremam unius trinique Numinis gloriam communi consilio conspirare, nisi ex illius virtute, qui a Patre Filioque uno aeternoque efflatur amore? ²¹

On the contrary, external manifestation of the virtues and graces of the Paraclete was never uniform, and was neither imposed by our Redeemer. Indeed, it is very difficult to find in Revelation any indication as to the external form of the profession of faith, liturgical worship, administration of sacraments and organization of Christian communities. Evidently in this, the Divine Founder of the Church did not expect uniformity, neither were any specifications introduced by the Apostles or their successors.

Consequently, the great ecclesiological Council, Vatican II, solemnly proclaimed the legitimacy of external diversity,²² and this in all three aspects of ecclesiastical life: theological, liturgical and disciplinary.²³

²¹ *Mystici Corporis*: AAS 35 (1943), pp. 226-227. This statement is followed (pp. 244-246) by a long exposition of the unifying vigor of the three theological virtues, containing many scriptural quotations. — Likewise: LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), pp. 715, 725.

²² Concilium Vaticanum II, *Decretum de Ecclesiis Orientalibus Catholicis*, art. 2: "... varietas in Ecclesia nedum eiusdem noceat unitati, eam potius declaret ..."

Decretum de oecumenismo, art. 14: "Ecclesiae Orientis et Occidentis per non pauca saecula suam propriam viam, fraternam tamen communione fidei et vitae sacramentalis coniunctae, secutae sunt..."

²³ *Constitutio dogmatica de Ecclesia*, art. 23: "... gaudent propria disciplina, proprio liturgico usu, theologico spiritualique patrimonio ..."

Decretum de Ecclesiis Orientalibus Catholicis, art. 3: "... liturgia, ecclesiastica disciplina et patrimonio spirituali partim inter se different ..."

Ibidem, art. 5: "... patrimonium hoc ecclesiasticum et spirituale ..."

Decretum de oecumenismo, art. 14: "... in rebus liturgicis, in traditione spirituali et in ordine iuridico ..."

As a particularity of spiritual tradition, only monasticism is specified (*ibidem*, art. 15: "... divitiae illarum traditionum spiritualium, quas praesertim monachismus expressit ..."). But monastic diversity can be reduced to the particularities of discipline and liturgy. It seems that the term "spiritual tradition" is rather used in a general and not in a specific sense, therefore the threefold distinction of particularities seems to be the most justified.

The most daring diversity can be considered that which in theological matters consists in adopting "in veritatis revelatae exploratione methodi gressusque diversi ad divina cognoscenda et confitenda".²⁴ But seeing that "recta ratio fidei fundamenta demonstret eiusque lumine illustrata rerum divinarum scientiam excollat",²⁵ and that human reason differs according to different human personalities, one cannot expect anything other than diverse methods and steps in approaching the same divine revelation. Uniformity can be produced only by the superimposition of one way of thinking over all other mentalities. Since mental and cultural diversity is natural, the diversity in theological formulations is a natural necessity on the part of the subject (ex parte subjecti).

Furthermore, some necessity, at least moral, can be asserted on the part of the object as well (ex parte objecti), that is to say, from the side of the sublime truths of faith, which transcend human speech and reason to such an extent that they can be illuminated only from different points of view, but cannot be definitely expressed by any one formula. Consequently, "variae illae theologicae formulae non raro potius inter se compleri dicendae sint quam opponi".²⁶ Ordinarily diverse formulas

²⁴ *Decretum de oecumenismo*, art. 17.

Theological diversity, insofar as referring to the distinction between East and West in this matter, was investigated in the article: B. SCHULTZE, S.J., *Catholic Theology in East and West: uniformity or diversity?*, in *Unitas* (engl. lang.), vol. XVI (1964), pp. 187-206. The author investigates many practical objections against the founding of a different Eastern Catholic theology and later confutes them. Finally he presents some basic principles to be observed in establishing an Eastern Catholic theology. He notes with regret that "no independent theology has yet taken shape among Eastern Catholics", but "in their teaching they all follow the Catholic theology of the West" (ibidem, p. 189).

²⁵ Concilium Vaticanum I, *Constitutio dogmatica de fide catholica*, cap. 4 (Denz. 1799).

²⁶ *Decretum de oecumenismo*, art. 17. — A classical example of mutual complement of diverse formulas is furnished by the decree of the Council of Chalcedone about the two natures of Christ (quoted at the beginning of this Chapter). Two complementary pairs of expression originated in two different cultural circles, Alexandria and Antioch. — A similar case is the two formulas about the procession of the Holy Spirit "ex Filio" and "per Filium", which complement each other as was affirmed in the Council of Florence (Denz. 691).

The development of mutual complement of the Florentine formulas, more from the dogmatic than historic point of view, was investigated in the work of

originate in different cultural regions and under the influence of different mentalities.²⁷

A still more ponderous influence is exercised by cultural diversity upon the liturgical cult and administration of the sacraments. Devotion needs to be expressed in forms easily comprehensible to the mentality of different people. Therefore, diversity in the liturgy is not only continually admitted and intensively stressed in the Second Vatican Council, but even encouraged to be largely applicated.²⁸ The same can be asserted about the diversity in disciplinary matters, although to a lesser extent, especially when former historical periods are considered.²⁹

In any case, there is no doubt that the triple activity of the Christian faithful: prophetic-theological, sanctifying-liturgical and

E. CANDAL, S.J., *Progresso dogmatico nelle definizioni trinitarie del Concilio II di Lione e del Fiorentino*, Roma 1961. The author points out the theological enrichment of the dogmatic formulation due to the consideration of Eastern Fathers and theologians (ibidem, p. 13), more apparent in the Florentine decree than in the decree of the Second Council of Lyons (ibidem, pp. 19-22).

The objective insufficiency of the human intellect and language to express the divine truth in one formula was already noted by BESSARION in his work, *De processione Spiritus Sancti ad Alexium Lascarin*, in Migne PG 161, 396-460 (cf. E. CANDAL, op. cit., p. 23).

²⁷ Theological diversity is mentioned only briefly in the Dogmatic Constitution of the Second Vatican Council, — see note 23. (Unless we understand "patrimonium spirituale" in other places as including the theological also). Only the Ecumenical Decree treats of it more widely, (art. 17).

Likewise S. TYSZKIEWICZ, op. cit., p. 148, mentions this in reference to non-Catholics, saying: "On ne craindra pas d'examiner avec bienveillance la théologie, dogmatique ou morale, des dissidents et d'adopter tout de qu'elle continent de bon et de positif".

It would seem that it is due to the historical evolvment that an adequate multiformity in the field of theology is now lacking in the Catholic Church. As in the West, so to some extent also in the East, with time theology was ever more dissociated from the patristic attitude of approaching theological problems with liberty, from different points of view. Consequently, in both regions the easiness of seeing different theological approaches as rather complimentary that contrary elements was gradually lost. But the principle quoted above about theological diversity is too fundamental to be adopted for ecumenical purposes only and to be abandoned as soon as unity is accomplished.

²⁸ Concilium Vaticanum II, *Constitutio de sacra liturgia*, art. art. 4, 37, 38, 39, 119, 120, 123; *Decretum de oecumenismo*, art. 15; *Decretum de Ecclesiis Orientalibus Catholicis*, art. 6. — Cf. also note 23 above.

²⁹ *Decretum de Ecclesiis Orientalibus Catholicis*, art. art. 3, 6; *Decretum de oecumenismo*, art. art. 14, 16. — Cf. also note 23 above.

charitable-disciplinary, actuated by the three infused cardinal virtues, follows the multiform pattern of the human race. Since there are no two totally identical individuals, it would rather seem that the divine action of the Holy Spirit would produce as many different forms of action as individuals on earth. This would cause a complete disintegration of religious life among men, which would be true if the diversity of humanity were chaotic. However, humanity is well organized because the created diversity also contains similarity. Therefore, an individual is not enclosed in his differences, but finds points in common with others in the similarity on which the social aspect of mankind is based.

The human being is social in his innermost nature. The family is the smallest and the most clearly delimited unit in this organism of the social structure of mankind. But it is not entirely self-sufficient and therefore, hardly autonomous in its external relations. Historical developments produce various larger social units which change their delimitation according to the stage of development of their social life. This depends not so much on political and geographical reasons as upon spiritual ties, which alone are able to bind a community internally and make it autonomous externally. In ancient times the common internal social life was limited to a settlement or to a tribe; in later historical periods, men were united into a people, a nation. Organization of nations did not entirely eliminate the smaller units, but by embracing them, substituted for their single autonomous activity a larger, common one.

Into this social structure of mankind, almighty God incarnated the most sublime work of His wisdom and charity, the mystical Christ. He did not create a new body for this Mystical Person, but assumed the existing social structure, inserting His work into it so tightly that it could not be separated from the human consortship.³⁰ Since our Saviour "*sanctitatem homini ac salutem non nisi hominum opera ministerioque impertire consuevit*",³¹ He had to accept the human being in his normal

³⁰ *Apud omnes constat, Ecclesiam penitus in hominum societatem insertam esse, cum in eius sinu versatur, ab ea membra sua accipiat ...*

Pro comperto sane est, Ecclesiam ab humana consortione non seiungi, sed in ea versari ... — PAULUS VI, *Litterae Encyclicae Ecclesiam suam*: AAS 56 (1964), pp. 617 & 627.

³¹ LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), p. 709.

conditions of life and action, that is to say, in his social situation. Therefore, "Iesus Christus ... universos advocavit, ut ... sequerentur, non tantum seorsum singuli, sed etiam consociati atque invicem re animisque iuncit, ut ex multitudine populus existeret iure sociatus ..." ³² Of the multitude of mutually related individuals is composed the Mystical Body of Christ, all the more so that the notion of a body itself requires a multitude of members:

At corpus multitudinem quoque membrorum exigit, quae ita inter se connectantur, ut mutuo sibi auxilio veniant. ... Ita in Ecclesia singula membra non sibi unice vivunt, sed aliis quoque opitulantur ... tum ad ampliorem usque aedificationem totius Corporis. ³³

However, this mutual assistance among individuals cannot be extended equally to all members of the Mystical Body, since the human capacity of cognition and action is very limited. An increase in extension would cause a decrease in intensity, with a final result that any attempt to install equal relation to all the members, would reduce this relation to nothingness. Hence, there would emerge a totality of individuals, deprived of all social characteristics, while "placuit tamen Deo homines non singulatim, quavis mutua connexione seclusa, sanctificare et salvare, sed eos in populum constituere ..." ³⁴ Neither can the selection of

³² Ibidem, p. 724.

³³ Pius XII, *Litterae Encyclicae Mystici Corporis*: AAS 35 (1943), p. 200.

³⁴ *Constitutio dogmatica de Ecclesia*, art. 9.

L'Eglise ... est un *organisme*, une vie unifiante, et non une *organisation* artificielle, morte; l'*organisation* est quelque chose de "construit" donc sans vie. ... Nulle *organicité* sans *instrumentalité* dûment ordonnée: toutes les parties d'un corps vivant, d'un *organisme*, sont des "organes", c. à d. des instruments du principe vital. — S. TYSZKIEWICZ, op. cit., p. 89.

The collective aspect of the Church and of human salvation is dear to many Eastern non-Catholic theologians, who even like to oppose it to the Western attitude, qualified as individualistic. The "super-individualistic" aspect of the Church was particularly evolved by N. Berdiajev. For an organic presentation of his entire ecclesiology cf.: B. SCHULTZE, S.J., *Die Schau der Kirche bei Nikolai Berdiajew*, Roma 1938. To be noted especially pp. 78-133, where the Church is presented under Berdiajev's three aspects: "ecumenism", "world-soul" and "God-mankind". However it must be remarked that the opinions of these non-Catholic theologians should not be accepted without reserve.

For the Catholic view on the collective aspect of the Church, elicited by the Second Vatican Council, cf.: E. SCHILLEBEECKX, *The Church and Mankind*, in *Concilium*, nr. 1 (1965), 34-50.

subjects for mutual aid be left to casualty, if it is to serve "ad ampliorem usque aedificationem totius Corporis". Therefore, the mutual bonds of individuals have to follow the pattern of single organs, which in their turn are built into the entire structure of a body.³⁵ That the Church is not a mechanical totality but an organical structure, is also evident from other images by which the Church is represented by Christ, as: God's building, temple, family or vine with its branches.³⁶ All these images of the Church are composed of several organs, well organized and autonomous to some extent, and coordinated into a greater unity. Such are the single branches with their twigs and leaves, as are the single organs of the human body.³⁷

There is not so much difficulty in admitting social variety in the Church as in specifying in what this diversity among the members of the Mystical Body consists. To find how they coalesce to form a unity, notwithstanding the variety, is still more difficult. Usually ecclesiastical documents or other writings on this subject limit themselves to indicating some examples of diversity among the members of the Church, generally indicating hierarchical differences between laity and clergy.³⁸

³⁵ Ac praeterea sicut in natura rerum non ex qualibet membrorum congerie constituitur corpus, sed organis, uti aiunt, instructum sit oportet, seu membris, quae non eundem actum habeant ac sint apto ordine composita: ita Ecclesia ea maxime de causa Corpus dicenda est, quod recta consentaneaue coalescit partium temperatione coagmentatione, ac diversis est sibi invicem congruentibus membris instructa. — Pius XII, Litterae Encyclicae *Mystici Corporis*: AAS 35 (1943), p. 200.

³⁶ Cf. *Constitutio dogmatica de Ecclesia*, art. 6, for an indication of those figures and scripturistical references.

³⁷ This gradual structure of the Mystical Body of Christ is clearly asserted by S. TYSZKIEWICZ, op. cit., p. 91.

Comme Jésus-Christ n'était pas une "somme" des parties du corps humain, mais possédait une nature humaine organiquement une, c. à d. unifiée non seulement par la grâce, mais aussi per l'âme, et les organes unificateurs physiques, ainsi l'Eglise ...

³⁸ *Constitutio dogmatica de Ecclesia*, art. 7: "Etiam in aedificatione corporis Christi diversitas viget membrorum et officiorum".

Mystici Corporis: AAS 35 (1943), pp. 200-201, intending to indicate the different members comprehended by the Church, writes as follows:

Attamen iure meritoque Ecclesiae Patres, cum huius Corporis ministeria, gradus, professiones, status, ordines, officia fuerint ordinibus initiati; sed eos quoque omnes, qui evangelica consilia amplexi, vel operosam inter homines, vel umbratilem in silentio vitam agant ...; easque etiam, qui licet in saeculo vivant ...

But this diversity is functional only, instituted by Christ and the Church for effective exercise of duties. If this were the only or at least, the principal difference among the faithful, it would mean that diversity was introduced and not assumed as naturally existing. In fact, multiformity is preexisting and essential to the Church.³⁹

It is this natural diversity among different social entities — family, community, region, peoples —, which the Church assumes, when she “ad universa regiones extendenda, in historiam hominum intrat”.⁴⁰ The Church, entering into the historical structure of mankind, “nihil bono temporali cuiusvis populi subtrahit, sed e contra facultates et copias moresque populorum, quantum bona sunt, fovet et assumit, assumendo vero purificat, roborat et elevat”, because she “perpetuo tendit ad recapitulandum totam humanitatem cum omnibus bonis eius”.⁴¹ One of the principal “bonum” of mankind is its social structure, which precisely serves as the base for developing all those “facultates et copias moresque populorum”. Therefore, assuming the structure of humanity composed of peoples, for the human element of the Mystical Body, the Church adopts for its structure the same diversity which already exists in human society.

Even S. TYSZKIEWICZ in his work dedicated in great part to the diversity in the Church is not decisive in indicating in what essentially this diversity consists. On page 141 he writes:

[Church] Elle a un “corps” social complet, avec diversité de fonctions extérieures — administratives, juridiques, artistiques, économiques etc. ... l’Église a une “âme” naturelle, collective et sociale, parfaitement une dans le genre d’unité sociale et au plus haut degré diverse dans ses intellections et volitions collectives: écoles théologiques, œuvres multiples etc.

Later (pp. 142-143) he describes eight notes of this diversity, as “une diversité visible”, “sociale, juridique”, “la diversité de la grâce divine”, but does not point out what constitutes the base for this diversity.

Some non-Catholic theologians tried to find a new scheme of diversity in Church members. Among such attempts, worthy of particular mention is that of N. Berdiajev, who opposed to the ecclesiastical hierarchy (“external”) another, spiritual (“internal”), attributing to it even a different authority. This attempt is presented in the work of B. Schultze (cf. note 34 above), especially on pp. 164-169. Evidently, this qualitative distinction rather reflects grades of acquired human perfections than the large natural diversity, which exists in mankind, regardless of the individual inner state.

³⁹ TYSZKIEWICZ S., op. cit., p. 149: “L’unité de l’Église vit de diversités ecclésiastiques; sans ces dernières elle ne serait qu’une fiction abstraite”.

⁴⁰ *Constitutio dogmatica de Ecclesia*, art. 9.

⁴¹ *Ibidem*, art. 13.

Iesus Christus principia naturae, quae in hominibus societatem sponte gignunt, perfectionem naturae consentaneam adepturis, omnia in Ecclesia posuit, nimirum ut in ea, quotquot filii Dei esse adoptione volunt, perfectionem dignati suae congruentem assequi et retinere ad salutem possent.⁴²

2. THE INDIVIDUAL CHURCHES AS EXPRESSIONS OF UNITY IN DIVERSITY

Our Lord Jesus Christ, in founding his Mystical Body, elevated mankind to a supernatural level. For this purpose He transformed the human social units into holy assemblies which, in Greek scriptural language, are denominated "ecclesia". The expression transferred without translation into Latin or into other languages, became a technical term, but it did not lose its meaning of the multiple human element assembled into a Church unit. Still more obvious, was this meaning for the inspired writers of the New Testament.

The word *ecclesia*, which occurs as often as 65 times in the letters of St. Paul, is used in very different analogical applications, but always with a sense of assembly. St. Paul uses this term to indicate even a small assembly: "domestica sua ecclesia", "quae

⁴² LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), p. 724.

Constitutio dogmatica de Ecclesia, art. 13, confirms this composition of the Church according to the ethnical variety, although it expresses this in an oblique sentence:

Inde fit ut Populus Dei non tantum ex diversis populis congregatur, sed etiam in seipso ex variis ordinibus conflatur.

S. TYSZKIEWICZ, op. cit., pp. 148 and 283, pays distinct attention to the ethnical diversity in the Church. He considers mostly the existing variety in non-Catholic Churches and the opportunity to maintain this after Ecclesiastical Union is achieved:

... positives caractéristiques de l'Orient chrétien, dans son ensemble et dans ses ramifications ethniques (p. 148).

... le catholicisme oriental doit intégrer ... aussi routes les particularités locales et ethniques anoblies et purifiées au cours des siècles par la vertu surnaturelle du christianisme. Le catholicisme oriental, pour être pleinement catholique, doit admettre toutes les nuances [cursive in the original] particulières régionales de la vie religieuse orientale. Il y a bien un catholicisme de "réfraction" espagnole, anglaise, italienne, allemande, américaine, chinoise, indoue, polonaise, hollandaise, etc.: il peut et il doit y avoir un catholicisme embrassant de sa vertu sanctifiante tout ce que chaque [cursive in the original] peuple de culture orientale a de sainement original (p. 283).

in domo eius est ecclesia", "ecclesia, quae in domo tua est".⁴³ Usually the word "ecclesia" is further specified by the name of a city which indicates the assembly of an urban community.⁴⁴ We find the same usage elsewhere in Scripture, as in the Apocalypse,⁴⁵ or in the Acts of the Apostles.⁴⁶ How elastic the term "ecclesia" is in its analogy, can be seen from the liberty with which the inspired authors used this word: now in the singular form, now in the plural, to denominate single assemblies of a region, and again in the singular to indicate all the numerous assemblies of that region taken together.⁴⁷

The single assemblies designated "ecclesia" are not, for the holy writers, simple parts of one divine institution, but they are divine organs in themselves, even if mentioned in the plural.⁴⁸ St.

⁴³ 1 Cor 16,19; Col 4,15; Phm 2; Rom 16,5; — although the indication "domestica" does not necessarily limit the assembly to one household, it nevertheless denotes a relatively small circle of persons.

⁴⁴ 1 Cor 1,2 ("ecclesia Dei, quae est Corinthi"); 2 Cor 1,1; Rom 16,1; Col 4,16; 1 Thes 1,1; 2 Thes 1,1.

⁴⁵ Ap 1; 2; 3.

⁴⁶ Acts 8,1; 8,3; 11,22; 13,1; 14,23; 18,22; 20,17.

⁴⁷ Acts 8,1: "ecclesia, quae erat Hierosolymis";

1 Thes 2,14: "ecclesiarum Dei, quae sunt in Iudea";

Acts 9,31: "ecclesia quidam per totam Iudeam et Galilaeam et Samariam".

⁴⁸ "Ecclesiae Dei": 1 Thes 2,14; 2 Thes 1,4;

"Ecclesiae Christi": Rom 16,16.

The concept that local Churches contain something of the divine in themselves was evolved in an original way by the non-Catholic theologian N. AFANASIEV, particularly in his work *Trapeza Gospodnia* (The Lord's Supper), Paris 1952. In general he is pleased with the idea of local Churches as expressions of the Universal Church. The author adopts the idea of a local Church gathered with its own bishop around the Eucharistic sacrifice, as presented by St. Ignatius the Martyr (Ad Philad. 4 - PG 5, 700), as the ideal concept of the Church. — Cf. N. AFANASIEV, op. cit., p. 9 and fol.; B. SCHULTZE, S.J., *Eucharistie und Kirche in der russischen Theologie der Gegenwart*, in *Zeitschrift für katholische Theologie*, vol. 77 (1955), pp. 286-290.

This concept emanates from Afanasiev's basic idea about the essential identity between the Church and the Eucharistic celebration. — Cf. N. AFANASIEV, op. cit., p. 16-17; B. SCHULTZE, op. cit., pp. 270-286; B. SCHULTZE, S.J., *Universal or Eucharistic ecclesiology?* in *Unitas* (engl. lang.), vol. XVII (1965), pp. 87-106, where on pp. 92 and 93 it is asserted in a compendious manner as follows:

Afanassieff bases his ecclesiology on the identity of the local Eucharistic assembly with the local Church or with the Body of Christ...

He wishes to prove that the Church considered universally or totally is no more than the local Church, that the totality is no more than its part.

Paul does not hesitate to consider the local Church of Ephesus "ecclesiam Dei, quam [Christus] adquisivit sanguine suo".⁴⁹ This is the same Apostle who left us the sublime theological teaching about the Mystical Body of Christ, who "est caput corporis ecclesiae" and "se ipsum tradidit pro ea".⁵⁰ Evidently, it did not make any difficulty for St. Paul to use the same term to designate a local Church and the universal one.⁵¹ Even in the Gospel, where

Obviously, Afanasiev's starting point (Holy Eucharist) differs entirely from ours (the Mystical Body). Consequently, our consideration of particular Church is not limited to the notion of a local Church gathered around the altar, but comprehends whole spheres of populations forming large units by the common features of their entire cultural and spiritual heritage.

A still greater difference can be noted in the attitude towards the juridical aspect of the Church. Accordingly to Afanasiev "the body of Christ ought not be a juridical concept", because he "contests a Communion which is at the same time juridical" (B. SCHULTZE, S.J., *Universal or Eucharistic ecclesiology?*, pp. 94 and 105). In fact, Catholic theology is far from both the identifying of the local Eucharistic assembly with the Church and from rejecting the juridical aspect of the Church.

However, the Second Vatican Council was far from disregarding the notion of "the local congregation [which] is not simply a part of the Church universal [but] it is its adequate manifestation in a particular place", as is extensively referred in the article of G. BAUM, O.S.A., *The ecclesial reality of the other Churches*, in *Concilium*, no. 4 (1965), pp. 34-46. (The above quotation is taken from p. 42). The author insists (on pp. 41-44) in asserting that the Council followed the scriptural approach, "where the Church is understood primarily as the fellowship of believers in one place, created by the sharing in the mystery of Christ, that is, as local congregation" (p. 41). But this primeval state of ecclesiastical assembly does not constitute the principal object of our investigation. We are rather concentrating on the more evolved state of assembly, which the author calls "their groupings [of the local Churches] as particular Churches" (p. 42).

⁴⁹ Acts 20, 28.

⁵⁰ Col 1,18; Eph 5,25.

⁵¹ It can be disputed whether the local or universal meaning of "ecclesia" is primary for St. Paul. For this question see: F. PRAT, S.J., *La Théologie de saint Paul*, (ed. 8), vol. II, Paris 1923, p. 335 fol.; J. HUBY, *Saint Paul, la première épître aux Corinthiens*, in *Verbum salutis*, 13 (Paris 1946), p. 32; L. CERFAUX, *La théologie de l'Église suivant Saint Paul*, (ed. 2), Paris 1948.

In any event it must be admitted that the notion "ecclesia" proceeds logically from the human multitude of members towards its unity in a divine element. On the contrary, the notion "mystical body", although synonymous with "ecclesia", first calls to the fore the unity of all mankind in space and time, from the creation of the world to its final consumation. "Ecclesia" directs attention particularly to the contemporary faithful on earth and then to all mankind. Thus these two identical terms represent two aspects of the same reality. — Cf. G. BAUM, I.S.A., *The ecclesial reality of the other Churches*, in *Concilium* (engl. lang.), nr. 4 (1965), p. 37.

An interesting parallelism is pointed out by H. KÜNG, *Structures of the*

the word "ecclesia" is used only twice, both times in St. Matthew, it once indicates the Universal Church, and a little later, the local one.⁵²

Consequently, the Second Vatican Council in its ecclesiological documents attributes to the term "ecclesia" a wide analogical meaning. The smallest social unit, the family, is described: "velut Ecclesia domestica".⁵³ To the priests who usually are in charge of a community in one settlement, or part of it, the Council appeals as follows:

Forma facti gregis ex animo suae communitati locali ita praesint et inserviant, ut ista digne vocari possit illo nomine, quo unus et totus Populus Dei insignitur, Ecclesiae scilicet Dei.⁵⁴

The Council most frequently uses the name "Ecclesia" to designate greater communities from the diocese up, and the Universal Church as well. It even specifies clearly that the Universal Church, the Mystic Body of Christ, consists of single local Churches.⁵⁵

Church, London (1965), p. 9, between the two terms "ecclesia" and "con-cilium", both having the same etymologic sense "assembly". Cf. the entire chapter (ibidem, pp. 9-14) entitled: "The Church as an ecumenical council by divine convocation".

⁵² Cf. Mt 16,18; and 18,17.

⁵³ *Constitutio dogmatica de Ecclesia*, art. 11.

⁵⁴ Ibidem, art. 28.

⁵⁵ Singuli Episcopi, qui particularibus Ecclesiis praeficiuntur ...
... bene regendo propriam Ecclesiam ut portionem Ecclesiae universalis, ipsi efficaciter conferunt ad bonum totius mystici Corporis, quod est etiam corpus Ecclesiarum. — Ibidem, art. 23.

Haec Christi Ecclesia vere adest in omnibus legitimis fidelium congregationibus localibus, quae, pastoribus suis adhaerentes, et ipsae in Novo Testamento ecclesiae vocantur. — Ibidem, art. 26.

Cf. also note 67 below.

A similar statement can be found in the encyclical *Mystici Corporis*: ASS 35 (1943), p. 211, although the name "ecclesia" is not applied to restricted communities:

Quae autem Nos heic de universali Ecclesia diximus, id de peculiaribus etiam asseverari debet christianorum communitatibus, tum Orientalibus, tum Latinis, ex quibus una constat ac componitur Catholica Ecclesia: quandoquidem et ipsae a Christo Iesu proprii uniuscuiusque Episcopi voce potestateque reguntur.

The term "Churches" (in the plural) applied to local ecclesiastical communities headed by bishops can already be found in the book by J. FRANZELIN, *Theses de Ecclesia Christi*, (ed. 2), Rome 1907, p. 266:

Some hesitation to call smaller social units (smaller than dioceses) "ecclesia" is entirely justified when we consider what is required to constitute an organ of the Mystical Body, a branch of the divine plant. An accidental number of diversified individuals is not sufficient to make it internally unified and to some extent externally distinctive and autonomous. For this reason, the unit has to have enough common features and a sufficiently evolved collective tradition in exercising the triple ecclesiastical activity (prophetical, sacerdotal and regal) to be able to unify its own members, notwithstanding the diversity of individuals.

Obviously, this unit is not the family which is too small and too dependent upon others to develop its own distinct tradition. Neither is a community of a local settlement big enough for this purpose. As in the civil cultural field so in the spiritual one, a common, specific patrimony is owned and inherited by larger communities. In past ages, a city with its outlying districts could constitute an autonomous unity, in the sense of possessing its own cultural and spiritual tradition. A tribe was even more suitable. At present, this role is performed by a people, a nation, with a tendency to build up larger units or to split these, depending on whether different traditions converge with time or are diverged. The limits are various and changeable, but they are usually clear enough to identify a cultural and spiritual unit.

Those compact and autonomous social units, when assumed into the supernatural Mystical Body of Christ, constitute the holy assemblies ("ecclesiae"). Usually, they meet the same fate as the social communities, either converging into higher units or splitting into smaller ones, because the same human spirit develops the cultural and religious life here on earth. The Second Vatican Council presents this enormous drama of Church life briefly but adequately:

Divina autem Providentia factum est ut variae variis in locis ab Apostolis eorumque successoribus institutae Ecclesiae decursu temporum in plures coaluerint coetus, organice coniunctos, qui, salva fidei unitate et unica divina constitutione Universalis

Omnes autem Ecclesiae, in quibus singulis est ista Apostolica Episcoporum successio, unam constituunt in toto mundo Ecclesiam ...

Ibidem, p. 267:

In universis igitur Ecclesiis; quae omnes sunt una Ecclesia ...

Ecclesiae, gaudent propria disciplina, proprio liturgico usu, theologico spiritualique patrimonio.⁵⁶

These "organice coniuncti coetus" are called in other places by the more specific name: *Ecclesiae particulares*. Since they are sustained by the population at large of each nation, they are adequate entities for developing their own traditions in all three aspects (theological, liturgical and disciplinary).⁵⁷

The peculiarities of a given tradition designate the ecclesiastical rites. Some former writers were inclined to understand under the term *rite* those peculiarities only, especially with regard to liturgy and discipline.⁵⁸ Later the opinion

⁵⁶ *Constitutio dogmatica de Ecclesia*, art. 23. — This description of the tendency to converge is followed by a description of the evolution of new autonomous units (i.e. the tendency of divergence to some extent):

Inter quas aliquae, notatim antiquae Patriarchales Ecclesiae, veluti matrices fidei, alias pepererunt quasi filias ...

⁵⁷ In many places the Second Vatican Council and the Popes disclosed that if they mention particular Churches with their proper tradition and some external autonomy, they mean there larger units of the Church, comprehending entire peoples with their own rite. Quoting examples:

Decretum de Ecclesiis Orientalibus Catholicis, art. 2:

Sancta et catholica Ecclesia, quae est corpus Christi Mysticum, constat ex fidelibus, qui ... in varios coetus hierarchicos iunctos coalescentes, particulares Ecclesias seu ritus constituunt.

Decretum de oecumenismo, art. 14:

Ecclesiae Orientis et Occidentis per non pauca saecula suam propriam viam, fraterna tamen communione fidei et vitae sacramentalis coniunctae, secutae sunt, ... Sacrosanctae Synodo gratum est, inter cetera gravis momenti, omnibus in mentem revocare plures in Oriente florere particulares seu locales Ecclesias, inter quas primum locum tenent Ecclesiae Patriarchales ...

PIUS XII, Litterae Encyclicae *Orientalis Ecclesiae decus*: AAS 36 (1944), pp. 137-138:

Sit enim necesse est singulis universis orientalis ritus populis in rebus omnibus, quae a sua cuiusque historia a suoque cuiusque ingenio atque indole pendent, legitima libertas ...

⁵⁸ The definitions of rite of two famous jurists can be quoted as examples: E. HERMAN, S.J., *De "Ritu" in Iure Canonico*, in *Orientalia Christiana*, vol. 32 (1933), p. 105; writes about rite as follows: "Ritus est ordo iuris ecclesiastici quo non solum res liturgicae sed universa quoque disciplina unius partis Ecclesiae universalis ordinatur". — A. COUSSA, *Epitome praelectionum de iure ecclesiastico orientali*, vol. I (Romae) 1948, p. 14: "Ritus definiri potest complexus legum liturgicarum et disciplinarium praescriptionum ecclesiae determinatae propriarum".

prevailed that the term "rite" comprises not only the formal peculiarities, but entire "organice coniunctos coetus",⁵⁹ — in other words — a particular Church of a given rite. Briefly, "rite" and "particular Church" are considered synonyms. Hence, the Second Vatican Council in its documents uses both terms as equivalents,⁶⁰ presenting a quite comprehensive meaning of the word.

From the 15-17 articles and later from the entire first part of the third chapter [of the *Decretum de oecumenismo* - I.M.] it is evident that the rite is more than a special liturgy, more than certain rubrics and usages of discipline. A rite is something more profound and can be understood only in the frame of a specially coined ecclesiological and anthropological way of consideration. A definition of rite, in which the entire heritage of a Church and its special way of life in Christ would be expressed, is difficult. The decree restrained itself, as with other similar problems, to a descriptive presentation.⁶¹

⁵⁹ An evolution can be noted in the same author, comparing the definition quoted in the preceding note and the following: E. HERMAN, S.J., *De conceptu "Ritus"*, in *The Jurist*, vol. II (1942), nr. 4, p. 339, where he defines a rite as:

Coetus fidelium qui propriis regitur legibus et usibus antiqua traditione innixis, non solum quod ad res liturgicas, sed etiam ad canonicam disciplinam attinet, et qui tamquam autonomus et a ceteris distinctus a S. Sede agnoscitur.

An entire study about the juridical notion of rite was published by: A. JOUBEIR, *La notion canonique de rite*, Romae 1961.

⁶⁰ The term "rite" in its complete sense found an equivalent juxtaposition ("Ecclesia particularis seu ritus") in the *Decretum de Ecclesiis Orientalibus Catholicis*, art. art. 2, 10. On the other hand, rite in its restrained sense, as peculiarities only, is followed with an explicative annotation: "ritibus, ut aiunt" — Ibidem, art. 3.

Therefore rightly concluded: W. DE VRIES, S.J., *Il decreto conciliare sulle Chiese Orientali Cattoliche*, in *La Civiltà Cattolica*, an. 116 (1965, vol. II), p. 110:

La parola "Rito" s'intende qui non soltanto nel senso liturgico, ma comprende pure la disciplina ecclesiastica e tutto il patrimonio spirituale (n. 3). I gruppi di fedeli che convergono in queste cose e sono riuniti sotto una propria gerarchia, costituiscono le Chiese particolari o Riti: i due termini sono, quindi, da considerarsi sinonimi.

⁶¹ JAEGER Kardinal L., *Das Konzilsdekret "Über den Ökumenismus"*, Paderborn (1965), p. 128:

Aus den Artikeln 15-17 und darüber hinaus aus dem ganzen ersten Teil des dritten Kapitels geht deutlich hervor, dass der Ritus mehr ist als eine besondere Liturgie, mehr als bestimmte Rubriken und Gewohnheiten disziplinarer Art. Der Ritus ist etwas viel Tieferes und lässt sich nur im Rahmen einer besonders geprägten ekklesiologischen und

There is a third term in use to denote a partial ecclesiastical assembly, namely *faith*. It is used especially in Eastern regions. Expressions like "people of our faith", "clergy of our faith" and similar ones are not used to determine primarily a confessional aspect, neither a general (Christian) nor a particular (f.i.: Catholic, Orthodox, dissident), although sometimes they originate and include, to some extent, these notions. In practical use, however, phrases of this kind are adopted to indicate primarily that the people, clergy or hierarchy in question, pertains to this or that particular Church.

This is comparable to the loss of the etymological meaning of the word "faithful" (*fidelis*), which is used since ancient Christian times as a technical term for baptized members of the Church rather than as an indication of their religious virtue.⁶² Accordingly, also the name "Catholic" very often is referred not to the Roman belief, but to the Roman (Latin) particular Church; just as "Orthodox" generally indicates Eastern ecclesiastical particularities rather than Eastern dissidence.⁶³ Likewise a

anthropologischen Betrachtungsweise verstehen. Eine Definition des Ritus, in dem sich die gesamten Überlieferungen einer Kirche und ihre besondere Art des Lebens in Christus ausspricht, ist schwierig. Das Dekret hat sich, wie bei ähnlichen Problemen, an eine beschreibende Darstellung gehalten.

The attitude of the Second Vatican Council to the notion, role and formation of particular Churches was investigated in the article: I. MONČAK, *Concilium Vaticanum de Ecclesiis Orientalibus*, in *Bohoslovia*, vol. XXIX (Romae 1965), pp. 132-186.

⁶² JOSI E., *Fedele*, in *Enciclopedia Cattolica*, vol. V, Città del Vaticano (1950), col. 1106-7.

⁶³ Cf. TYSZKIEWICZ S., S.J., *La sainteté de l'Église christoconforme*, Rome 1945, p. 285, n. 2.

Evidently, the terms "orthodox" and "orthodoxy" are considered here in their technical sense, as they are now commonly used, not in the etymological meaning of "true faith" or more properly translated "true worship". The usage of the term in the etymological sense was considered in the article by B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, vol. XLII (Romae 1961), pp. 453-462, namely, whether it can be properly applied to the present Eastern non-Catholics. The conclusion was (pp. 460-461):

Non dobbiamo confermare i dissidenti orientali, con un modo di parlare dogmaticamente e teologicamente impreciso o inesatto, nella loro convinzione di aver essi soli conservato la vera e piena dottrina cristiana ortodossa.

The same question, whether Eastern Churches should be called "orthodox", was investigated by C. JOURNET, *L'Église du Verbe Incarné*, vol. II, Fribourg Helv. 1951, pp. 740-741.

struggle or a defence of the "proper faith" in Eastern regions usually does not mean a purely confessional hostility, but rather a strife on behalf of the particular Church or even of the entire cultural and social unit.⁶⁴

Hence, there are three synonymous terms: *faith*, *rite* and *particular Church*, indicating the same ecclesiastical reality, but from different points of view. In the first term "faith", the primary consideration is referred to the theological peculiarity of the particular Church,⁶⁵ or more generally to its entire spiritual heritage. "Rite" indicates in the first place the liturgical individuality, and "particular Church" — points out an autonomous discipline. In essence they all mean the same — a united autonomous unit of the Mystical Body of Christ. Obviously, such an ample notion of a particular Church, regardless of the term in which it is expressed, can be applied only to large ecclesiastical units, capable of an autonomous life in the spiritual as well as in the cultural sphere. This usually designates a nation with its common heritage.

These larger ecclesiastical units we would prefer to call *individual Churches* rather than "particular". The word "particular" suggests a notion of something partial ("part"), incomplete, and may also be applied to such small units as a single diocese or eparchy, although these small units should be called more properly "local Churches". On the contrary, the expression "individual Church" ("pomisna" - in modern Ukrainian) indicates rather a solid ecclesiastical body, comprehending more dioceses or eparchies with their own liturgical and juridical characteristics. This word denotes a Church of people with a common spiritual heritage.

However, it must be noted that this relative autonomy of

⁶⁴ M. HRUŠVSKYI, *Istoria Ukrainy-Rusy*, vol. VI, Kyiv-Lviv 1907, p. 301.

⁶⁵ In the West, due to a stronger centralising tendency, diversity in the theological approach to revealed truth was not emphasized or encouraged as much as it was in the East. Some variances among Western theologians and precisely accordingly to their national inheritances, was noted in the article by B. SCHULTZE, *Catholic Theology in East and West* (cf. note 24 above), especially on p. 192. However, it never assumed such great extent as in the East. Therefore the designation of a particular Church by the term "faith" is much more easily comprehensible in the Eastern than in Western regions. In the latter the most habitually used term for this purpose was and is "rite", because some liturgical diversity always persevered in the West, as for instance in the Ambrosian or Mosarabic rites.

individual Churches does not harm the unity of the entire Universal Church; they are only autonomous organs of one compact Mystical Body, not self-sustaining organisms. This is pointed out several times by the Second Vatican Council, as for example: "Ecclesiarum localium in unum conspirans varietas indivisae Ecclesiae catholicitatem luculentius demonstrat",⁶⁶ because it is precisely those particular Churches, "in quibus et ex quibus una et unica Ecclesia catholica existit".⁶⁷

Actually, these individual Churches differ only in the manner in which they exercise their prophetic, sanctifying and regal functions, but not in their essence since the motive and the aim of Church functions are the same in all of them. The entire triple activity of the Churches, based on the three theological virtues, emerges from the grace of the same Holy Spirit, the soul of the Mystical Body of Christ and its final unifying principle. Divine grace and virtues are the most effective internal bonds of unity.

However, the Mystical Body contains apart from the divine element a human one as well, which requires bonds in its own sphere;⁶⁸ just as the human body, internally bound by its form (the soul and its faculties) also needs the visible bonds of the

⁶⁶ *Constitutio dogmatica de Ecclesia*, art. 23. — Similar expressions are contained in other decrees of the Council.

Decretum de Ecclesiis Orientalibus Catholicis, art. 2:

Inter eas [Ecclesias particulares - I.M.] mirabilis viget communio, ita ut varietas in Ecclesia nedum eiusdem noceat unitati, eam potius declaret.

Decretum de oecumenismo, art. 17:

... totum hoc patrimonium spirituale ac liturgicum, disciplinare ac theologicum in diversis suis traditionibus ad plenam catholicitatem et apostolicitatem Ecclesiae pertinere.

⁶⁷ *Constitutio dogmatica de Ecclesia*, art. 23.

Ibidem, art. 26:

In his communitatibus [in particular Churches, headed by bishops - I.M.], ... praesens est Christus, cuius virtute consociatur una, sancta, catholica et apostolica Ecclesia.

Decretum de Ecclesiis Orientalibus Catholicis, art. 2:

Sancta et catholica Ecclesia, quae est corpus Christi Mysticum, constat ex fidelibus, qui... in varios coetus hierarchia iunctos coalescentes, particulares Ecclesias seu ritus constituunt.

⁶⁸ *Mystici Corporis*: AAS 35 (1943), p. 227:

Quoniam vero, ut supra diximus, sociale eiusmodi Christ Corpus ex Conditoris sui voluntate adspectabile esse debet, conspiratio illa membrorum omnium extrinsecus etiam sese manifestet opus est ...

nervous system to organize the members into an efficient active entity.⁶⁹ It is through the nervous system which combines single cells (members) into operative organs, that the organs form an effective body.

This task is achieved in the Mystical Body through the hierarchical institution of the Church. It provides both the particular Churches (organs of the body) and the Universal Church (the entire Mystical Body), with the required effective unity in exercising the triple ecclesiastical activity.⁷⁰ Since there are two levels of Church unity (corresponding to particular and universal notions of the Church), there are two levels of hierarchical authority: episcopal and supreme, although in the field of sanctifying grace both remain in the same episcopal sphere.⁷¹ Each acts in its own framework as a unifying base for the external manifestation of its operative unity:⁷²

⁶⁹ A brief comparison between the role of the hierarchy in the Church and the nerves in a body can be found in the work of L. BILLOT, S.J., *Tractatus de Ecclesia Christi*, (ed. 5), Romae 1927, p. 278.

S. TYSZKIEWICZ. op. cit., p. 143-146, makes an inquiry whether Christ could establish the Church without external unity, limiting it to the internal, purely spiritual one only. He comes to the conclusion, that this would be "en contradiction avec ... du Christ", "une blessure faite à la nature humaine, une négation de ses lois fondamentales", "miracle permanent" (p. 144). — Indeed the very organic harmony in the divine-human nature of the Mystical Body of Christ would thereby falter; it would look like a paralytic.

⁷⁰ ... ecclesiastica Hierarchia quasi superna via a Christo instituta est, qua ipse utitur, ut ... Corpori Mystico in terris peregrinanti propriam conferat aspectabilem compaginem, nobilem unitatem, aptam variorum munerum perfectionem, congruentem varietatem, spiritualem pulchritudinem. — PAULUS VI, Litterae Encyclicae *Ecclesiam Suam*: AAS 56 (1964), p. 624.

⁷¹ Since a parish is an integral part (but only a part) of the higher ecclesiastical unit, priests are considered only auxiliary subjects adopted by bishops. They make the Church visible in their parishes, but do not constitute the base for the proper particular Church.

... Ecclesiam universalem in suo loco visibilem faciunt et in aedificando toto corpore Christi validam opem afferunt...

Corpori igitur Episcoporum, ratione Ordinis et ministerii, omnes sacerdotes ... coaptantur et bono totius Ecclesiae pro sua vocatione et gratia inserviunt. — *Constitutio dogmatica de Ecclesia*, art. 28.

Episcopi igitur communis ministerium cum adiutoribus presbyteris et diaconis susceperunt ... — Ibidem, art. 20.

⁷² Ibidem, art. 23. — Cf. also: Concilium Vaticanum I, *Constitutio dogmatica I de Ecclesia Christi*, introductio, cap. 3 (Denz. 1821, 1828); Concilium Vaticanum II, *Decretum de pastoralis episcoporum munere in Ecclesia*, art. art. 2 and 3.

Romanus Pontifex, ut successor Petri, est
unitatis, tum Episcoporum tum fidelium multitudinis,
perpetuum ac visibile principium et fundamentum.
Episcopi autem singuli
visibile principium et fundamentum sunt
unitatis in suis Ecclesiis particularibus,
ad imaginem Ecclesiae universalis formati,
in quibus et ex quibus una et unica Ecclesia existit.
Qua de causa
singuli Episcopi
suam Ecclesiam,
omnes autem simul cum Papa
totam Ecclesiam repraesentant
in vinculo pacis, amoris et unitatis.⁷²

Hence, the hierarchical authority constitutes the principle of Church unity in its triple activity: prophetic, sacerdotal and regal. Therefore, the Church hierarchy must be invested by a threefold power: the power of teaching, of conferring the Holy Sacraments and of exercising jurisdiction. So empowered, "singuli Episcopi" can duly represent the particular Churches entrusted to them, and "omnes autem simul cum Papa" the Universal Church of Christ.

In fact, in the particular Churches "Episcopi, eminenti ac adspectabili modo, ipsius Christi Magistri, Pastoris et Pontificis partes sustineant et in Eius persona agant",⁷³ "loco Dei praesidentes gregi, cuius sunt pastores, ut doctrine magistri, sacri cultus sacerdotes, gubernationis ministri".⁷⁴ The three episcopal offices are those elements which constitute them "pastores" and "visibile principium et fundamentum unitatis in suis Ecclesiis particularibus".

As far as the power of teaching is concerned, it is clearly established:

Episcopi enim sunt fidei praecones ... et doctores authentici seu auctoritate Christi praediti, qui populo sibi commisso fidem credendam et moribus applicandam praedicant, et ... eam fructificare faciunt erroresque gregi suo impeditentes vigilanter arcent.⁷⁵

⁷³ *Constitutio dogmatica de Ecclesia*, art. 21.

⁷⁴ *Ibidem*, art. 20. — Cf. also: *Decretum de pastoralis episcoporum munere in Ecclesia*, art. 11.

⁷⁵ *Constitutio dogmatica de Ecclesia*, art. 25. — Cf. also: *Decretum de pastoralis episcoporum munere in Ecclesia*, art. art. 12-14.

The Second Vatican Council also emphasized the unifying virtue of the Holy Sacraments, especially the Eucharist and other sanctifying means entrusted to the sacerdotal office of the bishop.⁷⁶

Still more evident is the effect of episcopal jurisdiction in the role of unifying a community into an entity, headed by its bishop.⁷⁷ Valid jurisdiction of the head of a community is indispensable so that he may be considered the proper superior. Therefore, bishops "neque vicarii Romanorum Pontificum putandi sunt, quia potestate gerunt sibi propriam verissimeque populorum quos regunt, Antistites dicuntur".⁷⁸

These three constitutive elements of episcopal office are only three aspects of the same action of the Holy Spirit in the Church. Therefore, they cannot be considered separately as three independent principles and foundations of Church unity. Only when taken together do they produce one complete bond of unity in the Church. The interdependence of those three elements commences from the very beginning, from the moment of

⁷⁶ *Constitutio dogmatica de Ecclesia*, art. 26:

Haec Christi Ecclesia vere adest in omnibus legitimis fidelium congregationibus localibus, quae, pastoribus suis adhaerentes, et ipsae in Novo Testamento ecclesiae vocantur...

In quavis altaris communitate, sub Episcopi sacro ministerio, exhibitur symbolum illius caritatis et "unitatis Corporis mystici, sine qua non potest esse salus". Omnis autem legitima Eucharistiae celebratio dirigitur ab Episcopo, cui officium commissum est cultum christianae religionis Divinae Maiestatis deferendi atque administrandi...

Ipsi regunt collationem baptismi, quo regalis sacerdotii Christi participatio conceditur. Ipsi sunt ministri originarii confirmationis, dispensatores sacrorum ordinum et moderatores disciplinae poenitentialis ...

Cf. also: *Decretum de pastoralis episcoporum munere in Ecclesia*, art. 15.

⁷⁷ *Constitutio dogmatica de Ecclesia*, art. 23:

Singuli Episcopi, qui particularibus Ecclesiis praeficiuntur, regimen suum pastorale super portionem Populi Dei sibi commissam ... exercent.

Ibidem, art. 27:

Episcopi Ecclesias particulares sibi commissas ut vicarii et legati Christi regunt, consiliis, suasionibus, exemplis verum etiam auctoritate et sacra potestate ... Haec potestas qua, nomine Christi personaliter funguntur, est propria, ordinaria et immediata ... Vi huius potestatis Episcopi sacrum ius et coram Domino officium habent in suos subditos leges ferendi, iudicium faciendi, atque omnia, quae ad cultus apostolatusque ordinem pertinent, moderandi.

Cf. also: *Decretum de pastoralis munere episcoporum in Ecclesia*, art. 16.

⁷⁸ *Constitutio dogmatica de Ecclesia*, art. 27.

conferring them in episcopal consecration in as much as "episcopalis ... consecratio, cum munere sanctificandi, munera quoque confert docendi et regendi".⁷⁹

To this threefold office and power conferred in consecration, the member of the hierarchy has to respond on his part from the very moment of consecration with the three cardinal virtues. Faith, the most evidently manifested in the prophetic office of teaching, is the indispensable preliminary condition for receiving ecclesiastical Orders. In this sense the profession of faith which precedes each consecration, is not a mere liturgical element, but a manifestation of the needed requisite in order to be empowered with hierarchical authority.

The ontological investment itself of this authority is achieved by sacramental consecration which is primarily related to the sanctifying office.⁸⁰

Since consummation of all the virtues is reached in charity, the consecration naturally strives towards its final perfection in charity, manifested by mutual communion. That act of will closes the circle between God's grace and human acceptance.

This is the same circle of divine grace and human response

⁷⁹ Ibidem, art. 21. This statement of the Second Vatican Council is of great basic importance. It is even more expressly enunciated in the *Decretum de pastoralis episcoporum munere in Ecclesia*, art. 8, as follows:

Episcopis, ut Apostolorum successoribus, in dioecibus ipsis commissis per se omnis competit potestas ordinaria, propria ac immediata, quae ad exercitium eorum muneris pastoralis requiritur ...

Before the last Vatican Council, even such great theologians as Charles Journet, who admitted the collegial principle of bishops participating in the supreme jurisdiction (p. 530), were inclined to assert that:

Le pouvoir du pape vient immédiatement du Christ; le pouvoir de l'évêque par l'intermédiaire du pape. — C. JOURNET, *L'Église du Verbe Incarné*, (ed. 2), vol. I, Friburgi Helv. 1955, p. 519.

⁸⁰ The term "ontological" investment is used in *Nota explicativa praevia*, attached to *Constitutio dogmatica de Ecclesia*:

In consecratione datur ontologia participatio sacrorum munerum, ut indubie constat ex Traditione, etiam liturgica.

It may be noted that as the virtue of hope and the sacramental consecration as well are the most passive of all three elements, and therefore most insensible to the obstacles caused by the subject himself. In human psychology it can be compared to memory, also a much more passive faculty than intellect and will. In many respects memory can be reduced to the faculty of intellect, so the virtue of hope depends very much on the faith and even sacramental consecration is tightly related to the profession of faith.

which is required for each individual member of the Church to be inserted into the Mystical Body of Christ. Faith is the first condition for any relation with the Church to be introduced, and the name "faithful" in its original sense to be applied. The ontological means to become a member of the Church, is the Holy Sacrament of Baptism.⁸¹ To this act of divine grace, the faithful must reply with his own will of communion with the Church in order to be entirely embodied in the Mystical Body of Christ:

Illi plene Ecclesiae societati incorporantur, qui Spiritum Christi habentes, ... in eiusdem compage visibili cum Christo ... iunguntur, vinculis nempe professionis fidei, sacramentorum et ecclesiasticis regiminis ac communionis.⁸²

If the individual is obliged to complete his initiation into the Mystical Body by an act of his will, which is achieved through the communion of charity, then, this must still be more resolutely asserted in the hierarchical initiation into the episcopal body. Each member of the hierarchy is not invested in the triple office for any other purpose than to lead the Church entrusted to him towards the ultimate unity of the Mystical Body of Christ, who "is head of the body, the Church ... that in all things he may hold the primacy" (Col 1, 18). In other words, bishops are made heads of local Churches not independently of the Church as a whole, but they must retain the same close relation with the entire hierarchy, as local Churches are related with the Universal Church.

This relationship of a single hierarch with his local Church towards totality, is reciprocal. In the first place, it affects the local Churches and their heads. Since each local Church has to act as an organ of the Universal Church, the offices conferred on its leader "natura sua nonnisi in hierarchica communione cum Collegii Capite et membris exerceri possunt".⁸³

⁸¹ ... Fideles per baptismum in Ecclesia incorporati, ... et, in filios Dei regenerati, fidem quam a Deo per Ecclesiam acceperunt coram hominibus profiteri tenentur. — *Constitutio dogmatica de Ecclesia*, art. 11.

... qui sacrum Baptismum susceperint ac propterea vi huius sacramenti in Corpus Christi Mysticum, hoc est in Ecclesiam, sint inserti ... — PAULUS VI, *Litterae Encyclicae Ecclesiam Suam*: AAS 56 (1964), p. 625.

⁸² *Constitutio dogmatica de Ecclesia*, art. 14. Cf. also: PIUS XII, *Litterae Encyclicae Mystici Corporis*: AAS 35 (1943), pp. 202-203.

⁸³ *Constitutio dogmatica de Ecclesia*, art. 21. Cf. also *ibidem*, art. 27:

Haec potestas qua, nomine Christi personaliter funguntur, est propria,

But this communion acts in another direction as well. It embodies this single "mystical nerve" (hierarchy) into the entire "nerve-system" of the body, to which system the task of governing the totality of the organism is entrusted. In the mystical plenitude of Christ, the episcopal body (the "nerve-system") is "subiectum quoque supreme ac plenae potestatis in universam Ecclesiam"; "in ipso, Episcopi ... propria potestate in bonum fidelium suorum, immo totius Ecclesiae funguntur".⁸⁴ For this episcopal body a technical term "Collegium episcoporum" is now adopted, comprehending all the bishops, who "omnes simul cum Papa totam Ecclesiam repraesentant". The single, properly consecrated bishop is inserted into this leading assembly of the Universal Church through mutual communion with it.⁸⁵

The insertion is organic because the episcopal body (Collegium episcoporum) of the Church, like the Mystical Body, is not a simple sum of loose members. The episcopacy constitutes an internally bound system with its own responsible center, just as single nerves participating in the control of the whole body cannot do without the node of the brain. Every commanding system must be crowned with a center, and the Episcopal College governing the human element of the Church is no exception in this respect:

Collegium hoc quatenus ex multis compositum, varietatem et universalitatem Populi Dei, quatenus vero uno capite collectum unitatem gregis Christi exprimit.⁸⁶

ordinaria et immediata, licet a suprema Ecclesiae auctoritate exercitium eiusdem ultimatum regatur et certis limitibus, intuitu utilitatis Ecclesiae vel fidelium, circumscribi possit.

⁸⁴ *Constitutio dogmatica de Ecclesia*, art. 22.

⁸⁵ *Membrum Corporis episcopalis aliquis constituitur vi sacramentalis consecrationis et hierarchica communione cum Collegii Capite atque membris.* — Ibidem.

The concept of bishops' participation in the supreme authority of the Universal Church was already exposed before the Second Vatican Council commenced, by C. JOURNET, *L'Église du Verbe Incarné*, (ed. 2), vol. I, Friburgi Helv. 1955, p. 530:

Cependant la juridiction suprême est participée par les évêques associés au souverain pontife et formant le collège épiscopal, dispersé dans le monde ou rassemblé en concile.

⁸⁶ *Constitutio dogmatica de Ecclesia*, art. 22. — Cf. also: LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), pp. 734 fol.

This node of the brain, this center of the commanding system of the entire flock of Christ is the Supreme Pontiff, successor of St. Peter, a distinct subject of divine institution,⁸⁷ a bearer of the supreme ecclesiastical authority in all three aspects.⁸⁸

Since this central authority is an expression of the mystical unity of the Universal Church, it could not result from an evolution upwards from local authorities.⁸⁹ In fact, the supreme authority of the Roman Pontiff is not only an expression, but so to say, a supernatural bond, by which the Holy Spirit achieves the visible unity of the Mystical Body of Christ. Therefore, it penetrates all the hierarchical grades of the entire Church.⁹⁰

The other transmitter of this divine bond of the Church, flowing in a complementary direction, is accomplished by mutual hierarchical communion. As any bond and communion in the reign of Christ, so the hierarchical particularly, is founded on mutual charity. Christian charity is universal; it extends both vertically, between superiors and subjects, and horizontally to all brothers in Christ. So the hierarchical union comprehends not

⁸⁷ Ut vero Episcopatus ipse unus et indivisus esset, beatum Petrum ceteris Apostolis praeposuit in ipsoque instituit perpetuum ac visibile unitatis fidei et communionis principium et fundamentum. — *Constitutio dogmatica de Ecclesia*, art. 18; quoting Concilium Vaticanum I, *Constitutio dogmatica I de Ecclesia Christi*, introductio (Denz. 1821).

Cf. also: LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), pp. 724-725; and the quotation, note 72 above.

⁸⁸ The supreme authority of the teaching office and of jurisdiction was defined in the First Vatican Council (Denz. 1839, 1831). This was not done with regard to the sacerdotal authority of the Pope, which appears already in the title "Supreme Pontiff", and the supreme moderation of sacerdotal functions was indeed exercised already before by the Popes. An example was furnished recently, when Pope Paul VI promulgated different rules for the Eucharistic fast precisely during the Council session, on November 21-st, 1964; cf.: AAS 57 (1965), p. 186. Likewise Pius X promulgated rules about frequent Holy Communion (notice especially the final expression about the universal application - Denz. 1990); cf.: AAS 38 (1905-6), p. 401 fol.

⁸⁹ Profecto non nisi potestate iurisdictionis stant civitates resque publicae. Principatus honoris ac pertenuis illa consulendi monendique facultas, quam *directionem* vocant, nulli hominum societati admodum prodesse neque ad unitatem neque ad firmitatem queunt. — LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), p. 726.

Cf. also: Concilium Vaticanum I, *Constitutio dogmatica I de Ecclesia Christi*, cap. 1 and 3 (Denz. 1823, 1831).

⁹⁰ Cf.: Concilium Vaticanum I, *Constitutio dogmatica I de Ecclesia Christi*, cap. 3 (especially: Denz. 1827).

only a communion with the Head of the Episcopal College but with all members as well.⁹¹

Consequently, the Second Vatican Council also pointed out that this mutual "horizontal" communion constitutes an integral part of episcopal unity in one body⁹² and is closely related to the complete union in all aspects, "nam unitas particularis aliquorum ad invicem ordinatur an unitatem Ecclesiae, sicut composition singulorum membrorum in corpore naturali ordinatur ad totius corporis unitatem".⁹³ An interruption of mutual "horizontal" communion damages also the "vertical" union with the Head; because communion of charity, like charity itself, is indivisible. If one fails in charity in one point, fails in other points as well.

Mutual communion is still more significant if it is not between equals, but in relation to a higher instance, which in turn remains in communion with the Supreme Head of the Church. In this case, it produces a mediatory communion with the Supreme Pontiff, especially when this relation to a higher instance has as its purpose to communicate with the Head of the episcopal body. Such mediatory communion was very frequent, even customary, in former times, when communication between countries encountered great difficulties. The intercommunication of this kind in practice meant the communion with all higher instances, including the Holy See.⁹⁴

There were also intermediate situations when an individual Church acknowledged the moral authority of an ancient, more developed Church, without being in strict juridical dependence from it. When difficulties arose, the "junior" ecclesiastical unit appealed to the "senior" Church for assistance, which was rendered not as patronage from a superior in the strict sense, but

⁹¹ Ecclesiae autem unitas in duobus attenditur: scilicet in connexione membrorum Ecclesiae ad invicem, seu communicatione; et iterum in ordine omnium membrorum Ecclesiae ad unum caput. — St. THOMAS AQUINAS, *Summa theologiae*, II-II, q. 39, art. 1.

⁹² Collegialis unio etiam in mutuis relationibus singulorum Episcoporum cum particularibus Ecclesiis Ecclesiaeque universali apparet. — *Constitutio dogmatica de Ecclesia*, art. 23.

⁹³ St. THOMAS AQUINAS, loc. cit.; cf. note 91 above.

⁹⁴ This was reflected in the commemoration of superiors during the Holy Liturgy. Only the immediate superior was commemorated by each priest or bishop respectively. — Cf.: J. COAR, *Rituale Graecorum*, (ed. 2), Venetiis 1730, p. 124, n. 149.

rather as fraternal help of charity, furnished by a "senior" to a "junior".

Such intermediate relations, based not upon jurisdiction but rather upon moral authority, were often practiced for many centuries between an ancient Church of Apostolic origin situated inside the Roman Empire and another Church of later origin, situated outside the old imperial limits. Political frontiers caused clear differentiation between the individual Churches which developed apart. Nevertheless, the "mother" Churches were very anxious to maintain even mere formal relations with the "daughter" Churches. On the other hand, the "junior" Churches appreciated these relations as well, especially, when for some remote individual Churches direct communication with the Roman See was in ancient times physically or morally impossible.

In such cases, intermediate communication with the neighbouring hierarchy of the Holy Roman Empire averted them from ecclesiastical seclusion (autocephaly) and was an expression of communion with the whole of the Church. Therefore, besides occasional support in case of need, these relations served to manifest a desire to remain in full communion with the Universal Church and with the Holy See.⁹⁵

⁹⁵ All these not quite equal mutual relations between individual Churches, which were not always clearly defined or stable, are briefly referred to in the *Constitutio dogmatica de Ecclesia*, art. 23 (cf. also note 56 above):

... aliquae, notatim antiquae Patriarchales Ecclesiae, veluti matricēs fidei, alias pepererunt quasi filias, quibuscum arctiore vinculo caritatis in vita sacramentali atque in mutua iurium et officiorum reverentia ad nostra usque tempora connectuntur.

The preoccupation of the See of Constantinople to maintain its "paternal" relations with newly organized Churches outside the Roman Empire is reflected in the 28-th canon of the Chalcedonian Council: "episcopi praedictarum diocesum quae sunt inter barbaros, a praedicto throno sanctissimae Constantinopolitanae Ecclesiae ordinentur" — C. KIRCH, S.J., *Enchiridion fontium historiae ecclesiasticae antiquae*, (ed. 7), Friburgi Br. 1956, no. 943, p. 536.

A classic example of this kind of relations, existing in the IV and V centuries between the Antiochene and Mesopotamian Churches was investigated in an article by W. DE VRIES, *Antiochien und Seleucia-Ctesiphon Patriarch und Katholikos?*, in *Mélanges Eugène Tisserant*, vol. III (Studi e Testi, 233 - Vatican 1964), pp. 429-450. The author came to the following conclusions:

The "Western Fathers" are simply the bishops of the Church of the Empire, which was for the Persian Church synonymous with the Universal Church. Persian Christianity considered itself a part of that Universal Church, and in fact a subordinated part. Therefore it was ready to accept the instructions of the bishops of that Church. But this is not subordination to a certain particular Church, such as the Antiochene. (p. 445)

Since every hierarchical communion is an externally apprehensible element of Church unity, it must be manifested externally. This manifestation can be achieved in various ways. It changed form in the process of history. It adopted and still adopts different forms, particularly the vertical aspect of this communion, which proceeds from the Supreme Pontiff towards his subjects, which is also called "canonical mission".⁹⁶

Episcoporum autem missio canonica fieri potest per legitimas

They [the bishops of the Persian Church] desire to be a part of the unique body, which is Christ, that is a part of the Universal Church, whose point of gravity lies precisely in the West, in the Roman Empire. (p. 446)

The Western bishops as single persons are not superiors of the *katholikos* and the bishops of the Persian Church, but only insofar as they represent the college of the Universal Church in the Roman Empire, of which Persian Christianity wants to be a subordinate part. A dependence on a certain bishop of Antioch does not enter into the question. (p. 447)

Die "westliche Väter" sind einfach die Bischöfe der Reichskirche. Diese war für die persische Kirche gleichbedeutend mit der universalen Kirche. Die persische Christenheit fühlte sich als Teil dieser universalen Kirche, und zwar als untergeordneter Teil. Deshalb war sie bereit, Weisungen der Bischöfe dieser Kirche anzunehmen. Es handelt sich aber nicht um eine Unterordnung unter eine bestimmte Teilkirche, etwa die von Antiochien. (S. 445)

Sie [die Bischöfe der persischen Kirche] wollen ein Teil des einzigen Leibes sein, der Christus ist, ein Teil also der universalen Kirche, deren Schwergewicht eben im Westen, im Römischen Reiche liegt. (S. 446)

Die westlichen Bischöfe sind also als Einzelpersonen nicht die Obern des *Katholikos* und die Bischöfe der persischen Kirche, sondern nur insofern sie als *Kollegium* der universalen Kirche im Römischen Reiche vorstellen, deren untergeordneter Teil die persische Christenheit sein will. Eine Abhängigkeit von einem bestimmten Bischof von Antiochien tritt nirgendwo zutage. (S. 447)

The complicated problem of the incorporation of the ancient Eastern Churches into the Universal Church is further studied in the works by W. DE VRIES, S.J., *Rom und die Patriarchate des Ostens*, Freiburg 1963; H. GROTZ, S.J., *Die Hauptkirchen des Ostens*, Roma 1963.

⁹⁶ The equality between the notion "missio canonica" and "communio Apostolica" appears in the *Constitutio dogmatica de Ecclesia*, art. 24:

... missio canonica ..., quo renuente seu communionem Apostolicam denegante ...

In the "Nota explicativa praevia" (2°) to the Constitution another term is used: "canonica seu iuridica determinatio". But it is considered a synonym of "communio":

... accedere debet canonica seu iuridica determinatio per auctoritatem hierarchicam ... Evidens est quod haec "communio" ...

However, it cannot be denied that both terms, although synonymous, involve different aspects of the same reality.

consuetudines, a suprema et universali potestate Ecclesiae non revocatas, vel per leges ab eadem auctoritate latas aut agnitas, vel directe per ipsum Successorem Petri.⁹⁷

In ancient times, communion or the canonical mission was realized through the election and consecration of a bishop by hierarchs of neighbouring ecclesiastical units, and by the designation of new bishop expressly for a specified Church. Communion with the Head of the episcopal body was achieved indirectly through those consecrators or electors, who were in direct or indirect communion with the Roman See.⁹⁸ For higher hierarchical degrees, this communion was also confirmed by the mutual exchange of communion letters.

The explicit consecration for a specified Church secured also a clear designation of the faithful subjects. However, the designation of subjects is consequential rather than a constitutive element of the established mutual communion.⁹⁹ Even when the subjects were thus designated in one way or another, this by itself

⁹⁷ *Constitutio dogmatica de Ecclesia*, art. 24. Cf. also: Ibidem, Nota explicativa praevia (2°):

Quae determinatio potestatis consistere potest in concessione particularis officii vel in assignatione subditorum, et datur iuxta normas a suprema auctoritate adprobatas. ... Evidens est quod haec "communio" in vita Ecclesiae secundum adiuncta temporum applicata est, priusquam in iure velut codificata fuerit.

⁹⁸ W. BERTRAMS., *La collegialità episcopale*, in *La civiltà cattolica*, an. 115 (1964 I), p. 442:

Tale incorporazione anticamente avveniva mediante la legittima consacrazione episcopale per una determinata chiesa particolare (la diocesi) ... Dall'alto medioevo in poi l'incorporazione avvenne ... mediante la conferma, da parte del Metropolita ... negli ultimi secoli, infine, mediante l'istituzione canonica da parte del Romano Pontefice. In realtà, tutti questi modi d'incorporazione hanno valore di missione canonica in quanto conferiscono ai vescovi un posto determinato nella gerarchia della Chiesa.

This essentially identical idea was expressed by the same author in an article first published before the Second Vatican Council in *Periodica de re morali canonica liturgica*, 51 (1962), pp. 3-29, and later elaborated and republished in a separate looklet: W. BERTRAMS, S.J., *De relatione inter Episcopatum et Primum*, Roma 1963 (Praefatio dated February 2-nd, 1963).

⁹⁹ Nevertheless, "Nota explicativa praevia", (2°), of the *Constitutio dogmatica de Ecclesia*, argues a natural necessity of communion (canonical mission) as follows:

Huiusmodi ulterior norma *ex natura rei* requiritur, quia agitur de muneribus quae a pluribus subjectis, hierarchice ex voluntate Christi cooperantibus, exerceri debent.

of ecclesiastical unity (the bishop in the sphere of the local Church and the Supreme Pontiff as far as the whole of the Universal Church is concerned), an ecclesiastical disunion or rupture can be manifested in two ways: as a break of relations with a particular Church and its head or as a separation from the entire body of the Universal Church headed by the Roman Pontiff. In both cases there occurs a fracture in the existing charitable communion in the Mystical Body of Christ, although in practice it does not develop in the same way.

A person or ecclesiastical unit which ceases to maintain relations with a particular Church does not necessarily intend to break with the Universal Church and its Supreme Head. There can be many reasons for which a certain person or group of persons may render relations with a particular Church or its head so grievous that a decision is made, excusably or not, to break this particular communion. But the best intention can be retained to remain submissive to the Supreme Pontiff and to continue to be members of the Universal Church headed by him.

This was especially true in former times, when the Universal Church was properly constituted of numerous particular Churches. Their mutual relations were not limited exclusively to a "vertical" scheme of rigid subordination and obedience of the mass of subjects to one superior. There were also "horizontal", fraternal relations between equal particular Churches. An individual or group on the lower grade of this scale, separating himself from a particular Church, hardly thought about the wholeness of the Universal Church headed by the Supreme Pontiff with whom he did not have any direct relations. When the ancient Fathers of the Church, particularly in the Eastern regions distant from Rome, wrote of schisms or splits, they spoke about separation from a particular Church or from the local hierarchy, without extending their consideration to the Supreme Pontiff and the Roman See.¹⁰²

¹⁰² Cf. M. CONGAR, op. cit., in *DTC*, vol. XIV (1), col. col. 1288-9. — This limited consideration of schism is especially apparent in the writings of St. IGNATIUS the MARTYR (Phil. III-IV, Smyrn. VII-VIII, Polyc. VI), from which can be concluded, as the author did (col. 1288):

La condition décisive est pour Ignace, l'obéissance à l'évêque, la fidélité à la doctrine qu'il tient, à l'eucharistie qu'il préside.

Telle est l'idée la plus simple du schisme: elle envisage la rupture de l'unité dans le cadre de l'Église locale ...

This is not to say that an intention to break relations only with a particular Church and its hierarchy, without expressly involving the Roman See in the question, cannot cause schism in the full sense; that is, separation from the Roman See and the Universal Church as well. This depends on the nature of the relation by which the breaking unit was linked before to the particular Church, whether this was a true subordination or rather a fraternal relation.

The Church is a well organized Mystical Body. If a member separates himself from his immediate superior, he breaks relations with all the higher superiors at the same time, including the supreme Roman Pontiff. A member of an organ of the body, by separating himself from the organ to which he belongs as a subordinate part, places himself outside the entire body.

However, there is a different case when a member or an entire organ, does not sustain relations with another parallel organ of the same grade, or an intermediate relation exists between those two units. That is to say, when an ecclesiastical unit acknowledges a moral authority of another individual Church without being in strict subordination to it.¹⁰³ True, there is usually a failure of mutual charity, but the fault can be on either side, on both, or on none. Regardless of the fault, both can still maintain relations and be in communion with the Supreme See, although in discord between themselves. If one party already enjoys communion with the Supreme Pontiff, it does not exclude, on that

¹⁰³ The Mesopotamian Church at the beginning of the fifth century can be taken again as a classical example. In the first centuries this ecclesiastical unit was never dependent on any other individual Church (cf. note 95 above). Neither is any interference of another Church noted during the fourth century (W. DE VRIES, *Antiochien und Seleucia-Ctesiphon: Patriarch und Katholikos?*, p. 444). Only as late as 410 and 420 the authoritative interventions of the Antiochene Church was endured and accepted due to the Persian war (ibidem, pp. 445-449). There was even the recognition of the right of appeal to the "Western Fathers". "But this is not subordination to a certain particular Church, such as the Antiochene" (cf. note 95 above). Consequently, when this right of appeal was rejected in 424, no act of disobedience or separation from due superiors took place. Therefore, this fracture of mutual relations between two individual Churches cannot be qualified as schism.

It should be noted that C. JOURNET, op. cit., vol. II, p. 838, without going into the distinction of various kinds of relations between individual Churches, asserts in general: "La rupture avec une Église particulière n'est pas la raison formelle du schisme mais peut en être le signe".

account, the right of the opposing party to maintain communion with the Supreme Head as well. It is exactly then, that communion of both parallel partners with the Supreme Pontiff is even more urgently required for a prompt solution of the differences existing between them.

Failure of mutual communion between parallel, but not subordinate units of the Church, can hardly be qualified as "schism" in the proper sense of the term. If there is a transgression of the command of charity, this is with regard to its second derivative part — charity towards the neighbour. The principal part — charity towards God, the founder of the Church and towards His vicar, is not directly opposed; therefore, the third (charitable) aspect of the internal bond between the Head of the Church and this particular unit is not disturbed. Consequently, no separation, no schism of this unit from the wholeness of the Church occurs.¹⁰⁴

This theoretically clear principle is not easily applied in

¹⁰⁴ In the history of the Church, in the "golden age" of the IV century, the discord between two ecclesiastical units of the Antiochene Church, grouped around two personalities, St. Meletius and Paulinus, is very well known. Neither group intended to separate itself from the Universal Church and in fact both remained in close communion with the great Fathers of the Catholic Church, strenuous defenders of orthodoxy and catholicism: St. Meletius with St. Basil the Great, head of Cappadocian Church, and Paulinus with St. Athanasius the Great, head of the Alexandrian Church. Both of these Great Fathers of the Church were in close communion with the supreme Roman See, although of opposing views on the Antiochene controversy. St. Basil even suspected Paulinus of adhering to the heresy of Marcellus of Ancyra, and the Egyptians looked on Meletius as a semi-Arian. In fact, neither was a heretic nor even a schismatic, but both maintained communion with the Catholic Church and indirect relations with the Roman See. If the Roman Pontiff, in later years, was more favorable to Paulinus than to St. Meletius, this was due to the informations received from Alexandria, which enjoyed much greater trust and influence in Rome, than Cappadocia.

An allusion to the case of St. Meletius can be found in the article by B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, vol. XLII (Romae 1961), p. 451, n. 12. This case is designated there as "pure schism" and placed in the same line as the "Western schism", that is to say: "material schism" (or "alienation" according to our terminology). With regard to the latter (Western) case, it is clearly pointed out in the text of the article that then "catolici... errando solamente nella persona del Papa legittimo" were not separated internally from the Church.

The row of pictures of the Avignon antipopes, integrated in the complete series of Roman Pontiffs publicly exposed in the great basilica of St. Paul in Rome, furnishes another conclusive argument to the assertion that the rupture of due communion between the Church members does not necessarily apply a schism.

practice, especially when one of the controvertial units is in particularly close relations with the supreme authority of the Catholic Church. This party is inclined to explain opposition to itself as repugnance towards the Head of the Universal Church. An accusation of rebellion and schism is quickly brought against the opponent, even though the guilt of mutual discord may be on either side and the withholding of due submission to legitimate superiors, including the Supreme See, may in no way be intended by either.¹⁰⁵

¹⁰⁵ It seems precisely in this way, that is, as discord between two individual Churches, that the events of the XI century are considered in the papal documents of December 7, 1965, read at the Second Vatican Ecumenical Council. If there had existed in those times a discord between the Constantinopolitan individual Church and the Pope as the Supreme Head of the Universal Church, the following words from the *Declaration commune* ("L'Osservatore Romano", 8 Dicembre 1965, p. 7) of the Pope Paul VI and Patriarch Athenagoras I could hardly be explained:

3. On ne peut faire que ces événements n'aient pas été ce qu'ils ont été dans cette période particulièrement troublée de l'histoire. ... les intentions et les prévisions de leurs auteurs dont les censures portaient sur les personnes visées et non sur les Églises et n'entendaient pas rompre la communion ecclésiastique entre les sièges de Rome et de Constantinople.

4. C'est pourquoi le pape Paul VI et le patriarche Athénagoras I-er en son synode ...

a) regretter les paroles offensantes, les reproches sans fondement, et les gestes condamnables qui, de part et d'autre, ont marqué ou accompagné les tristes événements de cette époque; ...

Or similar expression in the "Breve" of Paul VI of the same day (ibidem):

Recogitamus quidem de lugendis eventis illis, quibus, post non paucas dissensiones, anno millesimo quinquagesimo quarto factum est, ut inter Romanam et Constantinopolitanam Ecclesiam gravis simultas oriretur.

... Immo eo perventum est, ut Legati Pontificii adversus Michaellem Caerularium, Patriarcham Constantinopolitanum ac duos viros ecclesiasticos excommunicationis sententiam pronuntiarent, hic vero eiusque Synodus pari modo in illos animadverterent.

However, it must be kept in mind that the split between East and West did not result exclusively from the events of the year 1054, as is reflected in the following expression of the above quoted *Declaration commune* (ibidem):

5. Ce geste de justice et de pardon réciproque, le pape Paul VI et le patriarche Athénagoras I-er avec son synode sont conscients qu'il ne peut suffire à mettre fin aux différends, anciens ou plus récents, qui subsistent entre l'Église Catholique et l'Église Orthodoxe ...

Many other incidents and factors throughout the centuries contributed to the separation. Therefore, the Second Vatican Council, considering the whole problem of East-West relations, designated it in the *Decretum de oecumenismo*, art. 13, as: "solutio ecclesiasticae communionis", referring not only to the events of the XI century, but to the entire history of mutual relations.

It is still more difficult to maintain the distinction between "horizontal" discord and "vertical" insubordination in the more modern times of Church history, when the ecclesiastical structure of individual Churches is disregarded. Mutual relations between Church units receive little attention, while major stress is placed on the close relations of the single ecclesiastical unit (diocese, eparchy and hierarchy) with the Roman Pontiff.

An exclusively centralized concept of schism could evolve only in the sphere of the Western Catholic Church which is centralized since the late Middle Ages. Among non-Catholic Churches, schism continues to be considered more in the spiritual sense, mostly as a break of mutual communion. If considered in relation to the question of subordination, it is apprehended only insofar as it affects the particular Church and local hierarchy.¹⁰⁶ On the contrary, in the Western regions, the spiritual-theological aspect of schism as voluntary separation from the Mystical Body is put ever more and more into the background. The juridical-disciplinary aspect prevails: schism is taken as insubordination to the Pope, or even as simple exclusion from the papal juridical order.¹⁰⁷

¹⁰⁶ T. SPACIL, S.J., *Conceptus et doctrina de Ecclesia iuxta theologiam Orientis separati, sec. III*, in *Orientalia Christiana*, vol. II, Roma 1924, p. 67, collected different definitions of schism of recent non-Catholic Eastern theologians. Most of them insist on the notion of separation, without specifying the authority from which the separation occurs. The author concludes this presentation of non-Catholic views on the problem as follows:

Quare non immerito censet Grivec notionem schismatis in theologia separatorum necessario obscurari, et eas posse quidem loqui de schismate contra singulas ecclesias particulares, non autem de schismate contra ecclesiam universalem.

M. CONGAR, op. cit., in *DTC*, col. 1298, writes as follows:

Les orthodoxes, dont plusieurs, encore de nos jours se réfèrent au texte de saint Basile cité plus haut, ne peuvent concevoir de schisme qu'à l'intérieur de l'Église locale ou nationale, dans laquelle seule ils reconnaissent une autorité ordinaire légitime.

Cf. also V. CARBONE, op. cit., in *Enciclopedia cattolica*, vol. XI, col. 116.

¹⁰⁷ Already St. THOMAS AQUINAS, in his investigation on the nature of schism, seems to pay principal attention to the question of subordination to the Roman Pontiff and to consider the lack of ecclesiastical communion in the second place. He concludes his article on this matter (*Summa theologiae*, q. II-II, q. 39, a. 1, corpus) as follows:

Et ideo schismatici dicuntur qui subesse renunt Summo Pontifici, et qui membris Ecclesiae ei subiectis communicare recusant.

The preponderance of the juridical attitude towards the problem of unity and schism is only a result of a similar attitude to the notion of the Church in general. Some theologians seem to consider juridical organization of the Church as a distinctive reality, a value "in et per se".¹⁰⁸ In their ecclesiological

Although a little above (ibidem) he presents another definition of schism, pointed more at the problem of unity with the Church:

Et ideo proprie schismatici dicuntur qui propria sponte et intentione se ab unitate Ecclesiae separant, quae est unitas principalis ...

With time the attention of Western theologians and jurists concentrated more and more on the aspect of disobedience to the Roman See. V. CARBONE, op. cit., in *Enciclopedia cattolica*, vol. XI, col. col. 115-116, asserts as follows:

Al tempo della scolastica, quando si incominciò ad elaborare un trattato sulla natura e sugli effetti dello scisma, si arrivò a concepire lo scisma come ribellione al papa. Le controversie dei sec. XVI-XVII confermano l'insistenza esclusiva del concetto di scisma come defezione dal papa. Le polemiche per gli scismi posteriori non apportarono nuovi elementi.

In result, in present times the notion of schism is reduced to a kind of active disobedience to the pope, deprived of the mystical gravity of a violent tearing away of a member from the integrity of the Mystical Body, as appears from the following statement:

Il peccato di scisma dice di più della semplice disobbedienza, perché importa una ribellione e la negazione dell'autorità legittima. (Ibidem)

Cf. the definition of schism, quoted in the note 101, above.

¹⁰⁸ L. BILLOT, op. cit., p. 103:

Nam iuxta analogiam humani compositi, in Ecclesia a Christo fundata distinguimus *corpus* et *animam*: corpus quod est socialis organismus sive exterior membrorum compages referens similitudinem corporis physici organici, tum animam quae consistit in interioribus habitualis gratiae sive supernaturalis vitae donis. Verum, sicut corpus et anima non faciunt in humano composito homines duos, ita nec in praesenti ecclesias duas, sed unam.

In the rest of the book the author attends almost exclusively to the visible Church, understood as "socialis organismus sive exterior membrorum compages", disregarding the spiritual, mystical aspect of the Church. — Cf. also: ibidem, p. 332.

It seems that the close relation between the spiritual and the external in the Church was already somewhat better presented by J. FRANZELIN, op. cit., p. 315 (cf. note 3 above):

Ideoque utriusque elementi humani ac divini coniunctione et singulae veluti partes Ecclesiae constituuntur et ex his omnibus tota Ecclesia consistit humano-divina. Spiritus Sancti dona sunt in ipsa, ut ita dicamus, velut incarnata, invisibilia fiunt visibilia, non utique in seipsis sed in elemento visibili coniuncto, quod informant et quo manifestantur.

However, among many former theologians the notions of "corpus" and "anima" of the Church was not precisely designated. This was noted by M. D'HERBIGNY, S.J., *Theologica de Ecclesia* (ed. 3), vol. II, Parisiis 1928, p. 259, in

investigations they persistently underline the juridical, visible aspect of the Church. They write about a twofold adherence to the Church, "ad corpus" and "ad animam", as though the juridical and spiritual aspects of the Church constituted two different entities.¹⁰⁹ This tendency found explicit reproof in the encyclicals of Pope Pius XII¹¹⁰ and, during the Second Vatican Council, was entirely rebuked. Two aspects of the same reality should be well distinguished but not considered as being separate. In order to counterbalance the previous predominance of the juridical attitude, the conciliar *Constitutio dogmatica de Ecclesia* insists resolutely on the spiritual aspect of the nature of the Church and on the spirituality of the ecclesiastical bonds.

It is precisely the spiritual aspect of voluntary separation from Church unity which constitutes the specific qualification of schism. The direct intention against unity of the Mystical Body of Christ confers to it the gravity of a special sin, relating directly to Our Saviour.¹¹¹ In this spiritual theological consideration of the

"**Thesis XXX: De Ecclesiae corpore et anima**", where he noted: "**Rarius tamen notio accurate determinatur**".

Cf. also note 5 above.

¹⁰⁹ BILLOT L., op. cit., pp. 297, 303, 305; cf. note 129 below.

Neither M. JUGIE is free from this idea of twofold membership in the Church.

He writes (op. cit., p. 35) as follows:

Baptismus aquae a dissidente usu rationis gaudente et bona fide errante valide ac ritu susceptus sufficit ad hunc perfecte conjungendum animae Ecclesiae; sed imperfecte tantum, id est implicite ac voto, illum connectit corpori Ecclesiae, quatenus est societas visibilis.

¹¹⁰ Pius XII, *Litterae Encyclicae Humani generis*: AAS 42 (1950), p. 571 (Denz. 2319):

Quidam censent se non devinci doctrina paucis ante annis in Encyclicis Nostris Litteris exposita, ac fontibus "revelationis" innixa, quae quidem docet corpus Christ mysticum et Ecclesiam Catholicam Romanam unum idemque esse.

A reference is made in the footnote to: Litt. Enc. *Mystici Corporis Christi*: AAS, vol. XXXV, p. 193 sq.

This essential identity of both aspects of the Church was perceived by M. JUGIE, op. cit., p. 32:

Non existit nisi una vera Ecclesia a Christo fundata, invisibilis simul ac visibilis, ad modum verae societatis visibilis in terris constituta...

But he did not follow all the consequences of this statement.

Cf. WILLEMS B., O.P., *Who belongs to the Church?*, in *Concilium* (engl. lang.), vol. I, no. 1 (1965), pp. 63-65.

¹¹¹ St. THOMAS AQUINAS would have had a much easier task to answer the question: "**Utrum schisma sit peccatum speciale**" (*Summa theologiae*, II-II, q. 39,

nature of schism, the volitional feature of an act of secession is still more evident. Only the deliberate will of an individual can put him in a state of separation from the Church which is identical with the Mystical Body of Christ. There exists no external force or human institution capable of segregating a human being from the Mystical Body of Christ, that is from the Church, if he himself does not cause this voluntarily and deliberately, because “... neque fortitudo, neque altitudo neque profundum neque creatura alia poterit nos separare a caritate Dei, quae est in Christo Iesu Domino nostro” (Rom 8, 39).

Nor does Christ, the Head of the Mystical Body, wish to repudiate any member of His body, who does not want to separate himself; for He asserts that “eum, qui venit ad me, non eiciam foras” (Jn 6, 37). Consequently, any external imposition or supposition of a schism is ineffective in the sphere of the internal bond with the Church of Christ, provided that it is not associated with a voluntary deliberation of the particular member to separate himself from the Church.¹¹²

a. 1), especially the second objection (“Sed per omne peccatum fit homo inobediens...”), if he had considered as primarily the rupture of unity and not disobedience. His qualification of schism as a kind of rebellion (“non obedire praeceptis cum rebellione quadam constituit schismatis rationem” — *ibidem*, ad 2) is not a convincing argument to qualify schism as a special kind of sin specifically different from an ordinary disobedience.

JOURNET C., *op. cit.*, vol. II, pp. 835-836, investigated those “deux façons de faire le schisme”, namely (p. 838) “refuser la connexion” and “refuser l’orientation” (practically subordination). He came to the conclusion that the second, disobedience, does not contain in itself the essence of schism:

Cela suppose plus qu’une simple désobéissance, plus même qu’une obstination dans la désobéissance. Il faut qu’il y ait rébellion.

In fact, he concludes that an act of disobedience which assumed schismatic amplitude can be reduced essentially to the intent of separation. This may be expressed by the following statement of a schismatic: “... je proclame pratiquement et concrètement mon droit d’agir comme un tout séparé” (*ibidem*).

¹¹² Since schism is constituted essentially by one element, volitional, unlike heresy (in which two occur, intellectual and volitional), different approaches should be adopted to each of these notions. A distinction of heresy into “formal” and “material” (the terms themselves will be examined later - cf. note 123 below) can be understood apart from the ecclesiastical body to which the subject in question pertains. But it is not so in the case of schism. An individual either wants to separate himself from the unity and perseveres in (“formal”) schism, or he does not have this disposition of segregation and is not schismatic.

The distinction into “formal” and “material” schism is in fact an imitation of the analogical distinction of heresy. Cf. C. JOURNET, *op. cit.*, vol. II, p. 713:

On the contrary, every internal voluntary deliberation to separate himself from the Church unity, whether externally manifested or not, de facto, produces segregation, schism of this particular member, because nobody is held in the Church by force against his free will. Since there exists an essential identity between the Church and the Mystical Body,¹¹³ no distinction can be sustained between segregation from the Church and from the Mystical Body of Christ.

True, under present human conditions every internal disposition has to be externally manifested so as to be of consequence in the order of our social communion. However, external manifestation takes a secondary place in acts concerning the supernatural sphere.

Externality is even less meaningful if it is expressed not by the member concerned but by somebody else. In the matter of ecclesiastical communion-unity, a clear distinction must be kept between external intervention of a legitimate ecclesiastical superior and the intervention of an extraneous individual.

In the case of a superior, excommunication from the community of faithful may take place. Excommunication is not an act intended for itself, but a medicinal censure, a penalty to correct a grave, consummated crime connected with contumacy.¹¹⁴ Therefore, it is only the external consequence of

"Parallèlement à cette seconde manière de définir l'hérésie [l'hérésie-péché - I.M.], on définira le schisme comme une scission malheureuse, mais sans enclorre en lui la notion de péché". — Cf. also V. CARBONE, op. cit., in *Enciclopedia cattolica*, vol. XI, col. 116.

The concept of "material schism" and "material heresy" of an entire ecclesiastical unit will be investigated in the next chapter.

¹¹³ Cf. note 110 above.

¹¹⁴ *Codex iuris canonici*, Vatican 1918, can. 2242, § 1:

Censura punitur tantummodo delictum externum, grave, consummatum, cum contumacia coniunctum; ...

Cf.: ibidem, can. 2241, 2257.

Codex iuris canonici, Vatican 1983, can. 1321, § 1:

Nemo punitur, nisi externa legis vel praecepti violatio, ab eo commissa, sit graviter imputabilis ex dolo vel ex culpa.

Cf.: ibidem, can. 1323.

Even the expression of the Holy Gospel, on which the ecclesiastical right to excommunicate is based, requires a proof of contumacy before the punishment is applied; see: Mt 18, 18.

Cf. BILLOT L., op. cit., p. 314.

an internally deliberate ("contumacious") act from which it derives its meaning. It must be pointed out that excommunication finds application in a much wider field than schism; it is inflicted for many other crimes, quite different from questions of unity and ecclesiastical communion.¹¹⁵

On the other hand, in the case of an excommunication inflicted for a supposed schism which in fact did not occur, the external act would be incapable of producing a real schism, that is, spiritual separation from the Mystical Body and Church unity.¹¹⁶ Therefore, a lack of external ecclesiastical communion can neither be immediately identified with an internal rupture of Church unity, nor be considered as certain manifestation of schism. It can, in individual cases, be a medicinal punishment for some proportionally grave transgression, or a simple suspicion of schism which may not necessarily be properly justified.¹¹⁷

¹¹⁵ Cf.: *Codex iuris canonici*, Vatican 1918, can. 2314, § 1, 1°, with all the rest of this part of canon law, up to can. 2414.

Cf.: *Codex iuris canonici*, Vatican 1983, can. 1364 up to can. 1399.

JOURNET C., op. cit., vol. II, p. 848, with regard to "Situation des excommuniés" writes: "Ils peuvent n'être ni hérétiques ni même schismatique. Dans se cas ... ils demeurent à l'intérieur de l'unitas communionis ... Ils sond donc encore des enfants de l'Eglise, mais des enfants pénalisées".

¹¹⁶ Even in the juridical sense, unjust excommunication is not equivalent to schism, because it lacks an essential element: voluntary separation.

CARBONE V., *Schisma*, in *Enciclopedia cattolica*, vol. XI, col. 116:

Nel diritto canonico. —

Se alcuno, per grave delitto, *invitus*, venisse separato dalla comunione dei fedeli con la scomunica, sarebbe scomunicato, ma non scismatico.

St. THOMAS AQUINAS already pointed out that an excommunication inflicted without proper cause remains inefficient.

Summa theologica, Supplementum, q. 21, a. 4:

Alio modo, ex parte excommunicationis ipsius: vel quia causa excommunicationis est indebita; vel quia infertur sententia iuris ordine praetermisso. Et tunc, si sit talis error ex parte sententiae qui sententiam nullam esse faciat, non habet effectum: quia non est excommunicatio.

The question "une excommunication injuste est-elle valide?" was examined by C. JOURNET, op. cit.: vol. II, pp. 849-850.

¹¹⁷ Pius XII, *Litterae Encyclicae Mystici Corporis*: AAS 35 (1943), 202-203 (Denz. 2286):

In Ecclesiae autem membris reapse ii soli annumerandi sunt, qui ... neque a Corporis compagne semet ipsos misere separarunt, vel ob gravissima admissa a legitima auctoritate seiuncti sunt.

Here with profound insight are excluded from membership in the Church, the Mystical Body, only those who "misere" separate themselves, or are separated

In the latter case, that is in the case of an unjustified refusal of mutual communion by a superior to an internally well-disposed subject, deliberate guilt must not always be ascribed to either of the parties in question. There can be an intervention of a third party, which can disturb either morally or physically, proper relations between a Church member and its superiors. It can furnish to the superior incorrect information, institute hostile instigations, or even produce calumnious accusations of the subject. All this can raise serious doubts in the ecclesiastical superior as to the sincerity of the subject offering communion. As a result, the offer can be rejected and communion refused without any objective reasons.

Apart from human ill will, physical hindrances can also occur. Frequently in the past, long distances, poor means of communications, political complications, religious persecutions, made direct and continuous contact with other Church units, in particular with the Roman Supreme See, impossible for long periods. Even intermediate contact through other Church units, which for many particular Churches was the only possible way to maintain communion with the Head of the Universal Church, was

on account of **grave crimes**. Although the adverb "misere" is too ambiguous to indicate **unquestionable guilt** and deliberation in separation, it does at least insinuate this, especially if compared with the next paragraph of the encyclical (ibidem):

... sed qui **misere deliquerit**, nec contumacia sese indignum reddiderit christifidelium communione, summo excipiat amor, in eoque actiosa caritate conspiciatur infirmum Iesu Christi membrum. Praestat enim, ut Hipponensis Episcopus **animadvertit**, "in Ecclesiae compage sanari, quam ex illius corpore voluti **insanabilia membra** resecari" (S. Aug. *Epist.* 157, 3, 22 - Migne PL 33, col. 686).

It would seem proper to conclude that an authoritative exclusion achieves nothing other than external effect of an already existing internal and deliberate separation.

The encyclical does not distinguish between excommunication for schism or for another grave contumacious crime. The latter does not enter into the scope of our consideration, but it might be noted that contumacious perseverance in any grave sin excludes the subject from the reign of grace, regardless of the fact whether he remains a member of the Church or not. On the other hand, personal sanctity is not excluded in the state of juridical separation from the wholeness of the Church. On this matter the article by B. SCHULTZE, S.J., *Santità e Santi fuori della Chiesa Cattolica*, in *Unitas* (ital. lang.), XVII (1962), pp. 112-129, is to be conferred.

The situation of a well disposed individual in a separated Church will be considered more closely later.

at times completely disrupted. Many Church units not only lived for long generations in isolation, but their very existence was ignored by some other Churches, in particular, by the Roman See.¹¹⁸

Evidently, these cannot be qualified as schism just because they were hindered from maintaining external contact with other Church units, especially with the Supreme See, and from manifesting their internal, firm disposition and constant spiritual communion in charity with the entire Mystical Body of Christ.¹¹⁹ The essence of schism which is a voluntary separation is lacking here. Therefore, this *deficiency of external communication* can only be called *alienation*, and then rather in the external, juridical form, than in the spiritual, theological sense.

Even the term "material schism" is not adequate to designate a status of a Church unit desiring due ecclesiastical communion,

¹¹⁸ A classical example is the case of the Malabar Church. Their intermediate contact with the Supreme Pontiff through the Mesopotamian and the Antiochene Churches was so long that the existence of Malabar Christians was practically ignored in the West. Nevertheless, they were honored with the following eloquent address by Pope Pius XII:

During the centuries that India was cut off from the West and despite many trying vicissitudes, the Christian communities formed by the Apostle [St. Thomas] conserved intact the legacy he left them, and as soon as the sea-passage — at the close of the 15-th century — offered a link with their fellow Christians of the West, their union with them was spontaneous.

(Pope's message, delivered on the occasion of the anniversary of St. Thomas the Apostle, celebrated in Ernakulam in India, on December 31-st, 1952). — *Discorsi e radiomessaggi di Sua Santità Pio XII*, vol. XIV, Vatican (1955), p. 441.

Still less known to the West were the Christian communities organized in central and eastern Asia in the late Middle Ages. In more modern times there is the example of a heroic perseverance in the Christian faith of a community in Japan through two and a half centuries of complete isolation from any other Church unit, until it was discovered by chance in 1865. Similar endurance of Christians in isolation, organized even hierarchically into particular Churches are known to exist in the present times in many regions where the Christian religion is persecuted.

¹¹⁹ JOURNET C., op. cit., vol. II, p. 719, states: "nous appellerons schisme, non pas toute rupture de communion avec l'Église, mais seulement celle qui est coupable".

The positive disposition of Malabar Christians towards the Roman See is adequately presented and documented in the dissertation of XAVIER KOODAPUZHA, *The "schism and nestorian heresy" of Saint Thomas Christians of India in the 16-th century (pre-Diamperitan period)*, Rome 1964; especially in chapters III and IV, pp. 61-121, entitled respectively: The Seleucian Church and the Roman primacy: The Saint Thomas Christians and the Roman primacy in the 16-th century (pre-Diamperitan period).

which is either inopportunately denied by superiors or hindered by a third party. Here, both constitutive elements of the notion "schism" are missing: the formal (volitional) and the material (separation in the theological sense).¹²⁰ What is extant is only the external (juridical) appearance of a "schism": alienation without the culpability on the part of the particular ecclesiastical unit.

Aside from this apparent form of division from the Mystical Body of Christ, we must still consider two other aspects of the spiritual bond of the Church, namely, the theological-prophetic (corresponding to the virtue of faith) and the sacramental-sacerdotal (in relation to the virtue of hope). The latter, as the gift most passively received by Church members and units, does not depend on whether or not the individual desires to persevere in unity. The characters of the Holy Sacraments are either objectively valid and constitute an aspect of the internal bond between the particular member and the whole Mystical Body, or they are not valid and are nonexistent.

The case is different with the aspect concerning the virtue of faith. Since it is an intellectual element, a member of the Church cannot be blamed for a default of his intellect, disregarding causes and circumstances. Error of intellect in itself, does not impute guilt to the subject. What more, considering the psychological and moral rule, stating that the human will is strictly obliged to follow its intellect, the will following an intellectual error is not guilty for its adherence to the erroneous intellect.

On the contrary, there is a culpability when the order of compliance is reverse, when the will actively imposes itself upon the intellect. That is, when the will, conscious of fallacy, influences the intellect to accept or to sustain an error, it then assumes the responsibility for this error together with the foreseen consequences. If there is an error in a matter of faith, the subject (a baptized person) is in heresy.

*Heresy can be defined as a pertinacious negation of a truth of faith; or in an equivalent but opposite formulation: an obstinate profession of a doctrine, contrary to the truth, which is obligatory for the particular member of the Church.*¹²¹

¹²⁰ Cf. note 112 above.

¹²¹ ZANNONI g., *Eresia*, in *Enciclopedia cattolica*, vol. V, Città del Vaticano (1950), col. 489:

l'errore volontario e pertinace di un cristiano contro una verità divino-cattolica.

Since two faculties of man are involved here, intellect and will, there is in a consummate heresy a clear distinction between two elements: error in the matter of faith (a doctrine contrary to truth), and obstinate adhesion of the will to the error. The latter, as a formal element, confers all the qualifications of real heresy to the act. Without it, the material element is nothing other than an error in a matter of faith, a substratum of a more or less possible heresy, but not yet a heresy in itself.¹²² Therefore, the

MICHEL A., *Hérésie, Hérétique*, in *Dictionnaire de théologie catholique* (ed. A. Vacant and E. Mangenot), vol. VI (2), Paris 1920, col. 2216:

a) L'acte d'hérésie est un jugement erroné de l'intelligence.

Ibidem, col. 2219:

b) L'acte d'hérésie est un jugement commandé par la volonté.

Codex iuris canonici, Vatican 1918, can. 1325, § 2:

Post receptum baptismum si quis, nomen retinens christianum, pertinaciter aliquam ex veritatibus fide divina et catholica credendis denegat aut de ea dubitat, haereticus ... est.

Codex iuris canonici, Vatican 1983, can. 751:

Dicitur haeresis, pertinax, post receptum baptismum, alicuius veritatis fide divina et catholica credendae denegatio, aut de eadem pertinax dubitatio.

BILLOT L., S.J., *Tractatus de Ecclesia Christi*, (ed. 5), vol. I, Romae 1927, p. 296:

... haereticus ille proprie dicitur, qui post susceptam in baptismatis sacramento christianitatem, non accipit ab Ecclesiae magisterio regulam credentorum, sed aliunde eligit sibi normam sentiendi de rebus fidei et doctrina Christi ...

JUGIE M., *Theologia dogmatica christianorum orientalium*, vol. I, Parisiis 1926, pp. 17-18: [Haeresis]

Apud theologos sumitur vel pro doctrina contradictorie opposita alicui veritati revelatae et a magisterio ecclesiastico propositae ut ab omnibus fide divina et catholica credenda, vel pro actu quo auis hujusmodi doctrinae praebet assensum, aut de aliquo fidei catholicae articulo positive dubitat.

JOURNET C., *L'Église du Verbe Incarné*, vol. II, Fribourg Helv. 1951, pp. 821-822:

Les critères de l'héréticité.

1° contraire à la foi divine et catholique

2° soutenue par un chrétien

3° avec pertinacité.

¹²² Cf. for instance: G. ZANNONI, *Eresia*, in *Enciclopedia cattolica*, vol. V, col. 489-490:

Questa pertinacia costituisce l'elemento specifico della sua colpevolezza morale. ... mancando questa, l'eresia sarà puramente materiale, non formale.

Cf. also quotation in the note 127 below.

denomination "material heresy" used by scholars, is not adequate for indicating properly this "material cause" (*causam materialem*) of an eventual heresy. Rather it should be called "dogmatic or doctrinal error".¹²³

Still more confusing, at least for ecclesiological investigation, is the habit of theologians to define such material element in itself, regardless of the human act, as heresy.¹²⁴ Such designation seems to attribute to the pure object of an intellect a meaning of an act

¹²³ Generally denominations composed of a common noun and different adjectives are used to denote realities of the same genus (indicated by a noun) but of different species (indicated by adjectives). Since "formal heresy" and "material heresy" are generically different realities, such terminology could cause undesirable confusion, unless one would use the binomial "*haeresis-formalis*" and "*haeresis-materialis*" throughout and never the common word "*haeresis*" separately.

The difficulty is not avoided, when the adjective "material" is substituted by the expression "in good faith". C. JOURNET, *op. cit.*, vol. II, pp. 708-718, in his review about the term "heresy" among ancient scholastics and recent theologians, asserts with regard to the notion "hérétiques de bonne foi" and "hérésie de bonne foi" as follows:

... Ils tentent de situer l'hérésie tout entière sur le plan "dialectique" et de la dégager du plan "moral". Dès lors, l'hérésie n'est plus qu'une erreur en matière de foi. Que cette erreur soit coupable ou non, cela ne change rien à sa nature. (p. 712).

Voilà donc une nouvelle expression, celle "d'hérétique de bonne foi" (et parallèlement celle de "schismatiques de bonne foi") pour désigner des hommes que les scolastiques n'auraient jamais appelés ni hérétiques ni schismatiques. (p. 716)

¹²⁴ MIGUEL A., *op. cit.*, in *DTC*, vol. VI (2), col. 2211, defines heresy in the objective sense as:

une doctrine qui s'oppose immédiatement, directement et contradictoirement à la vérité révélée par Dieu et proposée authentiquement comme telle par l'Église.

ZANNONI G., *op. cit.*, in *Enciclopedia cattolica*, vol. V, col. 488, in the dogmatic consideration of heresy, adopts essentially the same definition:

Oggettivamente considerata, l'eresia può definirsi: "una dottrina che contraddice direttamente a una verità rivelata e come tale proposta dalla Chiesa ai fedeli".

The attempt to see the essence of a heresy in fact, that it directly and immediately contradicts a truth of faith, cannot be sustained, because it is accidental. Whether a doctrine directly or indirectly contradicts the truth, depends rather on the formulation of the erroneous expression than on the error itself. The official damnations of errors by the formula: "si quis dixerit ... anathema sit", or by the "negative" answer to "dubium propositum", furnish good examples how many errors, proposed in different manners, can be reduced to contradictory formulations.

of will whether the act indeed occurred or not. This object of eventual heresy should be called rather "erroneous doctrine".¹²⁵

Usually it is pointed out that the revealed truth, opposed by heresy, is authentically proposed by the Church. However, it only confers a higher grade of certitude in the recognition of truth,¹²⁶ but does not enter into its essence nor does it change the problem specifically. Since authority is an external element, it cannot change the specification of a pure aberration into different species - heresy, which requires another volitional element.

The use in applying the same term "heresy" to the real ("formal") heresy and to the dogmatic aberration ("material heresy") or even to the erroneous doctrine, appears still more inexpedient when one considers their effects. Dogmatic error, as long as it is not defended with obstinacy, that is, as long as it lacks the volitional element, does not cause any harm in the subject

¹²⁵ JOURNET C., op. cit., vol. II, p. 713, positively distinguishes "deux sens" of the term "hérésie":

l'hérésie - doctrine, qui signifie une erreur directement contraire à la foi chrétienne, mais voilà une définition tout à fait inadéquate de l'hérésie,

l'hérésie - péché, qui représente seule la définition adéquate de l'hérésie, à condition qu'on précise que ce péché consiste à répudier la foi chrétienne.

Later on (p. 818) he asserts that:

Fidèles à la terminologie ancienne, nous entendons par hérésie, non une doctrine, mais un péché, à savoir le péché de ceux qui désertent la vraie foi, plus précisément la foi de la loi nouvelle.

¹²⁶ There are different grades of authenticity of Church teaching. The scholars used to distinguish: "de fide definita", "de fide", "proximum fidei", "theologicæ certum", "magisterium sollemne", "magisterium ordinarium", "doctrina communis", etc. Likewise, there are different grades in error: "haeresis", "proximum haeresi", "sapiens haeresim", "haeretice erroneum", "erroneum", etc. — Besides these objective variations, the subjective element should also be considered, because the same truth does not always appear in the same degree of certainty to all well disposed members of the Church simultaneously. Often there is even an obvious lack of unanimity what in the official teaching of the Roman See is "sollemne", and what is "ordinarium", or which determination is "infallibilis" and which "reformabilis". Indeed, even those scholars who want to distinguish between simple error and "material (objective) heresy" are not able to set a true criterion for adequate distinction, since both seem to be of the same essence, differing in secondary aspects only.

The problem of sufficient evidence, necessary to pose an obligation to accept a truth of faith, is exposed in an interesting manner by C. JOURNET, op. cit., vol. II, pp. 852-859: "Quand la foi est-elle suffisamment proposée? Controverse entre un évêque et un pasteur".

regarding his perseverance in the Mystical Body of Christ and to his state of grace.¹²⁷ The intellectual element is not directly decisive in this sphere. A man can tend to Divinity, can long to unite himself with the Incarnated Deity into one Mystical Body, can advance in this longing and in grace, although his comprehension of the Divinity and even of the means of unification may be ambiguous, full of misapprehension and errors.¹²⁸ In fact, no creature is able to comprehend Divinity adequately; consequently, everyone is exposed to some error or at least a lack of precision and comprehension in the matter of his faith. Nevertheless, a man may strive towards a goal, without comprehending the goal clearly and correctly.

The case changes substantially when a volitional element enters, that is, when the aberration becomes evident to the subject or is sufficiently pointed out to him by legitimate authority to

¹²⁷ Most theologians agree that "material heresy" does not produce effects proper to a real heresy. This difference is evident in considering some of the many effects of both kinds of "heresy", as pointed out in the following quotations:

JUGIE M., *op. cit.*, p. 18:

Haeresis materialis est merus assensus intellectus ... Per se non est culpabilis, et quamvis externe sit manifestus, censura ab Ecclesia non plectitur.

Ibidem, p. 19:

... neque excommunicationem illam in haereticos formales latam incurrerint.

BILLOT L., *op. cit.*, p. 297:

Materialibus igitur haereticis non imputatur haeresis ad peccatum, imo nec necessario deest supernaturalis illa fides quae totius iustificationis initium est et radix.

Nevertheless, the latter author does not sustain the difference with regard to the incorporation into the "visible Church" (Ibidem):

Nihilominus, quod attinet ad realem incorporationem in visibili Ecclesia Christi de qua nunc, thesis nullum ponit discrimen inte haereticos formales vel materiales ...

On the contrary, M. d'HERBIGNY, S.J., *Theologia de Ecclesia* (ed. 3), vol. II, Parisiis 1928, assents to some distinction among different kinds of "heretics" and considers only the "formal" and public as simply excluded from the Church (p. 268):

Infideles, haeretici et schismatici formales publicique sunt simpliciter extra Ecclesiam, i.e. extra corpus animamque.

¹²⁸ JUGIE M., *op. cit.*, p. 23:

Sufficiat his addere haereticos materiales ubique terrarum, etiam inter Catholicos, inveniri posse.

which he owes obedience, and he continues to sustain his erroneous idea. The authenticity of the Church's doctrine and its authority has a function closely analogical to that of a beam of light; namely, that of making the aberration evident; but it is the deliberate will of an individual that causes, in fact, the heresy. An act of free will cannot be replaced by any external power.

In the case of a subject who, disregarding his evident aberration, continues to strive towards his erroneous concept of reality, he is then striving towards an imaginary aim, different from the true and unique one, indicated for all mankind by God himself. Consequently, he precludes for himself the possibility of joining the main course of the Church, even if he does not explicitly desire or intend the separation.¹²⁹ In this way any real

¹²⁹ In this theological, internal consideration of the Church, the moment of the inevitable separation of a real heretic from the Mystical Body of Christ is evident. However, due to the juridical influences, scholars and even moralists of the last centuries were perplexed in the designation of whether and when a heretic ceases to be a member of the Church. Some of them tried to solve the problem by admitting to occult heretics a juridical membership in the visible Church but denying them a spiritual incorporation in the mystical communion of charity.

BILLOT L., op. cit., p. 303, asserts about occult heretics:

Quamdiu igitur haeresis ... iis continetur manifestationibus quae ad notorietatem non sufficiunt, minime excludit coaptationem ad visibilem Ecclesiae compaginem ...

But later on (p. 305), following the thoughts of St. Augustine, the author adds a distinction:

... eos esse sepratos quidem, ... sed ab invisibili charitatis compage, non ab externa Ecclesia communione.

Cf. also the quotations in note 127 above; and the following: G. ZANNONI, op. cit., in *Enciclopedia cattolica*, vol. V, col. 490, where, in an enumeration of the moral consequences of heresy, we read:

3. la separazione dal corpo della Chiesa nel caso di eresia pubblica, per cui l'eretico viene a costituirsi membro avulso e separato, anche se, come vuole la dottrina più comune, aderisce all'eresia solo materialmente. Non è certo che altrettanto possa dirsi dell'eretico occulto, di chi cioè ancora non si è professato tale ufficialmente.

This would mean that an unconsciously errant "material heretic" can be excluded from the community of grace with the head of the Church - Christ, without culpability on his part. On the contrary, an obstinate heretic would remain in mystical union with Christ, although he would consciously and pertinaciously deny, for example, the divinity of Christ or the existence of the Mystical Body, as long as his heresy is not juridically known. Indeed, a ridiculous consequence of the juridical concept of the Church.

Even M. d'HERBIGNY, op. cit., p. 268, indulges in this juridical concept, asserting that:

("formal") *heresy* involves separation from the Church which can be called *doctrinally qualified schism*. Although this is a somewhat different kind of schism, not directly intended in itself, but in cause only.¹³⁰

Consequently, heresy produces separation but not the contrary. Separation (schism) does not necessarily need to be associated with a heresy.¹³¹ This is true even after the definitions of the First Vatican Council about the full and supreme power of the Roman Pontiff in matters of faith, morals and discipline. However, some scholars, considering the dogmatic and ecclesiastical aspects of the problem jointly, do not sufficiently emphasize the difference between an act of separation and a

Haeretici occulti (et proportionaliter occulti aut schismatici aut infideles ex apostasia), etiam formales communis repetuntur non esse simpliciter extra Ecclesiam.

On the contrary, C. JOURNET, op. cit., vol. II, p. 821, states plainly:

Même occulte, l'hérésie exclut de l'appartenance à l'Église.

This, notwithstanding that occult heretics are not inflicted by the ecclesiastical excommunication. The author points out the reason:

Mais ils se sont excommuniés eux-même, d'une manière plus profonde et en quelque sorte théologique, dans le silence de leur cœur.

¹³⁰ JOURNET C., op. cit., vol. II, pp. 819-820, remarks on this kind of separation, caused by heresy, as follows:

En répudiant la foi surnaturelle pleinement révélée, l'hérétique, répudie du même coup l'unité surnaturelle pleinement constituée.

The fact is pointed out (already in the title - p. 819) that heresy produces separation not apart from schism, but precisely causing it:

L'hérésie s'attaque immédiatement à la foi divine et conséquemment à la communion ecclésiastique.

And later (p. 824):

L'unité de l'Église est détruite radicalement par l'hérésie et formellement par le schisme.

¹³¹ St. THOMAS AQUINAS, *Summa Theologica*, II-II, q. 39, a. 1, ad 3:

Et ideo sicut fides et caritas sunt diversae virtutes, quamvis quicumque careat fide careat caritate; ita etiam schisma et haeresis sunt diversa vitia, quamvis quicumque est haereticus sit etiam schismaticus, sed non convertitur.

The observation may be added that the volitional element naturally follows the intellectual, but not the opposite. The intellect can proceed in a rightful way although the will may deviate on its own account.

JOURNET C., op. cit., vol. II, p. 837, asserts: "Le schisme est separable de l'hérésie", referring also to the deliberations of the First Vatican Council.

dogmatic aberration.¹³² Actually, it is quite possible for someone to admit a principle intellectually and not to follow it with his will. This, in fact, pertains to the nature of each mortal sin: deliberate transgression of a fully perceived obligation. The sin of schism is no exception in this respect.¹³³

The deliberations of the First Vatican Council do not change anything in human incoherent behavior. The unity of the Church under the supremacy of the Pope is affirmed through the entire history of the Church and, likewise, was asserted by former Ecumenical Councils, as it is expressly stated in the decree of the Florentine Council.¹³⁴ The act of separation from this unity is as deplorable before the First Vatican Council as it is after, but in neither case can we immediately conclude that it is caused by a rejection of a doctrine. A misdeed demonstrates the will to act in this particular false way, but it does not indicate whether the subject is following an erroneous principle or is acting in spite of a rightly apprehended principle. Otherwise, there would exist no freedom of will in respect to the intellect.

It is true that the human being perceives the incoherence of not following indications of his own intellect and tries to coordinate both human faculties. It must be greatly regretted

¹³² CARBONE V., *Scisma*, in *Enciclopedia cattolica*, vol. XI, col. 116; "Nella morale":

Dopo che il Concilio Vaticano definì verità di fede il primato del romano pontefice, non è più possibile lo scisma senza l'eresia. Teoricamente però sono due peccati distinti, per la diversità dell'oggetto formale. Lo scisma infatti si oppone all'unità, effetto della virtù della carità, mentre l'eresia si oppone alla virtù della fede.

¹³³ There is no reason why one cannot simultaneously profess necessity of Church unity under obedience to the Supreme Pontiff and at the same time (for some other reasons) separate himself, disobeying. The same illogical behaviour occurs in each sinful act. The boy running away from home or disobeying his parents does not intend to question their authority; likewise a thief admits intellectually the right of property, and the liar is aware of the obligation to truth. There are in practice many psychological reasons inducing man's will not to follow his own professed principles. — Cf.: Mt. 23,3: "Omnia ergo quaecumque dixerint vobis, servate et facite; secundum opera vero eorum nolite facere; dicunt enim et non faciunt".

¹³⁴ Concilium Florentinum, *Decretum Laetentur coeli* (Denz. 694):

Item diffinimus ... Pontificem Romanum ... esse ... verum Christi vicarium, totiusque Ecclesiae caput et omnium Christianorum patrem ac doctorem exsistere; et ipsi in beato Petro pascendi, regendi ac gubernandi universalem Ecclesiam a Domino nostro Iesu Christo plenam potestatem traditam esse; quemadmodum etiam in gestis oecumenicorum Conciliorum et in sacris canonibus continetur.

that he often choses the wrong direction of action and "rectifies" his correct intellect by the dictates of his undue will. In consequence, there occurs the reprehensible domination of the will over the intellect, mentioned before, or in other words: an intended aberration, a real heresy. The separated individual to "justify" his segregation, can deny the truth regarding Church unity and the supreme authority,¹³⁵ as he can reject any other dogmatic truth. There is no essential difference between these. In fact, this is a common proceeding — to introduce a heresy in order to corroborate schism. Therefore, it can be asserted that schism usually, but not necessarily, leads towards heresy,¹³⁶ towards denial of that point of truth which it finds suitable to invigorate its own segregation.

However, it must be emphasized once more, that the tendency cannot be generalized; that is to say, that, in fact, schism occurs without involving heresy; especially when the protagonists of the separation are good theologians, capable of discerning matters of faith from mutual discord.¹³⁷

¹³⁵ JUGIE M., op. cit., p. 16; following the opinion of L. FERRARIS, *Bibliotheca canonica juridica moralis theologica*, edit. nova, Romae 1891. t. VII, p. 49, rightly distinguishes negation of papal primacy from simple schism. These are two acts of two different faculties, which applied together produce a composite effect:

Schisma mixtum conjunctum habet haeresim aliquam; unde non solum ad voluntatem, sed etiam ad intellectum refertur. Adest ergo quando quis, "praeter separationem ab unitate verae Ecclesiae, negat unam vel plures propositiones ab ipsa Ecclesia definitas et propositas, v.g., negat romanum Pontificem esse in terris Vicarium Christi et caput Ecclesiae" vel insigniri infallibilitate personali, quando ex cathedra loquitur.

¹³⁶ Speaking of modern times, theologians are inclined to admit an easy transition from schism to heresy. — Cf. f.i.: B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), p. 447.

However, a clear distinction between schism and heresy was already noted by the Fathers of Church. — Cf. f.i.: St. IRENEUS, *Adv. Haer.*, IV, 33, 7 - PG 7. 1076; St. BASIL the GREAT, *Epist. 188*, canonica I - PG 32, 665; St. JEROME, *In Tit.*, III, 10-11 - PL 26, 598; St. AUGUSTINE, *De fide et symb.*, 10 - PL 40, 193.

¹³⁷ JOURNET C., op. cit., vol. II, p. 841, asserts as follows: "Le schisme pur, sans aucun mélange d'hérésie, est donc possible".

Modern scholars are not as easily inclined to qualify every ecclesiastical disagreement as heretical. In particular this is true with regard to the ancient discord between Rome and Constantinople. G. ZANNONI, op. cit., in *Enciclopedia cattolica*, vol. V, col. 491, expresses this broadminded view in the initial period, at least, of this dissension:

... lo scisma greco: esso però, agli inizi almeno, non coinvolse particolari affermazioni eretiche.

On the other hand, heresies can be brought about by causes other than a simple desire to "justify" a schism. This is particularly true in the case of heretical obstinacy of a single individual. Especially in case of some eminent errant thinker, one finds that most often pride is the principal reason why the will dominates the intellect, constraining it to adhere to its own erroneous dogmatic opinion.¹³⁸ But we cannot as easily explain why a community may prefer to follow the false opinion of an unusual individual rather than the truth. The object and aim of every intellect is to find truth (*ens ut verum*). The jealous pride of an individual does not constitute a sufficient reason for a community to deviate intellectually from its natural object (truth)

During the third period of the Second Vatican Council, on October 7, 1964, this was also publicly asserted in regard to the Cerularian discord. The speaker of the Secretariate for the Union of Christians, H. Exc. Msgr. M. HERMANIUK, in his relation to the scheme of the "Decretum de oecumenismo" said:

... that there were no dogmatic reasons leading to that separation of the Eastern Church, which took its beginning with the unfortunate events of the year 1054. All should be aware that the Orient and the West, notwithstanding the painful separation, often differ only by different forms of expressions of the same truth of faith. ... It is certain from the present historical studies that no truth of faith was then put in doubt.

... hob hervor, dass es keine dogmatischen Gründe waren, die zu jener Trennung der Ostkirche führten, die in den unglücklichen Ereignissen des Jahres 1054 ihren Anfang nahm. Alle sollten sich bewusst sein, dass der Orient und das Abendland trotz der schmerzlichen Trennung sich oftmals nur durch verschiedene Ausdrucksformen der gleichen Glaubenswahrheiten unterscheiden. ... Es stehe der heutigen Geschichtsforschung fest, dass damals keine Glaubenswahrheiten in Zweifel gezogen worden seien. — Lorenz Kardinal JAEGER, *Das Konzilsdekret "Über den Ökumenismus"*, Paderborn (1965), pp. 42-43.

The Second Vatican Council took this affirmation into consideration, and therefore the *Decretum de oecumenismo*, art. 13, refers to the East-West discord not as to "scissionem" achieved "contestazione dogmaticarum formularum", but as to "solutionem ecclesiasticae communionis inter Patriarchatus orientales et Sedem Romanam". — Cf.: L. Kard. JAEGER, *op. cit.*, p. 108.

However, it must be recalled that the expression of the conciliar document comprehends the entire problem of East-West relations, not only the Cerularian dissension. — Cf. note 105 above.

¹³⁸ St. AUGUSTINE, *De util. cred.*, 1 (PL 42, 65), indicated pride and ambition as the principal reasons for pertinacy in heresy:

Haereticus est qui alicuius temporalis commodi, et maxime gloriae principatusque sui gratia, falsas ac novas opiniones vel gignit vel sequitur.

Similarly St. THOMAS AQUINAS, *Summa theologiae*, II-II, q. 11, a. 1, ad 2:

Ex fine remoto ostenditur causa eius [haeresis], scilicet quod oritur ex superbia vel cupiditate.

and cling to error with obstinacy (especially after the fault of the individual is sufficiently proven).

Adhesion of an entire ecclesiastical community to an erroneous doctrine, or even its simple separation (schism), presents a complicated problem which must be considered separately in each case, because there can concur different circumstances and motives. But before even one typical case of such a group detachment from Church unity can be reviewed, it must be preceded by theological reflection as to what influence excites the deficiency (heresy, schism or simple alienation) of a leading individual upon an entire ecclesiastical community.

Formerly scholars did not pay much attention to the collective aspect of the problem, limiting themselves rather to the abstract consideration of heresy and schism, regardless of whether this involved only an individual or an entire community. On the contrary, in the following chapter the enquiry is undertaken from the point of view of the collectivity.

It must be emphasized again that this entire investigation proceeds from an ecclesiological and ecumenical aspect. That is to say that heresy is considered only as far as it causes a rupture of the ecclesiastical bond, but not in its dogmatic — theological aspect.¹³⁹ Therefore, *the principal object* of the investigation is *schism*, direct voluntary separation from Church unity. Heresy, a pertinacious denial of a truth of faith, enters into the question insofar as it causes an ecclesiastical separation, or is provoked by it to "justify" an intended schism. Thus it could be also called *doctrinally qualified schism*.

Besides schism, of special importance is the case in which only external manifestation and maintenance of the internally unquestionable ecclesiastical communion is lacking. This third state is called "alienation", which can also be designated as a *seeming schism*.

¹³⁹ This is also the reason why we do not examine the case of apostasy, since it is nothing other than a heresy extended to all the objects of faith, or in other words, to the matter of the entire faith. — C. JOURNET, op. cit., vol. II, p. 820, writes as follows:

En sorte que l'apostasie, pour nier un plus grand nombre de vérités de foi, ne constitue pas un péché d'une nouvelle sorte. Elle n'ajoute à hérésie qu'une circonstance aggravante.

Here we do not take into consideration the infidelity of non-baptized persons either, because it does not have any relation to ecclesiastical separation.

4. THE PARTICULAR CHURCHES IN THE STATE OF DEFICIENT UNITY

All the preceding investigations are directly applicable to any individual member of the Church, defective in unity. Regardless of the position he occupies in the structure of the Church, he, himself, is the subject of alienation, schism or heresy, depending on which way he fails to maintain ecclesiastical unity. If he is only an ordinary member of the Church, his deficiency produces only moral influence upon other members, such as encouragement or inducement. Essentially, it is the same case when many ordinary members simultaneously fail in Church unity, since those are only the sum of individual cases, limited to their own personal sphere.

The problem is different when the defective individual is a representative of a particular Church, that is to say a hierarchy. Since hierarchs "visible principium et fundamentum sunt unitatis in suis Ecclesiis particularibus",¹⁴⁰ their deficiency exercises direct influence upon all members of that particular Church. It is precisely through hierarchic communication that the entire particular Church remains in visible unity with the Universal Church — the Mystical Body of Christ.¹⁴¹ With the failure of mutual hierarchic relations, all the members of the particular Church perceive the effects of the break. However, as there are essentially different kinds of failures in the due communication of a hierarchy, consequently the effects sensed by an entire particular Church also vary.

A lack of external manifestation of communion, without fault on the part of the particular hierarchy, causes only his external alienation as is shown in the preceding chapter. It is true that every hierarchy can exercise the power ontologically conferred to him in the act of consecration "nonnisi in hierarchica communione cum Collegii Capite et membris",¹⁴² which must also be manifested externally.¹⁴³ But it can hardly be admitted that an external hindrance to install communication between a hierarchy

¹⁴⁰ Concilium Vaticanum II, *Constitutio dogmatica de Ecclesia*, art. 23. — Cf. also the quotation, note 72, above.

¹⁴¹ The importance of the hierarchic communication for the Church unity was investigated in the second chapter; see note 83 and following.

¹⁴² Cf. note 83 above.

¹⁴³ Cf. notes 96, 97 and 98 above.

and the wholeness of the Church can annihilate the ontological empowerment or make it inefficient. The mystical entity of the Church would seem too dependant on external and extraneous factors. The divine promise that "portae inferi non praevalerunt adversus eam" (Mt 16, 18) would suffer a limitation with regard to the structure of particular Churches. In fact, not only the Universal Church in its entirety is Christ's Church ("ecclesia mea"), but also all her organic parts — the particular Churches.¹⁴⁴

Still more harmful would this limitation be in a supposedly critical case when an extraneous factor succeeds in isolating the Supreme Pontiff from the rest of the Church. This happened in the first centuries of Christianity by means of exile or of imprisonment. If the ontologically conferred hierarchical powers were inefficient without communication with the Roman Pontiff, the life of the entire Universal Church would be paralyzed. The Mystical Body of Christ would appear too deeply vulnerable by one single act of violence.

The secondary role of external communication, as compared to spiritual communion, was more obvious in former times. Now an individual is usually designated for a hierarchical grade by a direct appointment from the central ecclesiastical authority. By this very act the external communication with the Supreme authority is established and the spiritual communion manifested. In former times, investiture of an hierarch and his communication with the Supreme authority were two different and separate acts not realized simultaneously but in various ways.¹⁴⁵

This shows more evidently that the bond of internal communion does not depend on its external manifestation (mutual communication). Even if in some cases external communication has been impeded for long periods of time, the internal bond persevered undisturbed and the head of a particular Church was invested with his office and all powers for the benefit of his subjects, members of the particular Church.¹⁴⁶

Since the hierarch constitutes the "visibile principium et

¹⁴⁴ Cf. notes 48, 49 and 50 above.

¹⁴⁵ According to the "legitimas consuetudines", or to the "leges ab auctoritate latas aut agnitas" — cf. note 97 above. One of these ways was the exchange of communion letters, when a patriarchal see was concerned; or a patriarchal blessing-confirmation of a completed election, when a see of a lower grade than a patriarchal was in question.

fundamentum” of united life of the particular Church, this particular Church unit continues its own life and development, notwithstanding its state of external alienation from the rest of the Universal Church, due to an external obstruction.¹⁴⁷ In this case the internally sustained communion could be attested externally

¹⁴⁶ Even in pre-conciliar Oriental legislation, patriarchs elected accordingly to the decree of Pius XII, *Motu proprio Cleri sanctitati*, (1957), can. 235, § 2, were entrusted with the patriarchal office and powers immediately, not expecting the external signs of communion from the Roman Pontiff (cf.: *ibidem*, can. 235, § 2 and can. 236). The patriarch could exercise all his powers even before he applied for the “pallium, quod est plenitudinis officii pontificalis insigne” (*ibidem*, can. 236, § 1), except for two acts - convocation of synods and establishment of new bishops (*ibidem*, can. 238, § 3), expressly reserved by modern canon law. In a case where, due to some hindrances, the bestowal of the pallium was procrastinated or even a postulation for that external sign of communion was obstructed, one does not see why and when the legitimately elected and enthroned patriarch should cease to exercise his powers or to consider himself deprived of them. The case does not change in substance when the hindrance is foreseen before the election, or has already occurred with a predecessor.

In former times the evidence, that the patriarch's authority is in itself independent from the act of communication with the Roman See, was even more positive. Then neither confirmation was needed nor any limitation of the patriarch's faculties was imposed before confirmation was obtained. The first papal confirmation of a proper Oriental patriarch (Mesopotamian Sulaga) took place only in 1551 (A. COUSSA, *Epitome praelectionum de iure ecclesiastico orientali*, vol. I, 1948, p. 248). Even for a long time after that no limitation of faculties was attached to the confirmation:

Ex expositis videtur recte concludi posse, extra casus postulationis vel provisionis non canonicae, actus, a Patriarcha neo-electo positos, ante recognitionem ex parte Romani Pontificis, iure antiquo, validos fuisse et licitos. — *Ibidem*, pp. 250-251.

¹⁴⁷ In the light of this consideration the great importance of proper organization of the Universal Church into particular Churches can be understood, especially in regions and in times of averse religious conditions, when the central authority is unable to direct local ecclesiastical life. This was pointed out by the His Beatitude Patriarch MAXIMOS IV SAIGH in his intervention at the Second Vatican Council, on October 15, 1964:

Restando salve le prerogative del Successore di Pietro, il Patriarca insieme col Santo Sinodo dev'essere normalmente l'ultima istanza per tutti gli affari del suo patriarcato. Questa autonomia canonica interna ha salvato la cristianità d'oriente in mezzo a tante vicende; essa potrebbe essere una formula degna di considerazione per altri gruppi ecclesiali che si trovano in particolari circostanze ... - *Il Concilio Vaticano II*, Notiziario n. 55, in *La Civiltà Cattolica*, an. 116 (1965 I), p. 582.

It should be noted that the Patriarch spoke not about primitive ecclesiastical units, thus single local eparchies, but about their evolved state, assembled into large individual Churches, such as patriarchates. Especially in troublesome

by apostolic succession of the leading hierarch¹⁴⁸ of the particular Church and his good will to maintain external communication, if this communication would be possible.

It is true that a lack of external mutual communication deprives the isolated community from many means and subsidies, which are enjoyed only in the mutual exchange of experiences and support of the entire Universal Church. "Qui adiuvatur a fratre, quasi civitas firma" (Prov 18, 19). However, it does not mean that the "frater" who is constrained to live in isolation from his brothers loses anything essential from his spiritual fraternal bonds. The faithful of a guiltlessly alienated particular Church remain members with full rights in the Universal Church, the Mystical Body of Christ, even if their very existence remains unknown to the contemporary Supreme Pontiff.¹⁴⁹

conditions, local Churches should hold together as closely as they can. If they became disintegrated into loose accumulations of numerous small units, this could only serve the adverse principle of "divide et impera".

Cf. the related deliberation of the Second Vatican Council, expressed in *Decretum de Ecclesiis Orientalibus Catholicis*, art. 9:

Patriarchae cum suis synodis superiorem constituunt instantiam pro quibusvis negotiis patriarchatus ... salvo inalienabili Romani Pontificis iure in singulis casibus interveniendi.

¹⁴⁸ Theologians sometimes distinguish "material" and "formal" apostolic succession. By "formal" succession they mean that in addition to a "material" succession a communication with the Roman See took place. The distinction was raised also in the conciliar discussions with regard to the *Decretum de oecumenismo*, art. 15 (cf. L. Kard. JAEGER, *Das Konzilsdekret "Über den Ökumenismus"*, Paderborn 1965, pp. 118-119). But the competent Secretariat did not consider it opportune to go into these scholastic details and with regard to the Oriental separated Churches in that article of the conciliar decree stated:

Cum autem illae Ecclesiae, quamvis seiunctae, vera sacramenta habeant, praecipue vero, vi apostolicae successionis, Sacerdotium et Eucharistiam ...

¹⁴⁹ Neither the designation "dissidens" nor "separatus" can be applied to such externally alienated Churches, because the terms suppose the fact of a consummated break of communion, which in this case is lacking. The meaning of the terms "dissidens" and "separatus" is explained by M. JUGIE, *Theologia dogmatica christianorum orientalium*, vol. I, Parisiis 1926, p. 19:

vox dissidens, nullum dedecus morale per se involvit, sed consensionis defectum in ordine doctrinae directe significat, abstrahendo ab indole morali dissensionis, num scilicet haec culpabilis sit, vel non.

Ibidem, p. 20:

Vox separatus ... nihil aliud suggerit, nisi ipsum separationis factum, quod inter christianos revera existit ...

However, neither the faithful nor the hierarchy of an externally alienated

In their unfortunate condition, they have to help themselves as best they can. One way is to strengthen mutual internal communion within the limits of the isolated particular Church, "nam unitas particularis aliquorum ad invicem ordinatur ad unitatem Ecclesiae".¹⁵⁰ A difficulty arises only when a subordinate unit of the alienated particular Church has an opportunity to install of its own accord due communication with the rest of the Universal Church, under the condition that this act separates it from the rest of the alienated particular Church. In this case, the subordinate unit must consider what it entails — the advantage to the subordinate unit from its completed external communication with the wholeness of the Church, or the benefits which the entire particular Church enjoys remaining together, notwithstanding its alienation. Decision depends on the actual circumstances and therefore, each particular case has to be examined separately.

Apart from this exceptional case, all the individual members and subordinate units of the alienated particular Church are subject, as a rule, to their own hierarchical system and its authority in all three aspects: prophetic — the power of teaching, sacerdotal — the power of conferring Holy Sacraments and regal — the power of jurisdiction. Evidently, only that portion of the power of jurisdiction can be exercised by which the particular Church is internally governed. The other section of this power, by which each bishop participates in the government of the entire Universal Church, pertains by right (*de iure*) to the hierarch of the alienated Church also. But it is precisely in its universal relations that the particular Church encounters difficulties. A possibility to exercise this other portion of jurisdiction actually implies external communication, which in this case is lacking.

The entire problem becomes more complicated when there occurs not an external alienation but a real schism of the leading hierarch. Just as a particular Church, as such, is principally and fundamentally integrated into the structure of the Church through the communication of its hierarchical head, so also a schism of the head affects the communion of the entire particular Church. The

particular Church is by that very fact dissident in doctrinal matters from the Universal Church, nor are they separated from the Mystical Body of Christ.

¹⁵⁰ St. THOMAS AQUINAS, *Summa theologiae*, II-II, q. 39, a. 1; — cf. also notes 91, 92 and 93 above.

consequences of a disjoining act of a legitimate representative fall immediately upon the unit which he represents. In other words, a schismatic ideas are erroneous in themselves, why such hierarch has no authority to impose on the faithful his false attitude regarding ecclesiastical unity. At most, this act can have the Church from the supreme authority.¹⁵¹

This first effect is obvious. There can only be a question as to what further consequences it provokes; especially whether the particular Church, in which the schismatic head is constituted as the principle and basis of unity, has internally disintegrated by the faulty act of its head. This is to say, does a particular Church after the schismatic deficiency of its head continue to exist as a Church, as an internally structured unit, or does it become a loose aggregate of Christians?

First of all, it must be noted that in the East the separated hierarchy never intended to dissolve their Churches. On the contrary, after separation they became even more anxious in

¹⁵¹ JUGIE M., op. cit., p. 36, argues this affirmation by a quotation from the *Schema concilii Vaticani de Ecclesia*, cap. V, where it reads as follows:

Vera enim Ecclesia ita in sua constitutione est determinata, ut quaecumque societates a fidei unitate vel a communione hujus corporis sejunctae nullo modo pars ejus aut membrum dici possint ...

The same can be adduced from the expressions contained in the *Decretum de oecumenismo* of the Second Vatican Council, in particular from art. 13, where it is pointed out:

Ad duas praecipuas scissionum categorias ... convertimus. Primae earum in Oriente evenerunt, sive ..., posteriore tempore, per solutionem ecclesiasticae communionis inter Patriarchatus orientales et Sedem Romanam.

In practice such a schismatic hierarch can encounter resistance both among the clergy and the faithful. As a result, at least part of his subjects may refuse to follow him in his withdrawal from the body of the Universal Church, by constituting themselves as a particular Church or by joining another one. In fact this is nothing else than a reunion established immediately after the schism. In this respect it follows the same line taken by reunions as considered in the next chapter.

In this context it is worth-while mentioning the idea of V. Soloviev, that since the Russian people rejected their dissident hierarchy and theologians, consequently they continued to be direct communicants of the Universal Church. But first of all, history should demonstrate the occurrence of such rejection. — References are made to Soloviev's idea in the works cited above, as f.i.: JUGIE, op. cit., pp. 27-28; C. JOURNET, *L'Église du Verbe Incarné*, vol. II, Friburgi Helv. 1951, pp. 748-755; B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), pp. 450-451.

keeping the units tightly subordinated and the process of centralization was even strengthened.¹⁵²

Secondly, it would be contrary to the Divine Founder of the Church to deprive the faithful of the spiritual benefits of local ecclesiastical communion because of a fault of its head.¹⁵³ Therefore, regardless of the eventual schismatic or even heretic attitude of the hierarchy, the subordinate ecclesiastical unit is still designated in the Catholic documents by a meaningful name as a "Church".¹⁵⁴

It is true that the term "Church" in itself is analogical. One sense of this analogy, namely in regard to the Universal Church and particular Churches, was already examined in the second chapter. There exists another analogy, relating particular Catholic Churches to non-Catholic ones.¹⁵⁵ Since non-Catholic ecclesiastical units vary very much, there is a need to find a criterion, which would also define the proper notion of Church in

¹⁵² The history of the "phanariotic" domination of Constantinople over Slavic Churches in the Balkan countries and the establishment of the Melkite Church among the Semitic population furnish good illustrations of this trend of centralization.

¹⁵³ This would seem a punishment of the entire community for the deficiency of a single leading individual. Indeed, nothing is more contrary to the Christian moral as the idea of a collective responsibility. — Cf.: St. THOMAS AQUINAS, *Summa theologiae*, I-II, q. 87, a. 8:

Unde in bonis animae nullus patitur detrimentum sine culpa propria. Et propter hoc etiam talibus poenis, ut dicit Augustinus in Epistola ad Avitum, unus non punitur pro alio ...

Ibidem, II-II, q. 108, a. 4:

Et quia bona spiritualia sunt maxima bona ... non autem punitur aliquis in spiritualibus bonis sine propria culpa ...

¹⁵⁴ JAEGER Kard. L., op. cit., pp. 162-164, collected a list of papal and conciliar documents, in which the term "ecclesia" is adopted in regard to the separate Churches. The list starts with St. Gregory VII (1074-75), includes the Florentine Council ("sublatus est enim de medio paries qui occidentalem orientalemque dividebat Ecclesiam") and, beginning with Pius IX, gives quotes of all recent popes.

Different terms, used to designate non-Catholic ecclesiastical units, were examined by Y. CONGAR, O.P., *Note sur les mots "Confession", "Église" et "Communion"*, in *Irénikon*, 23 (1950), pp. 3-36.

¹⁵⁵ Cf. for this question: B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), pp. 447-449; G. BAUM, O.S.A., *The ecclesial reality of the other Churches*, in *Concilium* (in engl.), vol. 4, no. 1 (1965), p. 39.

respect to non-Catholic Churches. It seems more opportune to point out this criterion in a later deduction of this chapter. It should only be remarked now that it must denote a concept of "holy assembly", the essential element of the term "Church".

In fact, this criterion was adopted by the Second Vatican Council when the name "Church" was applied to all Eastern non-Catholic ecclesiastical units and to those Western ones which retained the power of conferring valid episcopal orders.¹⁵⁶ A tendency was expressed during the Council debate to apply the term "Church" "also to the communities which arose from the Reformation".¹⁵⁷ However, this opinion was not accepted in the final document of the Council where a clear distinction was made between Churches with a valid apostolic episcopates and other ecclesial communities.

The very fact that the term "Church" was not applied to all Christian communities but only to those with valid episcopal orders, indicates that the episcopal element remains the basic principle of local holy assemblies notwithstanding their separation. Evidently, it is not the sacramental character of the full priesthood in itself which constitutes the unity of a non-Catholic particular Church, because the simple presence of a bishop among the faithful does not form a unit from a loose

¹⁵⁶ JAEGER Kard. L., op. cit., p. 103:

The Oriental Churches are always designated as "Churches" in the theological sense.

Die orientalischen Kirchen werden immer im theologischen Sinn als "Kirchen" genannt.

As far as Western non-Catholics are concerned, the Old-Catholic ecclesiastical units undoubtedly deserve the name "Church" (ibidem, p. 37-38). With regard to the Anglicans *Decretum de oecumenismo*, art. 13, uses the general denomination "Communio anglicana". The term "communio", according to the conciliar practice comprehends both "Ecclesiae" with a valid episcopacy and "communitates ecclesiales" without it. (Cf. also: ibidem, art. 3 and footnote 19 to the decree). The same distinction was actually adopted in the *Constitutio dogmatica de Ecclesia*, art. 15, where the following expression was applied to those who, "baptizati, christiano nomine decorantur, integram autem fidem non profitentur vel unitatem communionis sub Successore Petri non servant":

Baptismo signantur, quo Christo coniunguntur, imo et alia sacramenta in propriis Ecclesiis vel communitatibus ecclesiasticis agnoscunt et recipiunt.

Cf. also: BAUM G., op. cit., p. 40.

¹⁵⁷ BAUM G., op. cit., p. 35.

aggregate. Formally, the unifying force are the faculties, the power emanating from this character, which enables a bishop to act upon the multitude in order to compose a particular Church.

The episcopal power is threefold: prophetic (teaching), sacerdotal (sanctifying) and regal (jurisdiction). As far as the sanctifying power is concerned, there is no difficulty among Catholic theologians in admitting this most passively received power of Orders to be also in the possession of the separated hierarchy.¹⁵⁸ Since the sacerdotal power results immediately from the consecration, as generally admitted, there were in the past only a few juridically minded extremists who refused to acknowledge the sanctifying power in the separated hierarchy and clergy.¹⁵⁹ In the official Church documents, there is no doubt as to the preservation of the sacramental power in cases of ecclesiastical separation.

In consecration, the power of authoritative teaching is also conferred upon bishops in order to enable them to fulfil their principal office, which is "praedicatio Evangelii".¹⁶⁰ Among the Churches separated by pure schism, this power continues, without doubt, in the fruitful preaching of the Gospel uncontaminated by heresy, due to the fact that schism, not heresy, separates these from the universal body of the Church. The case in which schism is combined with heresy, is considered separately afterwards.

In the limits of pure schism, the case appears to be similar to the power of sacramental sanctification, all the more that preaching (like a kind of "sacramentalia") is a necessary means to salvation. It precedes and must be accepted before the Holy

¹⁵⁸ Cf.: St. THOMAS AQUINAS, *Summa theologica*, II-II, q. 39, a. 3; III, q. 64, a. 9; Supplementum, q. 38, a. 2.

BILLOT L., *op. cit.*, pp. 347-348.

¹⁵⁹ Shortly before the Council of Trent there were still some theologians, who refused to admit the validity of the Holy Sacraments administered by non-Catholics, as it will be shown later in the Historical part of this work. For the authoritative decision in this matter it suffices to mention: the letter of Pope Anastasius II, in the year 496 (Denz. 169); the instruction of Pope Clemens VIII, in the year 1595 (Denz. 1087); and finally Concilium Vaticanum II, *Decretum de oecumenismo*, art. 15.

¹⁶⁰ Concilium Vaticanum II, *Constitutio dogmatica de Ecclesia*, art. 21 and 25; — cf. notes 73, 75 and 79 above.

Idem, *Decretum de pastoralis episcoporum munere in Ecclesia*, art. 12, 13 and 14.

Sacraments.¹⁶¹ On the basis of this, we can conclude that the schismatic hierarchy does not seem to be deprived of the power of authoritatively teaching the genuine Evangelic truths.

Evidently, they do not possess the power which is required to decide controversial questions on matters of faith in a definitive way. Since revealed truth is unique and absolute, identical with respect to everyone in the universe, the definitive decision on whether a controversial doctrine is in accord with the truth or not, can be pronounced only by a universal and not by a particular authority. Therefore, the prerogative of infallibility is secured not to single hierarchs separately, but to the collective episcopal body properly headed by the Supreme Pontiff.¹⁶² A hierarch separating himself from the episcopal body ("college") renounces his faculty of participation in this supreme authority of the teaching power.

Nevertheless, there is no reason why the power and office of teaching the faithful the commonly uncontested truths of faith and even evolving them in more clear expositions,¹⁶³ should be removed from him. The respective authority and obligation was conferred unto him in consecration not on behalf of himself, but for the benefit of the entire community.

¹⁶¹ Cf. BILLOT L., op. cit., pp. 393-400; pp. 393-394:

Nunc autem, si sacramenta sunt fontes salutis, multo magis salutis principium est fides. ... Si ergo vera sunt ea quae fuerunt dicta de sacramentis secuncum quod possunt extra Ecclesiam transferri, et sub conditione invincibilis ignorantiae ex parte suscipientium (ut supra), prodesse ad salutem: multo magis necesse est ut extra Ecclesiam esse quoque possit sufficiens fidei propositio, possitque reperiri veri credentes vera fide infusa, etiam inter eos qui ab haereticis vel schismaticis vel quibuslibet aliis quovis modo sunt edocti.

¹⁶² *Constitutio dogmatica de Ecclesia*, art. 25:

Licet singuli praesules infallibilitatis praerogativa non polleant, quando tamen, etiam per orbem dispersi, sed communionis nexum inter se et cum Successore Petri servantes, authentice res fidei et morum docentes in unam sententiam tamquam definitive tenendam conveniunt, doctrinam Christi infallibiliter enuntiant.

¹⁶³ SCHULTZE B., S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, *Gregorianum*, XLII (1961), p. 453:

... non vogliamo negare che la tradizione orientale cristiana dei separati possa essere accidentalmente più perfetta, per esempio nella conservazione dei riti, dei canoni, persino delle dottrine non opposte alla Chiesa cattolica, nell'esplicazione di certi punti del dogma (così, per esempio, durante il tempo della separazione presso i dissidenti orientali è rimasta più esplicita, che non presso i cattolici, la coscienza che lo Spirito Santo procede dal Padre mediante il Figlio, la coscienza che lo Spirito Santo ha la sua parte nella consacrazione eucaristica, ecc.).

Cf. also: JAEGER Kard. L., op. cit., pp. 104-105.

However, neither the power of authoritative teaching nor the power of sacraments is sufficient for constituting a unit from a loose assembly of faithful, because the subjects always remain in a more or less passive attitude towards the intellectual sphere of the episcopal power of teaching. An authority is needed in the volitional field which could regulate the deliberate acts of the subjects. Only a power in this sphere is capable of shaping the multitude into one compact unit. This is precisely the power of jurisdiction, the third aspect of a complete hierarchical power.¹⁶⁴

Without the integrity of the binding hierarchical element, a completeness of the particular Church could hardly be obtained. The result would be something anomalous.¹⁶⁵ Consequently, if the separated particular units are to be considered as "Churches", a corresponding internal bond of jurisdiction must be admitted. This can only be the episcopal power of jurisdiction received in the act of consecration and retained by the bishops notwithstanding their separation.¹⁶⁶ It cannot be some other

¹⁶⁴ PARENTE P., *Theologia fundamentalis* (ed. 4), Romae 1962, p. 212, points to the fact that the power of jurisdiction is indispensable and basic for every society, not excluding the ecclesiastical:

Animadvertendum est quamlibet societatem humanam indigere tantummodo auctoritate seu potestate iurisdictionis ad suum finem naturalem attingendum ... Sed Ecclesia est societas supernaturalis ... Quamobrem necesse est ut in Ecclesia sit, praeter potestatem iuridicam, etiam alia potestas, quae munus habeat procurandi media illa supernaturalia.

Cf. note 89 above. The principle quoted there can also be applied analogically to particular Churches.

¹⁶⁵ The inquiry made by S. TYSZKIEWICZ (cf. note 69 above) with respect to the Universal Church, whether it could be established with purely spiritual bonds only, can be applied to particular separated Churches as well.

¹⁶⁶ The controversy whether the separated hierarchy is in possession of jurisdiction or not is not yet authoritatively solved. In the *Nota explicativa praevia* attached to the *Constitutio dogmatica de Ecclesia* of the Second Vatican Council, it is clearly stated that the supreme authority of the Church did not decide this controversy definitively:

Commissio autem censuit non intrandum esse in questiones de *liceitate* et *validitate*, quae relinquuntur disceptationi theologorum, in specie quod attinet ad potestatem quae *de facto* apud Orientales seiunctos exercetur, et de cuius explicatione variae exstant sententiae.

However, the Constitution itself furnishes new elements for the solution of this problem in a positive sense. Actually the question depends on the answer to the problem regarding the way of transmission of episcopal jurisdiction. That is whether it is transmitted directly in the act of episcopal consecration or through

ecclesiastical power originating in the act of separation, because it would seem unreasonable that a positive element, the bond of unity in a separated ecclesiastical unit, should be derived from a

the Supreme Pontiff. The Council expressed itself definitely for the direct transmission (cf. notes 79 and 80 above) and actually solved the above crucial question as well. The correlation of these two problems was noted by G. DEJAUFVE, S.J., *Le Premier des évêques*, in *Nouvelle revue théologique*, vol. 82 (1960), pp. 561-579;

- p. 576: Possèdent-ils une juridiction réelle? S'ils l'ont, ils est certain qu'ils ne la tiennent pas expressément du Pape, avec lequel ils ne sont pas en communion.
- p. 577: La rupture consciente et voulue de communion avec le Siège de Rome empêche-t-elle ces évêques de transmettre un pouvoir de juridiction que, par hypothèse, ils posséderaient? Dans la théorie romaine, on peut penser que le seul obstacle serait un refus formel du Pape de la transmettre par procuration.

The author was inclined to admit jurisdiction of the Eastern non-Catholic bishops. This assent was conditioned by the principle of direct transmission of jurisdiction (ibidem, p. 578):

L'opinion que nous avons proposée: ils n'est pas essentiel à la juridiction épiscopale qu'elle soit conférée expressément par le pouvoir suprême.

The German version of this article is to be found in *Theologie und Glaube*, 51 (1961), pp. 1-22. — On the matter cf. also: B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), p. 450.

Nota explicativa praevia, 2^o, to the *Constitutio dogmatica de Ecclesia*, specifies that "in consecratione datur ontologica participatio sacrorum munerum", what is distinguished from another term "potestas", "quia haec ultima vox de potestate ad actum expedita intelligi posset. Ut vero talis expedita potestas habeatur, accedere debet canonica seu iuridica determinatio per auctoritatem hierarchicam". In other words, the "ontological participation" (by some writers called: fundamental jurisdiction) should be completed by the "juridical determination" (achieved by communication with the Supreme See) to procure "potestatem ad actum expeditam" (called by some writers: actual jurisdiction). Since the Church is essentially a spiritual entity and its jurisdiction is of supernatural origin, the essence of jurisdiction cannot lie in a logical, juridical act (determination) but has to be in the ontological element, in the "fundamental jurisdiction". If the latter would be invalid without the juridical complement, it would not have any objective value in itself.

It should be noted that *Constitutio dogmatica de Ecclesia*, art. 21, speaking about the "participatio sacrorum munerum" by the very act of consecration, does not note any differences between "munus sanctificandi" and two others "docendi et regendi". For the exercise of all three of them, there must be a hierarchical communion with the Head and members of the episcopal body. If the first is valid (although illicit as long as the communion is lacking), there is no reason why the other two should be invalid.

negative act. Still less probable would be the supposition that the bond of a separated Church is of a non-ecclesiastical nature. It is precisely in the documents of strict ecclesiastical nature with the intention for ecumenical ecclesiastical reunion, that the separated units are called "Churches" and their hierarchs are approached.

If the separated bishops are deprived of the power of jurisdiction, it could hardly be explained why they are treated with a particular regard, reserved only to real hierarchs. Even in the official documents of the Church strictly jurisdictional titles are reserved to them.¹⁶⁷ Ecclesiastical communion re-established with a separated bishop who lacks all jurisdictional power would result in not more than the exercise of a moral influence upon other persons — the clergy and the faithful. Therefore, communion would have to be re-established with each individual separately.

On the contrary, the history of the Church knows many reunions accomplished by a separated hierarchy in the name of the entire non-Catholic particular Church. The Roman See even claimed strict obligation of all the subjects of the particular Church to follow the act of their hierarchy. Insubordination was considered rebellion. This practice is understandable only if the separated hierarchy preserved the possession of jurisdiction over the particular Church during its separation.

The main objection in acknowledging the jurisdiction of separated hierarchs is furnished by the reasoning that a separated bishop ceases to be a member of the Church. He, therefore, is

¹⁶⁷ The decree of the Florentine Council is entitled as follows:

Eugenius episcopus, Servus Servorum Dei. Ad perpetuam rei memoriam. Consentiente ... locumtenentibus venerabilium fratrum nosterum patriarcharum, et caeteris orientalem ecclesiam repraesentantibus. — *Documenta Pontificum Romanorum historiam Ucrainae illustrantia* (ed. A. Welykyj, OSBM), vol. I, Romae 1953, no. 65, p. 113.

Likewise the *Declaration commune* (cf. note 105 above) and the *Breve* (ibidem) of the December 7-th, 1965, honour the present non-Catholic bishop, resident in Constantinople, with the title "patriarch": "... le pape Paul VI et le patriarche Athénagoras I-er en son synode ..." - *Declaration commune*, art. 4, (cf. also: art. 5 and 1).

... magno afficimur gaudio, quod venerabilis Frater Noster Athenagoras I, Patriarcha Constantinopolitanus, eiusque Synodus in eadem Nobiscum sunt voluntate ... - *Breve*.

It should be noted that a synod can be appointed only by those who enjoy a jurisdiction over their subjects.

deprived of jurisdiction in a particular Church and cannot be its head.¹⁶⁸ But the difficulty is caused by a confusion between the two notions of the term "Church" and between the two aspects of the twofold episcopal jurisdiction.

By a voluntary separation a bishop segregates himself from the Universal Church and ceases to be its member, but he does not cease to be a "member" and the head of the particular Church subordinated to him. Otherwise, if the schismatic act of the hierarch would cause his immediate ejection from the "membership" of the particular Church, his schism would not affect this Church at all. An act of an extraneous person can influence the unit only externally.

This means that there could never be a schismatic hierarch and a separated Church, but only schismatic private individuals with episcopal orders and Catholic particular Churches with permanently vacant episcopal sees. Evidently this interpretation of ecclesiastical separation contradicts common sense and the constant attitude of the Supreme Pontiff towards those problems throughout the history of the Church.¹⁶⁹

Questions of reconciliation and reunion of separated Churches were often deliberated with the separated bishops. This would be senseless if these bishops had already ceased to be heads and "members" of their respective particular Churches. It is true that a schism (both a simple schism and one accompanied

¹⁶⁸ BILLOT L., op. cit., p. 305:

Nam quisquis extra corpus Ecclesiae versatur, ipso facto omnis ordinariae iurisdictionis, puta episcopalis, incapax efficitur. Ratio est quia qui iurisdictionem habet ordinariam seu vere episcopalem, capitis obtinet dignitatem, et nemo esse potest caput particularis etiam Ecclesiae, si Ecclesiae membrum non sit.

LEO XIII, Litterae Encyclicae *Satis cognitum*: ASS 28 (1895-96), p. 734:

Nemo igitur, nisi cum Petro cohaereat, participare auctoritatem potest, cum absurdum sit opinari, qui extra Ecclesiam est, eum in Ecclesia praeesse.

¹⁶⁹ Nevertheless, there were some extremists in the past, who considered Eastern particular Churches, not enjoying full communion with Rome, as vacant episcopal sees and their hierarchs as private individuals. In fact, later in the Historical part we will meet presentations of the Eastern particular episcopal sees as illegitimately headed by "schismatic" or "heretic" intruders, or as vacant. How much misinterpretation there was in such presentation and in similar attitudes of the Crusaders towards the Eastern non-Catholic Churches in the Middle Ages, is not always easy to discern now.

by heresy) of a hierarch can be followed by his deposition. However, this must be accomplished by another juridical act, not by the act of schism alone.¹⁷⁰

Further confusion is caused by insufficient distinction between the different aspects of the twofold episcopal jurisdiction, which is clarified authoritatively and definitely by the Second Vatican Council. There is a distinction between the jurisdiction exercised by the bishop over his own particular subjects and the participation in the supreme authority of the Church.¹⁷¹ Each bishop participates in the latter as a member of the episcopal body ("collegium episcopale").¹⁷² If he separates himself from the wholeness of the Church and from membership in the episcopal body, he evidently loses his share in the universal jurisdiction, which must be exercised exclusively in communion with the other hierarchs and the Supreme Pontiff.¹⁷³ Through the

¹⁷⁰ A classical example is furnished by the conciliar deposition of patriarch Nestorius by the Council of Ephesus:

... tandem damnatum blasphemum Nestorium nec audentem ad sanctam synodum accedere depositionis sententiae subiecimus et ab episcopatus gradu amovimus... — from the 24-th letter to the Alexandrians - PG 77, 137 — C. KIRCH, S.J., *Enchiridion fontium historiae ecclesiasticae antiquae* (ed. 7), Friburgi Br. 1956, no. 793, p. 461.

Likewise the patriarch of Alexandria Dioscoros was deposed in the third session (October 13, 451) of the Council of Chalcedon.

The penalty of excommunication, provided in the ecclesiastical legislation for schismatics and heretics, is inflicted by the positive canon law, that is by an act other than the act of schism or heresy itself.

Codex iuris canonici, Vatican 1918, can. 2314, § 1, 1^o, provides for a heretic or a schismatic a penalty of excommunication "ipso facto".

Codex iuris canonici, Vatican 1983, can. 1364, § 1, specifies that a heretic or a schismatic incurs a "latae sententiae" excommunication.

¹⁷¹ The clear distinction between these two aspects of episcopal jurisdiction appears in G. DEJAIFVE, op. cit., in *Nouvelle revue théologique*, vol. 82 (1960), p. 578; or in *Theologie und Glaube*, 51 (1961), p. 20; but only in few other writers.

¹⁷² *Constitutio dogmatica de Ecclesia*, art. 22:

Ordo autem Episcoporum, qui collegio Apostolorum in magisterio et regimine pastoralis succedit, immo in quo corpus apostolicum continuo perseverat, una cum Capite suo Romano Pontifice, et numquam sine hoc Capite, subiectum quoque supremæ ac plenæ potestatis in universam Ecclesiam existit, quæ quidem potestas nonnisi consentiente Romano Pontifice exerceri potest.

Cf. also notes 83-86 above.

¹⁷³ Besides the assertions, quoted in the previous note, it is also expressly stated in the *Decretum de pastoralis episcoporum munere in Ecclesia*, art. 3:

willfulness of the separation, the schismatic hierarch is deprived of the "universal" portion of his episcopal jurisdiction not only in point of fact ("de facto"), as in the case of simple external alienation, but also "de iure".

With regard to the other portion of hierarchical jurisdiction, that is by which "singuli Episcopi, qui particularibus Ecclesiis praeficiuntur, regimen suum pastorale super portionem Populi Dei sibi commissam ... exercent",¹⁷⁴ the necessity of universal episcopal communion is not stated in such exclusive terms as with relation to the "universal" one. The clause that it can be used "natura sua nonnisi in Hierarchica communione cum Collegii Capite et membris" should be referred to the "particular" portion of episcopal power as well.¹⁷⁵ However, this portion is not a participation in a communal power "collegii episcopalis", but a "potestas ... propria, ordinaria et immediata",¹⁷⁶ essentially conferred in the act of consecration.

The direct reception of episcopal jurisdiction from Christ defined in the Second Vatican Council, solves another problem: namely, whether a separation from the Supreme Pontiff precludes the possibility to receive jurisdiction.¹⁷⁷ Up to the last Ecumenical

Hoc suum episcopale munus, quod per consecrationem episcopalem susceperunt, Episcopi, sollicitudinis omnium Ecclesiarum participes, in communione et sub auctoritate Summi Pontificis exercent, ad magisterium et regimen pastorale quod attinet, omnes uniti in Collegio seu corpore quoad universam Dei Ecclesiam.

¹⁷⁴ *Constitutio dogmatica de Ecclesia*, art. 23.

Decretum de pastoralis episcoporum munere in Ecclesia, art. 3:

Illud [munus] exercent singuli [Episcopi] quoad assignatas sibi dominici gregis partes, unusquisque Ecclesiae particularis sibi commissae curam gerens aut quandoque aliqui coniunctim necessitatibus quibusdam diversarum Ecclesiarum communibus providentes.

The difference between this part of the conciliar statement and another, quoted in the previous note is to be noted. The necessity of communion with the episcopal body and the Supreme Pontiff is insisted on with regard to the "universal" portion of jurisdiction only.

¹⁷⁵ *Constitutio dogmatica de Ecclesia*, art. 21; note 83 above.

¹⁷⁶ *Ibidem*, art. 27; cf. notes 79, 80 and 83 above.

¹⁷⁷ This objection was expressed by St. THOMAS AQUINAS, *Summa theologiae*, II-II, q. 39, a. 3, as follows:

Sed quia potestas inferior non debet exire in actum nisi secundum quod movetur a potestate superiori ... Potestas autem iurisdictionalis est quae ex simplici iniunctione hominis confertur. Et talis potestas non immobiliter adhaeret.

Council many theologians sustained the opinion of a mediate bestowal of jurisdiction to bishops,¹⁷⁸ but now the authoritative teaching of the Church on this point is clear and definite.

The possession of jurisdiction notwithstanding a separation becomes all the more obvious when we recall that this power, ontologically conferred in consecration, imposes grave obligations upon the bishop to use it for the benefit of the faithful.¹⁷⁹ It seems unreasonable that by a sole reprehensible act of separation,

Likewise in our times W. BERTRAMS, S.J., *De relatione inter episcopatum et primum*, Roma 1963, p. 87:

Attamen constituta necessitate interventus Romani Pontificis pro missione canonica Episcopi habenda ad ecclesiam particularem, defectus huius interventus seu recognitionis potestatem regendi Episcopi iuridice reddit inefficacem ...

Similarly later on (p. 95). To be noted the author's juridical attitude to the problem, reflected in the expression: "iuridice reddit inefficacem".

¹⁷⁸ PARENTE P., *Theologia fundamentalis* (ed. 4), Romae 1962, p. 227:

Neque Conc. Tridentinum neque Conc. Vaticanum [primum] questionem hanc dirimere proprie voluerunt; nihilominus plerique Theologi, praeunte S. Thoma (S. c. Gentes, IV, 72), potestatem episcopalem a Deo descendere docent per Romanum Pontificem; quod nunc confirmatur a Pio XII in Enc. "Mystici Corporis" ubi legimus: "Episcopi ... sub debita Romani Pontificis auctoritate positi, quamvis ordinaria potestate fruuntur, immediate sibi ab eodem Pontifice Summo impertita".

The intervention of the Roman Pontiffs in empowering bishops with jurisdiction was unknown in former centuries. That this was so before the XIII century is even admitted by W. BERTRAMS, op. cit., p. 53, on basis of the historico-juridical work of W. PLÖCHL, *Geschichte des Kirchenrechts*, vol. I, Wien-München 1953, pp. 205, 361; vol. II, 1955, pp. 264 fol. Conclusion of W. BERTRAMS reads as follows:

Usque ad finem saeculi XII ipsa ordinatio conferenda erat semper pro determinata ecclesia; collatio ordinationis et collatio officii sacri iure igitur unico actu scilicet ipsa ordinatione fiebat.

The practice of nominating bishops directly by the Roman See was introduced generally into the Catholic Church after the Council of Trent. However, the problem as to the way in which jurisdiction is transmitted was neither solved by the Council of Trent nor before the Second Vatican Council. The question was briefly reviewed from the historical and juridical points of view in an article by the same author W. BERTRAMS, S.J., *La collegialità episcopale*, in *La Civiltà Cattolica*, an. 115 (1964 I), pp. 437-46.

¹⁷⁹ *Constitutio dogmatica de Ecclesia*, art. 27:

Vi huius potestatis Episcopi sacrum ius et coram Domino officium habent in suos subditos leges ferendi, iudicium faciendi, atque omnia, quae ad cultus apostolatusque ordinem pertinent moderandi.

a bishop is thus relieved from this grave obligation, causing harm to a third party — the faithful.

The jurisdiction retained by the separated hierarchy furnishes an appropriate criterion in distinguishing which non-Catholic ecclesiastical groups ("communiones") should be called "Churches" ("Ecclesiae") and which ecclesiastical communities ("communitates ecclesiales") only.¹⁸⁰ Since jurisdiction is the most essential element for constituting a unit from a loose assembly of individuals, it seems obvious that only those groups should be called Churches which validly transmit the apostolic jurisdiction.¹⁸¹ In this way the analogical term "Church" ¹⁸² retains its proper meaning of a Christian assembly.

It can, therefore, be concluded that a separated (schismatic) hierarchy retains all three aspects of his episcopal power (prophetic-teaching, sacerdotal-sacramental, regal-jurisdiction), but only insofar as they concern the particular Church.¹⁸³ Through this essential "vestige" of the true Church, the holy assembly of the particular Church remains in a viable existence for the benefit of all its faithful. Therefore, the usage of this power within the limits of the particular ecclesiastical unit is not illicit in itself, although it is exercised by an "illicit" hierarchy.¹⁸⁴

¹⁸⁰ This various terminology for the non-Catholic ecclesiastical units was adopted by the conciliar *Decretum de oecumenismo* and the *Constitutio dogmatica de Ecclesia*. The only difference was that in the latter (art. 15) "communitates ecclesiasticae" was used instead of "communitates ecclesiales". — Cf. note 156 above.

¹⁸¹ Here another question must be solved, namely whether jurisdiction can be validly transmitted by an act of consecration, which due to some impediment is ineffective in conferring the sacerdotal power of orders. In other words, can jurisdiction be transmitted independently from the sanctifying power of the priesthood. However, this problem has a practical application only with regard to Western non-Catholics. In the West, there exist some ecclesiastical groups, organized according to the Catholic hierarchical scheme, but the validity of their orders is questioned by Catholic theologians. Since the principal subjects of our consideration are Eastern non-Catholic Churches whose orders are generally undisputed, we omit this topic.

¹⁸² Cf. notes 154-157 of this chapter and the 2-nd chapter above.

¹⁸³ The jurisdiction over the members of the Mystical Body of Christ should not be denied to a schismatic hierarchy as unworthy of such honour. The sacramental power over the Eucharistic Body of Christ deserves still greater reverence. However, it is commonly admitted that this power is in possession of schismatic and even heretic clergy.

¹⁸⁴ It can be inferred from the following expression of LEO XIII, *Litterae Encyclicae Satis cognitum*: ASS 28 (1895-96), p. 733:

Since the other portion of episcopal power regarding the Universal Church is precluded from the schismatic hierarchy, he cannot pursue any act with respect to the wholeness of the Church. This is another reason, besides the very fact that the schismatic ideas are erroneous in themselves, why such hierarchy has no authority to impose on the faithful his false attitude regarding ecclesiastical unity. At most, this act can have the force of a moral inducement but cannot constitute an obligation. Any of his subjects who consciously accept the schismatic concept, knowing that it is erroneous, commit other personal acts of schism. These would be connected with the hierarchy's act only morally, but not juridically or essentially, thus, constituting a simple sum of individual schisms.

The case is different when the subjects do not reflect upon the schismatic idea proposed by the hierarchy, but simply accept the authoritatively imposed concept.¹⁸⁵ In fact, this is the most frequent case since the faithful (and clergy) are not burdened with any direct obligation to control the integrity of the hierarchy's acts. On the contrary, strict obedience to the bishop is imposed on them with the words of sacred examples: "Fideles autem episcopo adhaerere debent sicut Ecclesia Iesu Christo, et sicut Iesus Christus Patri".¹⁸⁶

... plane intelligitur, excidere episcopos iure et potestate regendi, si a Petro eiusve successoribus scientes secesserint. Nam a fundamento, quo totum debet aedificium niti, secessione divelluntur; itaque exclusi aedificio sunt ...

The exclusion of a subject from the Church does not prevent him from being used as an intelligent instrument for the benefit of others, although, usually, without benefit to himself. This is the case of the unworthy priest (apostate, heretic, schismatic or mortal sinner) ministrating the Holy Sacraments, which are a holier matter than the exercise of ecclesiastical jurisdiction.

¹⁸⁵ This process is reflected in the expressions of B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), p. 452: "... comunità separate ... comunicano questo stato di separazione ai singoli membri ...", or p. 454: "È vero che non si deve, senz'altro, identificare la fede dei teologi o dei colti con la fede del semplice popolo; ma la teologia esercita una certa influenza anche sulla fede del popolo ...".

¹⁸⁶ *Constitutio dogmatica de Ecclesia*, art. 27; cf. also art. 37:

Laici, sicut omnes christifideles, ius habent ex spiritualibus Ecclesiae bonis, verbi Dei praesertim et sacramentorum adiumenta a sacris Pastoribus abundanter accipiendi, hisque necessitates et optata sua libertate et fiducia, quae filios Dei et fratres in Christo decet, patefaciant.

Pius XII, *Litterae Encyclicae Mystici Corporis*: AAS 35 (1943), p. 212:

[Episcopi] ut Apostolorum ex divina institutione successores a populo venerandi sunt.

The faithful could be made aware only accidentally that some acts of their hierarchy are faulty and therefore, are not to be followed. This supposes a certain intellectual and spiritual effort which cannot be expected from every individual. Therefore, the faithful cannot be blamed for being in a state of external separation in which they have been involved only through the fact that their hierarchy caused a separation of their particular Church and they persevered in respectful obedience. This becomes unquestionable with the *Decretum de oecumenismo*, art. 3, asserting: "Qui autem nunc in talibus Communitatibus nascuntur et fide Christi imbuuntur, de separationis peccato argui nequeunt".¹⁸⁷

As long as there is no voluntary separation, no sin of schism, the faithful remain members of the Mystical Body of Christ. It is true that their external communication with the Church as a whole is obstructed by the schism of their hierarchy, but this cannot hinder their incorporation in the mystical entity of the Universal Church, because nobody is separated from Christ without his own guilt.¹⁸⁸ Neither can a true schism be imposed by one's hierarchy. The hierarchical structure, as an expression of the inner bond of the Church, can deprive the inculpable faithful only of the external communication with the wholeness, which must pass through the hierarchy. As a result, the faithful remain externally alienated from the oneness of the Church. In other words, one would not be "fully" ("plene") incorporated in the Universal Church because he lacks the required "vinculum communionis" for "full" incorporation, as was stated by the Second Vatican Council.¹⁸⁹

¹⁸⁷ There is no essential difference whether the individual in question was born after or before the act of schism was accomplished by his hierarchy. The individual schism is achieved by the conscious and voluntary adhesion of the individual to the schismatic idea of the hierarchy. The time when the hierarchy became schismatic does not matter.

¹⁸⁸ Cf. the preceding chapter, especially notes 101 and 112.

¹⁸⁹ The requisites for "full" incorporation into the Church, the Mystical Body of Christ, are authoritatively exposed in the *Constitutio dogmatica de Ecclesia*, art. 14:

Illi plene Ecclesiae societati incorporantur, qui Spiritum Christi habentes, integram eius ordinationem omniaque media salutis in ea instituta accipiunt, et in eiusdem compage visibili cum Christo, eam per Summum Pontificem atque Episcopos regente, iunguntur, vinculis nempe professionis fidei, sacramentorum et ecclesiastici regiminis ac communionis.

Since many requisites are enumerated for a "full" membership, it can vary according to a more or less complete fulfillment of those requisites. Indeed, theologians write about a large gradation of ecclesiastical membership.¹⁹⁰ Considering the sacrament of baptism as an objective initiation into ecclesiastical membership,¹⁹¹ it is easy to conclude that all baptized persons,

The clause "Spiritus Christi habentes" is placed to indicate that "full incorporation into it [the Church] depends also on the Spirit", meaning the state of grace, as appears from the following sentence of the conciliar text (ibidem):

Non salvantur tamen, licet Ecclesiae incorporentur, qui caritate non perseverans, in Ecclesiae sinu "corpore" quidem, sed non "corde" remanet.

However, this aspect is not directly related to the problem of ecclesiastical unity and is therefore disregarded in our further exposition.

Cf. also the article of G. BAUM, O.S.A., *The ecclesial reality of the other Churches*, in *Concilium* (in Engl.), vol. 4, no. 1 (1965), p. 38. The above quotation in English was taken from this article, p. 45.

¹⁹⁰ JOURNET C., *L'Église du Verbe Incarné*, vol. II, Friburgi Helv. 1951, p. 1058, asserts it in an acute phrase: "La notion de membre est analogique, non univoque". Further on (p. 1080) the author presents a whole table of different kinds of Church membership.

Likewise E. SAURAS, *Teologia del Corpo mistico*, Roma 1964, pp. 846-848; and then pp. 969-1157, where in two articles the membership "in actu" and "in potentia" of different grades is examined.

Cf. also St. THOMAS AQUINAS, *Summa theologiae*, III, q. 8, a. 3.

Decretum de oecumenismo, art. 3:

...ad constituendum unum Christi corpus in terris, cui plene incorporentur oportet omnes, qui ad populum Dei iam aliquo modo pertinent.

¹⁹¹ The significance of baptism for incorporation into the Church was also indicated by Pope PAUL VI, *Litterae Encyclicae Ecclesiam Suam*: AAS 56 (1964), pp. 625-626:

... qui sacrum Baptismum susceperint ac propterea vi huius sacramenti in Corpus Christi Mysticum, hoc est in Ecclesiam, sint inserti ...

Nomen igitur christianum ac sacri Baptismi susceptio non eiusmodi res sunt, quae parvum habeant pondus, aut quas neglegi liceat ...

This is still more expressly stated by the Second Vatican Council. *Constitutio dogmatica de Ecclesia*, art. 15:

Cum illis qui, baptizati, christiano nomine decorantur, integram autem fidem non profitentur vel unitatem communionis sub Successore Petri non servant, Ecclesia novit plures ob rationes coniunctam.

Decretum de oecumenismo, art. 3:

Hi enim qui in Christo credunt et baptismum rite receperunt, in quadam cum Ecclesia catholica communione, etsi non perfecta, constituuntur ..., iustificati ex fide in baptismo, Christo incorporantur ...

Ibidem, art. 22:

Baptismi sacramento ... homo vere Christo crucifixo et glorificato

and even those who desire to be baptized, are somehow connected with the Mystical Body of Christ.¹⁹² A further reference to God's will of universal salvation and the Church's necessity for salvation, leads to the conclusion that there is some kind of "anonymous membership" of all mankind in the Church.¹⁹³ Evidently, if the term "member of the Mystical Body

incorporatur ... Attamen baptismus per se dumtaxat initium et exordium est, quippe qui totus in acquirendam tendit plenitudinem vitae in Christo.

Cf. B. WILLEMS, O.P., *Who belongs to the Church?*, in *Concilium* (in Engl.), vol. I, no. 1 (1965), pp. 62-71, where in note 24 the author provides a large bibliography to support his statement (on p. 65): "There is ... an understandable tendency to bring out the fact that baptism, validly administrated, is the basis of Church membership".

¹⁹² *Constitutio dogmatica de Ecclesia*, art. 14:

Catechumeni qui, Spiritu Sancto movente, explicita voluntate ut Ecclesiae incorporarentur expectant, hoc ipso voto cum ea coniunguntur ...

J. FRANZELIN, *Theses de Ecclesia Christi* (ed. 2), Romae 1907, p. 392:

... vincula multa sunt, quibus iidem haeretici, schismatici, excommunicati, et catechumeni nondum baptizati cum Ecclesia aliquatenus cohaerent, vel pro diversa eorum dispositione cohaerere possunt ...

M. D'HERBIGNY, S.J., *Theologica de Ecclesia* (ed. 3), vol. II, Parisiis 1928, p. 263;

M. JUGIE, *Theologia dogmatica christianorum orientalium*, vol. I, Parisiis 1926, p. 38; — C. JOURNET, op. cit., vol. II, p. 821.

¹⁹³ WILLIAMS B., op. cit., pp. 63, 66-67.

Constitutio dogmatica de Ecclesia, art. 13:

Ad hanc igitur catholicam Populi Dei unitatem ... omnes vocantur homines, ad eamque variis modis pertinent vel ordinantur sive fideles catholici, sive alii credentes in Christo, sive denique omnes universaliter homines, gratia Dei ad salutem vocati.

Ibidem, art. 16:

Ii tandem qui Evangelium nondum acceperunt, ad Populum Dei diversis rationibus ordinantur.

Pius XII, *Litterae Encyclicae Mystici Corporis*: AAS (1943), p. 243:

... singulos universos amantissimo animo invitantes ... [qui] inscio quodam desiderio ac voto ad mysticum Redemptoris Corpus ordinantur ...

The concept of various membership in the Church ("in re" and "in voto"; "ad animam" and "ad corpus"), in the light of the encyclical "Mystici Corporis", was investigated by B. WILLIAMS, op. cit., pp. 63-64. With regard to the expression "ordinantur" the author concludes (p. 65):

A distinction is made between those who are members of the Church and those who are, so to speak, orientated towards the Church. The latter are not yet members of the Church. All this is mainly a question of terminology.

Further on, the author examines the problem of salvation of non-Christians and

of Christ" (or the equivalent "member of the Church") is to have a definite meaning and not be indiscriminately applied to all human beings, it must be used with a certain criterion, pointing to the essential elements of the membership.

These are the threefold bonds discussed in the Second chapter above, by which "*vinculis nempe professionis fide, sacramentorum et ecclesiastici regiminis*",¹⁹⁴ members are incorporated ("*iunguntur*") into the Mystical Body of Christ. The other element "*communio*" is required only insofar as this earthly life and Church structure is concerned. Therefore, a member inculpably failing only in this "earthly" element is not deprived of the membership in the Mystical Body, which is the Universal Church, but is only alienated from it during his pilgrimage, during his earthly existence.¹⁹⁵ It makes no essential

comes to the following conclusion (p. 67):

"Radically", "in his roots", therefore, every human being is already in the Church because membership of this People of God is already a factual aspect of human nature.

A. BENI - S. CIPRIANI, *La vera Chiesa* (ed. 2), Florence 1953, pp. 413-414:

Membra semplicemente spirituali o di desiderio, che aderiscono cioè al Corpo mistico soltanto spiritualmente, sono infine gli eretici e gli scismatici materiali, ossia in buona fede, come anche i giusti non battezzati, ossia tutti coloro che, pur non appartenendo alla compagine visibile, vivino fedeli alla propria coscienza ed amano filialmente Iddio.

Consequently, even the term "Church-Mystical Body" could be used in a wide analogical sense, comprehending all mankind of the Old and New Testaments. Cf. P. PARENTE, *Theologia fundamentalis* (ed. 4), Romae 1962, pp. 200, 235 and 239; A. BENI-S. CIPRIANI, op. cit.: p. 397; also note 182 above.

¹⁹⁴ Cf. note 189 above.

¹⁹⁵ These are precisely the individuals who are called by many writers "material (inculpable) schismatics". The notion of "material schismatic" can be applied only with regard to a separated ecclesiastical unit, within which there are subjects who are neither responsible nor consciously embrace separation as such. Apart from a separated unit a "material schismatic" can hardly be conceived, contrary to the case of a "material heretic" which can occur individually in any Catholic particular Church (cf. note 112 above). To other possibilities of individual external separation, in which no ecclesiastical unit is concerned, namely in cases of individual excommunication or physical detachment from other Christians, no writer applies the term "material schism".

Another name adopted for those alienated persons is "schismatic in good faith". But neither of these two terms is appropriate to designate this kind of alienation, since they comprehend the *generic* noun "schism", which presupposes determination and such is lacking in "material schism" or "schism in good faith" (cf. note 123 above). The inconvenience of the term "material schismatic" was

difference for the member, whether his alienation is caused by an extraneous individual or by his own schismatic hierarchy, as long as there is no personal fault.

A similar case occurs when the separation of the particular Church is caused not by a simple schism, but by a heretically qualified one. That is to say, when a heresy is brought forth to "justify" schism or the schism itself is caused by a pertinacious profession of an erroneous doctrine. In both cases, the heretical hierarchy has no authority to spread his aberration since error does not have any "right" to exist and to contradict truth. But it is only the error that is deprived of such right, not the erring person nor the other truths expressed by him. Consequently, a heretic hierarchy is deprived of the power of teaching only insofar as he errs.¹⁹⁶

There is no reason why he should be deprived of the authority of preaching the other truthful articles of faith and his faithful deprived of the possibility of being edified by the authentic word of God. The Second Vatican Council expressly asserts (*Constitutio dogmatica de Ecclesia*, art. 37) that "laici, sicut omnes christifideles, ius habent ex spiritualibus Ecclesiae bonis, verbi Dei praesertim et sacramentorum adiumenta a sacris Pastoribus abundanter accipiendi". By the heretical fault in one point of the respective hierarchy, the entire particular Church does not lose the right to be taught in all other authentic points. Otherwise it

already perceived by M. JUGIE, op. cit., p. 17, where he noted: "... nonnisi improprie schismatici epitheto designatur, quippe qui peccati schismatis reus non est". How confusing it is to use the common *generic* noun for both cases ("material" and "formal") is obvious from the following assertion of L. BILLOT, S.J., *Tractatus de Ecclesia Christi* (ed. 5), vol. I, Romae 1927, p. 312:

Schismaticos autem omnes, tam formales quam materiales, extra visibile corpus Ecclesiae Catholicae versari, fere in terminis evidens est ... However, the author does not specify what the term "schismaticus materialis" means to him.

¹⁹⁶ S. CYRILLUS ALEXANDRINUS, *Epistola XLIV (ol. XXXVII)*: PG 77, col. 226:

Verum iis qui hoc nomine nos accusant, respondendum est, non omnia quae haeretici dicunt, statim fugienda ac repudianda esse: multa enim confitentur ex iis, quae nos quoque asserimus.

This expression, acknowledging that some genuine articles of faith were preserved among heretics, was assumed by Pius XII, *Litterae Encyclicae Orientalis Ecclesiae decus*: AAS 36 (1944), p. 143. Thus the interposition of erroneous and authentic articles of faith in the teachings of heretics was recognized in the times of St. Cyril and in present days as well.

would seem unjust to punish a third inculpable party for a fault of a hierarchy. All the more that, as is generally admitted, the separated ecclesiastical units are capable of developing some theological truths independently of the rest of the Church, and in some cases these are even better expounded there.¹⁹⁷

In the other two aspects (sacerdotal and regal), there are no special reasons for asserting that the power of a heretical hierarchy differs from that of a simple schismatic, because heresy affects directly only the sphere of faith. Hence, the only difference between the two kinds of separated hierarchies is limitation of the power of teaching, which can be exercised by the heretical hierarchy only to the extent that the true doctrine is preserved.

The same can be stated with regard to the faithful of a particular Church separated by heresy. They are under obligation to accept only that part of the hierarchy's teaching which is the faithfully transmitted doctrine. If they adhere to the other part and are conscious that it is heretical, they themselves commit another act of heresy. The erroneous teaching of the hierarchy is certainly an influential occasion but it should not be the principal cause of their acceptance of error.

The faithful of a separated Church, in order to grasp the aberration of some particular aspects of teaching, would for the most part have to be instructed by an extraneous source. In most cases they assent indiscriminately to all the doctrine authoritatively proposed, all the more that the faithful have no obligation to control but rather to accept the teaching of their hierarchy. Errors embraced in this way do not constitute heresy because the essential element, namely pertinacity, is lacking.¹⁹⁸ Just as unknowingly erring faithful of any Catholic particular Church¹⁹⁹

¹⁹⁷ B SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961) p. 453; G. BAUM, O.S.A., *The ecclesial reality of the other Churches*, in *Concilium* (in Engl.), vol. 4, no. 1 (1965), p. 44.

¹⁹⁸ There can easily concur two intentions in one individual simultaneously, namely to adhere to the teaching proposed, objectively erroneous, and to follow the authentic but unknown teaching of Christ. In such a case one must proceed in accordance with the general rule of moral theology, considering which intention prevails and supercedes the other; that is, whether the individual would cling to the teaching proposed, after he were subjectively convinced that it contradicts the authentic Christian faith.

¹⁹⁹ In fact, misapprehensions in matters of faith are more frequent among Catholics than is usually realized. The continuous apprehensions of various

are not excluded from the Mystical Body of Christ because of their inattentive aberration, so by analogy, neither are the faithful of a separated Church. They are alienated Christians not in consequence of their own choice, but due to the separation of the particular Church caused by their hierarchy.²⁰⁰ The cause of separation of an entire unit has no direct essential influence on the state of alienation. They are all in essence the same members of the Mystical Body of Christ which is the Universal Church. They are only externally alienated, whether they are the faithful of a separated (by heresy or schism) Church or of a simply alienated one.²⁰¹

It is true that these alienated members in a Church separated

writings or statements of Catholic theologians by ecclesiastical authority, and the implicit or explicit references to previous ecclesiastical definitions attached to these authoritative reproofs, manifest how often Catholic theologians deviate in some points from the truth. Now if the same controlling vigilance were adopted to ordinary Catholic faithfuls, the number of "material heretics" among them would most likely greatly exceed those who have rightly comprehended the sublime divine truth throughout their whole life.

²⁰⁰ It is these members of heretically separated particular Churches who are often designated by the term "material heretics". Essentially they do not differ from the other group of "material heretics", that is from individually erring faithful of the Catholic Church. Another name by which they are called is "heretics in good faith", although the term itself is a little strange, since it suggests a contradiction, something like "false faith in good faith". The term "material heresy" is neither appropriate for individual aberration (cf. note 123 above) nor for collective alienation within a separated Church. With regard to the latter, JOURNET C., op. cit., vol. II, p. 727 writes:

Les divisions modernes entre hérétiques matériels et hérétiques formels, ... sont donc ici mentionnées; mais c'est pour être déclarées finalement inemployables.

JUGIE M., op. cit., p. 23:

Fideles Ecclesiarum dissidentium orientalium bona fide errantes nonnisi improprie schismatici et haeretici vocantur, cum sint tantummodo schismatici et haeretici materiales.

²⁰¹ JUGIE M., op. cit., p. 39:

Si enim bona fide errent, — et plerumque certo scire impossibile est quinam sint malae fidei — sut vere, quamvis non complete, Ecclesiae catholicae membra.

Even a member of the hierarchy of a separated Church is no exception in this respect. Personally, he can inherit a faulty attitude towards unity or an erroneous faith without consciously making it an object of his choice. Finally, it should be noted that even the head of a particular Church has no absolute or full authority, and in separated Churches his authority is considerably limited by collective rule (synods).

by heresy are exposed to a great danger, namely, that they may consciously commit their own acts of heresy; but this is only a danger or a possibility not necessarily a fact. Actually, the majority of the faithful, both in the Catholic and in the separated Churches, do not individually reflect on the integrity of the proposed teachings but simply accept these unconditionally. In this way they are usually far from embracing an actual individual heresy.²⁰²

There can also occur an intermediate case when an individual consciously assents to the idea of separating the particular Church, but does not himself reflect on the heretical point which caused the schism or was brought in later to "justify" it. In this way, a real schismatic (but not heretic) individual could exist among the faithful of a heretically separated Church. In consequence, it becomes evident that such a heretical particular Church can include three different kinds of individuals: heretics, schismatics or simply alienated members of the Universal Church. Likewise, a Church separated by schism only, may include schismatics and externally alienated members of the Mystical Body of Christ. But the deviancy of an individual in a higher level than the deviancy of the particular Church is impossible. For example, a true heretic cannot remain member of a Church unit separated by schism only, because by his conscious heresy he puts himself outside the Church unit not contaminated by heresy.²⁰³

²⁰² JUGIE M., op. cit., p. 23, rightly concludes:

...dubium non sit quin inter dissidentes multi, immo quamplurimi, bona fide versentur, utpote a parentibus schismaticis et haereticis nati in regionibus, ubi jam a multis saeculis error invaluit...

Very often these faithful consciously avoid reflecting over matters of faith not because of hardening in heresy, but because they feel themselves incapable of deciding sublime theological questions. The above quoted author observes (on p. 24): "si volueris cum illis de aliquo capite controverso disputare, ad proprios parochos te remittent". The parish priest would most likely refer the questioner to the hierarchs and they to theological scholars. But analogical cases can be found among Catholic faithful and clergy as well. Few would be capable and willing to discuss and make their individual judgements on sublime questions of faith.

²⁰³ Cf. on this question the previous chapter, especially note 129 and the respective text.

Analogically, in a particular Church externally alienated from the wholeness of the Church, there is no place either for real schismatics or heretics. Hence, it is obvious that the terms "schismatics (or heretics) in good faith" or "material schismatics (heretics)" sound still more offending to the respective faithful.

Similarly, in a Catholic particular Church no real schismatic or heretic can exist without separating himself by that fact. This self-elimination of erring individuals constitutes a protection for all the faithful of particular Catholic Churches. In this way, they enjoy one of those benefits which are lacking in the separated Churches.²⁰⁴

In fact, it is very difficult, practically impossible, to designate with certainty in which state of deviance single individuals of separated Churches find themselves.²⁰⁵ This case is analogical to the question as to whether an individual of a Catholic Church is in the state of grace or mortal sin. It is much easier to determine the state of deficiency of a particular Church. Lack of communication, intermediate or mediate with the Supreme authority of the Universal Church, indicates a lack of full unity and documents of official "creed" specify it. It might be a heretical separation, if a heresy is involved; a schism, when a conscious desire of separation is expressed; or simple alienation, when only external communication is lacking. In such investigation one should attend more to the spirit than to the letter of the statements.²⁰⁶ With the passage of time, even the official position of a Church may change, thus, attenuating in most cases the extent of deficiency.²⁰⁷

²⁰⁴ Prus XII in his encyclical *Mystici Corporis*: AAS 35 (1943), p. 243, indicated those benefits in general, when he wrote:

... tamen tantisque caelestibus muneribus adiumentisque carent, quibus in Catholica solummodo Ecclesia frui licet.

²⁰⁵ JUGIE M., op. cit., p. 24:

Unde liquet nos certo discernere non posse quinam inter dissidentes sint bonae fidei, quinam malae, quamvis indubitanter noverimus multos ex ipsis, imo plerosque materialiter tantum schismati heresive adhaerere.

²⁰⁶ Pope Prus XII, *Litterae Encyclicae Sempiternus Rex*: AAS 43 (1951), p. 636, points out, that the so called monophysitic heresy of vast Eastern regions seems to be only a verbal misapprehension of the sound doctrine:

Ex nuper allata ratione evenit, ut nunc quoque nonnulli dissidentium coetus in Aegypto, Aethiopia, Syria, Armenia et alibi, in definienda Dominicae Incarnationis doctrina, verbis praecipue a recto tramite deflectere videantur; quod quidem ex eorum liturgicis et theologicis documentis coniectari licet.

The encyclical adduced, besides the liturgical documents unalterable throughout the centuries, also a historical attestation from the XII century, where this misapprehension is apparent (ibidem, p. 636-637).

²⁰⁷ B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), p. 447:

Keeping in mind now that the actual state of the individual faithful within a separated Church can be and, in fact, in most cases is less deficient than the official state of that unit; one comes to the conclusion that a totally heretical or schismatic Church would be hard to find. The image of a particular Church whose faithful are all imbued with deliberate heretical or schismatic conviction, is strictly theoretical and abstract. Such an aggregate of dead members, all deprived of divine grace, could hardly take shape upon this earth.²⁰⁸ Therefore, it is improper to speak of heretical or schismatic Churches, but only of ecclesiastical units separated by heresy or schism and embracing Christians of different kinds.²⁰⁹ The notion of a particular Church which did not pass through the state of heresy or schism in its official "creed", but nevertheless, happened to be in a state of alienation, is a different matter.

In the light of these considerations only, the practice of "communicatio in sacris", exercised in former times and officially

Si deve, però, notare che lo scisma e l'eresia sogliono passare, già nella seconda generazione, dallo scisma e dall'eresia formale, compiuta da coloro che si separarono coscientemente dalla Chiesa, allo scisma e all'eresia soltanto materiale dei figli degli apostati. Siamo perciò lontani dal considerare in blocco i fratelli separati dell'Oriente cristiano come eretici o scismatici volontari e consapevoli.

According to the author the separated Churches, with time, usually turn to simple alienation. Consequently their faithful are indeed only externally alienated members of the Mystical Body of Christ.

²⁰⁸ JOURNET C., op. cit., vol. II, p. 719:

Une armature visible, un squelette sans la vie de la grâce et de l'amour, voilà donc quel est, à l'état pur, le concept d'une Église hérétique ou schismatique, d'une Église dont tous les membres sont infectés par l'hérésie ou le schisme.

²⁰⁹ Ibidem, p. 722:

Nous avons dit qu'une telle Église est possible ... à savoir le concept d'une Église inaugurée par une hérésie ou par un schisme et transmettant aux générations ultérieures, non pas le péché d'hérésie ou de schisme, mais l'héritage, le patrimoine laissé par l'hérésie ou le schisme. ... Nous appellerons Église dissidente l'ensemble des hommes unis par ce complexe ecclésiologique.

Ibidem, p. 727:

Au contraire, si l'on demeure fidèle à la terminologie de saint Thomas, on se refusera absolument ... à qualifier aujourd'hui les Églises orientales non catholiques, et semblablement les Églises protestantes, l'Églises hérétiques ou d'Églises schismatiques. Le seul mot qui paraîtra théologiquement exact sera celui d'Églises dissidentes, ou d'Églises séparées ou plus généralement d'Églises non catholiques.

approved by the Second Vatican Council, can be properly warranted.²¹⁰ If the faithful of separated Churches are not true members of the Mystical Body of Christ, "communicatio in sacris" could by no means be justified, as no one could sanction the principle of administering the Holy Sacraments, especially the Holy Eucharist, to persons who are separated from Christ.²¹¹ Hence, the permission to administer the Sacraments to the faithful of separated Churches, indicates that they are supposedly in the state of grace and somehow incorporated into Christ.²¹²

The notion of particular Church is based on the human element of the Church. Therefore, separation of a particular Church does not prevent the faithful of the separated unit from pertaining spiritually to the Mystical Body of Christ. Indeed, particular Churches should always be organized and developed according to the cultural diversification of mankind. The hierarchical system is the directive framework of this human cultural structure, incorporated into the supernatural entity of the Church.²¹³ Hence, the hierarchical authority constitutes the visible bond of the Church on earth and is the usual vehicle for conveying the internal Church unity, realized by the Holy Spirit and His grace, irremovable by any human power.

²¹⁰ *Decretum de oecumenismo*, art. 8; *Decretum de Ecclesiis Orientalibus Catholicis*, art. art. 26-29. It is noteworthy that in the art. 27, where communication in the Holy Sacraments is regulated, it is expressly stated that they can be administered "Orientalibus, qui bona fide seiuncti inveniuntur ab Ecclesia catholica".

On the matter of "communicatio in sacris" cf.: B. SCHULTZE, S.J., *Das problem der communicatio in sacris*, in *Theologie und Glaube*, 51 (1961), pp. 437-446. The same article is found in *Unitas* (in English), 13 (1961), pp. 34-43. W. DE VRIES, S.J., "Communicatio in Sacris", in *Concilium* (in English), vol. 4, no. I (1965), pp. 11-22; and other numerous works.

²¹¹ Christ himself forbade this in principle; cf. Mt. 7, 6.

²¹² W. DE VRIES, S.J., *Il decreto conciliare sulle Chiese orientali cattoliche*, in *La Civiltà Cattolica*, an. 116 (1965 II), p. 120:

Un tale permesso suppone che i cristiani orientali, in buona fede separati da Roma, appartengano nondimeno in qualche maniera alla Chiesa: appartenenza conferita dal battesimo, benché non perfetta nella sfera visibile.

This appertaining, "not perfect in the visible sphere" is precisely what in this work is called "alienation", due to lack of visible communion.

²¹³ The role of the hierarchical structure and the purpose of particular Churches are therefore limited to the earthly existence of the Church, as indicated in the second chapter above. Even such a basic human unit as the family is surpassed in eternal life; cf. Mt 22, 30.

Each member of the Church is nourished directly by the divine nourishment of grace, independently of the hierarchical system, independently of the nervous apparatus. As long as the cell (individual) remains linked to the bloodstream (divine grace), it lives and is animated by the soul (the Holy Spirit). When it willingly rejects the food of grace, it condemns itself to die, and as a dead element becomes extraneous, both to the particular organ and to the whole organism. The soul, the Holy Spirit, obstructed in conveying graces and barred from entry into that individual cell, is no more present in this dead cell.²¹⁴

If this lifeless cell constitutes a part of the nervous system, it breaks the line of communication between the wholeness and the subjected organ. The higher the position occupied by this dead cell, the larger the organ or unit which is paralyzed by its deficiency, and the more numerous are the cells separated from the commanding node of the brain. They can no longer exchange reciprocal assistance with the healthy, non-paralyzed organs. However, they can and do remain alive; a deceased nerve cell does not kill all the subordinate cells, thanks to the independent nourishing system of the grace.²¹⁵

To this picture of a particular Church separated by a heresy or schism, another analogical one can be presented, reflecting a simply alienated ecclesiastical unit. It can be compared to a torpid, dormant organ which is organically unharmed, only an external cause makes it temporarily insensitive to the command of the brain. Evidently, by a numbness or torpor the subordinated cells do not suffer death. All of them are ready to reassume their

²¹⁴ Only such guilty dead cells can be denoted as detached twigs destined for fire; cf. Jn 15, 1-6.

S. AUGUSTINUS, *In psalmum 30*, enarratio II, sermo I, 4 - PL 36, col. 232:

Ergo simul omnes nos cum capite nostro Christo ... sine capite nostro, quod absit, sacramenta praecisa, non alicui operi agricolorum, sed igni tantummodo destinata.

²¹⁵ Still less appropriate would be the supposition that a defect in one nerve cell would be capable of abrupting the entire subordinate organ, as a twig, or of putting it to stillness, like a part of a dead machine. The human body is much more perfect and viable than a machine; and the Mystical Body is still a more marvellous entity, thoroughly imbued with divine eternal life, where sometimes even dead cells can be used in the ruling service for the benefit of living ones. This is possible due to the fact that in the Mystical Body individual cells possess their own intellectual capacity and responsibility, and are not insensitive like machine parts or twigs of a tree.

full activity under the supreme command of the brain in the wholeness of the body for the reciprocal benefit of all other organs, as soon as the cause of the stupor is removed.

To eliminate obstacles, to regenerate defective cells, to resurrect the dead ones by the power of Christ, is precisely the task of the ecumenical movement which tends to reinstate the perfect unity of all Christians in Christ. This is one of the principal proposals of the Second Vatican Council and one of the foremost moral obligations of all Christianity, because ecclesiastical dissociations cause harm not only to separated or alienated Christians, but also to Catholics and to the entire Universal Church.²¹⁶

5. RESTORATION OF ECCLESIASTICAL UNITY

The present inadequacies in Church unity are an obstacle to achieve the ultimate aim of the entire Christianity, namely, that "omnia autem membra corporis cum sint multa, unum tamen corpus sunt" (1 Cor 12, 12). Therefore "ad totam Ecclesiam sollicitudo unionis instaurandas spectat".²¹⁷ Fulfillment of this universal Christian obligation uttered by Christ at the Last Supper "ut omnes unum sint" (Jn 17, 21), has to conform to Our Lord's basic precept of mutual charity, broached at the solemn occasion "ut diligatis invicem, sicut dilexi vos, ut et vos diligatis invicem; in hoc cognoscent omnes quia discipuli mei estis, si dilectionem habueritis ad invicem" (Jn 13, 34-45).

The theological virtue of charity alone is capable of restoring perfect, intimate oneness among so many distinct individual men. Hence, real charity is the condition "sine qua non" of achieving true unity. Every other effort is from the start doomed to failure.

²¹⁶ *Decretum de oecumenismo*, art. 1:

Unitatis reintegratio inter universos Christianos promovenda unum est ex praecipuis Sacrae Oecumenicae Synodi Vaticanae Secundae propositis.

Cf. also ibidem, art. 4; especially:

Attamen divisiones Christianorum impedimento Ecclesiae sunt quominus ipsa ad effectum deducat plenitudinem catholicitatis sibi propriam in iis filiis, qui sibi quidem baptismo apposit, sed a sua plena communione seiuncti sunt. Immo et pro ipsa Ecclesia difficiliter fit plenitudinem catholicitatis sub omni respectu in ipsa vitae realitate exprimere.

²¹⁷ Concilium Vaticanum II, *Decretum de oecumenismo*, art. 5.

Charity's main trait is incitement of subjects to sacrifice themselves for the loved one; it is altruistic, giving more than it receives. As far as attempts for unity are concerned, charity does not require unnecessary concessions from others; it is satisfied to accept only those things which are indispensable for the establishment of true communion. This aspect places the entire problem of restoring unity in a proper perspective, as expressed in the conciliar statement: "ad communionem et unitatem restaurandam vel servandam opus esse 'nihil ultra imponere oneris quam necessaria' (Act 15, 28)".²¹⁸ Actually, the problem of reunion is so intricate in itself, that any additional unnecessary demand can only complicate and aggravate it.

Referring specifically to diverse kinds of deficiency, different approaches have to be adopted with regard to the cases of heresy, schism and simple alienation. A real heretic who voluntarily dissents from the Church in a matter of faith, after being properly instructed and persuaded in the controversial point, is expected to adhere sincerely to the Church's true teaching.²¹⁹ The solution on the controversial point of faith distinguishes the heretic from a Catholic or from a schismatic, and so constitutes the heretic's first step towards complete communion with the body of the Church.

The other kind of deficiency, schism, does not differ in matters of faith from the Catholic teaching, but only in the attitude towards ecclesiastical unity. Hence, there is no reason to deal with a schismatic on matters of faith. The only act required of him is his deliberate consent to be duly united with the Church.

In this way heretics and schismatics are gradually reduced to a state of simple alienation.²²⁰ Once this state is reached, there

²¹⁸ Concilium Vaticanum II, *Decretum de oecumenismo*, art. 18. This idea is evolved in the *Decretum de Ecclesiis Orientalibus Catholicis*, art. 25:

Ab Orientalibus seiunctis, in unitatem catholicam sub influxu gratiae Sancti Spiritus convenientibus, ne plus exigatur quam simplex fidei catholicae professio exigat.

²¹⁹ This not necessarily has to assume a form of solemn abjuration of former errors or heresies. It suffices to profess, even implicitly, a complete adhesion to the Catholic teaching of revealed truths. Indeed, in the conciliar documents, particularly in the *Decretum de Ecclesiis Orientalibus Catholicis*, art. 25 (cf. the previous note) "non si parla più di abiura né di assoluzione da scomuniche". W. DE VRIES, S.J., *Il decreto conciliare sulle Chiese Orientali Cattoliche*, in *La Civiltà Cattolica*, an. 116, (1965 II), p. 118.

²²⁰ We omit to examine the deficiency in the sacramental sphere, because it

is no reason, besides a reasonable application of a temporary medicinal punishment, that perfect unity in external communication with the wholeness of the Church should be denied to the former heretical, schismatical or alienated being. The above-mentioned requirements constitute the sole conditions for perfect unity²²¹ and once they are fulfilled, there are no reasons or obstacles to perfect unity.

These principles are directly applicable to deficiencies in individuals. Whatever position the individual occupies in the structure of the Church, not excluding a high hierarchical one, he must pursue this line of gradual reintegration into the body of the Universal Church and into his respective ecclesiastical unit.²²²

The problem is different when there is an attempt to reintegrate not a deficient individual, but to reunite an entire ecclesiastical unit separated because of its hierarchy's fault. The remedy should follow the same course as that of the malady. If the ecclesiastic unit is separated as a consequence of some deficiency of its hierarchy, a reintegration of the respective hierarchy into the structure of the Universal Church is needed in order to accomplish the reunion of the separated unit. In case there is an intolerable deviation in the official "creed" of the

constitutes the most passive element of unity of subjects. Evidently if a due sacrament was not validly conferred to a former heretic or schismatic, it has to be supplied, in doubtful cases at least "sub conditione". However, any exaggeration in this respect has to be avoided. This is to say that supplemental administration "sub conditione" must not constitute a rule, but should be applied only in really doubtful cases. Otherwise it would practically contradict the conciliar assertion about the validity of non-Catholic administration of the Holy Sacraments. Cf. *Decretum de oecumenismo*, art. 15 and 22; *Decretum de Ecclesiis Orientalibus Catholicis*, art. 25.

²²¹ B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), p. 448.

²²² We should be more inclined to see in practice rather a simple alienation than a real schism or heresy in our separated brethren in Christ.

JAEGER Kard. L., *Das Konzilsdekret "Über den Ökumenismus"*, Paderborn (1965), p. 65:

The principles of Christian conduct require that we suppose generally *bona fides* in the others so long, as the contrary is not clearly proven. Without this principle any further ecumenical activity is not possible.

Die Grundsätze christlichen Verhaltens verlangen dass wir ganz allgemein di *bona fides* bei den anderen so lange voraussetzen, wie das Gegenteil nicht klar bewiessen ist. Ohne diesen Grundsatz ist übrigens keinerlei ökumenische Tätigkeit möglich.

separated Church unit, the contentious points have to be satisfactorily clarified, even if the controversial points are not raised any more.²²³ Hence, a particular Church once separated by pure schism and never guilty of any heresy, is obliged only to officially manifest the intent to persevere in due unity. But a unit separated by heresy has, in addition, to declare its own official adhesion to the true faith, especially in the controversial points of the past.

These are the points in which the Catholic concept of reunion differs from non-Catholic Western and Eastern concepts. In modern times the efforts of ecclesiastic reunion assumed an organized form first among Western non-Catholics and they were the first to designate these efforts by the name *ecumenism*.²²⁴ However, Western non-Catholics seem to emphasize a rather pragmatic cooperation. Among them the unanimity in matters of faith seems to be underestimated, even when the cooperation assumes a structurally organized form.²²⁵ This kind of ecumenism, striving for mutual communication among different ecclesiastical units, regardless of the faith professed, can be called *protestant ecumenism*.

On the contrary, among the Eastern non-Catholic Churches, the dogmatic points play quite an important role. The ecumenical endeavours or mutual cooperation in general, as in the Conferences of Rhodos, are confined to the Churches with the same definitions of faith. The other, like Nestorians or Anti-Chalcedonian Churches, are usually excluded. However, even

²²³ However, more stress must be put to the spirit than to the letter of these statements, and one should not readily qualify as heretical that which constitutes only different theological attitudes to the same truth of faith or may only be a verbal misapprehension. Cf. notes 24-27 and 206 above.

²²⁴ There are many books about the modern ecumenical movement and its history. It is enough to indicate one compendious work of C. BOYER, S.J., *Unità cristiana e movimento ecumenico*, Roma (1955), where many references to the respective bibliographies can be found.

²²⁵ Ecclesiastical units of four different confessions, namely, Anglicans (four dioceses), Methodists, Presbyterians and Congregationalists united in 1947 into one new Church of South India, without definite agreement on the aspect of faith. Even the attitude towards the problem of the necessity of priesthood was only pragmatically solved, but not in principle. J. GILL, S.J., *La Chiesa nel Sud India*, in *Unitas* (Ital.), III (1948), pp. 45-58, 109-123.

Likewise in Canada in 1925 there was formed a unification of Protestant ecclesiastical units of Methodists, Congregationalists and the majority of Presbyterians into one United Church of Canada.

among Eastern non-Catholic Churches of the same faith, true unity does not exist, nor is a full communion in one ecclesiastical structure resolutely pursued. Rather, their aim is a vague relation among equal hierarchs of particular Churches, a kind of spiritual "unity in joint prayers". An ecclesiastical unity of this kind, of common faith but not of common regimen, may be designated as *orthodox ecumenism*.

The Catholic concept of ecumenism surpasses both, as it strives towards complete unity "in fide et regimine", which constitutes an indispensable condition for the establishment of due external ecclesiastical communication.²²⁶ If a particular separated Church as a whole obtains such a unity in faith and government, an external communication with the Supreme See will result and this would mean the establishment of a *particular union* for that particular Church.

The final aim of the Catholic ecumenical movement is to embrace within such a union all non-Catholic ecclesiastical units. When this is achieved, *universal* or *general union* will result. Such an universal union is nothing other than a complex of many particular unions. This is because non-Catholic ecclesiastical units do not constitute one "universal" unity, capable of joining the Catholic Church by one act.

The Eastern non-Catholic Churches themselves do not form one total whole; neither are they under one authority.²²⁷ There

²²⁶ *Decretum de oecumenismo*, art. 2:

Iesus Christus per Apostolorum eorumque successorum, nempe episcoporum cum Petri successore capite, fidelem Evangelii praedicationem sacramentorumque administrationem, et per gubernationem in dilectione, Spiritu Sancto operante, populum suum crescere vult, eiusque communionem perficit in unitate: in confessione unius fidei, in divini cultus communi celebratione, necnon in familiae Dei fraterna concordia.

Cf. also: LEO XIII, Litterae Encyclicae *Satis cognitum*: ASS 28 (1895-96).

²²⁷ B. SCHULTZE, S.J., *Riflessione teologica sul significato di "Chiesa Orientale" e "Ortodossia"*, in *Gregorianum*, XLII (1961), pp. 444-445.

The title "Ecumenic patriarch" used by the patriarch of Constantinople can have only a honorary meaning, because the Constantinopolitan See never enjoyed jurisdiction over all the Eastern Churches, not to mention the Western ones. Such patriarchates, as of Alexandria and Antioch, or Katholikates (outside the ancient Roman empire), never depended juridically on Constantinople and are considered independent individual Churches. Even some Byzantine Church units, formerly dependent on Constantinople, became emancipated to the extent that they are indeed autocephalous Churches.

This concept is sanctioned in the conciliar *Decretum de Ecclesiis Orientalibus Catholicis*, art. 8, where is stated as follows:

are sometimes greater differences among many of the Eastern non-Catholic Churches than there are between some of them and the Roman Church.²²⁸ Therefore, an oversimplified presentation of the entire Christianity as counterposed blocks or units: Catholic Church, non-Catholic Eastern Church (in singular) and Protestants, is not realistic.²²⁹

The habit, spread among Western Catholics of denoting by the term "Eastern Church" (in singular) the entire Christian East, is caused by the tendency to apply to the Eastern Christians the Western concept of one centralized Roman individual Church, embracing numerous peoples of different cultural traditions. However, better acquaintance with the Christian East can change this Western attitude regarding this outlook and give a more adequate notion to Eastern individual Churches (in plural).²³⁰

No matter what idea Western Catholics entertain about the

Patriarchae Ecclesiarum Orientalium, licet alii tempore posteriores, omnes tamen aequales sunt ratione dignitatis patriarchalis, salva inter eos praecedentia honoris legitime statuta.

²²⁸ B. SCHULTZE, S.J., op. cit., pp. 445 and 453; B. SCHULTZE, S.J., *Catholic Theology in East and West: uniformity or diversity?*, in *Unitas* (in Engl.), vol. XVI (1964), p. 195.

²²⁹ Nevertheless, there were endeavours to present the result of the Florentine Council as a general union of all Eastern non-Catholic Christianity. The presence of only one, the Constantinopolitan, Patriarch in Ferrara and Florence, the representation of some other Byzantine individual Churches by persons of the Constantinopolitan hierarchy, the parallel disposition of the seats during the Council and other details suggested the idea that there was a monolithic block of Eastern non-Catholic Christianity confronting the Roman Church. This idea is reflected in the formulation of the final conciliar decree, where it is stated that "sublatus est enim de medio paries, qui occidentalem orientalemque dividebat ecclesiam". But before the Greeks left, Armenians and later on Syrians, Chaldeans and other Orientals arrived in Florence, with whom separate unions were concluded. This evidently indicates that by the decree "Laetentur caeli", signed on the Eastern side almost exclusively by the Constantinopolitan hierarchy, a general union of the entire East was not accomplished, but a union of some individual Eastern Churches only. Cf. J. GILL, S.J., *The Council of Florence*, Cambridge 1959, pp. 305-348.

²³⁰ Even in the official terminology there can be noticed a change in this respect. The Congregation, established in 1917, was named "S. Congregatio pro Ecclesia Orientali". But the preparatory conciliar commission, founded in 1960, carries the name "Commissio de Ecclesiis Orientalibus" and likewise the conciliar "Decretum de Ecclesiis Orientalibus Catholicis". Cf. *Oriente Cattolico*, Città del Vaticano 1962, pp. 12-13, 77-78; or: AAS (1917), pp. 529-531 and AAS 52 (1960), pp. 433-437.

ecclesiastical structure of the East, the objective fact remains that a general union of all Eastern Christians in an abstract notion. Even if all the Eastern non-Catholic Churches would unite with the Supreme authority simultaneously, there would, in fact, remain a composite of single, particular unions. Since these constitute single autonomous and autocephalous ecclesiastical units, they must accordingly attain unity one by one.

History demonstrates that efforts to unite single separated Churches, encounter great difficulties and resistance from their own faithful and clergy. The faithful followed their own hierarchy in the act of separation from the wholeness of the Church, now the flock should follow the shepherd in the reverse course. When the separated hierarchy eradicates the official "creed" of the respective particular Church from heretical suspicions, and schism is deleted by proclaiming due ecclesiastical unity, it is possible that part of the clergy or faithful will cling to the previous official attitude of the separated Church. This part of the flock will consciously adhere to former heretical or schismatic convictions of their now reunited particular Churches, and they will not be any more compatible with the rest. Consequently, they will separate themselves from that particular Church and from the Universal Church.

It may happen that no adherence by anybody to any heretical or schismatic convictions takes place. Nevertheless, a part of the reunited particular Church may not want to follow their leaders in the process of reunification of the particular Church, and prefers to remain temporarily in the state of pure alienation from the wholeness of the Church. This unusual attitude should not be confused with a schismatic conviction. In practice, many circumstances may interfere with the achievement of communion with the Church's Supreme authority, despite the sincerest and most fervent desire for unity. Since a simple alienation neither deprives the faithful from membership in the Mystical Body of Christ, nor hinders its progress in grace, there could be sufficient reason justifying the temporary persistence in this state.²³¹

²³¹ For example, in times of persecution a part of the faithful may be justifiably afraid that any external communication with the Supreme See would disclose the particular Church organization or provoke the indignation of the civil government, ensuing in still more violent persecution. This seems to be the precise reason why the Mesopotamian Church revoked in 424 the right of appeal to the "Western Fathers", although it did not mean any insubordination or schism. Cf. note 95 and 103 above.

Nevertheless, the “alienated” subjects are not compatible with the rest of the reunited particular Church unit.

As a result, particular union may become *partial*, when a number of faithful fail to follow completely the tendency of the rest of the particular Church towards unity. When a minority is involved, it must, after having left its own ecclesiastical unit, join another one, adapting itself to a new spiritual and ecclesiastical tradition.²³² Single Christians outside an ecclesiastical unit are hardly imaginable. The problem is different when the seceding part is considerable enough to constitute itself as a separate ecclesiastical unit. This results in a division of one particular Church into two different Church units.

A similar division may be produced when the trend towards unity is sustained by one small part of the faithful clergy, but not by the majority of the hierarchy of the particular Church. If one, even small part, succeeds in accomplishing its intent of Church unity, it may establish another particular Church parallel to its original one.

In both cases, the two parallel particular Churches share the same common theological, liturgical and disciplinary tradition, but are organized into two different ecclesiastical units, distinguished only by different degrees of ecclesiastical unity or deficiency. Either one could be heretically or schismatically separated, alienated or fully united with the Universal Church, and this would constitute the basic difference between them. Due to this difference they have a distinct hierarchical structure, even if governed by identical particular law, worshiping in the same liturgical rite and possessing the same theological approach. Usually, these *twin individual Churches* are designated as of the same “rite”. Evidently the term “rite” is used here in a liturgical rather than a juridical sense, because juridically these two units are mutually independent.

²³² The history of the Malankar Church in India can furnish an appropriate illustration in this case. A group of the faithful and lower clergy was discontented with the manner in which the Malabar Church, formerly accused of Nestorianism, was unified with the Catholic Church. They separated themselves in the middle of the XVII century from the rest of the Malabar Church and joined the Antiochean one, suspected of Monophysitism, at least in name. This indicates how secondary a role those accusations of heresies play, where desires to preserve proper national features of a particular Church exist. It has to be noted, however, that the Malankars later succeeded in organizing their own individual Church.

However, their similarity can greatly help in the achievement of total unity. Likeness in everything, except unity with the Supreme authority of the Church, places the cause of deficiency in its proper dimensions. If this were a schism or heresy uncomplicated by other human matters, it would itself indicate a right solution. Since the natural object of the intellect is truth, and of the will, the good, a tendency to accept these and to reject heresy or schism is entirely consistent with human nature. Therefore, an individual or an entire Church unit, sufficiently enlightened on the controversial points of faith or discipline, would have no reason not to join the rightful side as long as they differ only by the controversial points. In this case, the problem between *conversion* of an individual and *ecumenism* of a Church unit would be irrelevant; that is whether an individual should by himself join the rightful side, or postpone his decision until it will be done by the entire Church unit.²³³

²³³ C. BOYER, S.J., *Unità cristiana e movimento ecumenico*, Roma (1955), pp. 98-108, investigated the problem "Ecumenismo e conversioni". The author answered negatively to the following question (p. 103):

Quando un'anima si è convinta che la vera Chiesa di Cristo è unicamente la Chiesa cattolica e romana, può essere dispensata dal chiedere di essere ricevuta in quella Chiesa invocando la ragione che essa sarebbe più utile fuori per affrettare il ritorno di un'intera comunità e di un'intera denominazione o anche di tutta una Chiesa?

Here a distinction is desirable among different kinds of separation producing various grades of spiritual danger for the soul if it persists in remaining temporarily in such a separated Church. Anyhow, later on it was affirmed (p. 105): "In diritto dunque, le conversioni individuali non dovrebbero ostacolare i movimenti unionistici"; and (p. 107), "Come non vedere invece l'aiuto che tali conversioni portano al vero unionismo? Una conversione fa riflettere: obbliga a interrogarsi, dà coraggio ai timidi; per molti rischiera la strada".

These assertions are entirely correct providing that, besides unity in faith and government, no other changes are required for establishing full communion with the Universal Church. This ecumenical principle is in fact presupposed by the author in the paragraph (p. 104-105):

Indispettirsi, tornare indietro, rifiutare di rimanere o di entrare in un movimento semplicemente perché altri, che c'erano, hanno fatto un passo che dispiaceva, sarebbe decadere da quello stato di buona volontà che dobbiamo sempre supporre quando si tratti della propria salvezza: Omne quod non est ex fide peccatum est (Rom. 14, 23).

As regards the Eastern non-Catholics, the author stated expressly (p. 101):

In tal caso, si tratta più propriamente d'unione in corpo, o corporativa, nel senso che la Chiesa che si unisce rimane essa stessa, meno lo stato di scisma.

Cf. also: C. BOYER, S.J., *Ecumenism and Conversions*, in *Unitas* (in Engl.), vol. 1 (1949), no. 2, pp. 4-10.

This is valid only as long as an individual passes from a separated particular Church to a "twin" united one, with the same human elements, liturgical, disciplinary and theological tradition. Otherwise, two different acts would be required: adhering to truth and changing tradition. The former is natural for human beings, but the latter is not. The tradition is evolved not by an individual, but by a community throughout a long span of time. A new tradition cannot be embraced by one act. An individual or a group of persons who would have to join an ecclesiastic unit with a different tradition, would most often encounter insurmountable difficulties.

In fact, since the spiritual tradition of any particular Churches has to be considered as a valuable heritage,²³⁴ it cannot be neglected when an individual or a unit embraces unity with the Supreme authority of the Church. This means, that by achieving unity, it must not join any undetermined Catholic ecclesiastical unit, but only that united particular Church which enjoys the tradition common with the non-Catholic one. After a long debate this was precisely decided by the Second Vatican Council.²³⁵

²³⁴ The Second Vatican Council was lavish with expressions of great esteem and worth for the particular traditions in all respects. Cf. *Decretum de oecumenismo*, art. 14-17; *Decretum de Ecclesiis Orientalibus Catholicis*, art. 1-6.

²³⁵ *Decretum de Ecclesiis Orientalibus Catholicis*, art. 4:

Omnis denique et singuli catholici, necnon baptizati cuiusvis Ecclesiae vel communitatis acatholicae ad plenitudinem communionis catholicae convenientes, proprium ubique terrarum retineant ritum eumque colant et pro viribus observent ...

It was pointed out by the Melkite Bishop J. Tawil during the conciliar debate (on October 19, 1964) that a non-Catholic embracing unity with the Supreme authority is already in possession of an estimable tradition, which he should not renounce:

Quando a coloro che rientrano nella Chiesa cattolica venendo da un rito orientale, parlare di libertà di scelta di un altro rito, in questo caso, è un problema fittizio; si tenga presente che essi non vengono dal niente e si tratta, perciò, di riconciliazione e non di rinuncia al loro rito ed alla loro disciplina.

Il Concilio Vaticano II, Notiziario n. 55, in *La Civiltà Cattolica*, an. 116 (1965 II), pp. 590-591.

There may arise a difficulty for an individual member of a separated particular Church, persuaded in the Catholic truth and willing to join the Catholic faith, if he does not find a particular Catholic Church of the same spiritual tradition.

This was the case in modern times with some Russian intellectualists, who were convinced in the Catholic faith, but wanted to retain their Russian ecclesiastic tradition. Historically, there never existed an individual Russian Catholic Church.

Obviously, this requires on the part of both particular Churches a faithful conservation of the common heritage in all respects and a close parallel evolvement. Any unnecessary digression from the common tradition on either side, creates an additional difficulty in achieving perfect unity for the entire separated Church.

Until now, all these considerations were based on the presupposition that ecclesiastical unity can be achieved without introducing any changes into the spiritual and ecclesiastical traditions of the particular Church in question, as soon as the controversial points of faith were settled; according to the principle: "... ad communionem et unitatem restaurandam vel servandam opus esse 'nihil ultra imponere oneris quam necessaria' (Act: 15, 28)".²³⁶ In other words, the principle of the "universe" Church ought to be maintained without diminution in any respect. Indeed, this is the only valid principle for a truly effective ecclesiastical unity.

By the principle of unidiversity a unique orientation of the apostolate to return separated Christians to the unity of the Church is shown: leaving to the separated confessions all that they have of "originality", their particular seal, their own positive values, to try to favour, to aid, to love all these, and at the same time to insist without possible equivocation on the necessity of a perfect unity in all relations without exception.²³⁷

In this case an aid was offered by the neighbouring Ukrainian Catholic Church. The pioneer of the modern ecumenism, His Beatitude Archbishop major Andrej Šepčyckyj, at the beginning of this century organized for these Russian individuals a nucleus of a particular Russian Catholic Church. Later on, his initiative inspired the establishment of the Pontificio Collegio Russicum in Rome in 1929 and some Russian Catholic parishes throughout the world.

This case demonstrates how essential are the "parallel" particular Catholic Churches for the ecumenical movement, and how unsubstantiated is the claim for "freedom to choose another rite", in joining the Catholic Church.

²³⁶ *Decretum de oecumenismo*, art. 18.

²³⁷ S. TYSZKIEWICZ, S.J., *La sainteté de l'Église christoconforme*, Rome 1945, pp. 147-148:

Le principe d'université nous indique aussi l'unique orientation viable dans l'apostolat du retour des chrétiens désunis à l'unité de l'Église: laisser aux confessions séparées tout ce qu'elles ont "d'originalité", de cachet particulier, de valeurs positives propres, favoriser, aider, aimer tout cela, et en même temps insister sans équivoques possibles sur la nécessité d'une parfaite unité sous tous les rapports sans exception.

To be noted: the use of term "confession" in the sense of a particular Church. — Cf. notes 63 and 64 above. For the notion of the term "universe" cf. note 7.

The perfect ecclesiastical unity in diversity, constitutes the valid guarantee both for man's natural individual evolution and for the necessary total unification of all human race in Christ.²³⁸ It comprises these two elements in one harmonical whole, because "between unity and diversity there is a distinction, but not an opposition: on the contrary, one cannot exist without the other".²³⁹ Actually, intimate composition from both elements is necessary for entities to exist in the world in a reasonably perfect form, following the rule that "a being is only as perfect as its unity and diversity interpenetrate".²⁴⁰

In fact, there does not exist in the Church of Christ such an entity as a "central" or "model" particular Church, whose tradition should be imitated by all other Churches, both presently united and separated.²⁴¹ Therefore, the continuance of diversity

²³⁸ Ibidem, pp. 146-147.

²³⁹ Ibidem, p. 137:

Entre unité et diversité il y a distinction, il n'y a pas opposition, au contraire: l'une ne peut pas exister sans l'autre.

²⁴⁰ Ibidem, p. 141:

Plus un être est parfait, plus son unité et sa diversité se compénètrent (8, "loi de unidiversité").

²⁴¹ Now we can understand more clearly why some objections were expressed during the Second Vatican Council against the concept of the Roman Church being at the centre of all ecclesiastical life with all the other Churches placed on the circumferences of concentric circles. In fact, the "Decretum de oecumenismo" adopted a different idea:

because the decree sees Christ as the unique centre, on which both the Catholic Church and also the Churches and the ecclesiastical communities separated from it, depend in all the remedies in their possession, even if their ecclesiastic situation may be very different.

Denn das Dekret sieht Christus als den einzigen Mittelpunkt, von dem sowohl die katholische Kirche wie auch die von ihr getrennten Kirchen und kirchlichen Gemeinschaften in allem abhängen, was sie an Heilmitteln besitzen, mag ihre ekklesiale Situation auch noch so verschieden sein. — JAEGER Kard. L., *Das Konzilsdekret "Über de Ökumenismus"*, Paderborn (1965), pp. 103-104.

The same idea lies at the basis of the following assertion of S. TYSZKIEWICZ, *op. cit.*, p. 148:

Ce n'est donc pas par l'unité particulière de la diversité latine, mais par l'unité universelle de l'Eglise catholique avec les unidiversités de l'Orient et de l'Occident doivent être unies entre elles.

Consequently one should distinguish among the Roman pope's different jurisdictions, as bishop of the local Roman Church, as head of the individual Latin Church and as Supreme Pontiff of the Universal Church. Cf. W. DE VRIES, S.J., *Il*

in unity is not a concession to some particular Churches but is a most natural inalienable property.²⁴² The Universal Church in its visible aspect is nothing else than the composition of these diversified particular Churches.²⁴³ Each Church is to preserve its own ecclesiastical tradition in all of its three aspects: theological, liturgical and disciplinary:

One should apply oneself to realize the unidiversity in everything. Integrity will be assured to the oriental rites ... The pious local usages will be preserved from all harm ... One should not be afraid to examine with benevolence the theology, dogmatic or moral, of the non-Catholics, adopting all that is good and positive ...²⁴⁴

decreto conciliare sulle Chiese Orientali Cattoliche, in *La Civiltà Cattolica*, an. 116 (1965 II), p. 111:

Il Romano Pontefice, infatti, è capo della Chiesa universale, ma è pure — sono i titoli ufficiali riportati anche oggi dall'Annuario Pontificio — “vescovo di Roma, patriarca dell'Occidente, primate d'Italia, arcivescovo e metropolita della Provincia Romana”. Questo vuol dire che l'autorità del Papa non si esercita dappertutto nella stessa maniera. La città di Roma, le diocesi suburbicarie ed anche tutta l'Italia stanno sotto il suo controllo più strettamente che il resto d'Europa o l'America e, a più forte ragione, le Chiese particolari dell'Oriente.

Similarly there should be a dichotomy between the term “Roman Church” as a local Church, and the “Catholic (Universal) Church”, which especially in English is also called: “The Roman Catholic Church”. The binomial can only mean that the Universal Church is headed by the Roman Pontiff. This distinction (so unusual in the writings of former times) appeared, however, in the encyclical “*Ecclesiam Suam*”, receiving this way an indirect papal sanction: “... Ecclesia una, sancta, catholica et apostolica, culus Romana Ecclesia est mater et caput”. PAULUS VI, *Litterae Encyclicae Ecclesiam Suam*: AAS 56 (1964), p. 657.

²⁴² Commenting on the “*Decretum de Ecclesiis Orientalibus Catholicis*”, art. 5, W. DE VRIES, op. cit., p. 113, expressed the following observation with regard to diversity in discipline:

Sottolineando che questo vale in uguale modo per le Chiese d'Oriente come per quelle d'Occidente, si vuol mostrare che la disciplina propria dell'Oriente non è una speciale concessione per i cristiani orientali, ma, piuttosto, che la varietà di discipline nella Chiesa universale è una cosa del tutto normale. La disciplina latina, dunque, non è la disciplina della Chiesa universale e quella orientale una eccezione della regola; non si trova da una parte la Chiesa latina, che tacitamente si identifica con la Chiesa cattolica, e dall'altra l'Oriente con la sua disciplina speciale. L'Oriente fa parte integrante della Chiesa universale, nella quale la varietà delle discipline è la regola generale.

The above principle, regarding discipline, is so general that it can be applied to the entire ecclesiastical and spiritual heritage of each individual Church.

²⁴³ Cf. quotation in the notes 57 and 67 above.

²⁴⁴ TYSZKIEWICZ S., op. cit., p. 148:

Thus, the supernatural origin and essence of the Church demands that it be unconfined and unconditioned by any human institution. This principal thought was perspicuously expressed by His Beatitude Patriarch Maximos IV Saigh even before the Second Vatican Council:

If to be Catholic, it is necessary that people renounce their own Liturgy, their own hierarchy, their own history, their own spiritual patrimony in order to adopt the rite, the philosophical and theological thought, the religious poetry, the liturgical language, the culture and spirituality of a given group, however excellent, then the Church is no longer the wonderful gift of God to all humanity, but a faction, considerable in size, no doubt, but still a human institution tied up to the interests of a single party.²⁴⁵

The Second Vatican Council authoritatively proclaimed its ecumenical attitude to the problem of ecclesiastical unity in the following classic formulation:

In necessariis unitatem custodientes, omnes in Ecclesia, secundum munus unicuique datum cum in variis formis vitae spiritualis et disciplinae, tum in diversitate liturgicorum rituum, immo et in theologica veritatis revelatae elaboratione, debitam libertatem servant: in omnibus vero caritatem colant.²⁴⁶

As in the present times, so in the remote past, the Roman Pontiffs emphasized the inviolable integrity of the spiritual and ecclesiastical traditions of the particular Churches, especially of the Eastern ones. The last pre-conciliar pope, Pius XII, made this assertion solemnly public in his encyclical:

Idque sciant ac secum reputent tum qui in Catholicae Ecclesiae gremio sunt nati, tum qui desiderio ac voto eidem assequendae velificantur: qui etiam noscant ac pro certo habeant se numquam

On s'appliquera à réaliser l'université en tout. Aux rites orientaux on assurera leur intégrité ... On préservera de toute atteinte les pieux usages locaux ... On ne craindra pas d'examiner avec bienveillance la théologie, dogmatique ou morale, des dissidents et d'adopter tout ce qu'elle contient de bon et de positif ...

²⁴⁵ H.B. MAXIMOS IV, *Orient catholique et unité chrétienne, Notre vocation oecuménique*, in *Proche Orient chrétien*, 10 (1960), p. 301; — the English version is taken from the quotation in B. SCHULTZE, S.J., *Catholic Theology in East and West: uniformity or diversity?*, in *Unitas* (in Engl.), vol. XVI (1964), p. 188.

²⁴⁶ *Decretum de oecumenismo*, art. 4; cf. also: *ibidem*, art. 14.

coactum iri ad proprios legitimos ritus et ad antiquitus sibi tradita instituta cum latinis ritibus institutisque commutanda ...²⁴⁷

If we go as far back as the XVI century to the times preceding the Council of Trent, which constitutes the period of our historical investigation in the Historical part that follows, we will find three decrees of three successive Roman Pontiffs within the space of 15 years, insisting upon the necessity to acknowledge to the Greek Church the right to evolve freely according to its own liturgical and juridical tradition.²⁴⁸ They emphasize the necessity to put into practice the mutual respect to different individual Churches, as asserted in the Florentine Council.

The statement and spirit of the great ecumenical Council of Florence form the basis of all the posterior official directives of the Roman popes. The Council of Ferrara-Florence, as no other Council before or after, practically applied the ecumenical theory, that individual Churches of different traditions should cooperate at the Ecumenical Council in full autonomy, mutually honoring their respective theological, liturgical and juridical heritages. This spirit, reflected in the final document, connotes the entire evolvment of the conciliar work.

Both expressions regarding the procession of the Holy Spirit, namely "ex Patre et Filio" and "ex Patre per Filium", which result from different theological approaches and are based on the authority of both "doctorum orientalium et occidentalium", are defined as equally orthodox. This actually demonstrates that both theological heritages are equally respected. Likewise, the assertion re the different usage of leavened and unleavened bread for the Holy Eucharist, and the mandate that "sacerdotes in altero ipsum Domini corpus conficere debere, unumquemque scilicet iuxta suae Ecclesiae sive occidentalis, sive orientalis consuetudinem",²⁴⁹ reveal the intention to preserve both liturgical traditions intact.

²⁴⁷ Pius XII, *Litterae Encyclicae Orientalis Ecclesiae decus*: AAS 36 (1944), p. 138.

²⁴⁸ These three popes are Leo X, Clemens VII and Paulus III, who published similar bulls in the years 1521, 1526 and 1536 respectively. *Documenta Pontificum Romanorum historiam Ucrainae illustrantia* (ed. A. Welykyj, OSBM), vol. I, Romae 1953, no. 114, 115 and 121; pp. 201-207 and 217-218.

²⁴⁹ For quotations from the Florentine decree "Laetentur caeli" cf. *ibidem*, no. 65, pp. 113-119.

The juridical aspect of the autonomy of individual Churches, as shown by the respective debate proceedings and the manner of signing the decree, published in the name of Pope Eugenius and "locatenentibus venerabilium fratrum nostrorum patriarcharum, et caeteris orientalem ecclesiam representantibus", has no precedent. History does not know any other Council in which participation by different individual Churches resulted in such effective mutual collaboration. "Similarly, as regards the election of a successor [to the late patriarch Joseph II - I.M.], John [emperor - I.M.] was adamant that that should be done in Constantinople according to eastern custom by all those who were entitled to vote".²⁵⁰ This indicates how solicitous the representatives of the individual Church of Constantinople were in preserving this most focal point of juridical autonomy, namely, that the free election of the head of an individual Church should be properly performed.²⁵¹ At the same time the unity of the Universal Church under the supreme government of the Roman Pontiff was stated by no less explicit expressions than the ones of the First Vatican Council.²⁵²

²⁵⁰ GILL J., S.J., *The Council of Florence*, Cambridge 1959, p. 297.

²⁵¹ How essential the institution of patriarchates is for the Eastern individual Churches can be comprehended from the following expression of PIUS XII, *Litterae Apostolicae Motu proprio datae Cleri sanctitati*, introductio:

Memoratu vero dignum prae ceteris videtur patriarchale institutum, quippe quod orientalis ecclesiasticae ordinationis veluti praecipua nota sit.

The Second Vatican Council assumed a similar attitude towards the patriarchal institution. Cf. JAEGER, Kard. L., op. cit., pp. 112-113.

However, as a result of the Council's proclamation with regard to the direct transmission of episcopal jurisdiction in the act of consecration, the Council's decree introduced an essential difference in the approach to the patriarch's status in the hierarchical structure of the Church.

In the "*Motu proprio Cleri sanctitati*", can. 216, § 1, it reads as follows:

Secundum antiquissimum Ecclesiae morem, singulari honore prosequendi sunt Orientis Patriarchae, quippe qui amplissima potestate, a Romano Pontifice data seu agnita, suo cuique patriarchatui seu ritui tamquam pater et caput praesunt.

Consequently, the chapter about patriarchs is included in "Pars I", entitled: "De suprema potestate deque iis qui eiusdem sunt canonico iure participes".

In an analogical paragraph of the *Decretum de Ecclesiis Orientalibus Catholicis*, art. 9, the expression: "qui amplissima potestate, a Romano Pontifice data seu agnita" is omitted, and it is stated there (ibidem): "Patriarchae cum suis synodis superiorem constituunt instantiam pro quibusvis negotiis patriarchatus ...".

²⁵² Cf. Denz. (ed. 31), no. 694 and 1823 fol.

It is apparent that the Florentine Council can serve as a model for all mutual relations and unionistic endeavours for all time. The notion of Catholic ecumenism in which the features of individual Churches remain intact, can be appropriately designated by the term *Florentine ecumenism*, regardless of the historical period in which it is to be achieved. The adjective "Florentine" contains more a qualitative notion of an exemplary ecumenical idea than a historical one.

Many Christians, both before and after the Florentine Council, are not able to form their own concept of the Universal Church and seem to accept the notion proclaimed by the Supreme ecclesiastical authority. In practice, however, most often they try to confine the universal notion of Catholicism to the limits of a specific cultural sphere. The juridical aspect, especially, of autonomy of individual Churches is very much misunderstood since the late Middle Ages, when the centralizing trend in the West cancelled diversifications among particular Churches. Therefore,

the assurance given by the Council of Florence (1439): *salvis videlicet privilegiis omnibus et iuribus eorum* (that is *patriarcharum*), from the very beginning, was understood by Latins and Orientals in a fundamentally different way: this undesired ambiguity created considerable difficulties later between the Holy See and the Catholic patriarchs of the Orient.²⁵³

The misapprehension did not commence with the Florentine Council. Long before the first principal point, that of "relative self-government" or individual autonomy in its juridical aspect, encountered misunderstanding. At the time of the Crusades the fact and right of "the Orient to freely elect their own patriarchs and bishops"²⁵⁴ was contested. The crusaders filled the Eastern

²⁵³ DE VRIES W., S.J., *Il decreto conciliare sulle Chiese Orientali Cattoliche*, in *La Civiltà Cattolica*, an. 116 (1965 II), p. 115:

L'assicurazione data dal Concilio di Firenze (1439): *salvis videlicet privilegiis omnibus et iuribus eorum* (cioè *patriarcharum*), fin dall'inizio fu intesa da latini e da orientali in modo fondamentalmente diverso: questa non voluta ambiguità ha creato in seguito non poche difficoltà tra la S. Sede ed i patriarcati cattolici d'Oriente.

²⁵⁴ This is the first point of the "relative self-government", as schematically presented by W. DE VRIES, *ibidem*. The other points comprehend: disposition of dioceses, regulation of the liturgy and canon law, discipline of clergy and laity. Cf. W. DE VRIES, S.J., *La S. Sede ed i patriarcati cattolici d'Oriente*, in *Orientalia Christiana Periodica*, 27 (1961), p. 341 fol.

sees by designating patriarchs of their own choice, elected not from the clergy of the individual Church in question, but from the alien Latin Church.²⁵⁵ This was their way of securing a permanent Church "unity".

This kind of unity, accomplished according to the Crusaders' notion of ecumenism, hardly deserves the name of "ecumenism". It disregards the juridical autonomy of individual Churches, an essential element of any ecumenical movement. The imposition of alien heads of the individual Churches, especially when followed by similar appointments to other hierarchical positions, usually led towards assimilation of the individual Church in question with the alien one, from which the imposed hierarchy originated. The end result was rather external uniformity and not spiritual unity in mutual respect. To these cases the proper designation of *uniformism* should apply, in clear opposition to ecumenism.²⁵⁶

²⁵⁵ This practical method of appointing hierarchs for Eastern sees seems to be correlated with the theoretical concept, spread in those times, that a heretical or even schismatic bishop is deprived of any jurisdiction and ceases to be head of his local or particular Church. Consequently, Eastern hierarchs so easily accused of schism or heresy, had to be substituted by Catholic Latin bishops. (For this theoretical concept see preceding chapter, especially notes 166-169).

It was precisely in these centuries that many denouncements were presented to the Roman See, stating that in Eastern Europe many Oriental bishopric sees were occupied by schismatic "intruders", or left vacant. It seems that the basis for those denouncements was constituted by the theory of self-deprivation of a hierarchical position by schism. Cf. f.i. *Documenta Pontificum Romanorum historiam Ucrainae illustrantia*, vol. I, Romae 1953, no. no. 43, 52, 54, 58; pp. 69-71, 89-92, 94-97; M. HRUŠEVSKYI, *Istoria Ucrainy-Rusy*, vol. V, Lviv 1905, pp. 425-428.

²⁵⁶ The effects of such a trend are most apparent in the Malabar Church. For three centuries since the Synod of Diamper (1599) all the members of the hierarchy (with two exceptions) were former members of the Latin individual Church. It is not surprising therefore that juridically the Malabar individual Church was ruled according to the law of the Latin Church and liturgically presented an anomalous blend of two rites.

It has to be noted, however, that the practice of assimilation is not an exclusive characteristic of the Western circles: the same Malabar Church was ruled during the preceding centuries by aliens from Mesopotamia. The Ethiopian Church similarly depended on the Alexandrian one, in this century only it became autonomous. For a period of time some Slavic Churches, including the Kyivan Church, had to accept Greeks as their hierarchs.

The problem does not change essentially even if the alien persons adapt themselves slightly, more externally and superficially than internally, to the local circumstances, f.i. by spending a few years in local monasteries, as was customary in the Kyivan Church in the XVIII-XIX centuries. Cf. E. LIKOWSKI, *Dzieje Kościoła unickiego na Litwie i Rusi w XVIII i XIX wieku*, Poznań 1880, particularly p. 229.

The difference between these two views of Church unity lies in the attitude towards the proper tradition of the individual Churches. Ecumenism strives for spiritual unity, preserving intact the diversification in the human element. The uniformitarian trend on the contrary, attempts to unify particular Churches not only in the spiritual elements, but all other as well, such as the diversified traditions which distinguish each individual Church. These two attitudes are not compatible even though allowance is made for different gradation.

The first point of controversy emerges from the different approach to the disciplinary peculiarities of individual Churches. Sustained by an ever enveloping idea of strict centralization, the partisan of uniformity sees all juridical orders of the entire Christian world in terms of one uniform law for all. The juridical organization of the Church deals more with the human element than with the spiritual; consequently, canon law refers more to norms in the temporal sphere of Church activity rather than in the divine one. The "universal" law, as seen by those who favour uniformity, is likely to be a particular law applied to the Universal Church. It constitutes the first fault of this trend, even though it limits itself to the juridical aspect, being only a *juridical uniformity*. If its starting point is the Latin individual Church, its misapprehension could be pointed out in the following manner:

The Latin discipline, then, is not the discipline of the *Universal Church* with the Eastern one an exception to the rule; there is not on one side the Latin Church, which is identified tacitly with the Catholic Church, and on the other side, the East with its own special discipline. The East constitutes an integral part of the Universal Church, where a variety of discipline is the general rule.²⁵⁷

The Supreme authority of the Universal Church does not share these pervert concepts of Church unity. In the official documents of the Roman See, a clear distinction is made between

²⁵⁷ DE VRIES W., S.J., *Il decreto conciliare sulle Chiese Orientali Cattoliche*, in *La Civiltà Cattolica*, an. 116 (1965 II), p. 113:

La disciplina latina, dunque, non è la disciplina della Chiesa *universale* e quella orientale una eccezione dalla regola; non si trova da una parte la Chiesa latina, che tacitamente si identifica con la Chiesa cattolica, e dall'altra l'Oriente con la sua disciplina speciale. L'Oriente fa parte integrante della Chiesa universale, nella quale la varietà delle discipline è la regola generale.

universal norms respecting all the faithful and the specific ones applying to an individual Church.²⁵⁸ Juridical uniformity is not based on any official document of the Supreme ecclesiastical authority.

The same may be said about the liturgical aspect. The

²⁵⁸ This distinction is referred to in the first canon of the *Codex iuris canonici*, Vatican 1918, can. 1:

Licet in Codice iuris canonici Ecclesiae quoque Orientalis disciplina saepe referatur, ipse tamen unam respicit Latinam Ecclesiam, neque Orientalem obligat, nisi de iis agatur, quae ex ipsa rei natura etiam Orientalem afficiunt.

Codex iuris canonici, Vatican 1983, can. 1:

Canones huius Codici unam Ecclesiam latinam respiciunt.

This means that the *Codex* although primarily containing precepts for the individual Latin Church, comprehends also the universal law, because of the fact that no *codex* for the Universal Church was yet composed.

In 1929, a papal commission was appointed to prepare an analogical *codex* of canon law for all the Eastern individual Churches. It adopted the same path taken by the Latins, namely combining particular laws with the elements of the universal ones. However, the task was more arduous, because one collection of canons had to have a common denominator for different particular laws of all Eastern Churches. This difficult task of the commission proceeded in two parallel courses simultaneously: collecting documents-sources of different Eastern Churches and composing one *codex* for all those Churches. The former was intended as preparatory material for the latter. Nevertheless, the "*Codex iuris canonici orientalis*" consisting of 2666 canons and resembling very much the Latin *Codex*, was ready for promulgation in 1948, long before the collection of the sources was completed. In fact, fifty published volumes of the documents regarding different Eastern Churches represent an unfinished work. —The description of this process of work, with precise data, can be found in the book: *Oriente cattolico*, Città del Vaticano 1962, pp. 36-61.

It seems that the papal commission for revision of the Eastern *codex*, installed after the Second Vatican Council, inherited the same dilemma: to treat multiple Eastern Churches, with diverse individual traditions, as one unit similar to the Latin Church.

In theory, however, the Second Vatican Council asserted the integrity of the different individual disciplines. *Decretum de oecumenismo*, art. 16, affirms as follows:

Sacra Synodus, ad omne dubium tollendum, declarat Ecclesias Orientis, memores necessariae unitatis totius Ecclesiae, facultatem habere se secundum proprias disciplinas regendi, utpote indoli suorum fidelium magis congruas atque bono animorum consulendo aptiores. Perfecta huius traditionalis principii observantia, non semper quidem servata, ad ea pertinet quae ad unionem restaurandam tamquam praevia conditio omnino requiruntur.

Cf. also: *Decretum de Ecclesiis Orientalibus Catholicis*, art. art. 1, 5, 6; *Constitutio dogmatica de Ecclesia*, art. 23.

Supreme Pontiffs have never ceased to assert officially the veneration and the inalterability of the liturgical rites of different individual Churches. As far as the Eastern faithful are concerned, this was solemnly stated by the Second Vatican Council.²⁵⁹ Although an analogical statement about the Church veneration of Western liturgical rites is lacking, there is no doubt that they will be as assiduously preserved as the Eastern ones. In fact, never in history has any Eastern individual Church made any attempt to assimilate the Roman individual Church or to impose its own authority upon the Latin liturgical tradition. This may explain why the Supreme authority of the Universal Church never guaranteed by any official document the veneration and conservation of the Roman rite as it was done with respect to the Eastern ones. In any case, a *liturgical uniformity* has no base for referring itself to duly legitimate authorization. Nevertheless, the above quoted three papal documents,²⁶⁰ indicate that repetitious intervention of the Roman Pontiffs was needed to forestall many abuses the Eastern individual Churches had to suffer.

These papal documents do not explicitly mention the third aspect of particular autonomy, namely, the theological approach. From the Florentine ecumenical decree we have to pass over to the Second Vatican Council to find another explicit declaration of the Supreme authority in this respect.²⁶¹ This does not mean the neglect of this aspect, rather, it is due to the fact that the theological diversification is avoided in the controversies between ecumenical and uniformitarian trends. Differences in theological expressions could easily be interpreted as heresies, and as such, be indefensible.²⁶²

The autonomous theological tradition is preserved, at least to some extent, in the faithfully transmitted liturgical heritage.

²⁵⁹ *Decretum de oecumenismo*, art. 15; *Decretum de Ecclesiis Orientalibus Catholicis*, art. 1, 5, 6; *Constitutio dogmatica de Ecclesia*, art. 23.

²⁶⁰ Cf. note 248 above.

²⁶¹ *Decretum de oecumenismo*, art. 17; *Constitutio dogmatica de Ecclesia*, art. 23.

²⁶² A profound mutual knowledge and appreciation of different traditions was needed to recognize in the theology and terminology of other individual Churches, rather a complementary than of a contradictory element. (Cf. notes 24-27 above). By the ease with which many diversities were called heresies (even without distinction in "formal" and "material" heresy), any autonomous theological approach was discouraged, thus rendering considerable service to uniformness.

Therefore, liturgical uniformity combined with the disciplinary one, meant a complete rejection of autonomy in all of its three aspects. Often in practice, uniformity in discipline leads directly to liturgical assimilation. When the latter is finally achieved, all traces of any diversification among the individual Churches is eliminated, and what remains, is a purely administrative division of a uniform multitude of Christians, disregarding existing cultural and spiritual diversities of the human race. This would be a pernicious detachment of the Church from the human reality. The Mystical Body of Christ created for the benefit of mankind would alienate itself from real human life. This is precisely the evil which the Second Vatican Council tried to remove by its pastoral pronouncements and decrees.

If the human individuality is neglected in the Church, or becomes assimilated in the "monophysitic" manner by the spiritual one, any diversity is directly referred to the divine element. Hence, the partisans of uniformity are inclined to see ecclesiastical variety in terms of heresy, or at least of schism, because diversity denies uniformity in principle.²⁶³ Consequently, the unitive activity of the uniformitarian circle is limited exclusively to dogmatic problems. Once a non-Catholic is persuaded that Catholic dogma is true, there is no reason, according to the uniformitarian concept, why he should not join the uniform Universal Church, abandoning alleged heresies and his spiritual heritage as well. According to them, diverse traditions and autonomous organizations of individual Churches have no value; rather, they constitute obstacles to the achievement of uniform unity, both in the spiritual and in human realm.

With such a concept of uniform unity, a union concluded with an entire separated Church or with some of its members, differs only by the number of individuals gained, because the spiritual heritage of the individual Church is left out of

²⁶³ The use of denoting unintentional aberration as "material heresy" increases enormously the possibility to apply the generic name "heretic" to many divergences. Therefore the term "schismatic" is very often accompanied by the term "heretic", phrased almost as a binomial. The third notion "alienation", apart from physical alienation, is hardly understandable by the partisans of Church uniformity, because in an externally uniform Church there could not be any reason for a well-disposed individual to refrain from external communication with the local "administrative unit" of the uniform Universal Church.

consideration.²⁶⁴ Since partial success is easier to obtain than total, uniformitarians aim principally at partial or at reunion of individuals. In fact, for uniformitarians, partial or even general reunion means nothing more than a sum of individual ones, because in all cases, individuals have to merge into a uniform tradition common to all Christians. Since a common tradition for all human beings is unrealistic, it is usually supplanted by the tradition of one predominant individual Church. In this sense, the name *conversion* is more appropriate rather than reunion, requiring not only an eventual moral act, i.e. rejection of heretical or schismatic convictions, but also a cultural conversion to a different but uniform tradition.

From the uniformitarian point of view, a conversion of a separated hierarch does not differ essentially from a conversion of any layman. Episcopal orders of such an eminent convert are to be effectively exercised only after passing through a period of adaptation to the new ecclesiastical tradition. If only "juridical uniformity" would prevail in the Universal Church, this adaptation would be limited to the acquaintance with the new particular law before the power of jurisdiction is to be exercised. In the liturgical sphere, the converted bishop may exercise episcopal functions without much ado.²⁶⁵ But, if "liturgical uniformity" is aimed for the Universal Church, the adaptation would have to assume a form of a complete "reeducation", as if an entirely new candidate presented himself. Obviously, the process would encounter considerable difficulties, especially in the case of aged persons.

²⁶⁴ S. TYSZKIEWICZ, S.J., *La sainteté de l'Église christoconforme*, Rome 1945, p. 137, expressly pointed out the difference between diversity and numerical multiplicity:

Il ne faut pas confondre la diversité avec la multiplicité, avec la répétition numérique dans l'ordre réel de la même forme unidiverse.

²⁶⁵ In practice such a converted bishop may assume the role of an "ordaining bishop" without any jurisdiction, or that of an "episcopal vicar" of a special liturgical rite, subordinated to a hierarch of another rite. It seems that something similar was proposed during the debate of the Second Vatican Council by H. E. Mons. D. ATHAIDE (Agra, India):

"Sarebbe preferibile conferire, *in via ordinaria*, all'unico vescovo diocesano la responsabilità pastorale di tutti i fedeli della diocesi, anche se di diversi riti", ai quali si potrebbe provvedere per mezzo di un vicario episcopale, magari vescovo egli pure. — *Il Concilio Vaticano II, Notiziario* n. 55, in *La Civiltà Cattolica*, an. 116 (1965 I), p. 597.

The Second Vatican Council does not place in the official documents any special requirements for Eastern non-Catholics clerics who want to join the Catholic Church, stating the following:

Et cum apud eos sacerdotium validum servatum sit, clericis orientalibus, in unitatem catholicam convenientibus, facultas est proprium Ordinem exercendi, iuxta normas a competenti Auctoritate statutas.²⁶⁶

Obviously, one cannot expect enthusiasm among non-Catholics to join the Catholic Church, if they would be bound by the requirements of the juridical or liturgical uniformity to change their tradition. Spiritual heritage is too fundamental an element to be rejected lightly.

This is precisely why non-Catholics, even well disposed and contemplating themselves to join Catholicism, are very embittered when some individuals or a part of their community embraces the Catholic faith, joining a different individual Church. We cannot lightly cast upon them a suspicion of insincerity in their previous contemplation of Catholicism, or easily dismiss the case as a kind of jealousy that a part of the community preceded the rest.

"The fact that some achieved their aim first, cannot prevent others from continuing along the way".²⁶⁷ It should rather serve

²⁶⁶ *Decretum de Ecclesiis Orientalibus Catholicis*, art. 25. The following observation is added in the footnote:

Obligatio synodalis quoad fratres seiunctos orientales et quoad omnes Ordines cuiuscumque gradus tum iuris divini tum ecclesiastici.

²⁶⁷ This perspicuous assertion is taken from the work of C. BOYER, S.J., *Unità cristiana e movimento ecumenico*, Roma (1955), p. 106: "E allora, il fatto che alcuni arrivano alla mèta per primi, non può impedire agli altri di continuare il cammino". — Just above (pp. 104-105) the author examines the case of the Oxford movement and the confusion caused when some members were converted. The explanation can only be found in assuming the ecumenical attitude in regard to the entire unionist question, as was indeed done by the author. Cf. note 233 above.

The Second Vatican Council, in its ecumenical spirit, solemnly asserted the perfect concord between individual and group ecumenical reunions. *Decretum de oecumenismo*, art. 4:

Patet autem opus praeparationis ac reconciliationis eorum singulorum qui plenam communionem catholicam desiderant, ab oecumenico incepto natura sua distingui; nulla tamen adest oppositio, cum utrumque ex Dei mirabili dispositione procedat.

(Cf. L. Kard. JAEGER, *Das Konzilsdekret "Über den Ökumenismus"*, Paderborn (1965), p. 31.

as an encouragement and example for others to follow. If, however, partisans of unity voice their opinion loudly and clearly against such cases of reunion, the reason for their dissatisfaction is not because these were individual or partial reunions, but because they suited the requirements of the uniformitarians. In fact, many of them openly declare that the prospect of being included in one uniform Church creates for them the greatest obstacle to ecclesiastical unity.²⁶⁸

This feeling, so contrary to the genuine Catholic attitude towards Church unity, was caused by the imprudent "zeal for union" in uniformity throughout the centuries. History itself voices the most eloquent disapproval of any such activity, especially by the fact that after prolonged and insistent uniformitarian activity for reunion, the effects are hardly perceptible. The only result is that the existing Eastern Churches are brought face to face with the Shakespearian dilemma "to be or not to be" as individual Churches. Hence, during this most ecclesiological Second Vatican Council, strong voices were raised against uniformitarian activity.²⁶⁹ The Council itself denounced

²⁶⁸ Precisely within the most unionistic circles of the Constantinopolitan patriarchate an affirmation in this sense was pronounced. According to them, the reunions achieved till now resulted in juridical incorporation into one uniform Church. The view was expressed by "Mgs Chrysostomos, métropolitte de Myra... membre du Saint-Synode... l'homme de confiance du patriarche Athénagoras". It was published as an interview, entitled *Mgr Chrysostomos nous parle de l'avenir des Églises unies à Rome*, in *Informations catholiques internationales* (Paris), no. 256, 15 janvier 1966, pp. 5-6:

... du problème des Églises unies qui, certes, constitue une des questions les plus épineuses dans nos relations. ...

... il n'existe qu'une Église catholique romaine, comportant un grand nombre de rites et...

... je crois que c'est l'Église de Rome elle-même qui doit rester fidèle à son ecclésiologie, conformément à laquelle l'Église du Christ peut avoir plusieurs formes mais rester une seule institution.

²⁶⁹ It suffices to quote the most resolute conciliar intervention of His Beatitude Josyf Slipyj, pronounced on October 16, 1964:

Sarebbe bene tener presente che le Chiese Orientali, oltre alle tristi note vicende sofferte, hanno perduto numerosi fedeli per l'imprudenza dei cattolici occidentali che si sforzano di indurre i cattolici orientali a passare al rito latino... Questo atteggiamento non solo minaccia di distruggere le Chiese Orientali, ma reca un danno gravissimo alla stessa Chiesa cattolica in quanto tale. ...

Si chiede, perciò, istantaneamente che questo Concilio confermi e stimoli all'osservanza di quelle disposizioni già tante volte ribadite dai Papi. Si elimini il timore che, unendosi alla Chiesa cattolica, si finisca col perdere rito e tradizioni. ... Che l'unione con la Chiesa cattolica non sia un ponte

any such inadvisable tendency, proclaiming: "Haec Sacrosancta Synodus hortatur fideles, ut a quavis levitate vel imprudenti zelo se abstineant, quae vero progressui unitatis nocere possint".²⁷⁰ The Supreme authority of the Universal Church assumed the correct ideal ecumenical attitude towards the unionistic problem, uttering:

Sacrosancta Synodus omnes quidem, sed praesertim eos exhortatur qui in instaurationem plenae communionis optatae inter Ecclesias orientales et Ecclesiam catholicam incumbere intendunt, ut debitam considerationem habeant de hac peculiari condicione nascentium crescentiumque Ecclesiarum Orientis et de indole relationum, quae inter eas et Sedem Romanam ante separationem vigeant atque rectam de his omnibus existimationem sibi efforment.²⁷¹

The entire unionistic problem is encompassed between these two poles which allow different combination. With ideal ecumenism constituting one pole, there is unity in the spiritual sphere with free diversity in the human one. The keynote of this concept is the notion of autonomy of an individual Church in all its three aspects: theological, liturgical and juridical. Once such: an individual Church is deficient in some aspects of Church unity, ecumenism applies only to those remedies needed to remove the deficiency with the autonomy of the individual Church being left intact.

Complete uniformness, on the contrary, is averse to the autonomous feature of individual Churches. It strives for complete unity, not only in the spiritual but also in the human sphere, with numerical multiplication preferred to qualitative diversity. Whatever the deficiency of an ecclesiastical unit in Church unity, pure uniformness strives to establish homogeneity in all aspects, internal and external.

Thus, two unionistic concepts face one another: *unity in diversity* or *unity in uniformity*. Herewith, a large part of Christianity was placed for centuries in a vital dilemma whose gravity can hardly be comprehended on a theoretical plane. By

verso la latinizzazione. — *Il Concilio Vaticano II, Notiziario* n. 55, in *Civiltà Cattolica*, an. 116 (1965 I), pp. 584-585.

²⁷⁰ *Decretum de oecumenismo*, art. 24.

²⁷¹ *Ibidem*, art. 14.

following the evolution of this dramatic process for a certain period of history, within the limit of one particular segment of Christianity, one conceives what momentous consequences ensue if one or the other basic principle is applied to unionistic activity.

To illustrate the dilemma, we chose to present in the Historical part of this work the unionistic process that one individual Church underwent, namely, the Kyivan Archbishopric-Metropolitanate, during a time-span of one and a half centuries. This Church, situated quite far from the ever-vigilant supreme Roman See, was placed on the crossroads of different ecclesiastical influences. Our study begins with the preparations for the Florentine Council, the most unionistic event in Church history, and terminates with the period, when the decisions of the Council of Trent were put into practice. Hence, the problem of Church unity during the time-span between these two great Councils in the particular region of the Kyivan Archbishopric, forms the object of the review which follows.

Firstly, we must turn to the question of whether in those times, the Kyivan Metropolitanate formed an *autonomous individual Church* or constituted only a part of another one. We have to focus our attention more on actual, effective autonomy, than on nominal designations.

The *state of unity or separation* of this ecclesiastical unit, whether in fact it was contaminated by schism or heresy, poses the second question. The situation of the Church as a unit, is studied and not of single individuals. Therefore, only the official "creed", expressed in documents and acts of that individual Church by the responsible hierarchy, is reviewed in the light of the theoretical principles. The situation of individuals, mentioned occasionally, serves to illustrate the actual state of that Church.

The third concluding question refers to contemporary *attempts towards reunion* by members of the Kyivan Church and by neighbouring Christians. The leading ideas of this activity, their realization, their successes and failures are very instructive for the future. However, for this treatise, it serves rather to illustrate the theoretical examination of the unionistic problems.

In order to get thorough answers to these questions, it seems unsuitable to evaluate single acts consecutively. We try to present comprehensive answers to these three questions in the three chapters of the last Conclusive part of this work.

HISTORICAL PART

THE FLORENTINE UNION AND THE KYIVAN CHURCH

1. TOWARDS THE UNION OF FLORENCE

“Laetentur caeli et exultat terra” is the opening sentence of the decree of the Florentine Union. More appropriate words could not be found to express the great joy in one of the most glorious events in the history of the Church, when “sublatus est enim de medio paries, qui occidentalem orientalemque dividebat ecclesiam, et pax atque concordia rediit”.

The event did not happen suddenly. The great Florentine union was preceded by lengthy preparations, which trace their beginning to the time of the Avignon Popes and the great Western schism. This is true in regard to both Eastern Churches — that of Constantinople and of Kyiv.

From the Greek point of view, the union of Florence was preceded by a union of the Greek Emperor, Michael Palaeologos, at the Second Council of Lyons in 1274, while at the First Council of Lyons in 1245, the Council Fathers recognized Archbishop Petro Akerovyč the representative of the Church of Kyiv to be of a particular Slavic rite of the Catholic Church.¹

Neither of these two Councils produced a lasting effect in the East, as there was still prejudice and aversion on both sides, besides, the Roman See was preoccupied with the Avignon captivity, while the Eastern territories of Constantinople and Kyiv were menaced by Turks and Mongols.

The conditions were not more congenial at the end of the XIV century, when one of the greatest Archbishop-Metropolitans of Kyiv, Kyprian Camblak, preceded the Florentine Council by forty

¹ TOMAŠIVSKYJ S., *Praecursor Isidori, sive de Petro, Aceri filio, metropolitano Rutheno hucusque fere ignoto*, in *Analecta OSBM*, vol. II (Žovkva 1926), pp. 221-313; ČUBATYJ M., *Zachidna Ukraina i Rym u XIII vici u svoikh zmanniakh do cerkovnoi unii*, in *Zapysky NTS*, vol. 123 (Lviv 1917), p. 33 fol.

years with his idea to convoke all Christian Churches in a universal council. A solution which would help solve the differences and the mistrust between the East and West could be proposed at such a council. A union based upon principles of equality of the particular Churches in the juridical and liturgical sense was intended. Metropolitan Camblak appealed not only to the King of the Polish-Lithuanian federation, since Kyiv was within its territorial limits,² but also to the Patriarch of Constantinople. He proposed a choice of several cities in his own Metropolitanate, which was neutral in the East — West conflict, as a most suitable site for the meeting.

It is rather doubtful that Constantinople was pleased with the proposal of a Kyivan mediation. The reply of the Patriarch was negative, as he was far more concerned with military defence of the city from the Turks and looked at Church union from this aspect.³ Meanwhile the Western Church was in the throes of its great Schism and thus could not be expected to take an effective interest in either military aid to Constantinople or in the formation of a unionistic council.

Finally a solution to the discordance in the West was found at the Council of Constance and it presented an opportunity to solve the Eastern separation as well. In fact, a proposal of this kind was presented officially to the Council by the Archbishop —

² HRUŠEVSKYI M., *Istoria Ukrainy-Rusy*, vol. V, Lviv 1905, pp. 509-511; IŠČAK A., *De conatibus unionis ecclesiasticae nec non de autocephaliae aspirationibus in Ucrainae terris a rege Daniele usque ad tempora Metropolitae Isidori*, in *Bohoslovnia*, II (Lviv 1924), pp. 302-306.

³ *Acta Patriarchatus Constantinopolitani* (ed. F. Miklosich and I. Müller), Vindobonae 1862, no. 516, pp. 282-285, publishes (in Greek) the Patriarch's letter of January 1397 to the Kyivan Metropolitan; and on pp. 280-282 (no. 515) another one of the same date to the King of Poland. The latter is republished (with Russian translation) in *Russkaja Istoričeskaja Biblioteka*, vol. VI, Sanktpeterburg 1908, Appendix, no. 44, col. 297-300, where it reads as follows (col. 299-300):

You write about the unification of Churches; we readily wish it, but now is hardly the time for such actions; there is a war with infidels, the main roads are closed, we are restrained from acting and in such circumstances is it possible that one of us would go there to attend the council? When God grants peace and the roads are open, we will be ready for that even on our own initiative. In order that this occurs, we cordially beg your Majesty, whenever it will be suitable, to join His Majesty the Hungarian King in moving your army and armament for the defence of Christians and the defeat of infidels, so that after opening the roads, the unification of Churches, earnestly desired by both your Majesty and us, be realized as well.

— Metropolitan of Kyiv, Hryhorij (Gregory) Camblak. He was a protégé of Vitovd, the Great Prince of Lithuania, and was elected to this See by the Eastern bishops on November 15-th, 1415, in opposition to Metropolitan Photios, who resided in Moscow.⁴ Photios would not have been an apt choice for any unionistic mission, for he, following the Muscovite preclusive policy, tended towards isolation. Although Photios took no care of the southern eparchies, nevertheless Constantinople supported his candidacy and did not want to hear anything about his deposition and new election of Camblak.

Meantime, in 1415 Theodoros Chrysoberges, a Greek and the Vicar General of the Dominicans, journeyed from Constantinople through the territories of the Polish—Lithuanian federation on an inspection tour of the Dominican monasteries.⁵ It is not known whether he was a member of the Greek legation that delayed the autonomous election of Camblak, the new Metropolitan of Kyiv.⁶ However, it seems certain that, as a Greek, he was not in sympathy with the autonomous aspirations of the Kyivans, especially since he himself was to deal with Rome on behalf of all Byzantine Churches. In addition, the mission of uniting Kyivan Easterns was particularly entrusted to him by the Polish King Jagello and for this purpose he was sent to the Council of Constance.⁷

The King's aim was more of a political rather than religious nature, for if he could show to the world that all his subjects were Christians and Catholics, he could insist that Poland be freed from

⁴ The synodal decree concerning the Metropolitan's election is published in *Akty odnosiaščiesia k istorii Zapadnoj Rossii*, vol. I, Sanktpeterburg 1846, no. 24, col. 33-35; I. KULCZYNSKI, *Specimen Ecclesiae Ruthenicae*, Parisiis 1859, p. 207 fol. Cf. also: K. CHODYNICKI, *Kościół Prawosławny a Rzeczpospolita Polska*, Warszawa 1934, pp. 35-41; M. HRUŠEVSKYI, op. cit., pp. 399-403, 511-517.

⁵ A. AMMANN, S.J., *Abriss der Ostslawischen Kirchengeschichte*, Wien 1950, p. 123.

⁶ Some information about this Greek legation can be found in the letter of Prince Vitovd, published in *Akty Zapadnoj Rossii*, vol. I, no. 25, pp. 35-37; I. KULCZYNSKI, op. cit., p. 213.

⁷ The King's letter of recommendation, dated August 29-th, 1415, for Theodoros Chrysoberges, O.P., is published in *Acta Concilii Constanciensis* (ed. H. Finke), vol. III, Münster i.W. 1926, no. 128, pp. 281-282. — Cf. also: H. FINKE, *Forschungen und Quellen zur Geschichte des Konstanzer Konzils*, Paderborn 1889, p. 318; R. LOENERTZ, O.P., *Les Dominicains byzantins Théodore et André Chrysobergès et les négociations pour l'Union des Eglises grecque et latine de 1415 à 1430*, in *Archivum Fratrum Praedicatorum*, IX (Rome 1939), pp. 17-18.

the hostile presence of the Teutonic Order which, officially, had the task of converting the pagan population of the Lithuanian regions only.⁸ Therefore, in a letter dated 25-th of August 1417, he agreed with Vitovd that Easterners should not be rebaptized upon conversion.⁹ A contrary practice would only furnish an argument for the Teutonic Knights to remain on the northern Polish borders.

However, Jagello took little interest in the conservation of the Eastern rite in the liturgical and juridical sense. An autonomous Metropolitanate of an Eastern rite would only contribute to disengage the Lithuanian Great Principality from the Polish-Lithuanian federation under the separate rule of Vitovd. Thus, for the sake of the unity of the federation, Jagello moved in 1386 from the Lithuanian to the Polish throne and consented to be rebaptized in the Latin rite. He also imposed rebaptism on a great part of his family.¹⁰ By the decree of 1387 the Lithuanian nobility was constrained to undergo rebaptism in the Latin rite. By the same legislation the King favoured the Latin faithful and prohibited mixed marriages, unless the Eastern party would first become a convert to the Latin rite, even by force.¹¹

⁸ LOERNERTZ R., op. cit., pp. 20-21, where the author exposes the wish of the Polish King to rid the northern borders of the presence of those "Knights of St. Mary Hospital of Germans in Jerusalem". — Cf. also: A. AMMANN, op. cit., p. 124.

⁹ The letter is published in *Copiale Prioratus Sancti andree* (ed. J.H. Baxter), Oxford 1930, no. 20, pp. 38-41; testifying to the repugnance of the Kyivan Easterners to rebaptism (p. 40):

... presertim maiores ipsorum metropolitae secundum eos et archimandrite ecclesie occidentali vel Romane reincorporari aliquatinus propter premissa non intendunt, asserentes suo ritui irrecuperabile eo ipso, utcumque baptismus reiteretur, scandalum generari.

¹⁰ DŁUGOSZ J., *Historiae Poloniae libri XII*, vol. III, Cracoviae 1876, p. 460 (lib. X, ad an. 1386):

Eo itaque ... Dux Magnus Lithuaniae Jagello primum, deinde fratres sui Lithuaniae Duces, Boyari et nobiles ... cum magna alacritate baptisantur, abrogatisque barbaricis nominibus, Duci Magno Jagelloni Principum nomen Poloniae Wladislaus, item Wiguntho (Witawdo) Alexander, Korigaloni Kazimirus, Swidrigelloni Boleslaus, optata impositaque sunt. Reliqui Lithuaniae Duces, fratres Ducis Jagellonis, cum dudum ante Graecorum ritu baptismum sortiti fuerint, ad iterandum, vel ut significatori verbo utar, ad supplendum baptismum non poterant induci. ... Jagello ... terrasque Lithuaniae, Samagittiae et Russiae ... Regno Poloniae perpetuo inscripsit ... ac earum populus se baptisandum et ad fidem orthodoxam reducturum iureiurando astrinxit.

Quoted also by M. HARASIEWICZ, *Annales Ecclesiae Ruthenae*, Leopoli 1862, p. 24.

¹¹ HARASIEWICZ M., op. cit., p. 24 and 59. — Cf. also M. HRUŠEVSKYJ, op. cit., p. 446 and 450-451, where the author refers to two Jagello's decrees from 1387

His rival, the Great Prince Vitovd, was more tolerant and did not impose forced rebaptism upon the Eastern faithful.¹² He was also ready to join the Eastern rite, if Archbishop Hryhorij Camblak should succeed in his project of a Church union.¹³

On the contrary, Jagello was more inclined to the Church union in the Latin rite. Chrysoberges set a good example of such a type of union. He, though of Greek origin, remained faithful to the Latin rite to such an extent that even the highest office in the Dominican Order was entrusted to him. However, Jagello's unionistic plan differed from Chrysoberger's since the King wanted union regardless of what the Greeks would do. Even more, in the above mentioned letter of August 25-th, 1417, Jagello, together with Vitovd, insisted on a quick settlement of the union

published in the works: DZIALYŃSKI, *Zbiór praw litewskich*, p. 1; WANOWSKI, *Dzieje korony Polskiej i w. ks. Litewskiego*, 1847, vol. I, pp. 74-77.

¹² As example there can be quoted Vitovd's ordinance, promulgated after August 5-th, 1392. It constitutes a part of the letter of recommendation assigned to a travelling Latin bishop, who had to baptize all those Samogitans — Šamaitans (natives of present Lithuania), "who were not baptized" yet. The letter is published in *Codex diplomaticus Ecclesiae cathedralis necnon dioceseos Vilmensis* (ed. J. Fijałek and W. Semkowicz), Kraków 1932-1948, no. 23, p. 39:

And if there is any Russyn voluntarily wishing to be baptized, he should be so baptized; and those not wishing, should remain in their own faith.

Cf. also the tolerant expressions in Vitovd's letter of 1415, published in *Akty Zapadnoj Rossii*, vol. I, no. 25, pp. 35-37.

¹³ There are three ancient annals referring (under the year 1417) in the same manner to Vitovd's view on the ecclesiastical situation of the Kyivan Church. *Polnoje sobranie Russkich litopisej*, Sanktpeterburg, vol. IV, 1848, pp. 115-116; vol. V, 1851, p. 260; vol. XVI, 1889, p. 166:

That winter Metropolitan Hryhorij, called Camblak, said to Great Prince Vitovd: "why are you, Prince, of the Polish faith and not of the orthodox christian faith?" Vitovd answered: "If you want to see me in your orthodox faith, as well as all the infidel people of my country of Lithuania, go to Rome and dispute with the Pope and his advisers; if you succeed, we all will be Christians; if not, I will convert all my people to the German faith"; and sent him to Rome with his nobles.

It seems that Camblak's mission was organized with the definite dilemma of enrolling the entire Lithuanian Great Principality in the Eastern or Latin rite. (The term "faith" can be understood only in the sense of an "individual Church". Otherwise expressions like "Polish faith", "German faith", could hardly be understood). The Great Prince was ready to adapt himself and the rest of the Samogitan population, not yet baptized, to the Eastern rite of the majority, on the condition that the Kyivan Metropolitan enjoy due communion with the Roman Sec. This explains not only the importance attributed to the mission but also the disappearance of Camblak's name from the history after his failure in Constance.

and expressed the hope that the Greeks would follow the Kyivan example.¹⁴

Evidently, the Greek representation at the Pope's court, engaged in negotiations for a union which depended on Western military support in defense of Constantinople, was not happy with the prospect of seeing the union of the Greek Church reduced to an imitation, or an appendage to the Kyivan union. If such were the case, hopes for Western military help would diminish considerably.

For the same reason, the Greeks were still less content with the solemn arrival in the second half of February, 1418, of a large delegation from the Kyivan Metropolitanate. The delegates were met by Emperor Sigismund of Luxemburg with splendid pageantry. Sigismund himself was a great supporter of that projected union with the East to be concluded at an Ecumenical Council composed of theologians from both sides.¹⁵ Archbishop Hryhorij Camblak thought that the Council of Constance, having solved the Western schism by the election of Pope Martinus V in November 1417, would now be able to solve, in a similar way, the East-West discord. The Metropolitan arrived at the Council of Constance with a large number of clergy and nobility¹⁶ and intended to participate in the debates on the union of the East

¹⁴ *Copiale Prioratus Sanctiandree* (cf. note 9 above), reads as follows:

... istis qui nostre dicioni subsunt gremio ecclesie restitutis, reliqua pars Grecorum, qui ad hoc a diu aspiravit, expurgato fermento veteris malicie, perpetuati scilicet scismatis, sit nova conspersio, nobiscumque de uno pane et de uno calice participans, in domo domini ambulet cum consensu.

¹⁵ Cf. the letter of Sigismund, Emperor in the West, to Manuel of Constantinople, written in May or June 1411, published in *Acta Concilii Constantiensis* (ed. H. Finke), vol. I, Münster i.W. 1896, no. 111, pp. 391-394 (p. 393: "in concilium generale tam orientalium quam occidentalium ecclesiarum professores convocare ...").

For an analogical recommendation of the Parisian University and the reply of the Pisan antipope Johannes XXIII cf.: *ibidem*, pp. 143 and 156.

¹⁶ The arrival and participation of the Kyivan delegation is referred in Ulrichs von Richental, *Chronik des Constanzer Concils 1414 bis 1418* (ed. R. Buck), Hildesheim 1962 (reproduction of the edition: Stuttgart 1882). According to this eyewitness the delegation arrived on February 19-th, 1418 (p. 133 and 136) with 180 horses (p. 47: "bottschaft von hertzog Wytolden von Lütow clxxx pfärden"), quite impressive for those times. — Cf.: *ibidem*, pp. 202, 206 and 208.

Cf. also: *Acta Concilii Constantiensis*, (ed. H. Finke), vol. II, Münster i.W. 1923, pp. 164-165; R. LOENERTZ, *op. cit.*, p. 35.

with the West, in order "to gather into one the divided body of the Church".¹⁷

It was not difficult for the Kyivans to admit the primacy of the Roman Pontiff as Peter's successor and Vicar of Christ. All other divergences between the Latin and Kyivan Church¹⁸ were to be discussed and solved at the Council, like it was done twenty years later in Florence between Roman and Greek Church. In order to eliminate any eventual suspicion, it was suggested by Metropolitan Camblak that a delegation be sent from Rome to the Kyivan Church to become acquainted with the unionistic tendencies of the Kyivan Church. No dogmatic or political demands were made on the Kyivan part, as long as Kyivan autonomy would be respected in both a liturgical and juridical sense. The Metropolitanate did not make the intended Kyivan union dependant on any decisions of Constantinople, although some unionistic tendency of the Patriarchate was apparent and a union of Greeks could also be expected. All these views were expressed by Archbishop Camblak in the name of the Kyivan Church in his official address to the Council on February 25-th, 1418, in the presence of Pope Martinus V, a few days after the arrival of the Kyivan delegation at Constance.¹⁹

¹⁷ This is the expression of Metropolitan Camblak's greeting to Emperor Sigismund, as preserved in a Slavic manuscript of the XVI cent., according to M. HRUSEVSKYI, op. cit., p. 514. The author refers to: *Izvestia otdelenia russkogo jazyka i slovesnosti*, vol. 8 (1903 II), pp. 70-75; and A.J. JACIMIRSKIJ, *Gregorij Camblak*, S. Petersburg 1904, p. 198. The first source is also referred to by R. LOENERTZ, op. cit., pp. 40-41.

¹⁸ In the widest sense, as was usual in the contemporary writings, the expression of the quotation below (the following note) should be understood: "... periti et experti juris, qui discernant de negociis fidei ...". It seems that the matter deals with the juridical autonomy of the Kyivan individual Church (Kyivan "faith").

¹⁹ The address is referred in: *Acta Concilii Constanciensis*, vol. II, pp. 164-166, with following characteristic expressions:

... fiat unio inter illam ecclesiam Orientalem (of Kyiv - I.M.) cum sancta Romana ecclesia ... Cupit hanc sanctissimam unionem ... imperator Constantinopolitanus, filius sanctitatis vestre, patriarcha eciam illius urbis ceterique populi christiani illarum parcium, sicut persensi ... In quantum autem attinet ex regionibus illis, ex quibus huc ad vestram sanctitatem accessi ... ipsi gloriosissimi principes ... omnem eciam curam fecerunt, ut gentes, que ipsorum precepto subiciuntur, que sequestrate sunt a gremio sancte Romane ecclesie, ut zlatores christiane fidei cupiunt, ad unitatem ecclesie reducantur, hoc servato, ut cum via debita et honesta atque consueta fiat, scilicet per congregacionem concilii, ut utrimque congregantur periti et experti juris, qui discernant de negociis fidei et hanc

The small group of Greek mediators, mostly of Latin rite, were overwhelmed by the concrete proposals of the numerous delegation from the vast Christian territories of Kyiv. The Greeks, led by Nikolaos Eudemonojoannes, sought not only ecclesiastical union with the West, but primarily military aid for the last remnants of the Empire of Constantinople. The advanced unionistic moves of the Kyivan Metropolitan placed the Greeks in an embarrassing position.

On the other hand, the Kyivans were handicapped by the fact that the West-Europeans had a very superficial and limited knowledge of the East-European Countries. Still, a greater hindrance was the unpreparedness of the Latins to deal with the union on basis of Kyivan autonomy as proposed by Metropolitan Camblak. There were present at the Council some Greeks of the Latin rite, like Chrysoberges; the Pisan antipope Alexander V was also Greek by origin. Therefore a union in Latin rite would have been comprehensible and more easily appreciated by most Council Fathers in those times.²⁰ Among the most influential supporters of such ideas were members of the Teutonic Orders, descendants of the Crusaders, who were entirely dedicated to the spreading of uniformity among Christians everywhere, as was the case in the Lithuanian regions. They triumphed when the Kyivan proposals were not taken into consideration by the Council.²¹

What happened later with Archbishop Hryhorij Camblak is uncertain, for we do not have any precise information. He was in Kraków (Cracow) in May 1418,²² but probably never returned to

differenciam inter illam gentem cum sancta Romana ecclesia ... Itaque sit imitatrix sanctitas vestra illius vicarii Christi Petri ... nec proceletur amplius negotium hoc clarissimum in longius, sed quam cicius rumpantur more mittanturque ad illas partes persone ydonee, que sua odorifica conversacione sanctaque vita edificent illos populos trahantque ad unitatem s. matris ecclesie.

²⁰ LOENERTZ R., op. cit., pp. 35-36, 40; cf. also: ULRICH VON RICHENTAL, op. cit. (note 16 above).

²¹ LOENERTZ R., op. cit., p. 21 and 40, quoting: *Scriptores Rerum Prussicarum*, III, p. 376 (the year 1415-1416).

²² *Rachunki dworu króla Władysława Jagiełły i królowej Jadwigi z lat 1388 do 1420* (ed. F. Piekoński), Kraków 1896, pp. 520-521:

Item secuntur distributa pro statione metropolitani Kyouiensis, quando de Constanciensi concilio reuenit, et primo feria quinta ipso die Asscensionis (5/5) ad prandium ... Item die dominico Penthecostes (15/5) ... item ipsi metropolitano ...

On May 27-th and July 31-st different missions were sent from the royal court to Lithuania (ibidem, p. 521).

his Metropolitanate, at least not as Archbishop-Metropolitan. In August 1420, another Greek delegate, Manuel Philantropenos, conferred with Camblak's opponent, Photios, in the city of Novhorodok, where five years before Archbishop Hryhorij had been elected. Since that time Metropolitan Photij freely exercised his jurisdiction over the southern eparchies of the Lithuanian and Polish states.²³

The Greeks continued to negotiate the union and already in 1419 insisted in the convocation of a unionistic Council in Constantinople.²⁴ But it was only after the convocation of the Council of Basel in 1431 that the possibility of a union became more promising. The Council Fathers recalled the Kyivan readiness for union and suggested, in October 1431, to Pope Eugenius IV to invite King Jagello and the Lithuanian Great Prince to involve their subjects of Eastern rite in unionistic negotiations.²⁵

At that time the political and the ecclesiastical situation in these regions was most suitable for a union. The new Great Prince of Lithuania, Svidrigal, was even more pro-Eastern than his predecessor. Metropolitan Photios, who faithfully followed the Muscovite line, died in July 1431. The Lithuanian candidate, Herasym, the former bishop of Volodymyr, was placed upon the Metropolitan See. He had participated in Camblak's election in 1415.²⁶ Personally present in Constantinople (1431-32), he received the Patriarch's confirmation which Metropolitan Camblak had lacked. The new Archbishop-Metropolitan was sustained by the meeting of Lithuanian nobility in March 1433, a statement was issued that the Kyivans desire an ecclesiastical union of their autonomous Church. In the message to the Council of Basel they expressed the yearning that the union of all Eastern Churches with the Roman See should be accomplished promptly, and that they wanted to send a delegation from the

²³ GOLUBINSKIJ E., *Istoria Russkoj Cerkvi*, vol. II, P. I, Moskva 1900, p. 387; K. CHODYNICKI, op. cit., p. 48; O. HALECKI, *From Florence to Brest*, Rzym 1958, p. 34.

²⁴ *Epistolae pontificiae ad Concilium Florentinum spectantes* (ed. G. Hofmann, S.J.), P. I, Romae 1940, no. 6 and 7.

²⁵ *Concilium Basiliense* (ed. J. Haller), vol. II, Basel 1897, p. 550 (Appendix no. 1): "Idem scribat regi Polonie et magno duci Litphanie, quod laborent ad reducendum Ruthenos et quod mittant ad Concilium".

²⁶ His name occurs in the synodal decree concerning the Metropolitan Camblak's election; cf. note 4 above.

Kyivan Metropolitanate to the Council.²⁷ The message, with some recommendations, was presented on July 16-th, 1433, to the Council²⁸ and later another one was sent directly to the Pope, because of a strong Polish influence in Basel. Nevertheless, Herasym and Svidrigal had to wait more than a year for a reply.

In the meantime a Greek delegation was prepared to be sent to the Council, this time led by a most prominent unionist, Isidore. He had exposed his idea about the Church union in a "psefismate" written about 1430.²⁹ A Greek synod should invite representations from the whole world to a universal council, where errors and differences should be discussed and eliminated. For some reason Isidore's departure from Constantinople for the Council of Basel, scheduled for November 25-th, 1433,³⁰ was postponed, and he arrived in Basel with two Greek laymen and two Latins on July 11-th, 1434.³¹

On July 24-th, Isidore made a speech from the floor to the

²⁷ *Veterum scriptorum et monumentorum historicorum, dogmaticorum moralium, amplissima collectio* ed. E. Martene and U. Durand), vol. VIII, Parisiis 1733, p. 576:

... si possit haberi salvus conductus ... ad hoc sacrum concilium parati sumus pro justitia domini nostri consequenda venire, et hujus sacri concilii determinationi stare, et Deum deprecamur ex corde optantes, quod seniores fidei nostrae, quae est de ritu Graecorum, et fide ecclesiae Romanae, vobiscum concordant, quo facto, et nos parati sumus stare et obedire concordatis ...

²⁸ *Concilium Basiliense*, vol. II, p. 429 and 430-431, refers in the protocol under that date, as follows:

... in congregacione generali fuerunt incorporati episcopus Ruthenensis ...

Ambassiatores ducis Witricaldi hodie proponentes obtulerunt litteras ... Quibus lectis litteris et collacione facta per unum Prutenum, dominus cardinalis legatus regraciatu est.

In *Sacrorum Conciliorum nova et amplissima collectio* (ed. I. Mansi), vol. XXX, Venetiis 1792, is published the letter of recommendation of the Teutonic Order, "datum in Marienburg die B. Marci 1433". There it is related that the Order received a letter from the Council for Great Prince Svidrigal and consigned it already to the addressee.

²⁹ MERCATI G., *Scritti d'Isidoro il cardinale ruteno*, Roma 1926, pp. 161-163, 57 (Cod. Vat. gr. 321, f. 17a).

³⁰ Cf. Emperor's letter to the Council, dated October 15-th, 1433, published in: *Concilium Basiliense*, vol. I, Basel 1896, pp. 333-336.

³¹ The whole Isidore's journey through Hungary can be traced in: G. MERCATI, op. cit., pp. 2, 4, 5, 15 and 29.

Council.³² He tried to depict the prospective union of the Church of Constantinople in most grandiose dimensions by extending it over the immense East-European territory to the far, unapproachable Hyperborean mountains, which were very little known but very exciting to the Western world. At that time the territory and city of Constantinople had been reduced to a most miserable condition, seeking any possible help from the West.³³ Evidently, a separate Kyivan delegation at the Council would crush all Isidore's eloquent efforts and hopes. Nevertheless, on October 20-th, 1434, Pope Eugenius IV communicated directly from Florence with Archbishop-Metropolitan Herasym and the Great Prince, Svidrigal, sending to the former a safe-conduct and to the latter a letter.³⁴

Evidently, the Roman Pontiff wanted to see those widely heralded East-European promoters of union. The papal letter mentions: "Gerasimus Ruthenorum Metropolitanus pro ordinis christiane fidei et nostris ac Romanae Ecclesie negotiis ad presentiam nostram venire vel oratores suos mittere desiderat"; and the Pope asked everybody a favoured transit for "predictis cum sociis, et famulis suis usque ad numerum quadraginta". This was a very strong numerical limitation upon a delegation for those time; it would be held to about the same limits as the Greek delegation at the Council. Someone did not wish to see an overwhelming number of the East-Europeans, as had been the case at the Council of Constance, to contrast with the few Greek delegates present in Basel.

On November 5-th, 1434, Poland intervened at the Council

³² *Concilium Basiliense* (ed. J. Haller), vol. I, Basel 1896, p. 334 fol.; vol. III, p. 148, 151 fol.; vol. V, p. 96 fol.; *Sacrorum Conciliorum collectio* (ed. I. Mansi), vol. XXX, col. 680-685.

³³ Isidore delivering his speech with all his skill, enumerated a long list of small regions still under the Greek rule and finally added the Kyivan Metropolitanate as it would seem to constitute an integral part of the Constantinopolitan Empire. — *Sacrorum Conciliorum collectio* (ed. I. Mansi), vol. XXX, col. 684:

Nam Peloponesus omnis Graecorum imperio subjecta est, et Lemnos et Imbras, et juxta Constantinopolim major Thraciae pars ... haec omnia a Graecis inhabitantur. Paucis tamen quibusdam in locis Turci commixti sunt. ... et magnae Russiae qui magnus appellatur rex; multique alii parent Constantinopoli; tot sunt et plura nostris obtemperantia.

(cf. also: J. GILL, S.J., *The Council of Florence*, Cambridge 1959, p. 54 fol., 85 fol.

³⁴ *Documenta Pontificum Romanorum historiam Ucrainae illustrantia* (ed. A. Welykyj, OSBM), vol. I, Romae 1953, no. 64, p. 112.

with Svidrigal's opponent and pretender to the Lithuanian throne, Zygmunt (Sigismund),³⁵ who until his death in 1440 was a persistent adversary of Kyivan autonomy. The papal safe-conduct, valid for a whole year, did not help Herasym. On Svidrigal's order he was burned at the stake on July 28-th, 1435, in the city of Vitebsk, where two centuries later the martyrdom of the great promoter of the union, St. Josaphat, would occur.

Some historians try to explain this mysterious demise of Herasym as being motivated by purely political suspicions harboured by Svidrigal towards the Metropolitan.³⁶ However, the manner of condemnation, not practised in the Slavic regions but often applied to heretics in Latin countries, would suggest that religious suspicions, or rather, calumnies, were involved.³⁷ Neither Svidrigal not Archbishop Herasym succeeded in their unionistic endeavours or, for that matter, even in sending a proper representation to the Council of Basel.

2. PARTICIPATION OF THE KYIVAN CHURCH IN THE FLORENTINE COUNCIL

After Herasym perished, the Greeks, desiring direct control of the vacant Kyivan See, because of the imminent commencement of the unionistic Council of Ferrara-Florence, entrusted the post to

³⁵ *Concilium Basiliense* (ed. J. Haller), vol. V, Basel 1904, pp. 106-107.

³⁶ Cf. HALECKI O., *From Florence to Brest*, Rzym 1958, p. 40.

³⁷ It is worthwhile remembering that at the Council of Constance, notwithstanding the Emperor's safe-conduct, a leader of the autonomous movement of another Slavic nation — Čech, J. Hus, was burned as heretic. Besides some heretical affirmations, he also raised demands for some liturgical practices, customary in the Eastern Church. Archbishop Camblak, who preceded and inspired Herasym, was present at that Council. It was precisely a Čech priest, who served as Camblak's interpreter in his Council speech on February 1418.

A capable intrigant could, without difficulty, persuade others, that Herasym, a strenuous defender of Eastern autonomy in the liturgical and juridical sense, was also contaminated by Hus' heresy. In that case, even the papal safe-conduct could not save him from heretical condemnation to the stake. For the "brachium saeculare" of Svidrigal, already politically and militarily weakened, nothing else remained but to execute the tragic sentence if he himself did not want to be suspected in the Hussite heresy and his struggle for Lithuanian autonomy be reckoned for a Hussite war, which was so tormenting for the Latin Catholic Church in those years.

one of their best men, Isidore.³⁸ At the same time, in 1437, he was also named a proxy of the Patriarch of Jerusalem for the Ecumenical Council.³⁹ Coordinating those two important assignments, Isidore left early in 1437 for the Metropolitanate accompanied by Bishop Jona, the Muscovite Great Prince's unsuccessful candidate for the Kyivan title. The route which they followed is unknown, but their journey must have been speedily conducted for on April 2-nd they had already reached Moscow.⁴⁰ It is most doubtful that they visited the southern eparchies, situated in the Polish-Lithuanian federation, for historical records contain no trace of any such visit.

Isidore left Moscow for the Council on September 8-th of the same year. He was accompanied by one Bishop Avraamij (Abraham) of Suzdal, together with a few priests and a large suite, who circumvent through Tver, Novgorod, Dorpat on a long, strange route in northwestern direction. In Pskov, where they stayed for seven weeks, Isidore nominated his own substitute in the person of Gelasij. By this act he fulfilled the Muscovite wish to remove this city from Novgorod's sphere of influence.⁴¹ Then he left the territory of the Metropolitanate and, travelling through the very northern city of Dorpat in Lithuania, he reached Riga after six months, on February 4-th, 1438. In such a manner Isidore bypassed his southern eparchies in Lithuania.

Isidore carried on negotiations with Zygmunt, Great Prince of Lithuania, for eight weeks. He wanted free passage through the non-Slavic territories along the Baltic coast. However, Zygmunt probably wishing a personal meeting with Isidore, proposed to him to pass through Eastern eparchies. Finally, Isidore decided to send only his suite with numerous horses through Zygmunt's

³⁸ J. GILL, S.J., *Personalities of the Council of Florence*, in *Unitas* (in Engl.), vol. XI (1959), no. 4, p. 266:

...the greatest sign of confidence in him that the authorities of Constantinople showed came shortly after (the appointment as proxy for the Council - I.M.), when they selected him to fill the vacant See of Kiev and All Russia.

³⁹ J. GILL, S.J., *The Council of Florence*, Cambridge 1959, p. 76. Later Isidore was changed to be proxy for the Patriarch of Antioch (*ibidem*, p. 111, n. 2).

⁴⁰ CHODYNICKI K., *op. cit.*, p. 50; P. PIERLING, S.J., *La Russie et le Saint-Siège*, vol. I, Paris 1896, pp. 20-22.

⁴¹ ZIEGLER A., *Die Union des Konzils von Florenz in der Russischen Kirche*, Würzburg 1938, p. 81; and other historians.

territory.⁴² He himself, preferred to stay in Riga for the next three months and await spring, when he would continue his journey by boat. On May 19-th, 1438, after a fortnight of sailing, Isidore arrived in Lübeck (Lubecca).⁴³

Metropolitan Isidore blamed Zygmunt for the delay caused on his journey to Lübeck. This accusation can only be correct insofar as the Lithuanian Great Prince did not wish Isidore to pass along the Baltic shore without communication with him or with southern Eastern eparchies.⁴⁴ For Isidore, however, such a communication was most undesirable, not only because he was already involved with the Muskovite Great Prince, Lithuania's political opponent, but still more because of the eventual inconvenience of being joined by numerous ecclesiastical delegations from the southern eparchies to the Council. This would have meant a realization of Camblak's and Herasym's plans of a direct communication between Kyiv and Rome, bypassing the Greek demands, Isidore could hardly then be able to speak undisputably in the name of the large East-European territories and request, in the name of those eparchies, military aid for Constantinople. There was a probability that the Kyivans would

⁴² In this journey by land from Riga to Lübeck the suite, which according to some sources counted up to a hundred horses (L.A. MURATORI, *Raccolta degli storici italiani*, XXXIII, 1), or even two hundred horses (S. Syropoulos, VI, II), was lead by Isidore's best companion, Gregorios, his future successor to the Kyivan See. P. PIERLING, op. cit., p. 22, writes that Isidore's suite numbered over 100 persons.

The description of this journey was compiled by: S.P. KARGE, *Die Reise der russischen Konzilgesandten durch die Ordensländer*, in *Altpreussischen Monatsschrift*, 32 (1895), pp. 488-504. In recent times it was described, on the basis of different sources (including those quoted in this and in the following note), by many historians, as f.i.: B. BUČYNŠKYJ, *Studii z istorii cerkovnoi unii*, in *NTŠ*, vol. 85 (Lviv 1908), p. 22 fol.; A. ZIEGLER, op. cit., pp. 81-85.

⁴³ The journey was recorded by one of Isidore's Muskovite companions. This source was published several times, the last one being a German version by G. STÖCKL, *Europa im XV. Jahrhundert von Byzantinern gesehen*, Wien 1954, pp. 149-189. For other publications cf.: M. HRUŠEVŠKYJ, *Istoria Ukrainy-Rusy*, vol. V., Lviv 1905, p. 519, n. 2; also the monograph: O. HALECKI, *W drodze na sobór florencki*, in *Oriens*, vol. VII (Warszawa 1939). A brief chronology of this voyage is presented in: A. ZIEGLER, op. cit., p. 81; J. GILL, *The Council of Florence*, p. 125, n. 2.

⁴⁴ ZIEGLER A., op. cit., p. 83, quotes an expressive source on this demand of Sigismund from: H. HILDEBRAND, *Liv-, Est- und Curländisches Urkundebuch*, vol. IX, Riga-Moskau 1889, p. 159. The author made a long investigation (pp. 83-85) of the reasons, why Isidore bypassed Lithuania, but he seems to insist too much on political reasons, underestimating the ecclesiastical ones.

hasten the union, and their initiative would leave the Greeks as followers. Bishop Avraamij, most obedient to the absolutistic and ecclesiastically isolated Great Prince of Moskow, presented no danger in this respect.

Isidore, like his compatriots from Constantinople, neither hurried to the Council meetings, nor to any definite negotiations.⁴⁵ When he finally arrived in Ferrara in the second half of August, 1438, half a year after the Greeks from Constantinople, a seat had been reserved for him at the Council from the very beginning of the inauguration of the combined Council on April 9-th, 1438.⁴⁶ Actually "*Acta graeca*", which often name Isidore as "Ruthenus" (rather than Kyivan Metropolitan), do not even mention his arrival and his Muskovite suite. An uninformed reader would suppose that he arrived together with all the Greeks. It seems that the "*Acta graeca*" were more interested in presenting the magnitude of the Greek Church, than in indicating any autonomous features of the Slavs. There are no traces of any relevant Slavic participation at the Council, except a signature of Bishop Avraamij on the final decree. Most likely, the Greeks did not wish anything else from the Slavs but their signatures.

At the Council the complete equality of Churches of different rites was assumed. This equality was evident in the disposition of seats, in the composition of working commissions, and in the official disputants. The Latin Church appeared as a particular Church and equal to the Greek Church, and the latter even had the preference of selecting the matters to be discussed. It is really astonishing that so much of an unionistic spirit was manifested on both sides. Although preponderance of Latin rite was supported by many Latins in those times,⁴⁷ the equality of the Greeks in the

⁴⁵ To overcome the distance of 2300 km., which divides Moscow from Ferrara, Isidore needed approximately 340 days. Most of that time he spent not among the faithful of his Metropolitanate, but in the regions under German rulers, from whom the Greeks could expect military aid.

⁴⁶ *Acta graeca Concilii Florentini cum versione latina* (ed. J. Gill, S.J.), P. I, Romae 1953, p. 12.

⁴⁷ There was a unionist, Andreas de Escobar, present at the Council who was convinced of the perfect equality of all rites. — A. DE ESCOBAR, O.S.B., *Tractatus polemico-theologicus de Graecis errantibus* (ed. E. Candal, S.J.), Romae 1952. — But there were also Fathers with different tendencies and among them a Latin speaker at the Council, Ioannes de Torquemada, who considered all the ecclesiastical matters in terms of the Latin Church only. — I. DE TORQUEMADA, O.P., *Apparatus*

deliberations of the highest legislative body of the Universal Church was admitted by all.

The seating arrangement of the Council was in a parallel disposition: adjoining the Pope's throne, space was reserved for the Occidental and Oriental Emperors on the northern and southern sides of the church, respectively. The cardinals with bishops on the Latin side and the Patriarch of Constantinople with the remaining hierarchy on the Greek side, followed the Emperors' seats. The Eastern Churches were seated as one unit, with the Emperor of Constantinople as head, in an opposite position to the Latin Church. This arrangement was not only inconvenient for the Latins in their unionistic negotiations, but it also did not correspond to the true situation. For example, many Churches of the Byzantine rite (among them the Kyivan), were never subordinate to the Emperor of Constantinople, while other non-Byzantine Churches were not even mentioned at the Council as long as the Greeks were present.

The official sessions started on October 8-th, 1438, after Isidore's arrival. In dogmatic matters he was convinced of the correctness of the Roman Church even before the Council,⁴⁸ but he was not among the official speakers from the Greek side. Nevertheless, Isidore wrote many essays during that time. These were probably rough drafts of topics treated by other speakers.⁴⁹

The Council sessions were suspended (March 24-th, 1439), when the discussions became deadlocked, because the arguments "have rather deepened the schism and have made the disagreement greater and stronger".⁵⁰ At this time Isidore demonstrated great talent in attempting to conciliate the two Churches.

Many Greeks, along with the Latins, saw the problem of the disagreement and union in extreme terms. For Dositheos of Monembasia, for instance, unity signified latinization, while for Markos of Ephesus the disagreement signified heretical dissidence.⁵¹ Isidore, on the contrary, belonged to that group of

super decretum Florentinum Unionis Graecorum (ed. E. Sandal, S.J.), Romae 1942; cf. also of the same author and editor: *Oratio Synodalis de primatu*, Romae 1954.

⁴⁸ HALECKI O., *From Florence to Brest*, Rzym 1958, p. 49.

⁴⁹ MERCATI G., *Scritti d'Isidoro il cardinale ruteno*, Roma 1926, pp. 25, 51-54; J. GILL, *The Council of Florence*, p. 153, n. 8; p. 157, n. 1.

⁵⁰ The expression is taken from Isidore's letter written between 17-th of April and 10-th of June 1439. — G. MERCATI, op. cit., p. 25; J. GILL, op. cit., p. 227.

⁵¹ GILL J., op. cit., p. 234, and in many other places.

Greeks who understood the possibility of unity with external diversity. He proposed a salutary thought that ancient Greek and Latin Fathers had expressed the same dogmatic truth, although in different terms. Consequently, the present Greeks can also agree with the Latins on the same dogma, while each retaining their own external form of expression.⁵² It was this entirely conciliatory argument that gave an impetus towards the final union.

This great unionist prepared the basis for the union not only by proposing theoretical solutions, but also by dedicating himself to diplomatic mediations between Pope and Emperor.⁵³ However, since the Emperor of Constantinople headed all the Eastern participation in the Council work, no promising approach could be found. Even direct negotiations between Pope Eugenius IV and the Emperor Joannes (John) Palaeologos on May 13-th, 1439, did not produce any positive results.

Finally, on May 27-th, the deadlock was broken when direct communication was established between the Pope and the Greek hierarchy. The Pope first had to obtain the Emperor's consent for this purely ecclesiastical meeting. During the meeting Pope Eugenius' exhortation deeply moved the Greek Bishops, and they began to press the Emperor for a conclusion of the union, that he could not resist:

... multos etiam ei stimulos admoverunt ad conficiendam unionem inter alia verbis ad eum usi: Si tua maiestas uniri noluerit, nos unimur. His auditis imperator metuebat nostram mentem. Coepit ergo in rem unionis vehementer incumbere.⁵⁴

⁵² *Acta graeca Concilii Florentini cum versione latina* (ed. J. Gill, S.J.), P. II, Romae 1953, pp. 400-434 (often). J. GILL, *The Council of Florence*, pp. 238, 245, 248-250, 255-256.

For Isidore the union did not mean changing of faith but building it up, erecting it into one Universal (Catholic) Church. He did not conceive any differences in extreme terms and expressed himself against such an irreducible consideration of the Greeks in his speech (in 1434) at the Council of Basel (I. MANSI, *Sacrorum Conciliorum collectio*, vol. XXX, col. 680 fol.). Since he estimated the differences between Latins and Greeks to be insignificant, they could be easily removed at an Ecumenical Council. The real causes of discord, according to Isidore, are not in dogmatic or canonical divergences but in misapprehensions. (Cf. G. MERCATI, op. cit., p. 55). Therefore an agreement could be found by returning to common sources, in this case to the patristic writings. — This Isidore's attitude towards the union was investigated by A. ZIEGLER, op. cit., pp. 72-73.

⁵³ *Acta graeca*, P. II, p. 402 fol.; J. GILL, op. cit., pp. 236-238.

⁵⁴ *Acta graeca*, P. II, p. 425; cf. also: J. GILL, op. cit., p. 254 fol.

During this critical period of the Council, the eventual presence of the Kyivan Bishops would have been extremely embarrassing for the Greeks, who had their own dissensions.⁵⁵ Furthermore, the Pope would not have needed the Emperor's consent to speak directly to the Kyivans, because they were not his subjects.

Most probably, they would not have waited nine months for such direct contact, but would have achieved it in a few days, as they did at the Council of Constance. For accomplishing the union, they had no need of securing the Emperor's consent to solve the complicated questions of dogmatic and military matters. Kyiv hardly ever raised any dogmatic difficulties and it also had different political worries than the Greeks. The Kyivan idea to accomplish a union in a short time regardless of what the Greeks would do, could easily have been realized had the Kyivans been present there. Such menace, which would have subordinated the dilatory Greeks to follow the Kyivan example, was surely foreseen by Isidore; therefore, he did not burden himself with this extra difficulty and in his voyage to the Council he travelled far from the southern Kyivan eparchies.

As soon as Emperor saw that his Greeks were approaching a conciliatory solution,⁵⁶ he sent on June 1-st Isidore to the Pope to negotiate military aid for Constantinople.⁵⁷ This is the conclusive evidence how much the Greeks made the union depend on military aid. Isidore was well suited for this type of negotiation, because he combined in his person the unionistic spirit and diplomatic skill. Furthermore, having been nominated to the Kyivan See, he represented the magnitude of the large Kyivan Metropolitanate. If the Kyivans had been personally present at the Council and had hastened the unity, this complicated subordination of the unionistic question to the Greek military necessities would have been completely wasted.

⁵⁵ *Acta graeca*, P. II, p. 412 fol.

⁵⁶ The Greek Fathers exposed their votes on the problem of procession of the Holy Spirit from May 13-th until June 2-nd (according to Syropoulos) or June 3-rd (according to *Acta graeca*, P. II, p. 425). Cf. J. GILL, op. cit., pp 257-261.

⁵⁷ *Acta graeca*, P. II, p. 436:

At vero imperator vidisset ecclesiam ad unionem venire, convertit se ad negotia: ad eaque gerenda Ruthenum praesulem adhibuit, quem ad papam misit mandavitque ut ex eo quaereret, qui Christiani auxilii ferre vellet pater beatissimus.

Cf. also: J. GILL, op. cit., p. 263.

The agreement on the principal topic (the procession of the Holy Spirit) did not mean a final solution of all differences. Pope Eugenius IV raised (on June 19-th) many other questions, such as Holy Eucharist, purgatory, the primacy of the Roman Pontiff, divine essence and operations. Within a fortnight from June 10-th, 12-th etc., Isidore played an important role in many negotiations between the delegates.⁵⁸ Nevertheless, around June 23-rd they were still so far away from a final solution that little hope remained for a union.⁵⁹

During this critical period, most probably on June 10-th, 1439, Joseph II, the Patriarch of Constantinople died in Florence. There is a spiritual testament left by him, in which he confessed the Catholic faith completely, including the supremacy of the Pope, but there are some doubts as to its authenticity. In any case, it was practically ignored in further negotiations.⁶⁰ This notwithstanding, the Latins consented to the Greek request and Patriarch Joseph was buried with all Byzantine ceremonies in the southern transept of the Catholic church of S. Maria Novella, in the presence of the highest Latin hierarchy.⁶¹

This eminent manifestation of the conciliatory spirit of the Florentine Council could hardly have been admitted, had a rigid juridical attitude towards Easterners reigned. The Greeks had still not adopted all the Catholic dogmatic topics and were not yet accepted by the Holy See into external ecclesiastical unity. Therefore, the divine service of schismatics, and even heretics, would make the burial of their head in the Catholic church an inadmissible "communicatio in sacris". The fact of this burial shows how far the unionistic spirit of the Florentine Council differed from the rigid opinion held by many Westerners of that and the following centuries.

The same can be said about the manner in which the Council decisions were signed on July 5-th. The Latin and Greek hierarchy signed the decree in the Latin and Greek text on the same sheet of parchment. The Greeks signed first in the presence of the Latin delegation; the signature of the Pope and the Latin

⁵⁸ GILL J., op. cit., pp. 266-283.

⁵⁹ The desperate state of the Greeks is described vividly in *Acta graeca*, P. II, p. 452: "Dolebamus, quod spes nulla erat unionis, magnoque moerore et aegritudine affligebamur".

⁶⁰ GILL J., op. cit., pp. 267-268.

⁶¹ *Acta graeca*, P. II, p. 445.

hierarchy followed in a similar manner.⁶² Such parallel procedure meant that the Greeks participated as much in the Council's decisions as in the deliberations during the Council sessions.

In the formulation of the Council decree the Greeks played a no less important role. Because of the Emperor's intransigent insistence, Pope Eugenius was forced to yield after a week's delay and include the Emperor's name and a mention of the Eastern Patriarchs and hierarchy at the beginning of the decree.⁶³ Here a somewhat caesaropapistical attitude can be witnessed.⁶⁴

Emperor Joannes Palaeologos was the first to sign the decree. The signatures of the Muscovite Bishop, Avraamij, and of the Moldovlachian (Roumanian) representative, Constantinus, followed not only those of the Greek Bishops, but also those of the five deacons, who held some important offices in Constantinople. This reflects to some extent the true situation, namely that the Kyivan and Moldovlachian Churches constituted already in those times separate ecclesiastical units, distinct from the Constantinopolitan Church, although this distinction was not manifested on other occasions.

The accomplished union with the Greeks did not dissipate the prejudice of some Latins. After the proclamation of the decree of union, the solemn Byzantine Mass was not celebrated in the presence of the Latin hierarchy, as had been requested by the Emperor.⁶⁵ The Latins, on their part, raised some other questions of juridical and liturgical importance which had to be cleared up by the Greeks, but the latter were already discontented and thought only about departure.⁶⁶ The first Greeks left Florence a fortnight after the promulgation of the final decree. The Emperor, however, stayed in Florence till August 26-th, and sailed from Venice on October 19-th, 1439.⁶⁷

⁶² GILL J., op. cit., pp. 291-293.

⁶³ Ibidem, pp. 288-290.

⁶⁴ The complete participation of the Greeks at the Council, reflected in the decree, does not justify the habit to call this declaration later "Decretum pro Graecis", for it should rather be called: "cum Graecis".

⁶⁵ According to Syropoulos the Latins rejected such a proposal because they claimed that they did not know the elements of the Eastern Liturgy. (Cf. J. GILL, op. cit., p. 296). — It can be noted that Kyivan Metropolitan Camblak celebrated the Byzantine Liturgy at the Council of Constance. — Cf. for the description of this celebration in Ulrichs von Richental, *Chronik des Constanzer Concils* (ed. M.R. Buck), Hildesheim 1962, pp. 138-141.

⁶⁶ GILL J., op. cit., pp. 296-297.

⁶⁷ Ibidem, pp. 300-303.

After the Council had completed transactions with the Greeks, it began to deal with the other non-Byzantine Churches. On August 13-th, 1439, the Armenians arrived in Florence. After two months of colloquies with the Latins about which nothing concrete is known,⁶⁸ they signed on November 22-nd, 1439, a real "Decretum pro Armenis". The document shows the Armenian past as "heretical" and it proposes that they follow Latin Thomistic theology faithfully. The same pattern was adopted later in the years 1442-1445 with the Copts, Ethiopians, Mesopotamians, Maronites and Bosnians.⁶⁹ All of them received simple repetitions of the previous decrees.

3. APPLICATION OF FLORENTINE DECISIONS IN THE KYIVAN METROPOLITANATE

After the proclamation of the Florentine union, the Kyivan Metropolitan Isidore stayed on in Italy for almost half a year. There was no more ecclesiastical matter to be dealt with, but the problem of military aid for Constantinople which had been so tightly connected with the case of the union for the Greeks, still remained. During the Council, Isidore was entrusted to negotiate this matter with the Pope, and now he had to bring it to fulfillment. Indeed, no considerable aid could be furnished directly by the Pope, but he could influence Western rulers, especially the Western Emperor Albrecht II, who was also the King of Hungary which boarded Turkish possessions.

On the 17-th of August, 1439, Isidore was made the Pope's "Legatus a latere".⁷⁰ In the nomination document he is called Metropolitan: "in Lithuanie, Livonie, ac totius Russie provinciis necnon in civitatibus, diocesibus, terris et locis Lechie,⁷¹ que tibi

⁶⁸ Ibidem, pp. 306-308.

⁶⁹ Ibidem, pp. 321-338; I. MANSI, *Sacrorum Conciliorum collectio*, vol. XXXI, Venetiis 1798, col. 1047-1060; 1727-1758.

⁷⁰ *Decretum Pontificum Romanorum historiam Ucrainae illustrantia* (ed. A. Welykyj, OSBM), vol. I, Romae 1953, no. 66, p. 120.

⁷¹ "Lechia" is the name of an original Polish tribe, which name was abandoned when they extended their dominion over the neighbouring people; it remained in use among the eastern Slavs and Lithuanians only. It is derived from the ancient Lithuanian word "lenke", equivalent with "Poland" (= flat agricultural country).

iure metropolitico subesse noscuntur". But the legate's title is intended for a greater extension: "pro statu universalis ecclesiae atque nostro nostrum et apostolice sedis legantum de lettere cum plena potestate auctoritate apostolica facimus". It is evident that Isidore's title did not endow him with new authority among Easterners, especially those who were not disposed to approach the Roman See, and would not be impressed with the Latin dignity.

On the contrary, in dealing with western regions the Pope's "alter ego" authority could help to persuade those sovereigns to raise an anti-Turkish crusade. This can explain why Isidore in his encyclical letter from Buda (March 1440) called himself "Legate a latere of the Apostolic See, Polish and Lithuanian and German".⁷² Poland and Lithuania were two Latin states to which Isidore immediately directed his steps and this letter. To nominate anti-Latin Moskow would be utterly useless. The inclusion of Germany shows that for Isidore the legate's dignity was connected with thoughts about Germany and her military force, expected to help Constantinople.

Most likely it was the military preoccupation which detained Isidore so long in Italy. On the 4-th of September, 1439, he was still in Florence.⁷³ He was probably there even on the 23-rd of that month, when Pope Eugenius IV sent to Emperor Palaeologos a written confirmation of promises of military aid,⁷⁴ negotiated by Isidore's mediation on the 1-st of June, 1439. The most effective promise would have been the last one, namely the unification of the Christian forces of the West for the anti-Turkist campaign. Its materialization had yet to follow, which caused Isidore much worry.

It seems that he left with his whole suite no sooner than October,⁷⁵ although his safe-conduct was given him on the same

⁷² This is a word for word version of the letter from Paleo-slav text, the only language in which the document is preserved; published in: M. HARASIEWICZ, *Annales Ecclesiae Ruthenae*, Leopoli 1862, pp. 77-78; and recently in: J. GILL S.J., *Isidore's encyclical letter from Buda*, in *Analecta OSBM*, vol. IV (X), (Romae 1963), p. 1 fol.

⁷³ GILL J., *The Council of Florence*, pp. 312-358.

⁷⁴ *Epistolae Pontificiae ad Concilium Florentinum spectantes*, (ed. G. Hofmann, S.J.), P. III, Romae 1946, no. 217.

⁷⁵ Some historians believe (cf. note 73 above) that Isidore left Florence with his whole suite two days after their farewell audience with the Pope on September

day (17-th August) as his nomination as Papal legate.⁷⁶ Anyhow, on the 27-th of October the Western Emperor and King of Hungary Albrecht II Habsburg, whose participation in the anti-Turkish crusade was essential for the Greek cause, died. The succession to the throne and Kingdom of Hungary being uncertain, the hopes of a military crusade seemed to collapse. Acceptance of the union by the great part of the Greeks depended very much on this crusade, and so Isidore considered changing his route and intended to proceed from Venice to Constantinople.⁷⁷

Due to that intention, a part of his Muscovite suite left him on December 9-th and arrived in Moskow for Easter next year.⁷⁸ The others, including the Bishop Avraamij left Isidore later, when he stayed in the Hungarian capital Buda and intended to deviate again to the north towards Poland.

These desertions are not in themselves necessary signs of Muskovite hostility towards Isidore. The excessive protractions and deviations to and from the Council may justify the desertions. But the general attitude of the Muskovite delegation towards the Florentine Union is another question. As obedient subjects of the absolutistic Great Prince of Moskow, they could not differ from the opinion of their master. Obedience constrained them to undertake the journey, and now they hurried to their Great Prince back. At the Council they were completely passive,⁷⁹ and Bishop

4-th. But others (B. Bučynskýj, op. cit., p. 25; O. Halecki, op. cit., p. 51) rather admit that Isidore left the Council-city in October only, referring to the fact that in that month the Apostolic Chamber paid a special subsidy to the Muscovite delegation for their expenses on the way to Venice: *Acta camerae Apostolicae et civitatum Venetiarum, Ferrariae, Florentiae, Ianuae, de Concilio Florentino* (ed. G. Hofmann, S.J.), Romae 1950, p. 82.

⁷⁶ *Documenta Pontificum*, vol. I, no. 67, p. 121.

⁷⁷ On November 28-th, 1439, Eugenius IV wrote about this to Emperor Palaeologos, expressly connecting this change with Albrecht's death. The title of Pope's legate is not mentioned in the document at all, evidently because it was not given in relation to the Greek Church. — Ibidem, no. 68, pp. 121-122.

⁷⁸ ZIEGLER A., op. cit., p. 86; — and other historians.

⁷⁹ ZIEGLER A., op. cit., pp. 85-86. The author's investigation seems entirely superfluous as to whether the instructions of the Great Prince Vasilij, or personal aversions against Isidore, or the influence of Markos of Ephesus played the decisive role in the Muscovite delegates' malevolence. Markos' benediction bestowed upon monk Symeon is nothing else than a habitual courtesy among Easterners. The delegates did not become influenced by one or the other side, because there was only one choice left for them: to follow the dissident attitude of their Prince.

Avramij signed the union decree just as passively. Possibly Isidore had some difficulty in inducing Avraamij to sign.⁸⁰ After all the Florentine Council was the concern of some distant Greeks. The decision of the powerful Prince of Moskow was first and foremost important to the Muskovite Bishop. Therefore, when later the Prince refused to accept the Council's decision, Avraamij had no difficulty to condemn Florentine decree with his own signature.

However, the Papal legate, Isidore, did not go to Constantinople then. On December 18-th, 1439, he was provided with a new Roman dignity — the cardinalate⁸¹ — and left Venice for Hungary, sailing across the Adriatic sea in a south-east direction to Pola. This way he avoided going through the Habsburg territory of Austria, who pretended to continue to rule the Hungarian Kingdom. The Hungarians, however, elected to their throne the young (underage) Polish King Władysław (Ladislav) (1434-1444). Isidore preferred to deal with the King of the two states bordering the Turkish Empire, who was more interested in the anti-Turkish campaign.

The Archbishop and Metropolitan of Kyiv arrived, through Zagreb (Agram), at the Hungarian capital-city Buda on March 5-th, 1440, after a journey of two months. There he promulgated his encyclical letter,⁸² composed in a highly unionistic spirit. After mentioning his dignity of Archbishop and Apostolic Legate, the letter starts with an exaltation that the Churches, "which for so long were separated from and opposed to each other", are now united in "veritable ... original unity, peace and ancient concord". The Archbishop sees on one side the Latins, on the other he distinguishes many people (Greeks, Rusy-Ruthenians, Serbians, Vallachians), although in Florence no such distinction was made.

After this introduction, which briefly recalls the introductory part of the Council-decree "Laetentur caeli", the exposition of dogmatic divergences and conciliatory solution does not follow. It is striking that the document does not allude to any previous

⁸⁰ The account of Avraamij's imprisonment has no factual base to be sustained. — Cf. O. HALECKI, *op. cit.*, p. 51.

⁸¹ AMMANN A., *Abriss der Ostslawischen Kirchengeschichte*, Wien 1950, p. 142; O. HALECKI, *op. cit.*, p. 54; — and other historians.

⁸² The English version of the letter to be found in J. Gill's article — cf. note 72 above.

doctrinal differences and later agreement, even when it invites for rejoicing and reciprocal veneration. Isidore thus directed his request towards the Latins, to "learn to think of the Church, which is one", and to accept all Easterners "sincerely and without reserve". The reasons for this attitude are not any recent changes introduced by Easterners, but simply because Eastern "Baptism is holy and has been approved by the Roman Church as valid and equal to its own", and they have "truly Jesus Christ's Body, consecrated ... by the Greek priest in leavened bread". Therefore "let them (Easterners - I.M.) assist there (in Latin churches - I.M.) at the Holy Liturgy ... The Latins, on the other hand, should frequent their (Eastern) churches and ... adore there the Body of Jesus Christ". Similarly the confession of sins should be equally valid in both Churches.

The different attitude towards Latins and Easterners adopted in the letter is very remarkable. Of the first (Latins) tolerance and non-prejudiced acceptance of Easterners are requested, but not vice versa. Isidore knew that Easterners were "in Latin lands" and "in their own country a Latin church was to be found"; but he does not mention any Eastern church in a Latin country. The author shows an excellent knowledge of the living conditions of the countries to which he was writing. He worried about the equality of rites only, to be practically manifested in the acceptance of the three main Sacraments in the Eastern rite, although the Florentine Council pronounced a decision about Holy Eucharist only. Nevertheless, he terminates his letter with the statement: "So defined the Council in a public session ...".⁸³ Remarkably, he does not mention anything about the primacy of the Pope, as there would be no innovation in this matter as far as Eastern Church of the Kyivan Metropolitanate was concerned.

The Archbishop of Kyiv and Roman Legate sought Latin benevolence towards Easterners, and this he needed urgently. After staying ten days in Buda, Isidore had still not moved to his eparchies to proclaim solemnly the union, as could have been expected had the Florentine decision changed something substantially in the Kyivan Church. Instead, Isidore was more interested in meeting the powerful Chancellor and Archbishop Zbigniew Oleśnicki, regent of the 16-years old King in the Polish

⁸³ All the quotations in English in the last three paragraphs are taken from the English version of the document published by J. Gill — cf. note 72 above.

capital Kraków. The entire project of a personal union of Poland and Hungary, which developed in prospect of anti-Turkish action, was originally Oleśnicki's.⁸⁴ Not much is known of the meeting between Isidore and the young King and his Chancellor. Eugenius' Legate was greeted with all due respect (on March 25-th, 1440), although Oleśnicki secretly sympathized with the Council of Basel against Pope Eugenius. Isidore was even permitted to celebrate Mass (obviously in the Byzantine rite) in the cathedral of Kraków.⁸⁵ But the point of a firmest agreement was the anti-Turkish campaign, which would serve Poland's prestige and Constantinople's. It can be said that here was laid the plan for the great crusade of Varna (1444), upon which Pope Eugenius put so much hope. Yet it was in this campaign that both the Polish-Hungarian King Władysław and Cardinal Cesarini lost their lives.⁸⁶ But before the campaign matured, Isidore went to his Kyivan Metropolinate.

At first the Kyivan Archbishop stayed for three months (April-July 1440) in the eparchies which were directly subjected to the Polish crown. During this time Isidore went once more to the Western regions to meet the Polish King with whom he had a long conference.⁸⁷ This was the first time Isidore visited his southern eparchies, and especially those under Polish rule, which were most exposed to the Latin missionary activities.

These territories, in particular the principal city Lviv, were annexed for the first time by the Polish King Kazimierz (Casimir) in 1340:

Quae [city - I.M.] cum aliquando tempore obsidionem tolerasset, praessa tandem et afflictata nimia fame ... caduceatores ad regem mittit, deditionem non abnuens, dummodo rex ritum fidei eorum non se violaturum aut mutaturum repromittat. Quo in hanc conditionem consentiente (sciebat enim, si conditionem repelleret, Ruthenos obstinatis animis obsidionem tolleratueros et extrema quaeque passuros), apertis portis, Regem cum exercitu in civitatem suscipiunt ...⁸⁸

⁸⁴ HALECKI O., op. cit., p. 55.

⁸⁵ DLUGOSZ J., *Historiae Polonicae libri XII* (ed. A. Przedziecki), vol. IV, Cracoviae 1877, p. 624 (lib. XII, ad an. 1440).

⁸⁶ HALECKI O., op. cit., pp. 71-72.

⁸⁷ PELESZ J., *Geschichte der Union der ruthenischen Kirche mit Rom*, vol. I, Wien 1878, p. 372.

⁸⁸ DLUGOSZ J., *Historiae Polonicae libri XII* (ed. A. Przedziecki), vol. III, Cracoviae 1876, pp. 196-197 (lib. IX); M. HARASIEWICZ, *Annales Ecclesiae Ruthenae*, Leopoli 1862, pp. 17-18.

The strong adhesion of a defeated population to its own rite, nor the promises of the conquerors, could protect them for long, because according to the concept of those times, in the Catholic state of Poland only the Latin Church had a secure liberty of activity. The other Churches were hardly tolerated.⁸⁹

The King himself seemed to have completely ignored the existence of any Eastern Church in his state. He contemplated to establish a large Latin Metropolitanate in these recently conquered territories.⁹⁰ The project was realized only after his death. Many endeavours were undertaken⁹¹ until the Avignon Pope Gregorius XI founded on February 13-th, 1375, four new Latin dioceses on territories where Eastern eparchies existed for centuries.⁹²

In the text of the bull the Pope testifies that, in the petitions for the new Latin dioceses, the Easterners were presented in a most negative aspect. It was also stated that many Eastern faithful were already converted to the Catholic faith, evidently to the Latin rite.⁹³ 'For these conversions the missions of the

⁸⁹ So specifies the ecclesiastical conditions of those times the Polish historian K. CHODYŃSKI, *Kościół prawosławny a Rzeczpospolita Polska*, Warszawa 1934, p. 76.

⁹⁰ Pope Clemens VI in the letter (of 1351) to the Polish prelates writes about Kazimierz that he "... infidelium Ruthenorum terras sive Ducatus, in quibus possunt constitui et creari septem diffusi Episcopatus cum suo metropolitano, sue potestati et dominio iam subiecit ..." — *Documenta Pontificum*, vol. I, no. 3, p. 69. In another document of Pope Urban V of 1363 is related that Kazimierz: "... in quadam villa sua Lamburga (= Leopold - I.M.) nuncupata, in terra Russiae consistente, quae nullius diocesis, quamque idem rex a schismaticis adquisivit, ecclesiam cathedralem denovo construere et fundare ... ad fidei catholicae propagationem sufficienter dotare proponit ..." — A. THEINER, *Vetera monumenta Poloniae et Lithuaniae gentiumque finitimarum historiam illustrantia*, Romae 1860-1864, vol. I, no. 826.

⁹¹ Two letters of Pope Gregorius XI, of 1372, testify to this. — *Documenta Pontificum*, vol. I, no. 52 and 54, p. 91.

⁹² Ibidem, no. 58, pp. 94-97. — These four new dioceses were: the Archbishopric See of Halyč and the three bishoprics of Peremyśl, Volodymyr and Kholm.

⁹³ Ibidem, no. 58, p. 95:

Datum siquidem ad audienciam nostram fidedigna relatione perducto, quod clare memorie Kazimirus Rex Polonie partes Ruscie vicinas regno Polonie, in quibus Principes dominabantur et populi habitabant non solum scismatici, sed diversarum heresum erroribus irretiti, pugnando viriliter contra eos ... sibi et dicto regno utique catholico acquisiverat, et quod tempore acquisitionis et post ipsam multe persone ... operatione dicti regis, necnon prelatorum ac clericorum et religiosorum eiusdem regni, relictis

Franciscan Friars - Bernardines were responsible. As early as 1353 another Avignon Pope Innocentius VI permitted "Dilecto filio Nicolao de Crosna, vicario Ruscie, Ordinis fratrum minorum" to send "triginta fratres Ordinis supradicti", "ad conversionem Scismaticorum".⁹⁴ With the creation of Latin bishoprics those missionaries received strong bases and could fulfill their task more efficiently.

Benefices of the new bishoprics were created from the properties of Eastern eparchies of the same title.⁹⁵ Even for his cathedral the Latin Archbishop of Halyč had to obtain an Eastern church.⁹⁶ Likewise in 1390 the Latin bishopric of Peremyśl was established in that Eastern city "cum multis possessionibus"⁹⁷ and later in 1412 obtained from the Polish King Jagello an Eastern church as its cathedral.⁹⁸ The same King established, most likely in the same way, the benefice of the Latin bishopric of Kholm in 1417.⁹⁹ The last of these four recently created bishoprics was the

scismate et erroribus prelibatis, ad orthodoxam fidem et obedienciam, ac unitatem sancte catholicae et apostolice ecclesie converse fuerant et reducte, in eisque devota perseverancia permanebant, et quod Haliczienis, Primisliensis, Ladimiriensis, et Chelmiensis ecclesie, que in aliis partibus consistebat, prout consistunt, cathedrales erant, et ante acquisitionem huiusmodi per scismaticos et hereticos antistites detinebantur ...

⁹⁴ *Documenta Pontificum*, vol. I, no. 45, p. 77. — Similar letters were issued by Pope Urbanus V in 1370 (*ibidem*, no. 51, p. 85) and Gregorius XI in 1371 (*ibidem*, no. 52 and 55, pp. 89-92). The latter Roman Pontiff congratulated the missionaries for many conversions to the Latin rite (*ibidem*, no. 56, p. 93).

⁹⁵ DŁUGOSZ J., *op. cit.*, lib. X, ad an. 1375, quotes besides the Pope Bonifacius' bull (of 1390), the complaint of Eastern faithful, where it is clearly stated that Latin bishopric benefices were from Eastern ecclesiastical properties. — Cf. M. HARASIEWICZ, *op. cit.*, pp. 46 and 48 (in notes).

⁹⁶ DŁUGOSZ J., *ibidem*; M. HARASIEWICZ, *op. cit.*, pp. 46 and 50 (in notes).

⁹⁷ HARASIEWICZ M., *op. cit.*, pp. 46-48; HRUŠEVSKYI M., *Istoria Ukrainy-Rusy*, vol. V, Lviv 1905, pp. 429-430.

⁹⁸ DŁUGOSZ J., *op. cit.*, lib. XI, ad an. 1412 (ed. A. Przezdziecki, vol. IV, p. 149):

Ecclesiam cathedralem pulcherrimo opere ex petra quadrata fabricatam in Przemisliensis castri medio sitam, ritu graeco hactenus per pontificem Ruthenorum administrari et officari solitam, eiectis et extumulatis primum Ruthenorum cadaveribus et cineribus, consecrari in catholicam et Latini ritus Ecclesiam ordinavit: quod ad singularem sui ritus contumeliam et opprobrium Ruthenorum sacerdotes et populus deputantes, amaris singultibus, vociferatione et fletibus eam (illud) prosequabatur.

This quotation can be found also in M. HARASIEWICZ, *op. cit.*, pp. 48-49; M. HRUŠEVSKYI, *op. cit.*, p. 430; and is related in K. CHODYNICKI, *op. cit.*, pp. 93-94.

⁹⁹ HRUŠEVSKYI M., *op. cit.*, vol. V, p. 430 — quotes some Polish historians.

See of Volodymyr, which was united in 1420 to the new one of Lutsk and also generously bestowed in 1428.¹⁰⁰

The new Latin Sees claimed not only the benefices of Eastern bishoprics, but also wanted to inherit the ancient tradition of those Sees simply by replacing them.¹⁰¹ This is especially evident in the principal See of Halyč-Lviv. The first of those two cities — Halyč was the traditional See of the Principality, but the city itself had by this time declined and ceded its prominence to the newer — Lviv. The Polish rulers sought at once (in the same year 1375) to preserve the traditional title of Halyč for their Latin Archbishop, and at the same time to transfer him to Lviv¹⁰² retaining the historical title of Halyč.

However the transfer was achieved only in 1412 by the bull of the Pisan anti-Pope Johannes XXIII. By the same decree he subordinated to the Latin Archbishop of Halyč-Lviv all Eastern bishoprics in those regions,¹⁰³ without referring to any existing

¹⁰⁰ Ibidem, pp. 430-431. — Concerning the foundation of the Latin bishopric Sees in East Europe a work was published some time ago in the Polish language: ABRAHAM W., *Powstanie organizacji kościoła łacińskiego na Rusi*, Lwów 1904.

¹⁰¹ To Pope Gregorius XI "pervenit auditum, quod in terra Russie quamplures Episcopi scismatici fore noscuntur" and therefore he appoints (in 1372) the Latin bishop of Kraków, those bishops "quos per summariam informationem scismaticos esse reperiris, ab eorum ecclesiis et episcopatibus auctoritate apostolica prorsus amoveas atque prives ..." — *Documenta Pontificum*, vol. I, no. 54, p. 92.

The same was decided about the Eastern bishops in the creation-decree of the four Latin bishoprics in 1375 (cf. note 92 above). — Ibidem, no. 58, p. 96:

Antistites scismaticos, si qui forsitan sint in eis, tamquam reprobos et indignos esse, ab aliis penitus amovendos, ac ipsos tenore presentium auctoritate predicta amovemus, ipsamque ecclesiam Haliczensem in Archiepiscopalem seu Metropolitanam erigimus, statuentes, quos eodem Primisliensis, Laudimiriensis et Chelmiensis ecclesie dicte Halicziensi Metropolitanae ecclesie sint perpetuo suffraganee et Metropolitico iure subiecte ...

¹⁰² The Archbishopric was erected by the decree of February 13-th, 1375, and on the 3-rd of March of the same year the Avignon Pope Gregorius XI sought already information about the opportunity of such a transfer. — Ibidem, no. 60, pp. 97-98.

¹⁰³ Ibidem, no. 61, pp. 102-103:

... nostras filias predilectas Premisliensem, Chelmensem, Camenecensem Wlodimiriensem, Ceretensem e Kyoviensem ecclesias et earum quamlibet, ipsarumque Episcopos ... et quascunque alias in partibus illis secundum ritus graecorum viventes ecclesias, earumque Episcopos ... ipsi Leopoliensi ecclesie tanquam ipsarum Metropoli, et Archiepiscopo Leopoliensi pro

schism or heresy there. He simply ignored the issue. This could have happened because his predecessor, the first Pisan anti-Pope Alexander V, was of Greek origin. Therefore it was easier for Johannes XXIII to accept a notion of one Church with bishoprics of varied rites.

By the decree of King Jagello of 1423, Easterners were supposed to be placed under the jurisdiction of the Latin Archbishop in Lviv. This is another type of inconsideration shown to the faithful of different rites. It is not clear upon which prerogative the King founded his interference into ecclesiastical matters and what canonical validity it had; but in any case, the faithful thus placed were defined as "schismatici", and the Archbishop was supposed to punish all "haereticos".¹⁰⁴

The Eastern faithful were also constrained to pay contribution to the Latin clergy, as were the Latins,¹⁰⁵ although they had no entry into Latin Catholic churches.¹⁰⁶ It was prohibited to them to build new, or to renew old, Eastern churches and this prohibition was incorporated in the ecclesiastical decision "De scismaticis" made at the provincial synod of the Latin hierarchy of the Polish-Lithuanian federation in 1420.¹⁰⁷ The civil administration saw to it that the decision was enforced, since administrative posts were almost exclusively entrusted to Latin people. This was the case of the urban middle class¹⁰⁸ and even

tempore existent! pro eorum Suffraganeis atque Provincia harum serie decernimus perpetuo fore et esse subiectos atque subiectas, et subiicimus per presentes ...

¹⁰⁴ HARASIEWICZ M., op. cit., p. 57:

Quia in terris Russiae nobis subjectis, ubi degunt schismatici de observantia Graecorum, casus multi, proh dolor, Romanae Ecclesiae contrarii committuntur; — concessimus Rdssimo Patri Dno Joanni Archieppo Leopoliensi et ejus Successoribus, damusque et concedimus plenam facultatem, haereticos quoslibet et religionis christianae paevaricatores cuiuscunque status aut sexus sunt, quoscumque dictus archieppus notaverit, puniendi.

¹⁰⁵ HRUŠEVSKYJ M., op. cit., pp. 443 and 446 — quotes documentary material, where the contribution is expressly imposed "tam catholicis quam scismaticis". The same testifies K. Chodynicki, op. cit., pp. 91-92.

¹⁰⁶ CHODYNICKI K., op. cit., p. 98 — relates from some sources that Eastern members of guilds had to pay even for their repudiation from Catholic Churches: "quasi pro paena absentiae".

¹⁰⁷ CHODYNICKI K., op. cit., p. 79 — quotes the source: *Starod. prawa polskiego pomniki*, vol. IV, p. 242.

¹⁰⁸ Granting the Magdeburg law to the cities, the privileges were most often

more so of the nobility. In the common diet of the Polish-Lithuanian federation in Horodlo in 1413, it was prescribed that administrative posts were not to be committed to anybody "nisi sint fidei catholicae cultores", "duntaxant catholicae et romanae ecclesiae subjecti".¹⁰⁹ On one hand this law eliminated control or influence of Easterners over administrative procedure, and on the other it attracted less stable individuals to conversion into Latin rite.¹¹⁰

The western part of the Kyivan Metropolitanate, in the limits of the Polish state, was reduced to such wretched conditions that there, most probably, was not even one Eastern bishop, when Archbishop-Metropolitan Isidore arrived in those regions.¹¹¹ He travelled alone through different cities (Peremyśl, Lviv, Halyč, Kholm), announcing the decisions of the Florentine Council everywhere with no objection from anyone.¹¹² We possess no

reserved to the population of the Latin rite: "volumus dicto iure theutonico tantummodo Theuthonicos et Polonos uti et gaudere"; "tantum Poloni, Theutunici et homines nostre fidei iure prescripto gaudere et potiri" — these quotations from granting decrees from the year 1401 and 1405, respectively, and references to many other decrees from those times can be found in: M. HRUŠEVSKYJ, op. cit., vol. V, p. 238-239; cf. also: M. BULGAKOV, *Istoria russkoj Cerkvi*, S. Peterburg 1879-98, vol. IX, p. 203.

¹⁰⁹ HRUŠEVSKYJ M., op. cit., vol. V, p. 451; K. CHODYNICKI, op. cit., p. 84; — and other historians.

¹¹⁰ The great service rendered by the Polish clergy to the national policy of Poland was synthesized by the most famous Polish writer Adam Mickiewicz, in his *prelections* nr. 22, 23, 26 and 27):

Quae erat illa potestas, quae levavit nationalitatem Polonicam eam in terras Ruthenas dilatabat, jam autem nationalitatem et linguam Ruthenam trans Dnieprem (Borysthenem) amovebat? Haec potestas erat Ecclesia (Clerus Polonicus) quae rem nationalitatis Polonicae promovebat. — M. HARASIEWICZ, op. cit., p. 42-43.

¹¹¹ The eparchy of Lviv-Halyč was joined to the Metropolitan's own; the See of Peremyśl seems to have been vacant at that time, and in the See of Kholm there is a bishop mentioned only after Isidore's visit (1443 and 1446), most probably it was also vacant before. — At least we have no records of any bishop from those regions meeting Isidore.

— Cf. L. SONEVYČKYJ, *Episcopatus Ucrainus eparchiae Peremysliensis et Cholmensis saec. XV-XVI*, Romae 1955, p. 21 fol., 95 fol.

¹¹² BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 85, pp. 28-32 — collected and analyzed all material concerning Isidore's visit and announcements of Florentine decisions. He came to the conclusion that there was no change in practical

record of any official solemn proclamation of the Union in the sense of a common acceptance of new dogmatic definitions or at least in the sense of a juridical change from dissidence to submission to the Roman See. Neither was a synod in the Polish-Lithuanian federation convoked for this matter, nor did any other noteworthy event take place which would indicate a new period of Church history for those regions.

This does not mean that the Florentine union, achieved by the Greeks, was ignored in the Kyivan Church; rather it shows that Isidore did not see any necessity to propose it as some innovation or change. The Florentine dogmatic definitions had never before been contradicted in their substance by the Kyivans, as was the case among the Greeks. For a long time, after Cerularius and the Latins accused themselves reciprocally of heresy, Kyiv continued to be in good standing with the Roman See.¹¹³ Estrangement did come, but not necessarily in the sense of a schism and not sooner than half a century after the time of Cerularius. It was caused not by locally elected hierarchy, but was introduced by the dissident Greeks appointed from Constantinople.¹¹⁴ However, the anti-Roman polemic of the Greeks was not transplanted into the Kyivan Church; the imported Greek Metropolitans and their suite were its only supporters. The local clergy accepted the introduced Greek Metropolitans not so much through filial obedience towards the "mother-Church", even though such obedience was deeply rooted in those times, but more often they were constrained to accept the appointments. However, this did

ecclesiastical life of the Kyivan southern eparchies after the Florentine Council. — The sources for this collection are quoted in his other work: БУЧНСЬКИЙ Б., *Zmahannia do unii ruškoj cerkvy z Rymom v rokach 1498-1506*, in *Zapysky UNT v Kyivi*, vol. IV, Kyiv 1909, pp. 101-102.

¹¹³ ТОМАШІВСЬКИЙ С., *Vstup do istorii Cerkvy na Ukraini*, in *Analecta OSBM*, vol. IV, Жовква 1932, pp. 100-101, 118-122, 129-131, 142.

¹¹⁴ Ibidem, p. 142 fol.; W. DE VRIES, *Der Christliche Osten in Geschichte und Gegenwart*, Würzburg 1951, p. 89.

O. HALECKI, *The ecclesiastical separation of Kiev from Moscow in 1458*, in *Wiener Archiv für Geschichte des Slawentums und Osteuropas*, vol. II, Graz-Köln 1956, p. 22. It "seems most convincing" to the author (quoting other historians) that Kyiv was not alienated from Rome at least until the year of 1112. He expresses a different opinion when he writes about "the Suzdal region, which even before the rise of Moscow preferred to turn to the Tartars rather than to Latins". — (Ibidem).

not mean acceptance of the Greek dissident concepts. When there was a chance, Kyiv tried to liberate itself from the attachment to dissident Constantinople.¹¹⁵

To remove the estrangement of Kyiv from Rome, it was enough to remove the said cause of estrangement. This meant replacing a dissident Metropolitan by a unionist, and this was achieved in the person of Isidore. Since the Kyivan Archbishop, although a Greek, was reconciled with the Pope, the union of the Kyivan Church was accomplished by this very fact.

All that remained was to secure the autonomous existence of the Kyivan individual Church in complete equality with the Polish Latin one in the Polish-Lithuanian federation; in other terms, to apply in practice the principle of the equality of rites, solemnly proclaimed by Isidore in Buda. Such equality was understood in the Florentine union, but the Council decisions did not possess all the necessary means to realize this equality, especially in the complicated East-European milieu. A special consideration regarding the problem of double ecclesiastical jurisdiction in those regions was needed. A simple application of general points of agreement was not enough.

In Florence, the Emperor of Constantinople requested that the Latin hierarchy be removed from the Eastern regions (in the West there existed no Byzantine hierarchy). But Pope Eugenius IV proposed that, whichever of the two bishops should outlive the other, his successors should receive jurisdiction over all Christians in the territory.¹¹⁶ If this principle were to be applied to the vacant eparchies of the Kyivan Church, this would mean their immediate reduction into Latin dioceses. The result would be disastrous for the Kyivan Church.

The Eastern faithful, however, expected something different from their Archbishop, namely the restoration of Eastern bishoprics, restitution of their benefices, equal rights for the Eastern Church and rehabilitation of Eastern faithful as equal

¹¹⁵ Already in the first century following the Cerularian discord, Kyiv was four times estranged from Constantinople and its dissidence. (S. TOMAŠIVSKYJ, op. cit., p. 156). The endeavours to restore Kyivan autonomy in the sphere of the Universal (Catholic) Church were repeated several times later. The last one before the Florentine Council — the autonomous election of Metropolitan Herasym and his relations with the Roman See — was related above.

¹¹⁶ J. GILL, S.J., *The Council of Florence*, Cambridge 1959, p. 297.

Christians and citizens. To achieve this, Isidore had to counteract the Polish hierarchy headed by the Primate Oleśnicki. There was double reason to involve above all the Primate in this case, first because the Latin hierarchy was liable for the deplorable state of the Eastern bishoprics, and second, the Primate was regent in the Polish Kingdom. However, Isidore would not dare such a counteraction, for it would destroy all his good relations with Oleśnicki in the preparation for the anti-Turkish crusade.

The Archbishop-Metropolitan, even in his own pitiful bishopric of Lviv, maintained good relations with the Latin Archbishop of Lviv Jan (John) Sprowa, brother of the Vojevoda (governor) of the Province, and after three months of Isidore's stay both brothers, supporters of the Council of Basel, were induced to recognize the authority of Pope Eugenius IV, something that would surely not have happened if Isidore had claimed restitution of Eastern benefices in the name of the Florentine Council. However, this recognition of Pope lasted only for one year.¹¹⁷

In general, there is no knowledge of any moves by Isidore to revive the Eastern bishoprics of Lviv or Peremyśl. Only in Kholm, where the Starosta (mayor) of that city and the Palatine of the entire province, Podila, recently incorporated into the Polish state, was an Eastern man Hryčko Kerdejevyč,¹¹⁸ did Isidore dare to defend his clergy. A Byzantine priest of this city looked to his Metropolitan for defence, because somebody (it is not specified who) wanted to dispossess him of his ecclesiastical benefices and had insulted him.

Isidore wrote a short letter on July 27-th, 1440, to the Starostas and the Vojevodas requesting that no harm be done to this priest or to any Eastern clergy in general, because "we, being orthodox Christians, Lechians and Ruthenians, should observe God's Churches and their priests and should not insult them, for God gave us one brotherhood of Christians, Latins and Ruthenians".¹¹⁹ The same convictions of equality of individual

¹¹⁷ BUČYNSKYJ B., *Studii z istorii cerkovnoi unii*, in *Zapysky NTŠ*, vol. 85, (Lviv 1908) p. 29; A. ZIEGLER, *Die Union des Konzils von Florenz in der russischen Kirche*, Würzburg, 1938, p. 91.

¹¹⁸ BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 85, pp. 29-31; O. HALECKI, op. cit., p. 58.

¹¹⁹ The text of this letter is published in: M. HARASIEWICZ, op. cit., pp. 75-76. There are also ancient publications of the XVII century indicated.

Churches are evident as expressed in Isidore's letter from Buda, and the same lack of any allusion whatever to alleged previous heresis and recent dogmatic or canonical changes. A concord between the Churches was achieved, but nothing else. Even in the heading of his letter Isidore calls himself in the same way: "*Legatus a latere* of the Apostolic See to Lechia and Lithuania and Germany". His signature, in the Greek language, reads: "Cardinal Isidore" — which surely made some impression upon the Latin administration, to which the letter was directed. But this was all; three Eastern eparchies in the Polish state were honored by a three-month stay of their Archbishop with them.¹²⁰

In August 1440 Isidore left for Lithuania, where the political situation was cleared following the assassination of the Great Prince Zygmunt on March 30-th. The Lithuanians elected for their Great Prince Kazimierz (Casimir), the younger brother of the Polish-Hungarian King, on June 29-th. Since he was only 13 years old, he and the Great Principality remained under the regency of the Latin Bishop of Vilno, Maciej (Matthew) (1422-1453), a strong adherent of the Council of Basel. Isidore hurried to those rulers, and did not stop at any of his eparchies in the Lithuanian state, even at the nearest one of Volodymyr or Lutsk, both of which were in the neighbouring Province of Volyn'. These regions were controlled by Svidrigal, whom Zygmunt had deprived of the Lithuanian throne and who now laid claim to it again.¹²¹ Although Svidrigal always remained faithful to the idea of the union of the Churches, Isidore could not deal with him, if he wanted to gain the favour of his opponents — the present rulers of Lithuania. This notwithstanding, the Byzantine Bishop of both Sees in Volyn' remained faithful to the Union even long after Isidore left the East-European regions.¹²² This indicates that

¹²⁰ It may be that Isidore consecrated at that time a Bishop for the See of Kholm — Hryhorij, who is mentioned in the years 1443 and 1446; but there are no sure indications of this eventual Isidore's act. — B. BUČYŃSKYJ, op. cit., is *Zapysky NTŠ*, vol. 85, p. 41; cf. note 111 above.

¹²¹ HALECKI O., *From Florence to Brest*, Rzym 1958, p. 60; cf. also of the same author: *Ostatnie lata Świdrygiełły i sprawa Wołyńska za Kazimierza Jagiellończyka*, Kraków 1915, p. 10-50.

¹²² *Russkaja Istoričeskaja Biblioteka*, vol. VI, Sanktpeterburg 1908, no. 72. — Seven years later Danylo, the new Bishop of Volodymyr, was consecrated by Isidore and the Catholic Patriarch Gregorios Mammas. — B. BUČYŃSKYJ, op. cit., in

Isidore's presence and announcements of the Florentine decisions were not indispensable to unionistic adhesion of the local hierarchy.

In the Great Principality of Lithuania the Eastern hierarchy could act more freely. The federation with Poland (in 1386) had not yet developed into a complete amalgamation. The local nobility and hierarchy still enjoyed a large autonomy and could defend themselves. But even before the political federation, the Franciscan Order sent Latin missions "in partibus Urschie, Lituvaniae et Walachie, quas scismatici et gentiles inhabitant".¹²³ They prepared ground for the establishment of Latin dioceses in those regions. In the capital, Vilno, a Latin bishopric was founded in 1387.¹²⁴ The date when the same was done for the traditional center of all Eastern ecclesiastical life — Kyiv, is difficult to determine precisely. It could not have been established until the last quarter of the XIV century.¹²⁵ In Lutsk

Zapusky NTŠ, vol. 85, p. 34; vol. 86, p. 14-15. — A contemporary manuscript testifies too, that Mammas (1445-1450-1459) was recognized in those regions as the legal Patriarch. — A. AMMANN, S.J., *Abriss der Ostslawischen Kirchengeschichte*, Wien (1950), p. 144; M. HRUŠEVSKYJ, op. cit., vol. V, p. 406.

¹²³ The letter of Pope Urbanus V of 1370 to the Franciscan Order — *Documenta Pontificum*, vol. I, no. 51, p. 85; cf. also other letters of Pope Gregorius XI — *Ibidem*, no. 52, 55.

¹²⁴ AMMANN, A., op. cit., p. 106.

¹²⁵ Alredady in 1232 the Polish Primate asked the Pope for permission, that in the Kyivan regions "episcopum mandaremus, per quem extirpatis vitiis ritus ibi catholicus propagatur" (*Documenta Pontificum*, vol. I, no. 6, pp. 20-21). — Some historians understand this as creation of the Latin bishopric in Kyiv. But this was rather the usage to confer the Kyivan title to the Latin Bishops of Opatov and Lubuš. The Popes refer to them in the documents of the years 1247, 1257, 1320 (*Ibidem*, no. no. 27, 33, 37). From the last date (1320) starts the list of Kyivan Latin bishops, but they too, were rather titular for a long time (M. HRUŠEVSKYJ, op. cit., vol. V, p. 431). After the Mongolian devastation of Kyiv in 1240 even the Byzantine bishops refused to reside there; therefore it is doubtful that a Latin one would like to settle in that ruined city. As late as as 1375, Pope Gregorius XI asked three Polish Bishops whether "Luczensis, Thurensis et Kyoviensis ecclesie ... cathedrales vel dumtaxat parrochiales existant, et an populum christianum habeant" (*Documenta Pontificum*, vol. I, no. 59, p. 97). In the same way he had asked three years earlier about the other four cities, where new Latin Sees were to be founded (*Ibidem*, no. 53, p. 91). Therefore, it can be concluded, that at least before the year 1375 no Latin residential bishopric existed in Kyiv. — Cf., also: M. ČUBATYJ, *Zachidna Ukraina i Rym v XIII v. u svojich zmahanniach do cerkovnoji uniji*, in *Zapusky NTŠ*, vol. 123-124, Lviv 1917.

the Latin bishopric existed before 1420 and in Kamianec in Podila still before the incorporation of this Province into the Polish state in 1430.¹²⁶

These bishoprics were the spreading points of Latin missions in the Lithuanian state, with a proper center in the capital Vilno, headed in Isidore's time by Bishop Maciej, supporter of the Council of Basel against Pope Eugenius. It is evident that in Lithuania these two eminent exponents of contrary unionistic conceptions, Maciej and Isidore, could find no easy agreement.

Maciej was alienated from Isidore not only by his Basel convictions, but by a difference of a fundamental kind. Isidore claimed equality of rights for the Greek Sacraments, but Maciej denied these, for he wanted to admit the Latin rite only. The conflict between Maciej and Isidore was a controversy of two opposed theories of Union, of which one demanded latinization, when the other claimed equality of rights.¹²⁷

Consequently the Florentine union could not be mentioned publicly in Vilno, because Maciej prevented Isidore from any activity there. "His motive, with all probability, was the will to retain a privileged situation for the Latin Church".¹²⁸

After complete failure in Vilno, Isidore could not, thus humiliated, proceed directly to dissidently illdisposed Moskow. At first he went to Kyiv (probably in December 1440),¹²⁹ where the autonomous Prince Olelko (Alexander) reigned, a faithful adherent of the Union for a long time.¹³⁰ The Florentine union was solemnly announced in the ancient cathedral of the Holy Wisdom (Sophia) in Kyiv, and with a special decree of February 5-th, 1441, Prince Olelko bequeathed to Isidore all metropolitan benefices.¹³¹ This may have been done to stimulate him to remain

¹²⁶ HRUŠEVSKYJ M., op. cit., vol. V, p. 431.

¹²⁷ ZIEGLER A., op. cit., p. 131.

¹²⁸ BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 85, p. 33. Compare with another writing of same author: B. BUČYNSKYJ, *Zmahannia do unii ruškoj cerkvy z Rymom v rokach 1498-1506*, in *Zapysky UNT v Kyivi*, vol. IV, Kyiv 1909, pp. 103-104.

¹²⁹ BUČYNSKYJ B., *Studii z istorii cerkovnoi unii*, in *Zapysky NTŠ*, vol. 85, p. 36.

¹³⁰ AMMANN A., op. cit., p. 143; A. ZIEGLER, op. cit., p. 94.

¹³¹ BUČYNSKYJ, op. cit., in *Zapysky NTŠ*, vol. 85, pp. 33-36; O. HALECKI, op. cit., p. 60. In Olelko's decree there are expressions of profound respect for Isidore, but nothing is mentioned of his titles of "Legatus a latere" or Cardinal. Obviously this

in Kyiv in order to restore the Kyivan Metropolitanate. However as soon as Isidore was thus officially "rehabilitated", he left for his most unmanageable eparchies in the Great Principality of Moskow. During a short stay in the Lithuanian city of Smolensk, another autonomous Prince of the Byzantine rite, Jurij Lyhvyovyč (George son of Lingven), and the local Eastern bishop accepted Isidore and the Florentine union most favourably.¹³²

The behaviour of the Great Prince of Moskow was the direct opposite. Isidore arrived in Moskow on March 19-th, 1441, twenty months after the union was concluded in Florence. Three days later, the twenty one year old Prince Vasilij (Basil), roughly interrupted the solemn reading of the Florentine decree during the Mass and ordered the imprisonment of Archbishop Isidore.

Vasilij had the exclusive initiative in the whole event. The Bishops and clergy and people were nothing else than mutes, whom the chronicler let rightly fall asleep until Vasilij's words woke them up.

... Religion and the Church had no independent function to fulfil in this state. It was to be serviceable and subordinate to the current aims and policies of the Great Prince ... The motives of this (Vasilij's - I.M.) action flow from the tendency for independence and predominance of Muskovite policy, which required national churchdom.¹³³

The Florentine union would involve the Muskovite eparchies in a large system of the Universal Church; Rome and Constantinople would intervene there frequently. Therefore, Vasilij had to liberate himself from Isidore. This was achieved when the Metropolitan, after being sentenced by a synod of five Bishops, exclusively Muskovites,¹³⁴ and long imprisonment in different places, finally fled to Italy.

does not imply any hostility of the Duke to the Roman See (A. ZIEGLER, op. cit., p. 93), but it rather shows that Isidore used these titles dealing with the Latins only.

¹³² BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 85, pp. 34-37.

¹³³ ZIEGLER A., op. cit., pp. 100 and 108.

¹³⁴ Among them was Avraamij, who signed the Florentine decree, and Jona, Isidore's contestant. — A. AMMANN, op. cit., p. 145; B. BUČYNSKYJ, op. cit., in *Zapysky NTŠ*, vol. 85, p. 37; K. CHODYNICKI, op. cit., p. 51.

In the years 1441-1442, the leading Latin hierarchy of the Polish-Lithuanian federation changed affiliation and openly favoured the Council of Basel. Therefore, they were now openly hostile towards the eminent legate of Pope Eugenius. Later at the Papal court he complained about Muskovite imprisonment and the hostility of the Latin hierarchy. Isidore perceived some connection between these two seemingly unrelated events.¹³⁵

Only the Polish King Władysław, leaving Poland in 1440 for Hungary, never to return home, remained sincerely faithful to Pope Eugenius and his project for an anti-Turkish crusade.¹³⁶ In 1443 the anti-Ottoman campaign, in which the King had to play a leading role, was in its full course of preparation. Next year it was to mature in a daring plan of concentrated action of the Christian navy and army, led by Cardinals Condulmer and Cesarini respectively, who were to meet victoriously in liberated Constantinople.¹³⁷

The realization of the great western aid so eagerly requested by the Greeks during the Florentine Council, approached. It was not surprising that some of the Greeks feared that this crusade would terminate as the one two centuries earlier, with Latin predomination over the Empire of Constantinople and the Patriarchate; especially since the supreme command of the army was entrusted to the Polish King, whose compatriots were strenuous opponents of the Easterners. Consequently, it was necessary for the King to express himself on this crucial ecclesiastical issue. This was achieved by his decree being published in Buda on March 22-nd, 1443, where at that time Cardinal Isidore, the great organizer of the crusade, was present.¹³⁸

¹³⁵ BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 85, p. 33 and vol. 86, p. 11. — Cf. also: ibidem, vol. 85, pp. 37, 40, 41; B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyjiv*, vol. IV, pp. 104, 107, 116; K. CHODYNICKI, op. cit., pp. 51-52 with indication of sources.

¹³⁶ HALECKI O., op. cit., pp. 65-67, proves this by the King's letter to the Pope and he expresses the reasons of this faithfulness.

¹³⁷ HALECKI O., op. cit., pp. 67-72; also: *Epistolae pontificiae ad Concilium Florentinum spectantes* (ed. G. Hogmann, S.J.), P. III, Romae 1946, no. no. 261, 264, 266, 267, 268, 274.

¹³⁸ Isidore's presence in Buda at that time was proven by G. MERCATI, *Scritti d'Isidoro il cardinale Ruteno*, Roma 1926, pp. 34, 159-161. Cf. O. HALECKI, op. cit., p. 68 for relation between the decree and the crusade.

It is noteworthy that this charter of equality of rites was published outside the Eastern territory, as was Isidore's decree three years before; that is, outside the regions where the unionistic principle was most contested and where such decrees were most needed. But it is very doubtful that any document of this kind would ever see daylight in any stronghold of Polish Latin Church, because it would create the juridical base for all later claims of Easterners for equality of rights in the Polish and Lithuanian states.

The main motives in granting this decree, according to its text, were the King's reflections about the spiritual and religious benefits to be obtained.¹³⁹ It distinguished two kinds of Easterners: "Ritus Graeci et Ruthenorum", although in practice it dealt only with the last, namely those who were "saepe dicti Ritus Ruthenorum". It was to those who "quandam depressionem sustinebant", to whom equality of civil rights was granted (that "restituta ipsis libertate Divino cultui insistere possint"), particularly "haec omnia iura et libertates, modos, consuetudines et immunitates universas ... quibus omnes ecclesiae ... et personae ecclesiasticae consuetudinis Romanae Ecclesiae uti fruuntur atque audent". Two points are specified further: no administrative authority of the Polish state should impede the Eastern hierarchy in executing their jurisdiction, especially in the ecclesiastical courts for priests and matrimonial cases; and second, that all seized Eastern benefices should be restored.¹⁴⁰

This basic freedom of jurisdiction and respect for the property of the Eastern Church was granted, according to the text of the decree, because an "identity of Union" was achieved in

¹³⁹ The text was published by M. HARASIEWICZ, op. cit., pp. 78-80; by others and recently in: *Monumenta Ucrainae historica* (coll. Metr. A. Septyckyj), Romae 1964, vol. I, no. 5, PP. 2-5.

¹⁴⁰ Volumus insuper et praesentibus decernimus, quod a modo nullus dignitariorum ... de iurisdictione praefatorum episcoporum ..., sed neque de iudiciis sacerdotum seu plebanorum ipsorum, imo de causis matrimonii aut divortiorum se deinceps impediant quoquomodo, non obstante quavis consuetudine ad hactenus in terris praescriptis quomodolibet in contrarium observata. Praeterea ut iidem episcopi seu wladicae ... ad laudes Deo exolvendas eo commodius intendere possint, ipsis ... omnes villas et possessiones quaslibet ..., quae ab antiquo ad ipsas ecclesias pertinere videbantur, et per quascunque personas ... in praesens habitas ... duximus restituendas, et restituimus ... — *Monumenta Ucrainae historica*, vol. I, n. 5, pp. 4-5.

Florence.¹⁴¹ But what is most remarkable is that the King had not censured the Kyivan Church as being in any heresy before the Florentine Council. The estrangement from the Roman See of the Eastern Churches, in particular of the Kyivan, is rather denominated as “a separation and break” and even this is not clearly defined, for the Kyivan Church only “seemed to fluctuate” in such conditions:

Ecclesia orientalis ritus videlicet Graeci et Ruthenorum, quae longis (heu) temporibus in disparitate quadam et scissura fidei sanctae et divinorum sacramentorum, non sine multorum salutis dispendio ab unione Sanctae Romanae Ecclesiae fluctuare videbatur ...¹⁴²

It is apparent that King Władysław who was deeply devoted to Pope Eugenius and to all of his eastern plans, did not dare to express any harsh blame against Easterners. Hence in order to justify such a thorough change from oppression to liberty, the King preferred to attribute this to his religious reflections.

This decree and the assurances it contained were never introduced into practice, even though the decree was reconfirmed several times during the next two centuries.¹⁴³ Especially the decision to restore all benefices remained a dead letter. A vigorous head of the Kyivan Church was needed to take full advantage of this decree. This could be expected from Isidore, but he was too busy in organizing an anti-Ottoman campaign for liberating Constantinople and could not fulfill these hopes, neither before the publishing of this decree, nor afterwards.

Most likely Isidore never returned to his Metropolitanate. Preoccupied with Greek problems, he left on August 28-th of the same year 1443 for Constantinople.¹⁴⁴ A few years later, in reply

¹⁴¹ Ecclesia orientalis ritus videlicet Graeci et Ruthenorum ... iam miserante Domino decretis SS.mi D.ni Eugenii papae quarti et aliorum patrum plurimorum, fidei sanctae zelatorum, cum ipsa sancta Romana ac universali Ecclesia reducta sit ad identitatem dudum desideratae Unionis ... — Ibidem, pp. 3-4.

¹⁴² Ibidem, p. 3.

¹⁴³ Royal reconfirmations in years 1504, 1543 and 1621 are related at the bottom of the text in: M. HARASIEWICZ, op. cit., pp. 80-81, and in: *Monumenta Ucrainae historica*, vol. I, no. 473, pp. 301-302.

¹⁴⁴ *Documenta Pontificum*, vol. I, p. 119, no. 95; although it is noted in the Vatican archives that Isidore then left “gressus suos dirigens versus partes”

to the insistence of the Kyivan Prince Olelko, the Patriarch Gregorios Mammas promised that Isidore would return to his Metropolitanate and solve all the difficulties that existed there.¹⁴⁵ Meanwhile, the situation in Constantinople became increasingly worse, and Isidore could not afford any spare time for his Metropolitanate. The Patriarch Mammas in both his letters to King Kazimierz (of November 20-th, 1458 and January 27-th, 1459, after Isidore's resignation), plainly states that a preoccupation with Constantinople had kept Isidore away from his flock.¹⁴⁶ Isidore confirms this in his letter to the King of January 31-st, 1459, alluding even to his fault that he did not send anybody else in his place to this troubled Church:

... ob varia Christianorum necessaria istino abivimus et hactenus reverti non potuimus, tamen nunquam defecimus, quin non mitteremus aliquem virum probum et idoneum de correptione et emandatione rerum ipsius nostre ecclesie et populi christiani nobis commissi... sperantes semper ad ovile nobis commissum accessuros fore. Quod quidem factum esset nisi propter varia necessaria in Romana Curia pro Christianorum reparacione tamquam noticiam habentes rerum asianarum essemus prepediti.¹⁴⁷

Hence until Isidore's resignation in 1458 his relations with the Kyivan See remained legal only.

4. THE KYIVAN CHURCH IN POST-ISIDORIAN TIMES

After Isidore left the East-European regions, his southern eparchies in the Polish-Lithuanian federation maintained the ecclesiastical trend of the Florentine union. This is testified not only by the Kyivan Prince Olelko's appeal to the Catholic

Graeciae et Russiae", it seems that Halecki's following remark about Rome's interest of those times is very well specified: "the Holy See ... was chiefly, if not exclusively, concerned with Greeks themselves" (O. HALECKI, op. cit., p. 78).

¹⁴⁵ The Patriarch's letter of June 26-th, 1447 (more likely than 1448) to be found in: A. POPOV, *Istoriko-literaturnyj obzor drevnerusskikh polemičeskikh sočinienij protiv latinian*, Moskva 1875, pp. 332-334. — Concerning the year in which the letter was written cf.: A. ZIEGLER, op. cit., p. 116.

¹⁴⁶ These two letters and Isidore's third are published in the article: M. WAWRYK, OSBM., *Quaedam nova de provisione Metropolitae Kioviensis et Moscoviensis ann. 1458-1459*, in *Analecta OSBM*, vol. IV (X), (Romae 1963), pp. 9-26.

Patriarch Mammās (as related before), but also by the consecration of a new Bishop, Danylo, for Volyn', that took place at this times. Consecrated in Constantinople by Gregorios Mammās and Isidore, he most probably was instituted as an administrator of the Metropolitan's eparchies.¹⁴⁸

It is very likely that two other Bishops (for Peremyšl and Kholm), were also consecrated by Isidore.¹⁴⁹ The same can be said of Joakim, the Bishop of Lviv-Halyč, who was sent in the year 1449-1450 to Rome,¹⁵⁰ where Isidore resided.

The Catholic Patriarch Gregorios Mammās continued to be recognized in these regions as the legitimate Patriarch even after he was constrained to move to Rome in 1451. His liturgical commemoration in those times is testified by the ancient Euchologion.¹⁵¹ There are no polemical writings about the Florentine Council in Kyivan regions, although such appeared among the Greeks.¹⁵² Hence there is no doubt as to the perseverance of the Florentine spirit in the southern eparchies for a long time after the Council.¹⁵³

The conditions in the northern eparchies under the Muscovite rule were completely different. Having rejected the Florentine union (March 1441) Vasiliy, Great Prince of Moskow, seems to have attempted a confirmation from Constantinople for his own Metropolitan.¹⁵⁴ However, a few years later a more radical decision was adopted: to install the head of the Muscovite Church independently. After the defeat of Varna (November 11-th, 1444)

¹⁴⁷ Ibidem, pp. 20-21.

¹⁴⁸ BUČYNSKYJ B., *Studii z istorii cerkovnoi unii*, in *Zapysky NTŠ*, vol. 86 (Lviv 1908), pp. 14-15.

¹⁴⁹ SONEVYČKYJ L., *Episcopatus Ucrainus eparchiae Peremysliensis et Chelmensis saec. XV-XVI*, Romae 1955, p. 21 fol., 95, 98.

¹⁵⁰ BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 86, p. 22.

¹⁵¹ WAWRYK M., op. cit., p. 9; B. BUČYNSKYJ, op. cit., in *Zapysky NTŠ*, vol. 88, p. 12.

¹⁵² BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 88, p. 16.

¹⁵³ HALECKI O., *Possevino's last statement on Polish-Russian relations*, in *Orientalia Christiana Periodica*, vol. XIX (Roma 1953), p. 279 fol.

¹⁵⁴ *Russkaja istoričeskaja biblioteka*, vol. VI, Sanktpeterburg 1908, no. 62, col. 525-536; and no. 71, pp. 575-586. — B. BUČYNSKYJ, op. cit., in *Zapysky NTŠ*, vol. 85, pp. 37-38. — A. ZIEGLER, *Die Union des Konzils von Florenz in der russischen Kirche*, Würzburg 1938, pp. 102-107, investigated whether any Muscovite request on this matter was sent to Constantinople.

where both leaders of the crusade, King Władysław and Cardinal Cesarini, had perished, another defeat of the Hungarians followed near Kosovo (October 17-th, 1448). The Emperor of Constantinople, Joannes, died a few days later, 31-st of October. Then the Muscovites did not see any need to consult and respect a dying Empire of Constantinople. In December of 1448, a separate synod, consisting exclusively of Muscovite Bishops elected independently their own Metropolitan, Jona.¹⁵⁵ This act commences the autocephalous Church of Moskow, dissident from both, Rome and Constantinople. The Muscovite Great Prince Vasilij achieved his long desired aim to disengage the Muscovite Church from any external influence.

Moscow considered all previous relations of the Russian Metropolitanate with Constantinople as unfit (from a twofold aspect) — from the external aspect of guarding independence from Lithuania and of securing Muscovite influence upon the Ruthenian princes in Lithuania; from the internal aspect, of putting the Church in the services of the state.

... He (Vasilij) had now the long awaited opportunity to make the Russian Church independent from Constantinople. The dangerous Union furnished him with a useful covering for it.

... Isidore's Union and the defence of orthodoxy were only pretexts ...

... From the 15-th of December, 1448, the Russian Metropolitanate became part of the Muscovite state. Russian national churchdom can celebrate that day as its birthday. Jona sets his entire ecclesiastical and pastoral activity in Vasilij's service ...¹⁵⁶

As all exaggerated nationalistic trends, it could not confine itself to its own territorial limits, but tried to propagate the dissident conception together with its own predominance, even though territorial expansion was not a principal reason for separation.

¹⁵⁵ BUČYŃSKYJ B., op. cit., in *Zapysky NTS*, vol. 86, p. 15; O. HALECKI, *From Florence to Brest*, pp. 74-75.

About the Hungarian defeat near Kosovo in 1448 and how it affected the decision of Moscow of the same year cf.: J. GILL, *The Council of Florence*, pp. 333, 353, 371; and O. HALECKI, *From Florence to Brest*, p. 73.

¹⁵⁶ ZIEGLER A., op. cit., pp. 109, 111, 121. Nine years after his death (1472), Jona was proclaimed a saint by the Russian Church. — Ibidem, p. 121; cf. also: S. BULGAKOV, *Nastolnaja kniga*, Charkov 1900, p. 207 under the day June 15-th.

Even before the theory of the Third Rome, identified with Moscow, gradually emerged ..., the Muscovite authorities both secular and spiritual would not even admit that the Patriarch of Constantinople ... had any rights over their Church.¹⁵⁷

In the Polish rulers the Muscovite tendency for expansion found a yielding terrain. Kazimierz, at that time the Polish King and Lithuanian Great Prince, acknowledged tacitly by the treaty of August 31-st, 1449,¹⁵⁸ and on January 31-st, 1451, expressly, the jurisdiction of the dissident Jona over the united eparchies in the Lithuanian state.¹⁵⁹ The last document was signed also by the Latin Bishop of Vilno Maciej, whom the Pope sued in court for action harmful to the union.¹⁶⁰

The attitude of the King and the Latin Prelates was not caused by their pro-Basel convictions, because, seeing the Council's fall, all of them turned to the legitimate Pope.¹⁶¹ Just they were not as interested in a Church union, as were the Eastern Bishops, who for years refused to admit Jona's supremacy.¹⁶² However, the Easterners could not do much because they were deprived of any royal support.

The Patriarch replied to the appeal of the Kyivan Prince Olelko with an unfulfilled promise that Archbishop Isidore would revisit his Metropolitanate. Olelko, who seems to have resisted

¹⁵⁷ HALECKI O., op. cit., p. 82.

¹⁵⁸ *Akty odnosiašcisia k istorii Zapadanoj Rossii*, vol. I, Sanktpeterburg 1846, no. 50, pp. 62-65; also interpretation of this document in: K. CHODYNICKI, *Kościół Prawosławny a Rzeczpospolita Polska*, Warszawa 1934, p. 55 fol.

¹⁵⁹ *Russkaja istoričeskaja biblioteka*, vol. VI, no. 67 and 68, vol. 563-570.

¹⁶⁰ A. AMMANN, S. J., *Abriss der Ostslawischen Kirchengeschichte*, Wien (1950), p. 147; K. CHODYNICKI, op. cit., p. 58; quoting: A. SOKOŁOWSKI, *Codex epistolaris sec. XV*, Kraków 1876, vol. I, P. 2, no. 113, p. 122. — Cf. also note 135 above.

A. ZIEGLER, op. cit., p. 131, describes the role, the principal Latin Bishop of the Lithuanian state played, in the following way:

Mathias was not unguilty of Isidore's failure; although the main fault is not his, nevertheless his one-sided partial attitude made a great harm for the Florentine union.

¹⁶¹ The Lithuanian Great Prince Kazimierz was crowned Polish King in 1447, and shortly after the coronation switched allegiance to Pope Nicolaus V, followed by Polish Primate Oleśnicki; finally in 1450 the Latin Bishop of Lviv, Jan, also followed these examples. — B. BUČYŃSKYJ, op. cit., in *Zapysky NTS*, vol. 86, pp. 8, 14 and 22.

¹⁶² Even as late as 1456 there was an opposition against Jona among the southern Bishops. — Ibidem, pp. 20, 29.

Jona for a long time, died in 1454¹⁶³ and two years earlier another supporter of the Easterners, Svidrigal, expired. Thus, there was nobody powerful enough to oppose Jona in the exercises of his jurisdiction in the whole Lithuanian territory.¹⁶⁴ Jona did not pay much heed to the condition, attached to his recognition in January 1451, to obtain confirmation from the Patriarch of Constantinople.¹⁶⁵ It merely served as a ploy to convince the autonomous Prince Olelko, Svidrigal and others to sign the treaty.

Kazimierz, who never favoured the Florentine ideas, ruled a solution to the ecclesiastical problem in favour of Latin rite.

At a time when the cause of the Union of Florence seemed lost, that King, in agreement with the hierarchy and clergy of the Latin rite, had favoured the idea of simply propagating the Catholic religion in that rite through the missionary activities of religious orders and individual conversions.¹⁶⁶

On September 7-th, 1451, half a year after the recognition of Jona, the King wrote to the famous Latin Franciscan missionary Johannes (John) Capistran, prevailing upon him to come to the Polish-Lithuanian federation, because there only the Byzantine rite kept the Eastern faithful from joining the Roman Church.¹⁶⁷

Nevertheless, the idea of the Florentine union blossomed anew as soon as the Roman See made the crucial decisions of 1458. It was Pope Calixtus III, who, on January 16-th, nominated a new bishop, Makarij of Serbia, a monk of a Constantinople monastery, as Bishop of the Lviv-Halyč bishopric,¹⁶⁸ formerly

¹⁶³ A least it can be concluded so from the letter of Jona. Cf. *Russkaja istoričeskaja biblioteka*, vol. VI, no. 66.

¹⁶⁴ Jona had started to exercise his jurisdiction in Volyń (Svidrigal's region) since 1452 and in Kyiv (Olelko's Principality) since 1455. — *Russkaja istoričeskaja biblioteka*, vol. VI, no. 68, 69, 72 and 76, col. 565-572, 585-590, 603-604; B. BUČYŃSKYJ, op. cit., in *Zapysky NTŠ*, vol. 86, pp. 21, 27-28.

¹⁶⁵ After Gregorios Mammas was constrained to leave Constantinople, a delegation was sent to Constantinople for Jona's confirmation, but without success. — B. BUČYŃSKYJ, *ibidem*, p. 26.

¹⁶⁶ HALECKI O., *From Florence to Brest*, p. 95.

¹⁶⁷ BUČYŃSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 85, pp. 24-26; A. ZIEGLER, op. cit., p. 117. Capistrano stayed in Kraków from the middle of 1453 to the middle of 1454, but never went to the eastern regions. — B. BUČYŃSKYJ, op. cit., in *Zapysky NTŠ*, vol. 88, pp. 12-13.

¹⁶⁸ *Documenta Pontificum historiam Ucrainae illustrantia*, vol. I, no. 78

united with the Metropolitan eparchy. But the decisive enterprise of Calixtus had to be accomplished by his successor Pius II. By the decree of September 3-rd, 1458,¹⁶⁹ the enormously large Kyivan Metropolitanate was divided, "Ysidori archiepiscopi expresso consensu", in two parts: "superiorem" (Muscovy) and "inferiorem" (9 eparchies situated in the Polish-Lithuanian federation). After Isidore had resigned (on July 21-st, 1458) from the "inferior" part of the Metropolitanate, another Constantinopolitan monk, Gregorios Bulgar, Isidore's best associate, was appointed for this Archbishopric-Metropolitan See.¹⁷⁰ The northern part was theoretically left under Isidore, but practically the Muscovite dissident decisions of 1448 were retained.

Still, towards the end of the year 1458 this decision was sustained and Gregorios was ready to go to his assigned See as Archbishop of the "inferior" part only.¹⁷¹ But in January of the following year, shortly before Pope Pius II announced in Mantova the commencement of the anti-Turkish expedition, another plan was adopted.¹⁷²

and 79, pp. 138-140. — This was easier to the extent that Kazimierz resisted Jona's influences in this eparchy, incorporated into the Polish state. The large expropriation of ecclesiastical benefices which this eparchy suffered are related in the Makarij's complaints to the Pope. Cf. Pope's Pius II letter of September 11-th, 1458. — Ibidem, no. 89, pp. 153-154.

¹⁶⁹ *Documenta Pontificum*, vol. I, no. 82, pp. 145-147; also: no. no. 83, 84, 85, 86 and 91, pp. 147-151 and 155-156.

¹⁷⁰ It is noteworthy that both Metropolitan Sees, Lviv and Kyiv, were committed to Constantinopolitan monks (as was Isidore also). Evidently the Greeks preferred in those crucial times to entrust the Kyivan Sees to persons devoted to Constantinople.

¹⁷¹ Patriarch Gregorios Mammias in his letter of November 20-th, 1458, calls him expressly: "Legittimus Metropolita Chievensis et Lithvaniensis atque totius Russie inferioris". Metropolitan Gregorios wrote on December 20-th, 1458, that he was ready to go to his See, but was withheld by the Pope. — For these letters cf. the article (note 146): M. WAWRYK, op. cit., pp. 17 and 13.

¹⁷² It seems that this change of plans had some relation to Isidore's contemporary mission, composed of Bishop Antony and Nicholas Jacob (alias Zagupiti), "ad Italiae ac alis diversas mundi partes" and probably also with the assignment of the See of Corphu to Isidore, from which he resigned six months later. — *Documenta Pontificum*, vol. I, no. no. 87, 88 and 95, pp. 151-153 and 158-159.

It is remarkable that Pope Pius II in his last letters (ibidem, no. no. 83 and 91) of Dec.-Jan. 1458-59 changed to a brusque tone when he mentions a Patriarch

Since then the dissidence of the Russian Church from Rome is evident for all and it is officially set. The Bishops had also disjoined the Russian Church from Constantinople ... (and they) had for the third time divided with their decisions the east-slavic Church definitively in two parts, which thenceforth went different ways ... In Russia there now arrives a new outset ... "the damned and blaspheming eighth Council" will always find rejection.¹⁸¹

Gregorios Bulgar, on the contrary, strove to maintain the relations of the Kyivan Church with other Churches and to keep it enrolled in the Universal Church. The Constantinopolitan Patriarch Gregorios Mammas, who consecrated the Metropolitan, was always recognized in Kyiv, although he lived and died (1459) in exile. However not so much his successor in exile, Isidore (1459-1463), who never resided in Constantinople as Patriarch. The third in this line of Patriarchs in exile was Bessarion (1463-1472). He was the last Greek before this title was committed to Latin Prelates, and could hardly be considered by anybody outside of Rome as a representative and head of the Byzantine Church.

Therefore, it was not strange that Metropolitan Gregorios did not appeal to Bessarion, but rather to another line of Patriarchs residing in Constantinople in order to get in touch with the Greek Church and to be reconfirmed by it.

All the more, that such a reconfirmation from the Patriarch served Gregorios mostly in his contest with Jona over the jurisdiction of the Novgorod and Tver eparchies,¹⁸² because there was an objection to Jona from the very beginning that he was not confirmed in the Metropolitan dignity.

Confirmation by a Patriarch in exile would be less convincing for those northern regions. Anyhow, the fact that it was Gregorios who sought the confirmation but not Jona, contrasts the ecumenical convictions of the Kyivan Metropolitan with the autocephalous Metropolitan of Moscow.¹⁸³

¹⁸¹ AMMANN A., op. cit., p. 159-160.

¹⁸² This can be seen from the Muscovite indignation exposed in a letter to Novgorod, when Gregorios obtained reconfirmation. — *Russkaja istoričeskaja biblioteka*, vol. VI, no. 100, p. 710.

¹⁸³ It was Jona's successor Theodosij (1461-1465), who with logical consistency abandoned the use of the improper title "Metropolitan of Kyiv" and started the use of: "Metropolitan of Moscow", although Rome had made such distinction since 1458 already. — A. AMMANN, op. cit., p. 160.

The efforts of some non-Catholic historians¹⁸⁴ to see in Gregorios' confirmation by Constantinople a rejection of the Florentine union is inspired by the identification of the Church of Constantinople with an anti-Catholic faith. Even the juridical consideration of the fact that in Rome there resided another Patriarch, Bessarion, does not demonstrate any dissident conviction against Gregorios. From the juridical point of view, a rejection of the Florentine union took place in Constantinople only in 1472. Therefore, a Patriarch elected there before that date should be considered a Patriarch of the Catholic faith. Hence the Roman See never blamed Gregorios for unfaithfulness, not even in later tradition, although many different accusations were raised against him by the Latin Polish circles.¹⁸⁵

Gregorios' Catholic convictions in his Constantinopolitan confirmation are indicated also by the fact that such confirmation was denied to him on 1466 by Patriarch Simeon of Trapezuntos,¹⁸⁶ who was considerably influenced by dissident ideas to the extent, that during his second term in 1472, the Florentine union was officially rejected. Yet the Kyivan Metropolitan obtained the desired confirmation around the year 1470 by a different Patriarch Dionysios I.

Gregorios Bulgar died before the end of 1472. "Notwithstanding his appeal to Constantinople, the Roman curia until his death did not consider him schismatic".¹⁸⁷ The same can

¹⁸⁴ BUČYNŠKYJ B., *Zmahannia do unii ruskoj Cerkvy z Rymom y rr. 1498-1506*, in *Zapysky UNT v Kyivi*, vol. VI, p. 30; B. BUČYNŠKYJ, *Studii z cerkovnoi unii*, in *Zapysky NTŠ*, vol. 88, p. 15-21 (in a confusing way); M. HRUŠEVŠKYJ, *Istoria Ukrainy-Rusy*, vol. V, pp. 408-529; M. BULGAKOV, *Istoria Russkoj Cerkvi*, vol. IX, p. 39. — A. ZIEGLER, op. cit., pp. 135-137, extensively refutes the assertions of these historians.

¹⁸⁵ BUČYNŠKYJ B., op. cit., in *Zapysky NTŠ*, vol. 88, pp. 14 and 18; A. ZIEGLER, op. cit., pp. 137-140.

¹⁸⁶ CHODYNICKI K., op. cit., p. 65, n. 1, quotes the sources and bibliography with regard to the confirmation of Gregorios; similarly M. BULGAKOV, op. cit., pp. 37-40.

¹⁸⁷ AMMANN A., op. cit., p. 186. — The same is testified by BUČYNŠKYJ, op. cit., in *Zapysky NTŠ*, vol. 90, p. 9, refuting Makarij Bulgakov and asserting: "neither did he break with Rome, nor Rome with him", although in the whole of his writing Bučynškyj tries to diminish Gregorios' and Isidore's role and that of the entire union, expressing himself differently in other places (cf. note 184 above). The same author, op. cit., in *Zapysky NTŠ*, vol. 90, p. 8, confirms that the Roman Pontiff still considered Gregorios as Catholic in 1472. — A. AMMANN, S.J., *Zur Geschichte der Geltung der Florentiner Konzilsentscheidungen in Polen-Lithauen*, in *Orientalia Christiana Periodica*, vol. VIII (1942), p. 299, also refutes the anti-Catholic opinion of M. Bulgakov.

be said about the whole of the Kyivan Metropolitanate. In two indulgences conferred by Pope Sixtus IV to a layman and to a cleric, they were not reproached with any schism, although both were of the Eastern rite.¹⁸⁸ Especially the second, granted on January 12-th, 1475, more than two years after Gregorios' death and the revocation of the Florentine union by Patriarch Simeon, indicates that those events in Constantinople did not change the condition in the Kyivan Church at all.

In the beginning of 1473 the Kyivan hierarchy gathered at a Synod, consisting of clergy and laymen, sent a message to the Pope in an entirely Catholic spirit. The message was entrusted to the Pope's legate Antonio Bonumbre, who had accompanied the niece of the last Emperor of Constantinople to Moscow for marriage with the Great Prince Ivan III, and who was returning to Italy.¹⁸⁹

Rome set many unionistic hopes upon this marriage, but already Bonumbre had to witness that it served rather the dissident conviction of Ivan III to establish Moscow as a third independent Rome. Among the Kyivan hierarchy Pope's legate met an entirely contrary attitude: the Bishops and laymen appealed for the Pope's intervention. But to their great regret, the Kyivan message remained without any reply. It is possible that the message never reached Rome, it may have been intercepted on the way. All information concerning it is derived from the second message written on March 14-th, 1476.¹⁹⁰

This time the message was entrusted to native envoys: Jacob,

¹⁸⁸ *Documenta Pontificum*, vol. I, no. no. 97 and 99, pp. 163 and 166. Both indulgences concede free selection of confessors. It seems that these Easterners, especially the second, which "inter Latinos frequenter versari ac morari consuevisti", had difficulties obtaining confessional absolution.

¹⁸⁹ It seems that this was the synod which had elected Misail Pstručkyj for the Metropolitan See. ' O. HALECKI, op. cit., pp. 100-101. — About the mission entrusted to A. Bonumbre cf. P. PIERLING, S.J., *La Russie et le Saint-Siège*, vol. I, Paris 1896, p. 174.

¹⁹⁰ The long letter is published in *Akty Zapadnoj Rossii*, vol. IV, S. Petersburg 1851, p. 164, fol.; *Literaturnyj sbornyk izd. Halycko-ruskoju Matyceju*, Lviv 1869, p. 223 fol.; *Arkhiv jugo-zapadnoj Rossii*, P. I, vol. VII, Kiev 1887, p. 199-231; M. BULGAKOV, *Istoria russkoj Cerkvi*, vol. IX, pp. 43-63.

All modern historians, both Catholic and non-Catholic, admit that the letter is authentic. About the previous dispute indications can be found in: M. HRUSEVSKYJ, op. cit., vol. V, p. 532, n. 2; K. CHODYNICKI, op. cit., p. 66, n. 3; O. HALECKI, op. cit., p. 99, n. 2.

the Lithuanian Great Prince's secretary, and Ivaško (John) from the famous Soltan family.¹⁹¹ That it was not signed by all the hierarchy, can be easily understood since it was destined only to elicit a reply from the Pope to the previous letter sent by the entire Synod of the Kyivan hierarchy, clergy and laity. The signatures of both leaders, ecclesiastical — Metropolitan Misail, and the secular — Prince Mykhajlo Olelkovyč (Michael son of Olelko) of Kyiv, besides many others from different parts of the Metropolitanate¹⁹² seem to be more than sufficient for this purpose.

It appears from the text, that by these letters the Kyivan Church did not intend to introduce any changes in ecclesiastical status of the Kyivan Metropolitanate. The lengthy, baroque-style expressions concerning the Pope's primacy over other Patriarchs and the expressive acceptance of all Florentine decisions serve only as a premise to the main petition, i.e., to receive from Rome two delegates — judges (one Latin and one Easterner) to decide the dispute between the Polish-Latin hierarchy and the Kyivan Church and to exonerate the latter from all calumnies in heresy and schism.

More eloquent and clearer profession of Catholic faith could hardly be found. The letter itself is addressed to:

The universal Pope ... Most Holy Father of Fathers and first Pastor, blessed Sixtus, of the holy universal Catholic apostolic Church, Christ's Vicar ...

In other places Roman Pontiff is described as a source, from which:

flow four rivers, watering the entire creation through the four ecumenical Patriarchs, holy columns of the Eastern Church. From

¹⁹¹ BULGAKOV M., op. cit., vol. IX, p. 58, n. 39; K. CHODYNICKI, op. cit., p. 67. — Ivaško's older brother Alexander Soltan travelled in the years 1467-1469 (in times of Pope Paulus II) through almost all the western countries and was honored even with the title of Knight of the Holy Sepulchre (O. HALECKI, op. cit., pp. 101-102; and of the same author: *The Ecclesiastical Separation*, p. 37 — cf. note 175). Another voyage in 1475 of Kyivan cleric "causa visitandi limina Apostolorum Petri et Pauli" is testified by Pope's Sixtus IV indulgence (see note 188). Most probably voyages like these inspired the thought of both direct appeals to the Pope. — Cf. A. AMMANN, S.J., *Zur Geschichte der Geltung*, pp. 298-299 (cf. note 187 above).

¹⁹² BUČYŃSKYJ B., op. cit., in *Zapysky NTS*, vol. 90, p. 15; O. HALECKI, *From Florence to Brest*, p. 101.

those rivers ... we all ... drink everyday bounteously to the satiety of our souls, we wash ourselves with it in holy baptism; we sanctify and illuminate ourselves ...; we are used from childhood to drink this water everyday of our lives, we and our fathers and the fathers of our fathers; and other waters we are not used to taste, doubting whether they are not contrary to our substance.¹⁹³

A beautiful picture of harmony between the Pope's supremacy and the autonomous personality of the particular Eastern Churches. At the same time there is the affirmation that the same Catholic conviction was confessed already for many generations. There are also precise dogmatic assurances of the Catholic-orthodox faith of the Kyivans,

living ... under the law of the Eastern Church, retaining all seven of the holy Ecumenical Councils, with them together and the eighth Florentine, which decided ... (what) we believe and confess ... that the Holy Spirit proceeds equally together from Father and also from the Son by one exhalation ... We confess also one baptism for the remission of sins, and not two, as do some in our regions — they haul people by force from our Church and accomplish over them a second baptism, saying: this is what the Holy Father tells us to do ...¹⁹⁴

This confession of the Catholic faith was made in direct contrast to somebody's calumnies, that "we are not perfect and true Christians of the holy orthodox faith in Christ, and they said many other similar blasphemies about us". There are also descriptions of the most horrible crimes, including confinements, torments and homicides, for which Shepherds of the Western Church were responsible.¹⁹⁵ The authors of the letter refer to the theology of the mystical body of Christ:

We all ... are sheep of the same flock of Christ, of the same holy, ecumenical and apostolic Church ... We are all the body of Christ and his members. Why this disorder, struggle and separation in one body? ... But they (the Westerners - I.M.) cannot

¹⁹³ *Arkhiv jugo-zapadnoj Rossii*, P. I, vol. VII, Kiev 1887, pp. 200, 219-220; also pp. 201, 203, 207, 210-211, 213 and 227. — M. BULGAKOV, *Istoria russkoj Cerkvi*, vol. IX, pp. 43, 51-52.

¹⁹⁴ *Arkhiv jugo-zapadnoj Rossii*, P. I, vol. VII, pp. 211, 214-215; M. BULGAKOV, op. cit., pp. 48-49.

¹⁹⁵ *Arkhiv jugo-zapadnoj Rossii*, I, VII, pp. 206, 209; M. BULGAKOV, op. cit., p. 48.

return into a unity of peace and love of Christ, if you do not send ... two wise men ... one Greek, following the entire law and order of the Eastern Greek Church, and another from the Western Roman Church, retaining his law ... that they may bring peace, love and brotherly concord, so that everybody would preserve untouched the customs and the order of their own Church, everybody would stay in his own.¹⁹⁶

Most likely the project of sending two arbiters was not realized, but the petition of the Kyivans was favourably accepted by Pope Sixtus IV, and the just rights of the Kyivan Church were confirmed by bulls. This fact, together with the benevolent acceptance of Alexander Soltan by Pope Paulus II ten years before, is testified by one of the most prominent Latin scholars Sacranus, who was most interested that the facts should appear to be contrary:

... etsi de plurimis veracit testari possim, quos facilitas apostolico susceptionis obstinatores reddideret duos in medium proferre sufficiat Soltanus quidam nobiles a Paulo secundo et Inasco germanus eius ex Lithuania primores inter Rutenos ambo a Sixto quarto Rome suscepti et bullis patentibus in suapte ritu manere permissi ad suos redeuntes pertinaciores ecclesieque magis infensi.¹⁹⁷

The reaction of Constantinople, whose See was at that time occupied by an "ignorant and drunkard"¹⁹⁸ Raphael I (1474-1477), followed shortly after. On the 18-th of August, 1476, a monk from Tver was consecrated to the Kyivan See, his name being Spyridon Satana.¹⁹⁹ But he was rejected in the Kyivan regions, and when

¹⁹⁶ *Arkhiv jugo-zapadnoj Rossii*, I, VII, pp. 205, 216-217; M. BULGAKOV, op. cit., pp. 47, 50.

¹⁹⁷ *Elucidarius errorum ritus Ruthenici*, fol. VII (I. tractate, 3. chapter). — About Alexander Soltan cf. note 191 above. — The opinion of some historians (B. BUČYNSKYJ, op. cit., in *Zapysky NTŠ*, vol. 90, p. 2; K. CHODYNICKI, op. cit., p. 68; O. HALECKI, op. cit., p. 103) that Ivaško's mission was entirely unsuccessful seems to be caused by insufficient acquaintance with Sacranus' whole work. — Sacranus (Jan of Oświęcim) was elected Rector of the University of Kraków twice (for the years: 1493-94 and 1512-13). He lived until 1527.

¹⁹⁸ CHODYNICKI K., op. cit., p. 68; and other historians likewise.

¹⁹⁹ BUČYNSKYJ B., op. cit., in *Zapysky NTŠ*, vol. 90, p. 21; B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyiv*, vol. IV, p. 113; O. HALECKI, op. cit., pp. 105-106; and other historians.

later claimed the Muscovite See, he was arrested there. The separation of the Muscovite Metropolitanate was already accomplished and any claims of Constantinople were not tolerated.²⁰⁰ When in 1477 Raphael terminated his Patriarchate in a shameful way, there was nobody to intervene for the intrusive Spyridon, who around 1503 died as a Muscovite prisoner.

It is evident that Misail's election to the Kyivan See could not be confirmed neither by such a Patriarch as Raphael nor by his dissidently disposed predecessor Simeon, who denied confirmation even to Metropolitan Gregorios.

This explains why Misail in his 1476 appeal to the Pope still signed himself Metropolitan-elect. Nevertheless, in his lengthy letter to the Pope, he does not ask for papal confirmation. It was evident to everyone at that time that this was the Eastern Patriarch's concern, and not of the Western Pope. Only a century and a half later the Kyivans introduced the notion that the Patriarch's juridical act could be supplemented by the Roman Pope.

In June-July of 1481 another Metropolitan Symeon (Simeon) was already elected and confirmed by Patriarch Maximos III.²⁰¹ In the spring of the same year, concealed resistance to the Polish King was detected. The main leader of this opposition movement was the deprived heir of the Kyivan Principality Prince Mykhajlo Olelkovyč, one of the signatories of Misail's appeal. He was executed with many other Kyivan noblemen. Drastic repressions followed the crushing of this rebellion, in which the Kyivan Metropolitanate was not spared, even though the conspiracy had a political not an ecclesiastical character.²⁰²

²⁰⁰ To prevent any eventual outside intervention in the future, the following expression was introduced in the oath of the Muscovite bishops:

I do repudiate [after having mentioned Hryhorij Camblak, Isidore and Gregorios Bulgar] ... and Spyridon, named Satana, who obtained the nomination in Constantinople ... Also I repudiate all those, who after him at any time shall come to Kyiv from Latin Rome, or from Constantinople of the Turkish state. — *Russkaja istoričeskaja biblioteka*, vol. VI, no. 52, col. 451, no. 3; and also: *ibidem*, no. 92, col. 683, no. 2.

²⁰¹ *Arkhiv jugo-zapadnoj Rossii*, I, VII, no. 1; Z. KOPYSTYNSKYJ, *Palinodia*, in *Russkaja istoričeskaja biblioteka*, vol. IV, col. 1037; M. BULGAKOV, *op. cit.*, vol. IX, p. 68.

²⁰² For further indications about this rebellion and its severe consequences, consult: O. HALECKI, *op. cit.*, p. 106; B. BUČYNSKYJ, *op. cit.*, in *Zapysky NTŠ*, vol. 90, pp. 22-23; A. AMMANN, *op. cit.*, p. 188; and other historians.

The war between the Polish-Lithuanian federation and the Muscovite Great Principality, which was allied with the Crimean Tartars, arose about this time. On September 1-st, 1482, Kyiv was occupied by Crimean Khan Mengli Girey, complying with the wishes of the Muscovite Great Prince Ivan (John) III.²⁰³

The Kyivan cathedral of the Holy Wisdom and the ancient monastery of Pečerska Lavra were ransacked and burned. Clergy and laymen were imprisoned while religious objects were part of the booty sent to Moscow. Nothing, consequently, of ecclesiastical significance happened during the next decade, because the Kyivans were harassed on both sides, after having lost all civil support. Conditions changed only after King Kazimierz's death in 1492, when the Lithuanian Great Principality received Prince Alexander as last separate ruler.

5. KYIVAN ECUMENISM AT THE DAWN OF MODERN TIMES

In order to check the continuous Muscovite expansion, the Lithuanian Great Prince Alexander (1492-1506) concluded a treaty with Muscovite Great Prince Ivan III. He also married the latter's daughter, Olena (Helen) in 1494. But the marriage and treaty in fact became advantageous to Ivan, who used them to penetrate internally into Lithuania to expand his reign. Alexander's complaints did not even prevent Ivan from carrying on his alliance with the Tartars against Lithuania.²⁰⁴

In such perplexed circumstances Great Prince Alexander decided to seek support among his own subjects, the majority of whom belonged to the Eastern Church. The Kyivan Metropolitanate had to be strengthened for this purpose, and therefore on May 30-th, 1498, a most erudite and judicious Bishop Josyf Bolharynovyč was endowed with Great Prince's charter for the vacant Kyivan See.²⁰⁵

²⁰³ BULGAKOV M., op. cit., vol. IX, pp. 70-71; — cf.: *Polnoje sobranie Russkikh litopisej*, VI, pp. 234-235; VIII, p. 215.

²⁰⁴ B. BUČYNSKYJ, *Zmahannia do unii ruškoj cerkvy z Rymom v rr. 1498-1506*, in *Zapysky UNT v Kyivi*, vol. V, pp. 65-67, 75-81; the author investigates profoundly those political relations, quoting especially the source: *Sbornik istoričeskogo obščestva*, vol. XXXV, pp. 68-273.

²⁰⁵ It should be noted that the last known Lithuanian delegation with complaints, unsuccessful as all previous, arrived in Moscow shortly before (on

The new Metropolitan undertook a widely planned action to reinforce the Kyivan Metropolitanate by securing support from all sides: from the Lithuanian authority, Constantinople's Patriarchate and the Roman See. The first of these aids was achieved on March 20-th, 1499, when Great Prince Alexander confirmed the rights of the Kyivan Church, contained in "Jaroslav's roll".²⁰⁶ All what this confirmation comprehended was the prohibition of interference of the civil administration and nobility in the affairs of the Kyivan Church, as was ordered by King Władysław in 1443 by his decree from Buda, although Alexander did not mention it. Even if this basic prerequisite of any liberty had been realized, great progress would have been secured for the Metropolitanate.

This change in the policy of Lithuania immediately aroused some suspicions of Moscow. A secret report from one of Moscow's spies at the Lithuanian court, Fedor (Theodore) Šestakov, reached Moscow on May 30-th, 1499, causing immediate repercussions. Charges were brought against Prince Alexander, Metropolitan Bolharynovyč and his relative Sopiha, in which it was claimed that they forced Olena, Ivan's III daughter, to change to the Latin rite along with the rest of the Eastern faithful.²⁰⁷

The Latin missionary activity of the Bernardine Franciscans

February 20-th, 1498). Only a year later (in June 1499), as a reaction to new ecclesiastical policies of Alexander, Moscow renewed the relations with the Lithuanian Great Prince. In the Lithuanian legation to Moscow, especially in the last one of 1498, participated Ivaško Sopiha. Two years later he was sent to Rome as "miles et orator archiepiscopi Chiomensis". B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. IV, p. 115; vol. V, p. 81; vol. VI, pp. 18, 35.

²⁰⁶ It does not matter whether the "roll" is authentically Jaroslav's of the XI cent. or newly composed. What counted was the Prince's warrant of Kyivan ecclesiastical rights. — About the "roll" cf. B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. V, pp. 70-72; transcriptions of this document, preserved to the present time, are also indicated there. — Cf. also: M. BULGAKOV, op. cit., vol. IX, pp. 124-126.

²⁰⁷ B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. V, pp. 75, 81-84 quoting: *Sbornik istoričeskogo obščestva*, vol. XXXV, pp. 273-288.

It should be pointed out that B. Bučynskyj, who can not be suspected of any sympathy for the Catholic Church and Polish rulers, proves (ibidem, pp. 84-85) by Olena's letter to her father Ivan III of January 2-nd, 1503 (*Sbornik* —, vol. XXXV, p. 369) and by the letter of Pope Alexander VI of June 8-th, 1501 (can also be found in: *Documenta Pontificum*, vol. I, n. 106, p. 183, fol.) that the Great Prince did not constrain his wife at all to change rite. Šestakov's denouncement, according to Bučynskyj, has to be referred to the unionistic activity of Josyf Bolharynovyč.

and Polish hierarchy was attributed to prince Alexander and to the Eastern Metropolitan as well, even though the Great Prince had previously clearly demonstrated his different attitude. These false charges were attested by Muscovite partisans in Lithuania who sent complaints to Ivan, in the preparations of which Moscow itself played a leading part.²⁰⁸ The Muscovite partisans even attempted to justify their desertion from Lithuania by alleged religious violence.

"For the first time in history Moscow used religion as a battering-ram against the state-structure of her neighbouring powers".²⁰⁹ Moscow declared that her war against Lithuania (May to July 1500) was forced upon her because she had to defend the Eastern faithful in the Lithuanian state.²¹⁰ But when Moscow occupied Briansk, the local Eastern Bishop Jona was arrested and sent to eternal oblivion in Muscovy.²¹¹ The Eastern Prince Konstantyn (Constantine) Ostrožkyj led the Lithuanian army composed of many Easterners who were opposed to being subjected by Ivan.

Notwithstanding all these political difficulties, Josyf Bolharynovyč endeavoured to strengthen the Kyivan Metropolitanate. His enthronement was solemnly celebrated on May 10-th, 1500, in the presence of the Patriarch's legate as well as of local Bishops,²¹² regardless of Šestakov's accusations that the Archbishop betrayed the orthodox faith. The accusations could hardly have remained hidden, but evidently the Patriarch and Bishops were of a different opinion. Even before the Metropolitan received the decree from Great Prince Alexander

²⁰⁸ B. BUČYŇSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. V, pp. 86-87. The author, after the investigation of different documents, especially the complaint of Symeon Bilskyj with diplomatic relations, came to the expressive conclusion, that "the Muscovite government ... itself had, most likely, predominant share in its authorship".

²⁰⁹ A. AMMANN, op. cit., p. 188.

²¹⁰ G. KARPOV, *Istoria borby moskovskogo gosudarstva z polskolitovskim*, P. II, p. 63 — quoted also by B. BUČYŇSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. IV, p. 5.

²¹¹ *Polnoje sobranie Russkikh litopisej*, vol. IV, p. 45; vol. VIII, p. 239, — quoted also by B. Bučynskyj, ibidem, p. 7. — About this war some useful indications to be found in: O. HALECKI, *From Florence to Brest*, p. 113.

²¹² *Polnoje sobranie Russkikh litopisej*, vol. VI, p. 45; vol. VIII, p. 238. — M. BULGAKOV, op. cit., vol. IX, p. 100; B. BUČYŇSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 8.

(May 30-th, 1498), Bolharynovyč inquired about the Patriarch's attitude towards the Florentine union. Archbishop Josyf complained that Lithuania's Latin Bishops were using coercion, against which the Metropolitan sought the Patriarch's assistance and his intervention at the royal court.

Patriarch Niphon II replied on April 5-th, 1498, that he assented to Florentine decisions and agreed that Josyf would do the same, following the identical course of the Greek priests under Venetian domination; always with the provision that the Eastern rite in both aspects, juridical and liturgical, was to be retained. Niphon heeded Josyf's plea for assistance by sending letters to "non paucos principes, spirituales filios in universa Russia et Lithuania". The Patriarch suggested to the Metropolitan to refer more important decisions to him, in order to defend the Metropolitanate against disturbances and coercion. Obviously Niphon did not mean coercion to the Florentine union, for he himself readily accepted it, but a constraint to latinization.²¹³ This

²¹³ Notum ergo sit vobis, quod illa synodus [Florentina - I.M.] fuit et preclara et splendide plausa communi approbata... Sed tua claritas non parum praetextum et excusationem habebit, si dicat absque sententia Constantinopolitani, tui videlicet patriarchae, se nil posse agere ...

...Tua vero pietas nullatenus nimis repugnet, sed amice conversetur (siquidem et nos nostris qui in insulis habitant sacerdotibus sub. Ill.mo senatu Venetorum cum latinis supplicatione et festivitates celebrare concessimus) et patriam religionem et aliam omnem ecclesiasticam observantiam Orientalis Ecclesiae accurate conservet, neque enim maiores nostri Florentiae prius Latinis uniti sunt, quam nostrae omnes prerogativae immotae manerent et conservarentur ...

— *Monumenta Ucrainae historica*, (coll. metr. A. Šeptyckyj), vol. I, Romae 1964, no. 7), pp. 6-7.

It should be mentioned that the letter is addressed:

"Iosepho ... comministro metropolicae Kioviae et totius Russiae" [or according to another source: "Iosepho Fratri et Conservo Metropolitae Kioviensium et totius Russiae"]. — It is very likely that Josyf was assigned to the Kyivan See by the local hierarchy before Alexander's decree; the See was vacant since May 1-st, 1497. Perhaps the Patriarch's letters stimulated the Great Prince's official assent to Josyf's appointment.

The letter is considered with some caution by: M. HRUŠEVSKYJ, op. cit., vol. V, pp. 535-536 and by K. CHODYNICKI, op. cit., p. 71. A more favourable opinion is expressed by: J. TRETIK, *Piotr Skarga w dziejach i literaturze unii Brzeskiej*, Kraków 1912, pp. 16, 19; A. AMMANN, op. cit., p. 189 and O. HALECKI, op. cit., p. 112. — For the text cf.: *Russkaja istoričeskaja biblioteka*, vol. IV, col. 267 fol.; M. BULGAKOV, op. cit., vol. IX, p. 90 fol. and the recent investigation made by: C. GIANNELLI, *A propos de la confirmation du metropolite de Kiev Joseph Bolharynowyč par le patriarche*

indicates another practical reason why Kyivans insisted on Constantinople's confirmation, for it was their last stronghold against the encroachment of Latin missionaries and hierarchy.

Niphon expressed his unionistic conviction clearly but in a cautious manner taking into account the Turkish domination: "Nosvero revera, quantumvis licet vellemus, tamen nequaquam agere eorum, quorum operae praecium est, possumus". In fact, Bolharynovyč was confirmed by Niphon's successor — Joakim I. Nevertheless, the assumption that Patriarch Joakim did not share the unionistic convictions of his predecessor and was unaware of Josyf's unionistic intentions is unsubstantiated. Even less acceptable is another assumption that the Bishops present at Bolharynovyč's enthronization were uninformed about the unionistic attitude of their head and leader. There are no historical documents to justify those assumptions.

After the Metropolitan's enthronization, only the Muscovite war prevented him from executing the third step in his attempt to strengthen the Metropolitanate. Shortly after the battle ceased, Josyf wrote a letter to Rome on August 20-th, 1500, reproducing Misail's appeal in a terse manner.²¹⁴ The letter contained only the Archbishop's solemn affirmation of the Pope's primacy and the profession of the Catholic faith resembling that of Misail, but the Metropolitan did not write the petitions; he transmitted them orally: "commisimus filio et fratri ac consanguineo nostro generoso Johanni, de quo Sanctitati vestre supplicamus ... ea nobis gratiose largiri".

Metropolitan Josyf addresses his letter: "... beato ac beatissimo... ac apostolicae ecclesie Pontifici maximo, dignissimo Vicario Christi ..." For Archbishop Josyf, the Pope is the head of all Patriarchs: "O beatissime Patriarcharum Pater ..." and further in the text the Metropolitan repeats his assertion, acknowledging also the Pope's primacy in matters of faith by calling him: "...reformatio fidei ... unus omnium Summus Pastor".

oecumenique Joachim I, in Orientalia Christiana Periodica, vol. IX (Roma 1943), p. 450 fol.

²¹⁴ The letter is published in: *Vetera monumenta Poloniae et Lithuaniae gentiumque finitimarum historiam illustrantia* (ed. A. Theiner), vol. II, Romae 1861, no. 296, pp. 257-258; J. PELESZ, *Geschichte der Union der ruthenischen Kirche mit Rom*, vol. I, Wien 1878, pp. 481-483. — Similarity and even identity of some expressions between this letter and Misail's one was noted already by M. BULGAKOV, *op. cit.*, vol. IX, p. 101, and by other historians.

It should be noted that the letter of August 20-th, 1500, was written only three months after Josyf's confirmation and enthronization by the Patriarch on May 10-th, 1500. Evidently, the Archbishop-Metropolitan did not have any difficulty in recognizing both Rome's and Constantinople's jurisdiction, for his assertions are not mere expressions of politeness, but a solemn profession of faith:

Ego enim credo et confiteor te esse omnium pastorem, et Universalis ecclesie ac omnium sanctorum Patrum ac Patriarcharum Caput...

The same solemn profession of faith, made in the name of the entire Kyivan Metropolitanate, contains all the articles of the Catholic faith:

Sis pius nobis... tenentes et observantes septem sanctas Universales Sinodos cum eisdem pariter octavam Florentinam Sinodum, et quaecumque in eis per s. Patres decreta sunt, comprobantes...

There is also added the explicit consent on the most crucial problem about the procession of the Holy Spirit:

Credimus et in Spiritum sanctum ex Deo Patre procedentem similiter et a Filio una spiratione... Haec est fides nostra, Beatissime Pater, sic confitemur, et ita credimus ac tenemus.

There could hardly be required a more complete adhesion to the Catholic Church; besides, the Archbishop in this profession of faith was followed by all the clergy and faithful of his Metropolitanate. This was attested even by Erasmus Ciołek, the representative of the opposite circles, who certainly would have preferred to discredit Metropolitan Josyf and his Church.²¹⁵ In his solemn address to Pope Alexander VI, during the audience on March 31-st, 1501, Erasmus, acknowledging the Pope as "the only vicar of Jesus Christ and the highest Pontiff of the Roman Church and the entire Christian religion", adds:

All the ecclesiastical and civil elders of Lithuania profess the same, together with this most populous state; they all with one

²¹⁵ More about the Latin unionistic activity in Lithuania and its two stronghold (the university of Kraków and the Latin bishopric in Vilno) to be found in the next chapter.

mouth admit that you are the true and legal successor of Peter and in humility recommend themselves to your grace.²¹⁶

Erasmus Ciołek²¹⁷ was of Polish origin, had studied philosophy at the university at Kraków and became a Master in 1491. Shortly before his Roman mission, in February to May 1499, Erasmus was honored by the Latin Bishop of Vilno with the dignities of canon, pastor and dean; and it may be safely said that he acted in that mission as an agent for the Latin Bishop of Vilno, Albert Tabor. When Metropolitan Josyf wrote his letter in Vilno dated August 20-th, 1500, Erasmus was in the Polish Latin center of Kraków, having audiences with the Polish King Jan (John) Olbrecht, his brother — Cardinal Primate Fryderyk and Queen Elżbieta (Elisabeth), from the 16-th to the 21-st of August, 1500. On January 12-th, 1501 he left for Rome.

Meanwhile another legate, Ivaško — “Iohannes Sopyeha, Rutenus, Secretarius tuus (of Lithuanian Great Prince - I.M.), eiusdem Iohannis Iozeph consanguineus et procurator”,²¹⁸ who was the only one to whom the Metropolitan would entrust the mission to Rome, was still in Lithuania on December 21-st, 1500. Sopiha was in government service since 1483, following in the

²¹⁶ *Vetera monumenta Poloniae et Lithuaniae* (ed. A. Theiner), vol. III, no. 299, p. 279.

²¹⁷ “Ciołek” is a typical Polish family-name, used in Vatican documents in Latin version: “Vitellius”. The notes about Erasmus Ciołek-Vitellius and his activity can be found in: J. FIJALEK-S. KUTRZEBA, *Kopiarz rzymski Erazm Ciołka*, in *Archiwum komisji historycznej*, Kraków 1923, ser. II, vol. I, pp. 66-113. His brief biography, composed on the basis of: S. LUKAS, *Erazm Ciołek*, Warszawa 1878, and L. BIRKENMAJER, *Zapiski historyczne wśród starych almanachów biblioteki Jagiellońskiej*, in *Kwartalnik historyczny*, 1902, p. 44 fol.; is recounted by B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 17.

²¹⁸ Ivaško Sopiha is called so by Pope Alexander VI (*Documenta Pontificum*, vol. I, no. 104, p. 180) and likewise by Metropolitan Josyf in his letter to the Pope. On the contrary, Erasmus is not called “secretarius” of the Great Prince, but is rather referred to Bishop Tabor: “Magister Erasmus Vitellius, Prepositus ecclesie tue Vlnensis ac Notarius noster, et dilecti filii, nobilis viri, Alexandri Magni Ducis Lithuaniae apud nos orator” — *Documenta Pontificum*, vol. I, no. 107, p. 185, also no. 106, p. 183. — The following data about Sopiha are taken from the work *Sapiehowie, materiały historyczno-generalogiczne i majątkowe*, vol. I, Petersburg 1890, pp. 1-22, especially pp. 6-11, briefly referred by B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, pp. 17-18.

footsteps of his father Semen, who served in the same capacity since the fifth decade of the XV century. During the last three years of that century Ivaško acted as Alexander's legate to Moscow and was endowed in that time with many prerogatives.

All these were of no avail in Ivaško's mission to Rome. Thanks to the pressures exerted by Polish Latin circles, Erasmus managed to secure for himself the foremost position in the legation to Rome.

While the mission arrived in Rome on March 11-th, 1501, in the next few days Erasmus notes in his diary for the 20-th to 26-th of March some of his anxieties.²¹⁹ He was relieved when Alexander VI solemnly received the entire legation on March 31-st. The Pope did not want to commit himself officially and therefore did not convoke a public concistory for the reception of the Lithuanian legation. Erasmus in his speech gave the impression that he represented all the Christians of the Lithuanian state, including the Easterners. It appears that this was the reason why he expressed himself in favour of Easterners on this occasion. In contrast to Sopiha who was not even mentioned in the diary by the Master of ceremonies on that day, Erasmus was distinguished with the title of Pope's notary. Only a week later, on April 7-th, Pope Alexander VI bestowed on Ivaško the insignia of knighthood of the Blessed Virgin.

However, these official receptions were not as decisive, as were the private audiences, about which there is not much reference in this diary. On one of those (on April 5-th) Erasmus presented valuable gifts to Pope Borgia and during another one on Easter-Tuesday (April 13-th) delivered: "Maximi tractatus de fide". It can be supposed that the Pope's letter of April the 26-th to Erasmus' superior, the Latin Bishop of Vilno A. Tabor, is the fruit of this audience and "tractatus".²²⁰

During the celebration on May 2-nd, the Master on ceremonies

²¹⁹ B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 19 fol. The author collected the chronology and description of the Lithuanian mission to Rome from the Erasmus' diary (*Kwartalnik historyczny*, 1902, cf. note 217 above) and from the diary of Pope's Master of ceremonies: I. BURCHARDUS, *Diarium sive rerum urbanarum commentarii*, Paris 1885, pp. 120-133.

²²⁰ The letter, one of the principal unionistic decisions of Pope Alexander VI, was republished recently in: *Documenta Pontificum*, vol. I, no. 102, pp. 175-178. — Closer investigation of all those decisions is deferred to the 8-th chapter.

noted Ivaško Sopiha as “miles et orator archiepiscopi Chiomensis”.²²¹ It seems that he was more active then, and at the same time the Master of ceremonies showed signs of discontent regarding some of Erasmus’ pretensions.

On May 7-th Pope Borgia wrote another decisive letter, although not to Ivaško’s Prelate Archbishop Josyf, but to the Great Prince Alexander.²²²

The message is similar to the one addressed to Bishop Tabor, but more mitigated. There is no request any more for “renuntiatio” of the Metropolitan Bolharynovyč, although his status is examined in the new letter in the same way; therefore the requirements of renunciation, expressed in the letter to Tabor, can be considered revoked. At the heading of the letter to Prince Alexander are mentioned both, “Erasmus Vitellius” and “Iohannes Sopyeha, Rutenus, Secretarius tuus, eiusdem Iohannis Iozeph consanguineus, et procurator”. To the latter is to be most probably attributed the idea of sending to the Kyivan regions “aliquem nostrum nuntium”, as the Pope related in this letter. Already more than twenty years before, Metropolitan Misail asked Pope Sixtus IV for such a commission. It is possible that his successor Archbishop Josyf, following this example, entrusted the same petition to his legate Sopiha.

The other Metropolitan’s petitions commissioned to Ivaško Sopiha, can be readily reconstructed from both Papal letters, as they were understood by Roman circles, what was not necessarily identical with the form of presentation. In general, all petitions had one aim in view: to obtain from the Roman See a guarantee for autonomy of the Kyivan Church in both aspects: juridical and liturgical, so as to protect the Metropolitanate from accusations in schism and heresy.

The first petition, regarding the juridical aspect, was referred by Pope Alexander VI in his letter to the Latin Bishop of Vilno A. Tabor, thus:

²²¹ I. BURCHARDUS, *Diarium sive rerum urbanarum commentarii*, Paris 1885, p. 131 — cf. for this: B. BUČYNSKY, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 35.

²²² *Documenta Pontificum*, vol. I, no. 104, pp. 180-182. When Ivaško Sopiha conferred with the Pope (on April 6-th) on the Metropolitan’s letter in a Latin translation, Erasmus was present there “and, in general, participated in Sapieha’s negotiations with the Holy See” (O. HALECKI, op. cit., p. 115); but the same is not noted in the diaries about Sopiha’s participation in Erasmus’ negotiations, especially in his private audiences.

supplicavit nobis Iohannes Sopega, secretarius predictus, quod Iohannem Iozeph prefatum, ut verum Archiepiscopum Metropolitanum ac primatem iuxta ritum Grecorum dilecto filio Alexandro duci Lithuanie prefato commendaremus ... ²²³

Sopiha could not request a recommendation to the Great Prince for Archbishop Josyf. The Metropolitan, already enthroned, had long before received the official decree from the Great Prince and whom (Josyf), according to the Pope's own words in the same letter, "Chyovyenses et Russie populi ut pastorem et directorem tenent et secuntur". Metropolitan Bolharynovyč expressed himself differently in his letter to the Pope:

humiliamus et inclinamus caput nostrum cum omni obedientia bone voluntatis, non compulsione vel necessitate, sed desiderio fidei et charitate cordis, cupientes a Sanctitate tua Sacratissima benedictionem. ²²⁴

This is not a petition for a recommendation or a nomination. The Archbishop-Metropolitan is conscious of the fact that he is the head of the local Church, in accord with his traditional rights. His wish is merely to establish a communication with the Supreme head of the Universal Church by receiving a benediction from the Supreme Pontiff.

The request is resumed comparatively better in the other letter (of May 7-th), where Pope Alexander writes "de confirmatione auctoritatis et dignitatis sue" (meaning: Archbishop's).

Actually, an official recognition from the Pope that the Kyivan Church is in unity with the Roman See by the recognition of its head the Archbishop, would defend it from all accusations and would furnish a considerable incitement for further development. To be able to manifest this unity with the Roman

²²³ The quotation is from the letter of April 26-th, 1500, *Documenta Pontificum*, vol. I, no. 102, p. 177. Similar expressions are to be found in another letter of May 7-th. Ibidem, no. 104, p. 108.

The designation: "primatem iuxta ritum Graecorum" — equals the modern denomination: Archiepiscopus maior.

²²⁴ *Vetera monumenta Poloniae et Lithuaniae* (ed. A. Theiner), vol. II, no. 296, p. 257; J. PELESZ, op. cit., vol. I, p. 482.

See externally, the Archbishop asked "facultatem indulgentias concedendi interessentibus divinis officiis per eum celebrandis tam Grecis quam Latinis". To be noted that this faculty would be exercised in relation to Latins as well, or in other words: that the Latins should admit this faculty in the possession of the Eastern Prelate. In substance, the same was intended by Archbishop Misail, when he expressed the wish to participate in the indulgences of the Holy Roman year.²²⁵

Ivaško Sopiha specified another point in which the Kyivans sought practical equality and consideration with Latins. He solicited the Pope's intervention that there be abolished all prohibition to construct solid, permanent Eastern Churches: "etiam postulavit de edificandis de muro ecclesiis Ruthenorum".²²⁶

This touches another, liturgical, aspect of the rite, which the Metropolitan wanted also to have protected against the accusation. Therefore Sopiha spoke "de admittendis ad obedientiam sedis apostolice et Romane ecclesie quibuscumque, qui ritus Grecorum sequi voluerint".²²⁷

There are expressly specified some liturgical features of the Eastern Churches: the form of baptism in the third person, the Holy Eucharist on fermented bread and dispensed in both species to laymen; and the married clergy. All three points were guaranteed by the Roman See.²²⁸

Concerning the first point, baptism, another document was published a few months later (on August 23-rd, 1501), the bull "Altitudo divi consilii", which, in comparison with the previous decisions formulated in the form of letters to particular persons,

²²⁵ *Arkhib jugo-zapadnoj Rossii*, P. I, vol. VII, Kiev 1887, p. 212; M. BULGAKOV, *Istoria russkoj Cerkvi*, vol. IX, p. 49.

²²⁶ *Documenta Pontificum*, vol. I, no. 102, p. 177; similarly, *ibidem*, no. 104, p. 181.

²²⁷ *Ibidem*. no. 102, p. 177.

²²⁸ ... baptisati in tertia persona sub ritu Grecorum ... non debeant rebaptizari, et quod Eucaristie sacramentum in fermentato confici, et sub utraque specie et secularibus per eos in suis ecclesiis exhiberi possit, et quod sacerdotes greci uxores ante sacros ordines susceptas possint retinere, permittimus ... — *Documenta Pontificum*, vol. I, no. 104, p. 181; in another Pope's letter (*Ibidem*, no. 102, p. 177) the first point is mentioned only, namely baptism:

Petiit etiam idem Iohannes per nos sibi concedi, quod baptizati secundum ritum Grecorum ... non debeant rebaptizari ...

acquired as a bull special importance. It seemed that a period of four months was needed to receive a reply from the Latin Bishop of Vilno A. Tabor to the Pope's request (of April 26-th) for an inquiry on the Kyivan Church. In fact, the beginning of the bull contains an indication to such a reply:

...accepimus, quod nonnulli Rutheni in Ducatu Lithuanie ... nonnullos errores, quos hactenus ritu et more Grecorum viventes, penitus ab eorum mentibus et cordibus abdicare, et unitatem fidei catholice latine Romanae ecclesie amplecti, et secundum ritum eiusdem latine et Romane ecclesie vivere desiderant et proponunt ...²²⁹

The ecclesiastical problem in the Eastern Europe was now proposed in a completely different way. A few months before two competing individual Churches were presented to Pope Borgia: the Kyivan Eastern and Latin headed by Polish Prelates. Now in those regions there seemed to be only one individual Church, headed by Latin Bishop Tabor, and some Ruthenian faithful who desired to join the Latin Church. The only difficulty they had was the question regarding their baptism:

quia more Grecorum, scilicet in tertia persona baptisati fuerunt, et nonnulli aserunt eos de novo baptisari debere, predicti ... tanquam antea rite baptisati renuunt et recusant de novo baptisma suscipere.²³⁰

Pope Alexander VI, being of Spanish origin, where controversy between different Christian Churches was unknown, and being dedicated to flourishing humanism, was sincerely grateful to anybody who would liberate him from the embarrassing problem presented to him some months before. To decide between the two delegates of the same Lithuanian mission, who spoke in the names of two different prelates from the same regions, was indeed an arduous task. Therefore, as soon as it was reduced to a simple problem, concerning the validity of the Eastern form of baptism, Pope Borgia (having in hand the Florentine deliberation) could easily make a decision:

sacramenti sic in tertia persona collati reiterationem necessariam non existere ... [therefore]... ..decernimus atque declaramus. omnes

²²⁹ *Documenta Pontificum*, vol. I, no. 108, p. 187.

²³⁰ *Ibidem*.

et singulos sic in tertia persona baptizatos, volentes a ritu greco ad ritum et morem sancte Romane Ecclesie venire, simpliciter et sine alia conditione, aut etiam obligatine vel coactione, quod interim rebaptizatur ...

... admittendos fore, exhortantes ... singulos, qui predicto modo baptizati sunt, et ritu greco vivunt ...

... quique ab immaculata et sancta catholica latina et Romana Ecclesia ... deviant, velint eidem catholice ecclesie ... adherere.²³¹

This is the last known decision of Pope Alexander VI on the difficulties of the Kyivan Church,²³² although the mission from Lithuania stayed in Rome until December 11-th, 1501.²³³ However, this unique bull of Pope Borgia on the Kyivan case considered a minor question only, namely baptism. As to the main problem, the guarantee of individual rights of the Kyivan Church, the Pope left nothing definite except his letters addressed to particular persons.

The letters of Alexander VI remained decisive in practice for the Kyivan Church for a long time. Up to the time of the Synod of Brest (1595) there were no more appeals from the Kyivan Archbishops to the Roman See. The letters of Pope Alexander VI remained the only documents upon which the attitude towards the Kyivan Metropolitanate was based. Therefore, the letters — decisions of Pope Borgia on unionistic matters merit a special consideration. This we will consider in the 8-th chapter, all the

²³¹ Ibidem, no. 108, pp. 187-188. — It is worth mentioning that the bull decides only that rebaptism is not necessary and not obligatory, but does not prohibits it expressly, neither applies any sanctions for reiteration of valid baptism. Therefore it is easy to imagine how the efficiency of the decision was undermined by this deficient formulation of the bull and why rebaptism was carried on for a long time after. Still about 1507 there was a rumor that a forced rebaptism was decided at the Diet of Vilno (*Akty odnosiaščiesia k istorii Južnoj i Zapadnoj Rossiji*, vol. I, no. 46, p. 35). Also there was an exhortation that the Easterners should join the Latin Roman Church. The contemporary Polish historian Jan of Komorovo claimed that this bull conferred to the Latin hierarchy the authority to accept Easterners into the Latin Church. (*Monumenta Poloniae historica*, vol. V, p. 265, cf. also: B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 46.

²³² The letter of November 26-th, 1501 (*Documenta Pontificum*, vol. I, no. 109, pp. 188-189), is probably a new intervention concerning the same matter of the mixed marriage of Great Prince Alexander, on which two letters were written on June 8-th (ibidem, no. no. 106 and 107, pp. 183-186).

²³³ B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 43, referring data from *Kwartalnik historyczny*, 1902, p. 449 (cf. note 217 above).

more as it has to be preceded by a closer examination of the other trends in the East-European regions, which influenced the formulation of the letters of Alexander VI.

To conclude the investigation on the unionistic trends of the XV cent., we wish to point out the fact that there was no contradiction between the Metropolitan's appeal to Rome and his relationship and confirmation by the Patriarch of Constantinople. On the Kyivan part, Bolharynovyč did not see any conflict in writing to the Pope shortly after the Patriarch's legation came to him, as it had been mentioned previously. It seems rather that he waited with his appeal until the confirmation was achieved.

On the other hand, the Pope did not see in this confirmation a heretical or even schismatical estrangement from the Universal Church. The suspicions concerning the Metropolitan's sincerity were not founded upon the relations with Constantinople but on the information "a nonnullis", as will be more closely investigated in the following chapters. Pope Alexander VI in his second letter of May 7-th, 1501, seemed to show more comprehension concerning the relations between Kyiv and Constantinople; perhaps it can be attributed to Sopiha's more active intervention and explanation of the real situation in the East. No longer is any rejection of the obtained Patriarch's confirmation required from Metropolitan Josyf, for the Pope was disposed, without any renunciation on Josyf's part, "ab omnibus preteritis offensionibus et maculis predictum Iohannem Ioseph absolvere"; and even before this "absolution" Archbishop Josyf was considered by the Pope in the same letter as "Primate".²³⁴

This concordance of the admission of Roman supremacy and the relations with Constantinople were more obvious in the case of the previous Metropolitans, Gregorios Bulgar (1458-1472) and his successor Misail (1472-1480). With the latter, the political conditions in Constantinople were adverse for any confirmation to be bestowed; at least we do not have documents as to whether it was received. However, the use of the title: Metropolitan — elect to the Pope and the lack of any petition to Rome for a formal confirmation suggest that, on the question of relations with Rome and Constantinople, Misail was coherent with his predecessor Gregorios and his later successor Josyf Bolharynovyč.

²³⁴ *Documenta Pontificum*, vol. I. no. 104, p. 181: "Huiusmodi ergo reali adhesione et obedientia per eundem primatem ...".

In the span of 18 years (1480-1498), between the times of Misail and Bolharynowyč, three Archbishops-Metropolitans occupied the Kyivan See: Symeon (1481-1488), Jona Hlezna (1489-1494) and Makarij (1495-1497). All three were confirmed by the Patriarchs of Constantinople. To our knowledge there were no appeals or messages of those Metropolitans to Rome. Non-Catholic suspicion that they were of dissident conviction and that the Kyivan Church changed towards schism in that relatively short time, could be caused only by a confusion between rite and faith, or in other words: by a tacit identification of the Catholic faith with the Latin and dissidence with the Eastern rites, thus excluding any ecumenical concept of the Universal Church whatsoever. Otherwise it cannot be understood why the same act in the relationship with Constantinople is not considered a schism for Gregorios and Josyf, but so interpreted for the three intervening Metropolitans.

First, it is to be noted that there is no proof that the Patriarchs who confirmed those three Kyivan Archbishops were of dissident conviction; and much less, that the Metropolitan applied to them for confirmations in view of that hypothetical dissidence. The case of Archbishop Josyf Bolharynowyč indicates the contrary fact: the relations between Kyiv and Constantinople were accompanied by an assurance of Catholic confession from the Patriarch. Although we do not possess similar documents about Catholic convictions of the other Patriarchs, we may apply to them the general Constantinopolitan conditions at that time, so vividly described by the historian O. Halecki:

the policies of the Patriarchate were not dictated by any basic hostility to Rome but by reasons of expediency: under Turkish rule no contact with the Holy See was possible, but Eastern Churches in free Catholic counties could make an agreement with the First Rome without necessarily breaking with the Second one ...²³⁵

Furthermore, since the time of Gregorios Bulgar, the confirmation of Constantinople was not much more than a ceremonial act. The Kyivan Metropolitans applying for the confirmation from the Patriarch did not intend to consign the leadership of the Kyivan Church to Constantinople, but rather they sought a support for themselves in resisting pressure from

²³⁵ O. HALECKI, *From Florence to Brest*, p. 112.

Westerners, as is evident from Patriarch Niphon's letter to Metropolitan Josyf.²³⁶

In the election of the candidate for the Kyivan See, the electors considered besides sanctity and theological wisdom also the capacity "to defend, against adversaries of our order, that is: of our rite and to seal their mouths". This is related to the Patriarch in the petition for the benediction of Metropolitan Jona Hlezna. The benediction itself is considered as means for more efficient defence:

... the mentioned, our Master Jona Archbishop ... sends ... his envoy ... asking for benediction ... and we all ... send our request, that Your Holiness, for our fortification, in view of those who oppress us in faith (faith in the general sense, equivalent to the Church - I.M.), would kindly not delay to pass from your hand the spiritual sword to our Father to defend us ...²³⁷

After the Council of Florentine the confirmation or benediction from Constantinople, and, in general, the relation with the Patriarchate, had no decisive influence upon the choice for the Kyivan See.²³⁸ Metropolitans of Greek assignment were no longer accepted, neither did the later Patriarchs try to assign

²³⁶ Cf. note 213 above.

²³⁷ The petition to the Patriarch for the benediction of Metropolitan Jona Hlezna was published in: *Arkheograficheskij sbornik*, vol. I, no. 2, p. 2; and later by V. Perec in: *Kievski universytetski izvistija*, 1904, vol. X, pp. 1-6; and in translation by B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. V, pp. 61-63. Long quotations to be found also in: M. BULGAKOV, op. cit., vol. IX, pp. 74-77; M. HRUSEVSKYJ, op. cit., vol. V, p. 412; and other historians.

²³⁸ The entire question concerning the Patriarchs' influence in the nomination of the Kyivan Metropolitans, although more from a juridical point of view, was studied by I. PATRYLO, O.S.B.M., *Archiepiscopi - Metropolitani Kievo-Halicenses*, Romae 1962. — The author came to the conclusion (pp. 32-33), that from the XIV cent. on the Metropolitan-elect expected merely the Patriarch's benediction.

For the last quarter of the XVI cent. it is very evident that the Metropolitans exercised their jurisdiction before the Patriarch's benediction. Misail appeals to Rome in the name of the entire Metropolitanate, as Metropolitan-elect. Archbishop Macarij accomplished jurisdictional acts before the Patriarch's delegation had arrived with the confirmation (B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. IV, p. 114) and Josyf Bolharynowyč did the same (*Ibidem*, vol. VI, p. 8).

them.²³⁹ The nomination of a Kyivan Archbishop depended on two bodies only: the Synod of the Kyivan Church and the Great Prince of Lithuania.²⁴⁰

The latter was always Catholic and of the Latin rite. The Synods (in both sectors: the clergy and the laity) did not indicate even the slightest symptoms of fluctuation during the last quarter of the XV cent. In 1473 and 1476 they signed obedient letters to the Pope, and in 1499 they participated at the enthronement of Josyf Bolharynovyč, whose favourable attitude towards the Roman See was already known. During the Muscovite-Lithuanian war (1500), which Moscow tried to present as a religious war, the Eastern Kyivan faithful assisted Catholic Lithuania and not the dissident Moscow. The Lithuanian military leader was an Easterner Konstantyn Ostrožkyj, a staunch supporter of the Eastern Church, he was even imprisoned in that war by the Muscovites. Due to Eastern defenders, the Muscovites could not conquer Smoleńsk and Novhorod Siverskij in 1502.

²³⁹ The case of Spyrydon Satana's rejection (1476) mentioned above, recurred shortly later on with Galaktion, who was sent by Patriarch Maximos III (1477-1481). It seems that the Patriarch himself abandoned the unsuccessful idea of nominating a Metropolitan for the Kyivan See, because the same Maximos confirmed Symeon for that post in 1481. He was elected by the local Synod. Later no other Patriarch tried to impose a Metropolitan of his own choice. — About Galaktion see: A. AMMANN, op. cit., p. 187; and further indications in: O. HALECKI, op. cit., p. 106.

²⁴⁰ K. CHODYNICKI, op. cit., pp. 69-70; N. POLAŃSKA-VASYLENKO, *Istoryčni pidvalyny UAPC*, München 1964, pp. 49-50.

Preponderance of the latter factor — Lithuanian monarch — increased constantly. About Metropolitan Symeon it is noted that he was elected by the Synod with the King's intervention (Z. KOPYSTYNSKYI, *Palinodia*, in *Russkaja istoričeskaja biblioteka*, vol. IV, col. 1037). To elect his successor Jona Hlezná, there were more difficulties. The Kyivans "by incessant and insistent petitions obtained from their sovereign the order to elect a worthy prelate for the Kyivan See" (the quotation from the petition to the Patriarch for the benediction of the new Metropolitan — cf. note 237 above). The influence of the Lithuanian authority in the election of Makarij is not precisely known, but after he perished, "the Lithuanian Prince Alexander gave the Kyivan Metropolitanate and the entire Ruś to Josyf, Bishop of Smoleńsk" (from *Supraslaskaja rukopys*, ed. Obolenskij, Moscow 1835, p. 146, quoted by: H. HRUSEVSKYI, op. cit., vol. V, p. 113; K. CHODYNICKI, op. cit., p. 71 and other historians). An election is not mentioned, but it does not exclude that some designation by local hierarchy of this suitable person did take place.

The Kyivans considered to turn to the dissident Muscovy as a traitorous act.²⁴¹ Therefore it is most unlikely that in the period of less than one generation (between 1476 and 1499) two complete changes in the entire population could have taken place: from Catholic conviction to dissident and then back again, without any traces in historical documents.

Besides the Eastern Kyivan faithful and hierarchy with the clergy who came from those faithful, there was nobody who could influence the action or any change in a dissident direction. The ecclesiastical autonomy of the Kyivan Church, sought for centuries, was finally achieved in the second half of the XV century, even though the title of the principal See remained still an Archbishopric. The newly elected Kyivan Archbishop did not even go to Constantinople in person for confirmation. This was done by legates from the Patriarch. Often what was left for Patriarch, was a formal act of confirmation, even if the Greeks were not pleased with election, as in the case with Metropolitan Makarij.²⁴²

The Kyivan Archbishops-Metropolitans in that period did nothing, what could be interpreted as a dissident conviction. On the contrary, some notes presuppose an Catholic attitude. For the confirmation of Metropolitan Jona Hlezna, the request was brought to the Patriarch by Josyf Bolharynovyč,²⁴³ of whose Catholic convictions there was no doubt. This was the same Jona who nominated and consecrated Josyf for the bishopric see of Smolenśk.²⁴⁴ Another Archbishop, Makarij, Josyf's predecessor

²⁴¹ *Akty odnosiaščiesia k istorii Zapadnoj Rossii*, vol. II, no. 24, p. 27. — Cf. also: B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 8 (quoting: *Supraskaskaja rukopys*, p. 147).

²⁴² The discontent is expressively described in: *Supraslaskaja rukopys*, pp. 141-142; quoted by M. BULGAKOV, op. cit., vol. IX, p. 83; M. HRUŠEVSKYJ, op. cit., vol. V, p. 243; and other historians. — It is remarkable that Kyivan Bishops, to justify their election of the Metropolitan without previous notification to the Patriarch, recalled the precedent of the autonomous election of Metropolitan Hryhorij Camblak (in 1415), which was never approved by Constantinople. B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. IV, p. 114, points out that with the request for the benediction of Metropolitan Makarij no prelates of high rank, but a deacon and a simple monk, were sent to Constantinople.

²⁴³ M. BULGAKOV, op. cit., vol. IX, p. 75; and other historians.

²⁴⁴ B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. V, p. 63.

not only in the Kyivan See but also as the superior of the monastery in Sluck was probably the same Archimandrite Makarij, who signed Misail's appeal to the Pope.²⁴⁵ Some historians even suppose that one of the bearers of this appeal to Rome was the future Metropolitan Josyf.²⁴⁶

The activity of all the Metropolitans of the last quarter of the XVI century was so correlated that there was no place among them for any radical change of conviction. The same could be said of Metropolitan Symeon, although we do not possess documents about his activities during these most difficult times for the Kyivan Metropolitanate. Nevertheless we do not have indications of any differences that would justify a contrary opinion about Symeon.²⁴⁷

At present there are no records about any attempts of those three Metropolitans to communicate with the Pope.²⁴⁸ However,

²⁴⁵ Notwithstanding the doubts of M. BULGAKOV, op. cit., vol. IX, p. 82; the present historian O. HALECKI, op. cit., p. 111, writes about Makarij plainly: "former signer of Misail's appeal to Rome" (cf. also: ibidem, p. 108) in coherence with former historians (noted by Bulgakov also).

²⁴⁶ About this controversial question, whether Josyf-Ivan Bolharynovyč should be identified with Ivan Soltan cf. indications in: O. HALECKI, op. cit., pp. 111-112.

²⁴⁷ The expressions of some historians such as: "surely schismatic Metropolitan Symeon... With him [Makarij] there surely came the moscophilian trend at the helm" (A. AMMANN, op. cit., p. 188); or: "Josyf Bolharynovyč, in contrast with his immediate predecessors Symeon and Makarij — was an applaudor of the union" (K. CHODYNICKI, op. cit., p. 71) are not followed by any argumentation. They simply carry on the bi-partial concept of former non-Catholic historians, who identified any relation with Constantinople as a rejection of the Pope's supremacy. For them even Gregorios Bulgar deserted the union, because he sought confirmation in Constantinople (M. BULGAKOV, op. cit., vol. IX, pp. 37-40; M. HRUŠEVSKYJ, op. cit., vol. V, pp. 408, 529; B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 30 — in opposition to his notes published posthumously in: *Zapysky NTS*, vol. 90, p. 9. — cf. notes 184 and 187 above). More cautions are modern historians, adopting such agnostic expressions as: "Simon whose attitude regarding the Union is completely unknown" (O. HALECKI, op. cit., p. 108); neither this possible exclusion of Metropolitan Symeon from the general trend is vindicated by any argumentation.

²⁴⁸ O. HALECKI, op. cit., p. 111, opines without argumentation:

All three metropolitans [Symeon, Jona Hlezna and Makarij - I.M.] of whose activities very little is known, were obviously satisfied with their

to formulate an objective opinion about those times it is necessary to consider first the circumstances in which the Kyivan Church then existed, especially in the troublesome times of Metropolitan Symeon (1481-1488). In the spring of 1481 political resistance was crushed and drastic repressions followed. Consequently, the pro-Latin trend had every opportunity to flourish, while the Kyivan autonomy had to sustain heavy restraints.

What a pity that the Catholic belief of an Easterner has to be proven while that of a Westerner is taken for granted. It looks like a double moral standard, caused by quite common confusion between faith and rite. The Latin rite seems to indicate *a priori* the Catholic faith, but an Eastern rite is rather identified with non-Catholic faith, unless proven contrary.

This unjustified presumption in favour of one rite and in discrimination of others, may suggest a conclusion that to be a good Catholic it does not matter so much what one spiritually believes, but rather in which rite one externally worships.

6. POST-FLORENTINE ACTIVITY OF UNIFORMITARIANS

In the second half of the fifteenth century, testimonies of uniformitarian tendencies were found not so much in theological statements, as in the behavior of the adherents of the theory of uniformity. To them, the Florentine ecumenical spirit of Church unity seemed unrealistic, especially where the countries of Eastern Europe were concerned. Even when addressing the Pope, the uniformitarians spoke sceptically of Florentine ecumenism.²⁴⁹

The expansion of the Latin Church into the Eastern

recognition by the Patriarch of Constantinople and the Lithuanian administration.

It must be noted that Misail's letter to the Pope was discovered by Archbishop-Metropolitan Ipatij Potij in the first years of the XVII century, and this is the only document about the appeals of the Kyivan Metropolitan and the Synod in 1437 to Rome. Supposing the letter had been lost, the author, most probably, would extend his opinion concerning the indifference of the Kyivan Metropolitans for the Roman See even to Misail. This shows how arbitrary was the tendency to attribute a dissident conviction to every Easterner, whose Catholic persuasion was not stated in any preserved document.

²⁴⁹ *Codex epistolaris saeculi XV*, (ed. A. Lewicki), Cracoviae 1894, I, 2, 122 and 125, quoted by K. MORAWSKI, *Historja uniwersytetu Jagiellońskiego*, vol. II, Kraków 1900, p. 23.

ecclesiastical domain, which begun in the fourteenth century, continued freely. The Florentine Council did not restrain this process. The sojourn of Metropolitan Isidore into those regions as a Cardinal and the Pope's legate who could have been able to remedy this situation, was too brief. Furthermore, he was more preoccupied at the time with other tasks.

In addition, this was the time of *the consolidation of the Polish-Lithuanian political federation*. Initiated in 1386 through intermarriage, it remained very loose for the first sixty years, there were still separate rulers in both countries. But the long reign of Kazimierz (Casimir) the Jagellonian (1447-1492), as King of Poland and Great Prince of Lithuania, considerably increased both the Polish political and the Latin ecclesiastical influences. In 1471, the remaining partial autonomy of the historical Principality of Kyiv was seized. Martin Haštold, a Pole and an adherent of uniformity, was installed as first Governor (1471-1480). Thus, the last impediment to the expansion of uniformitarian influences was removed. This deplorable condition worsened when, early in 1481, a conspiracy of Kyivan nobility, lead by the disinherited Prince of Kyiv, Mykhajlo (Michael) Olelkovyč, was discovered. Drastic administrative reaction followed.²⁵⁰ Only towards the end of the fiteenth century, during the reign of the last separate Lithuanian ruler, Alexander, some prospect for the revival of the Kyivan Church appeared. This, however, did not check the expansion of the tendencies towards uniformity.

Throughout that period, the *Latin bishoprics* which were continuing to exist side by side with those of the Eastern rite, were becoming centres of expansion for uniformitarian activity. Vacant Eastern sees, especially in territories directly subject to the Polish crown, fell under the subordination of Latin noblemen and were thus subjected to all the abuses prevalent in that century. A document of 1458 testifies to the resale between two Latin noblemen of the Eastern eparchy of Halyč-Lviv, which included its spiritual jurisdiction.²⁵¹ Sixteen years later, the Polish

²⁵⁰ Re these events cf. note 202 above.

²⁵¹ ... cum omni iure et poenis spiritualium ... et omnes popones ... non coram alio nisi ipso Roman pro omnibus excessibus in iure spirituali respondere debunt ...

The quotation of the document inscribed in: *Akta gridzkie i ziemskie z czasów Rzeczypospolitej Polskiej z Archiwum t.z. bernadyńskiego we Lwowie* (ed. X. Liske and A. Prochaska), Lwów 1868-1928, vol. VII, no. 51; vol. XII, no. 4286; referred by:

King bestowed the benefices of this eparchy upon another layman, A. Svystelnicki.²⁵² At the beginning of the next century, all the rights to that eparchy were assigned to the Latin Archbishop of Lviv.²⁵³

At the same time, *missionaries of Latin religious orders*, especially those of the Order of Minor Friars (Ordo Fratrum Minorum) became active among the Eastern faithful. The first religious house of the Bernardine Franciscans on the territory of the Kyivan Metropolitanate was founded in 1460 by the Polish Starosta (Mayor) of Lviv, Jan (John) Odrowąż.²⁵⁴ Others were established in the years that followed. One was founded in the Lithuanian capital of Vilno itself in 1468, at the special request of King Kazimierz.²⁵⁵ The Polish King Kazimierz, the Kyivan Governor M. Haštold and their successors were generous supporters of the Bernardines.²⁵⁶

The Bernardines succeeded in "converting" thousands of Eastern faithful to the Latin rite.²⁵⁷ They tried to justify their activity by citing the briefs of Pope Sixtus IV²⁵⁸ and, even more so, that of Pope Innocentius VIII of 1487.²⁵⁹ These briefs conceded to

M. HRUŠEVSKYI, *Istoria Ukrainy-Rusy*, vol. V, p. 432-453. Cf. also: M. HARASIEWICZ, *Annales Ecclesiae Ruthenae*, p. 50.

²⁵² BUČYNSKYI, *Studii z istorii cerkovnoi unii*, in *Zapysky NTŠ*, vol. 90, p. 11.

²⁵³ More about the assignation of this eparchy to the Latin Prelate is to be found later in this work. Re the history of the eparchy of Halyč-Lviv cf.: M. STASIV, *Metropolia Haliciensis* (Eius historia et iuridica forma), Romae 1960.

²⁵⁴ *Monumenta Poloniae historica*, vol. V, p. 189; quoted also by: B. BUČYNSKYI, *Zmahania do unii ruskoi cerkvy z Rymom v rokach 1498-1506*, in *Zapysky UNT v Kyivi*, vol. IV, p. 121.

²⁵⁵ *Monumenta Poloniae historica*, vol. V, pp. 200, 202, 214, 219, 224 and 282. — *Vetera Monumenta Poloniae et Lithuaniae gentiumque finitimarum historiam illustrantia* (ed. A. Theiner), vol. II, no. 191, p. 159. — M. BULGAKOV, *Istoria russkoi Cerkvi*, vol. IX, pp. 26, 108. — B. BUČYNSKYI, in *Zapysky UNT v Kyivi*, vol. IV, pp. 121-125.

²⁵⁶ BUČYNSKYI B., *ibidem*; likewise other historians.

²⁵⁷ *Monumenta Poloniae historica*, vol. V; pp. 224, 282.

²⁵⁸ In 1481 Pope Sixtus IV granted to the Bernardines of the Polish province the same privileges which they had in their missions in the Holy Land and Bosnia. — *Monumenta Poloniae Historica*, vol. V, pp. 230, 249-250; quoted also by B. BUČYNSKYI, *ibidem*, p. 123.

²⁵⁹ *Documenta Pontificum Romanorum historiam Ucrainae illustrantia*, vol. I, no. 101, p. 171. Pope Innocentius makes reference to the grant of Pope SIXTUS.

the Franciscans only the faculty to absolve from all censures "Scismaticos, Haereticos, apostatas et alios infideles" who wanted to join "unitatem fidei". They did not sanction any direct unionistic activity by way of "converting" the Eastern faithful to the Latin rite. Nevertheless, in the Kyivan territory Latins interpreted the brief as papal approval and protection of the uniformitarian activity of the Bernardines. They referred especially to the last clause:

... omnes et singulos cuiuscumque dignitatis ..., qui eosdem Vicarium, fratres, et confessores seu eorum aliquem in premissis impedire, molestare vel perturbare presumpserit, excommunicationis sententiam ipso facto incurrere.²⁵⁹

Whatever the opinion might have been in Rome regarding the Bernardines' activity, the fact remained that they were called to the Polish-Lithuanian federation to promote ecclesiastic uniformity. In August and September of 1451, the Polish King Kazimierz and the Primate Oleśnicki invited the famous Franciscan missionary, Johannes (John) Capistran, to Eastern Europe. Their objectives were apparent from the letters of invitation to Capistran, as well as from the letters of both these Polish rulers to Pope Nicolaus V.²⁶⁰ The King and the Archbishop of Kraków considered future ecclesiastic action among Easterners equal to the combating of Czech heresy in the Latin Church, even though that was a problem of a totally different nature.

At that time, Kazimierz, by inviting Capistran to Poland thought in the first place of converting the Ruś to the Roman faith; from that time on, friars of Capistran's Order, that is the Bernardines, became the famous apostles of Catholicism in the East.²⁶¹

This meant Roman faith in the sense of the Latin individual rite.

²⁶⁰ DŁUGOSZ J., *Historiae Polonicae libri XII*, vol. V, pp. 93 and 148; *Monumenta mediae aevi historica res gestas Poloniae illustrantia* (ed. F. Piekoński), vol. II, no. 116, p. 125; vol. XIV, no. 70 and 71, pp. 576 and 579. — The whole investigation of this invitation and the relative correspondence are to be found in B. BUČYŇSKÝJ, op. cit., in *Zapysky UNT v Kyivi*, vol. IV, pp. 107-109, 120-121. — Cf. also: A. AMMANN, S.J., *Abriss der Oslawischen Kirchengeschichte*, p. 147.

²⁶¹ MORAWSKI K., *Historia uniwersytetu Jagiellońskiego*, vol. II, p. 68.

This was happening at a time when

Kyivan Metropolitans, unlike the Muscovite, still retained the tradition of union and communion with Rome.²⁶²

But,

Kazimierz, the Jagellonian, insistently endeavoured to support Latin Catholicism in his subordinate countries and to propagate a union with the West.²⁶³

This could only mean uniformness, since the Metropolitanate of Kyiv supported the tradition of an ecumenical unity. Capistran went as far as the Polish territories and stayed there for a year (from August 28, 1453, to May 15, 1454). He never journeyed to the regions of the Kyivan Metropolitanate.²⁶⁴ It was left to the friars of his Order to inaugurate the great uniformitarian mission there several years later.

King Kazimierz, in his ecclesiastic endeavours, renewed *the prohibition of constructing or repairing Eastern churches*. This decree was placed in the archives of the Latin rite cathedral in Vilno, as its clergy were obviously most interested in the enforcement of this royal decree.²⁶⁵ The King himself promulgated the edict, thus ratifying uniformitarian intentions. He did this "on the insistence of his holy son, Prince Kazimierz, ... so that the schism might cease to exist and everybody might return to ecclesiastical unity".²⁶⁶ The younger Kazimierz (1458-1484), who died quite young, was acknowledged and praised for a long time by the partisans of uniformity for the promulgation of this uniformitarian decree.²⁶⁷

²⁶² Ibidem.

²⁶³ Ibidem, p. 67.

²⁶⁴ BUČYNSKYJ B., op. cit., in *Zapysky UNT v Kyivi*, vol. IV, p. 121. — Cf. also note 167 above.

²⁶⁵ BULGAKOV M., op. cit., p. 70, n. 47, — quotes some historians on this matter and sources as well.

²⁶⁶ TRETIK J., *Piots Skarga w dziejach i literaturze unii Brzeskiej*, Kraków 1912, p. 15, making reference to Skarga's biography of Kazimierz jr.

²⁶⁷ A such as a century later the great preacher Piotr (Peter) Skarga praised Kazimierz jr. in his hagiography for his zealous insistence upon the King, his father, in the matter of the prohibitive decree. (Cf. note 266 above) Of the same opinion about Kazimierz was the papal legate Zachary Ferreri, who went to Vilno

The prohibitory decree regarding Eastern churches was enforced in both the Polish Kingdom²⁶⁸ and the Lithuanian Great Principality. Even the more liberal Great Prince Alexander acknowledged it in 1495.²⁶⁹ Nevertheless, during the reigns of Alexander in Lithuania and his brother Jan Olbrecht (John Albert) in Poland, the prohibitory decree of their father, Kazimierz, was not as strictly observed. In the last years of the fifteenth century, some new constructions and repairs of Eastern churches were recorded,²⁷⁰ despite the complaints of the Latin clergy. However, even the more tolerant rulers did not dare to revoke the prohibitory decree in general, and the edict of King Kazimierz remained valid, as well as the custom of forcing Eastern faithful

in the fall of 1520 and collected material there about the Prince's life for his prospective beatification or canonization. (B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 28) — K. CHODYNICKI, *Kościół Prawosławny a Rzeczpospolita Polska*, Warszawa 1934, p. 79, rejects Kazimierz jr's responsibility in this uniformitarian activity, referring to the work of J. Fijałek (cf. note 217 above).

Kazimierz (Casimir) jr. is venerated now as a saint (March 4-th, the day of his death in 1484), although he was never officially canonized. Pope Leo X introduced only the canonization process and entrusted to Z. Ferreri to investigate on the case, but he did not proclaim him a saint. Nevertheless, on the false presumption of his canonization, Kazimierz's name was placed into *Martyrologium Romanum*. Following the erroneous tradition, Pope Paul V, in 1621, introduced his name in the Breviarium and Missale of the Latin Church. (Cf.: *Bibliotheca sanctorum*, vol. III, Romae 1963, col. 899-900).

²⁶⁸ HRUŠEVSKYJ M., op. cit., p. 444, refers from: *Archiwum komisji historycznej*, vol. III, p. 451, a denunciation of a Polish priest about a violation of the prohibition in the eparchy of Peremyśl in the last decade of the XV cent., which he presented to his Bishop using the following expression:

illud statum iuris terrestris, quod disponit nullam sinagogam [common denomination of Eastern churches, used by Polish Latins in those times - I.M.] de cetero in partibus Russie edificare, solum proximam casui aut ruine reformare, non attendendo.

Cf. also: B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 27.

²⁶⁹ Great Prince Alexander rejected the demand of the Muscovite Great Prince Ivan III to construct a new Eastern Church in Vilno for his daughter and Alexander's wife Olena with the following statement:

our dukes and nobles, all over the country, have the laws and codices from our ancestors, and from our fathers and from us; and in the laws it is written that the churches of the Greek rite should not be multiplied any more — *Akty otnosiaščiesia k istorii Zapadnoj Rossii*, vol. I, Sanktpeterburg

1846, no. 116 (VIII), p. 141; — M. GULGAKOV, op. cit., p. 86.

²⁷⁰ BUČYŃSKYJ B., op. cit., in *Zapysky UNT v Kyivi*, vol. VI, pp. 27-29, quoting sources.

and rebaptism was generally administrated, even though the Eastern representation from the Kyivan Metropolitanate protested against this discriminatory practice as early as the Council of Constance.²⁷⁷ Nevertheless, the radical element claimed to have the Pope's decision in their favour. This may have been a reference to the brief of May 26, 1452, from Pope Nicolaus V to the Latin Bishop of Vilno: "Accepimus siquidem, quod in Russie partibus et aliis illis vicinis terris et locis ... scismatici et infideles sacro baptismo renascunter ad fidem ..." ²⁷⁸

The most difficult task of the radical uniformitarian wing, with their stronghold the Kraków University, came in the decade after the death of King Kazimierz in 1492. The Lithuanian Great Principality obtained a separate ruler in the person of Alexander. He was forced to show more respect towards the majority of his subjects, who were faithfuls of the Eastern Church. During the nine years of his separate reign Alexander took many steps to keep his Principality at a distance from Kraków's centripetal system. In 1494 he married Olena (Helen), the daughter of the Muscovite Great Prince Ivan (John) III, who in turn was married to Sophia, daughter of the last Byzantine Emperor.

Ivan III consented to the marriage of his daughter Olena to the Lithuanian Great Prince Alexander for political reasons. He wanted to exert his influence on the Lithuanian Principality. On the other hand, Alexander's marriage and his whole orientation towards the East, strengthened the position of his Eastern subjects in his Principality and diminished the influence of the uniformitarians. In these political circumstances, the stronghold of uniformity — the Jagellonian University — had to furnish maximum help to her outposts in the East, the Latin episcopal sees, if the uniformitarian mission was not to cease there with the death of its great protector, King Kazimierz.

Professors and former students of the Kraków University moved to the East, especially to the capital city of Vilno, to lend their support. In 1494 the radical uniformitarian, Wojciech Brudzewski went to Vilno "ad serviendum Illustrissimo principi

²⁷⁷ Cf. note 9 above.

²⁷⁸ The brief was published by A. AMMANN, op. cit., in *Orientalia Christiana Periodica*, vol. 8 (1942), pp. 315-316. — Lack of any Pope's approval of rebaptism is testified also by B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivі*, vol. IV, p. 117.

Magno Duci Lithuaniae".²⁷⁹ He had been made a "magister" (Master) at the Kraków University twenty years previously. Brudzewski's friend, Adam of Vilno, was Alexander's secretary.²⁸⁰ Even the Latin bishop of the Lithuanian capital, Wojciech Albert Tabor (1490-1507), "one of the staunch latinising prelates of Lithuania",²⁸¹ had received the academic degree of "magister" at the Jagellonian University in 1474.²⁸² Having good friends at Alexander's court, Brudzewski could easily promote his uniformitarian activity undisturbed.

However, the individual who left the most permanent imprint of uniformity in history was the rector of the Kraków University, Jan (John) of Oświęcim (Auschwitz), also called *Sacranus*. He was "one of the best theologians of Kraków of that period; a canon",²⁸³ and "a theological authority at the end of fifteenth century".²⁸⁴ Among his works was a small but very important volume containing a clear exposition of the entire uniformitarian concept and a program of action. It was entitled "Elucidarius errorum ritus Ruthenici" and was indeed the exclusive treatise dealing *ex-professo* with the uniformitarian concept of Church unity. It contained such a detailed outline and program for achieving this goal, that it was reedited, recopied and referred to several times during the sixteenth century. It also played an important part in the period preceeding the Kyivan decisions of the Brest Synods. It was almost a *manifesto* upon which the entire uniformitarian activity of the whole post-Florentine century was founded.

7. SACRANUS' "ELUCIDARIUS ERRORUM"

Sacranus, — Jan of Oświęcim —, entered the Kraków University in 1459; six years later, he received his bachelor's degree and in 1469, his master's. He studied at the Faculty of Arts, and

²⁷⁹ MORAWSKI K., op. cit., p. 72, quoting: *Concl. univ. 1494*.

²⁸⁰ Ibidem, quoting: *Liber Prom. 100*.

²⁸¹ J. KRAJCAR, S.J., *A Report on the Ruthenians and their Errors, prepared for the Fifth Lateran Council*, in *Orientalia Christiana Periodica*, vol. 29 (1963), p. 85. K. MORAWSKI, op. cit., p. 73, is of the same opinion about Tabor.

²⁸² MORAWSKI, K., op. cit., p. 72.

²⁸³ JARRA E., *Twórczość prawna duchowieństwa polskiego*, in *Sacrum Poloniae Millennium*, vol. I, Rzym 1954, p. 281. Some bibliography about Sacranus is also presented there.

²⁸⁴ MORAWSKI K., op. cit., p. 82.

not until 1491 did he join the Faculty of Theology. He was twice elected Rector of the University: for the years 1493/94 and 1512/13 and lived until 1527.²⁸⁵

His work "*Elucidarius errorum ritus Ruthenici*" was commissioned by the practical exigences of the uniformitarian mission; in other words, it was a vigorous reaction to the concrete moves of the ecumenists. In 1499 the Lithuanian Great Prince Alexander, whose "face was turned more towards the East",²⁸⁶ confirmed the civil rights of the Eastern Church and exempted it from submission to the noblemen and to the government officials.²⁸⁷

The following year the Kyivan Metropolitan, Josyf Bolharynovyč, a man trusted by Alexander,²⁸⁸ sent a delegation to Rome with a letter signed August 20, 1550. The letter contained sincere expressions of devotions to the Roman See and a petition for protection against the uniformitarians.²⁸⁹ It was evident that acceptance of this petition would mean a victory for the ecumenists and would hinder further activities of the uniformitarians. For an efficient counteraction at the papal court, the uniformitarians, headed by the Latin Bishop of Vilno, Wojciech Albert Tabor, needed a good theoretical and dogmatic argument to support their activities. This was provided by Sacranus, the theologian from the University of Kraków, with his work "*Elucidarius*". Sacranus himself indicated the relation between his essay and the practical exigences of the uniformitarians, in the dedication of his work to Bishop W.A. Tabor:

... Alberto dei gratia Episcopo Vilneñ. ..., qui in Lithuania Vilneñ. sedi vigilantissime presidens, tumultuante turba Ruthenorum, tue Romaneque ecclesie infensissimorum hostium circumseptus, velud agnus inter rapaces lupos, a viris doctis salutare semper presidium queris et expectas. Qui ... hortatus es me, ... ut in scripturis Canonice et sacre Theologie Magistrorum

²⁸⁵ These data with any others re Sacranus were collected by K. MORAWSKI, op. cit., pp. 78-79.

²⁸⁶ Ibidem, p. 215.

²⁸⁷ Cf. note 206 above. Re Alexander's similar decisions in favour of the Eastern Church cf.: M. HRUŠEVSKYJ, op. cit., p. 458; and B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. V, pp. 64-65, where documents are quoted.

²⁸⁸ AMMANN A., S.J., *Abriss der Ostslawischen Kirchengeschichte*, Wien (1950), pp. 188-189.

²⁸⁹ Re this mission to Rome cf. notes: 214 and following.

determinationibus requirerem quid de abusu ritus Ruthenorum et eorum erroribus iure foret sciendum; quorundam audacia provocatus, qui (abs tua exempti obedientia) liberali voce in patulo concionantes, in urbe et loco sedis tue Catholicarum et Ruthenici ritus plebium astante corona Ritum et Sacramenta eorum esse vera atque legitima asseverare ausi essent in confirmationem immo verius pertinacem obstinationem eorum in errore et destationem ritus Romane Ecclesie scandalum denique iacturamque communem fidei orthodoxe.²⁹⁰

Sacranus's work was written after August 20, 1500, when the Eastern hierarchy of the Kyivan Metropolitanate decided to send a delegation to Rome and before Pope Alexander VI replied to this delegation in letters dated April 26 and May 7, 1501.²⁹¹ The

²⁹⁰ *Elucidarius errorum ritus Ruthenici* (no author's name, no place, no date), fol. II (r).

²⁹¹ The first part of the year 1500, in which the Lithuanian state was engaged in the Muscovite war, has to be excluded, because at that time the Easterners could scarcely be involved in animated ecumenical activity, as Sacranus refers in fol. II (r) (quoted above), fol. III (r) (cf. note 307) and in other places of his work. Furthermore, Metropolitan Josyf's letter to the Pope was signed on August 20, 1500, a month after the war ended. The dependance of "Elucidarius" on Josyf's delegation is acknowledged clearly by J. TRETIK, *Piotr Skarga w dziejach i literaturze unii Brzeskiej*, Kraków 1912, p. 22:

In the year 1500 Jan Sakran, one of the most learned theologians, noted reformer of the school discipline at the Kraków Academy, published a book entitled: "Elucidarius errorum ritus Ruthenici". The book is in close relation with the delegation of Metropolitan Josyf to the Pope and played an important role in the treatment of the Union at that time.

The letters of Pope Alexander VI are published in: *Documenta Pontificum Romanorum historiam Ucrainae illustrantia*, (ed. A. Welykyj, O.S.B.M.), Romae 1953-54, vol. I, no. 102 and 104, pp. 175-178 and 180-182. These letters, together with others, and their relation to the work of Sacranus are later investigated more closely.

MORAWSKI K., op. cit., p. 75, n. 1, considers that "Elucidarius" was written after the Pope's letter (he even supposes that it was a result of the Pope's writing) and before June 17, 1501, the day of the death of the Polish King Jan Albrecht, whom Sacranus believed to be alive. But there are no indications that "Elucidarius" is a reply, or a consequence to Pope Alexander VI's letter. On the contrary, it would have been very convenient for Sacranus to confirm his feeble argument and accusations against the Eastern Christians by the unfavorable expressions of the Pope about the Eastern Christians and Metropolitan Josyf, especially as found in Alexander VI's first letter. Instead we find in "Elucidarius" many irate expressions and calumnies, as if the author were afraid that no one would believe his accusations.

year the work was written, was clearly noted in the text: "hoc de anno domini Millesimoquingentesimo".²⁹²

"Elucidarius" contained three tractates, or dissertations, comprising altogether fifteen chapters: Tractate I contained three chapters, Tractate II five chapters and Tractate III seven chapters.²⁹³ A major part of the work, seven entire chapters, was

Also the few weeks duration is too short a time to deliver a letter from Rome to Vilno and to publish a long essay like "Elucidarius". One would rather expect the Pope's letter to be followed by a reply in the form of a letter, not by an anonymous booklet.

Therefore the hypothesis of Morawski that "Elucidarius" was written in May 1501 is hardly plausible.

²⁹² *Elucidarius*, fol. III (r). — Cf. also note 307 below.

Notwithstanding this affirmation some writers assume that Sacranus wrote his work in 1501. It seems that this is due to the consideration by Morawski (cf. the previous note). Thus, E. JARRA, op. cit., p. 281, simply repeats that "Elucidarius" was prepared in 1501 on account of the requirement of Pope Alexander VI re the possibility of a union of the Kyivan Metropolitanate. The author quotes Morawski as one of his main sources of information.

AMMANN A., in his article (p. 311 - cf. note 275 above) and in his book (p. 190 - cf. note 288) simply quotes "Elucidarius" as written in Vilno, in 1501; although in his book on the same page the author states the following: "in the year 1500 Johannes Sakran, who published in Vilno a fervent contentious brochure "Elucidarius", took part in the controversy [about the validity of Eastern baptism - I.M.] ...".

KRAJCAR J., op. cit., p. 84 (cf. note 281) is more cautious, namely he writes that "Elucidarius" "was published by Sacranus probably in the year 1501".

Contrary to the modern writers, the old partial reprinting of "Elucidarius" in: J. LASITZKI, *De russorum moscovitarum et tartatorum religione, sacrificiis, nuptiarum, funerum ritu e diversis scriptoribus*, Spirae 1582, pp. 184-219, is followed by a note in the index of this book, which reads as follows: "Elucidarius errorum ritus Ruthenici, Joannis Sacrani Cracoviensis Ecclesiae Canonici, Anno D. 1500 scriptus".

It is also to be noted, that Erasmus Ciołek (cf. note 217) former student of Kraków University and canon of Vilno, spent the last months of the year 1500 in Kraków, where Sacranus resided, and in January 1501 left for Rome to discuss with the Pope the unionistic problem. Most probably Erasmus carried with him to Rome Sacranus's work, dedicated to the Bishop of Vilno.

²⁹³ J. LASITZKI in his work (cf. the preceding note) published anew only three Chapters of "Elucidarius", namely Chapter 1 and 2 of Tractate I and Chapter 3 of Tractate II. He did not indicate at all that this was a partial edition. It is therefore very easy to suppose that these Chapters, with running numeration, constituted Sacranus's entire work, divided into three tractates.

It seems that E. JARRA (cf. the previous note and note 283) is one of these writers, who confounded the entire "Elucidarius" with the partial edition, because he calls the entire work: first edition, and the part in Lasitzki's book reprinting. (E. JARRA, op. cit., p. 281).

simply a classical exposition of dogmatic theology, dealing with the Holy Sacraments which may have been taught at any Catholic university at that time. It did not contain anything interesting about the problem of Church unity, nor were the Eastern questions considered:

In Tractate II:

- Chapters 1 and 2 — dealt with the validity and character of the Sacraments in general;
- Chapter 4 — dealt with the "filioque" in the Creed.

In Tractate III:

- Chapters 1, 2 and 3 discussed baptism;
- Chapter 5 discussed the matter of the Holy Eucharist and contained some polemic expressions.

The remaining eight chapters, apart from some corollaries, had to prove, or at least to convince, readers of the following *three affirmations*:

- (A) Eastern Christians in the Polish and Lithuanian states were to be treated differently from the Greeks, because they were much worse than Greeks.
- (B) The Kyivan Church did not have a valid priesthood, as did the Greek Church.
- (C) Therefore the Kyivan hierarchy and their priests were not to be accepted into the Universal Catholic Church.

The last affirmation (C) was the central one. The author used all of his rhetoric to prove his point. But this was quite difficult to do, because in the Latin Church, or at least in Rome, the memory of the recent Florentine union was still being kept alive. Consequently, the author introduced two other affirmations, (A) and (B), as a premise, and began by presenting the Eastern subjects of the Polish and Lithuanian state in the worst possible light.

He declares that they are much worse than the Greeks... [and this notwithstanding that - I.M.] in the Catholic controversial literature in the time and afterwards the contrary opinion was prevalent.²⁹⁴

²⁹⁴ KRAJCAR J., S.J., *A Report on the Ruthenians and their Errors, prepared for the Fifth Lateran Council*, in *Orientalia Christiana Periodica*, vol. 29 (1963), p. 85.

Sacranus was forced to uphold his affirmations if he did not want to favour the Florentine ecumenical concept of Church union. He asserted his *first affirmation (A)* with eloquent expressions, especially in Chapters 1 and 3 of Tractate I, which were entitled:

Capitulus [sic] Primum de pertinaci contumacia Ruthenorum.

Capitulum Tercium ostendit quomodo Scismatici quales sunt Rutheni sunt peiores cunctis hereticis et q. periculosum perniciosumque sit Scisma eorum et conversatio.²⁹⁵

Similar expressions about the Kyivan Eastern faithful were scattered throughout the essay.²⁹⁶ Sacranus' less than un-charitable descriptions of his fellow citizens were enhanced by comparisons with the Greeks. He did not dare to use such bitter expressions in referring to the Greeks, whom he was even inclined to tolerate. On the contrary, the Kyivans he compared to the Valdenses, who did not enjoy any sympathy in Rome.²⁹⁷

²⁹⁵ *Elucidarius errorum ritus Ruthenici*, fol. III (r), VI (v).

²⁹⁶ We quote some for example:

... non habent tamen fidei aut Ecclesie nisi solius Christiani nominis societatem, quamobrem hostes unionis facti, pacis et veritatis, ac in diversorum errorum precipitium lapsi ... — *Elucidarius*, fol. IV (r).

... Sunt ergo Ruteni in conciliabulo et sinagoga Ecclesiae contrariis que Babilon dicitur ... — *Ibidem*, fol. VII (v).

... Scismaticis omnibus acerbiores et infensiores sunt Ecclesie catholice hostes et quibusvis hereticis obsceniores. Immo cunctarum heresum officia. veniret sacramenta veneranda. Omnium itaque maxime fugiendi sunt. — *Ibidem*, fol. XXIX (v).

²⁹⁷ Ex omni gente Christianum gerente Titulum, praecisa tamen ab unione Ecclesie, in defensione sui erroris schismatici, nulla pertinacior invenitur gente Ruthena. Adeo namque insecta et errore suo dura et inflexibilis est gens, ut nulli Scripturarum veritati, nulli Ecclesiastice determinationi, nulli doctorum Catholicorum, aut conciliorum sententiae, assensu cedit unquam, quando potius vise et agnate veritati, proch dolor pertinaciter contradicit et doctos Catholicos, etiam sui ritus viros refugit, sanamque doctrinam eorum odit semper, ac disciplinam salutarem exhorret. Et hereticorum Valdensium more ... se duntaxat veros Apostolorum et Ecclesie primitive sectatores audent astruere ... et grechanico ritu in plurimis abutentes ab eis semper, et usquemodo pro hereticis eorum habiti sunt tenti et reputati ... — *Elucidarius*, fol. III (r).

... de pertinacia Ruthenorum, qui nec in obedientia, neque in iurisdictione petenda ab Ecclesia, Graecos redeuntes voluerunt unquam imitari.

Et quia in grecorum atque Ruthenorum scismate claruit semper et

The superfluous reference to the Valdenses, unknown in the Kyivan Metropolitanate but well known to the Romans, as well as the constant presentation of the faithful of this Metropolitanate as much worse than Greeks, indicates that the work was not designated for local readers.

For had it been intended for local reader, it would have better served Sacranus' purpose to present the Greeks as relatively worse, in order to prevent an Eastern orientation of the local population and to indicate that Rome and the Latin rite were the only solution, as was later done in all pro-Western polemic books at the time of the Synods of Brest. It was evident that Sacranus was constrained to proceed in another way. His approach can be understood by considering that the work was destined for readers in Roman circles, where Greeks who participated in the Florentine Council, were much better known than other Easterners, and had to be clearly distinguished from those "obstinate, stubborn Ruthenians, the worst of all heretics".

These affirmations needed some concrete arguments in both the dogmatic and the historic fields. They were furnished in Chapter 2 of Tractate I and in Chapter 3 of Tractate II. Chapter 2 of Tractate I was entitled:

Capitulum Secundum de articulis erroneis Rutenorum qui in hoc capitulo demonstrantur esse quadraginta. Quamvis multo plures sint quos inserere tediosum fuit.²⁹⁸

The large sacred number of forty was used, not without significance, in enumerating the errors.

The number of forty left an impression of an irrefragable mass of evidence. It seems that the number forty tended to become

usque modo liquide cernitur inobedientie pertinacia maior esse in Ruthenis quam in grecis ... — Ibidem, fol. X (r).

... Nam cum a grecis veris dissideant, ab eisque vitentur et excommunicentur. Hoc excepto q. ad patrationem alicuius sceler. et impietatis unirentur et concorporarentur et precipue ad impugnandam ecclesiam quō. ergo ab eis sacramenta suscepturi sunt. — Ibidem, fol. XX (v).

... Quod tandem iudicium afferemus de Ruthenis qui non a nostro modo sed et ab ecclesia Grecorum secti prout superi. habitum est semper discordes cum eis fuerant et errore atque abusu pl. idolatrare 'q. ritu grecano conficere' posse cesendi credentique sunt. — Ibidem, fol. XXIX (v).

²⁹⁸ Ibidem, fol. IV (r).

traditional for these catalogues of Greek [that is: Eastern - I.M.] errors and held ground against the Florentine tradition of five.²⁹⁹

No less subjective skill was put into presenting those numerous errors.

Enumerating the errors was really a trick to deceive. It allowed the inclusion of every type of element and gave each specious importance from its association with the rest, though many of them had no value whatsoever.

Sacranus did not see his task in terms of stating quietly the dogmatic differences between two Christian bodies, after the tradition of the Florentine Council, but in installing into the hearts of his fellow — believers a deep contempt for the "Ruthenian rites". In solemn, inquisitorial accents he enumerates carefully the abominable errors, without any regard to their internal weight, be they purely ritual differences or dogmatic statements.³⁰⁰

Of the dogmatic errors³⁰¹ Sacranus noted not only those classic Florentine differences about the primacy, purgatory and the procession of the Holy Spirit (errors: 1, 2, 33, 34, 35 and 36) but also included: the rejection of all Councils after the Seventh, the affirmation that Extreme Unction is not in forgiveness of sin, the dispensations for divorces and invalidity of second marriages among Eastern faithful (errors: 9, 14, 37 and 38), as well as some other less important ones. It was not always clear in what the error consisted of, whether they were dogmatic, ritual, or moral in nature, or whether any error at all was present.

In addition, many ritual customs of the Eastern worship scandalized this uniformitarian theologian; especially those concerning the Divine Liturgy, that is, the preparation of the bread, the great entry, the zeon, Holy Communion administered with a spoon, limiting the celebration of the Liturgy to one a day on a given altar and none on weekdays during Lent. He also reproached other holy rites including the Eastern form of baptism, the blessing of rivers on the day of Theophany, the

²⁹⁹ KRAJCAR J., op. cit., p. 86.

³⁰⁰ Ibidem.

³⁰¹ All forty errors are enumerated in *Elucidarius*, fol. fol. IV (r) - VI (r). — Reprinted in: J. LASIŹKI, op. cit., pp. 187-198.

different manner of fasting, the exclusive use of the Eucharist consecrated on the Holy Thursday for sick people, and, finally, the custom of kissing the deceased before burial (errors: 16, 20, 17, 23, 21, 27, 19 and 39).

Sacranus' most skillful ruse of deception was to enumerate moral "errors". The very idea of including moral questions did not indicate objectivity by the author, because "there is no safer way of bringing an enemy into discredit than to point to his low moral principles and standards"; the more so, since "all these [implications - I.M.] are evident calumnies".³⁰² Sacranus stated that, among the Eastern faithful, fornication and usury were not considered sins; that in the confession of a theft restitution was not imposed, that simony was allowed, that a false oath was not prohibited and that after a priest had intercourse with a woman he was not required to confess. Sacranus did not mention the fact that Eastern clergymen were married. Besides these "errors" (no. no. 31, 32, 29, 26 and 22) there were others regarding the administration of the Holy Sacraments (errors: 12, 15 and 18) and such ridiculous affirmations, as: "vivente hominem, mortaliter peccare non posse" (error 30); "accipiunt doctores graecos" (error 5), and other such fantasies (errors: 25, 28, or even 40). In some cases, the author even contradicted himself. In "errors" 11 and 13, for example, he stated that, according to Eastern custom, only the Patriarch could consecrate chrism and that Confirmation was not acceptable — a contradiction, unless Sacranus intended to distinguish between Chrism and Confirmation.

Some of Sacranus' "errors", indeed, did not seem to have any other purpose but to instigate hostility towards the Eastern faithful, for example: "reiciunt doctores Latinos", "sanctos latinos blasphemant" (errors 4, 6, 7, 8, and similarly in 3, 10, 24 and others). Criticizing Eastern Christians for this hostility, the author himself called their churches "synagogas", where "the terminology is more startling than the error".³⁰³

After including in his list of errors everything possible he could find, Sacranus terminated by stating: "sunt et alia plures

³⁰² KRAJCAR J., op. cit., p. 91.

³⁰³ Ibidem, p. 87. The author (J. KRAJCAR) continues with the following remark: "Sad to say the usage of calling Oriental churches synagogues entered even into the public documents and the decrees of Polish synods".

levitates et stultitie eorum et errores, quos presentibus obmitto inserere".³⁰⁴

No less skill was shown by Sacranus in his historical arguments, in Chapter 3 of Tractate II.³⁰⁵ He exposed twelve schisms of the Oriental Churches, cleverly adding to them all Oriental heresies (Arianism, Nestorianism, Monophysitism) and tacitly implying the Kyivan Church into these heresies. Photios belonged already to the ninth schism and Cerularius to the tenth. The rejection of the unions of Lyon and Florence constituted the last two schisms.

It was noteworthy that the author, writing about the Florentine Council, did not even mention Cardinal Isidore.³⁰⁶

In fol. III(r), by skilfully neglecting to mention the different attitudes of Kyiv and Moscow towards the Florentine Union, Sacranus insinuated that it was the Kyivans who imprisoned Cardinal Isidore.³⁰⁷ In a book destined for local readers, an author could not make such an insinuation. The sad plight that Isidore encountered in Moscow, was still well remembered by the Kyivans. For the uninformed foreigner, this confusion and the ignorance of any Catholic period in the history of the Kyivan Metropolitanate, constituted historic proof of the assertion proposed in the title of this chapter:

Capitulum Tertium de pertinatia Ruthenorum, que nec in obedientia, neque in iurisdictione petenda ab Ecclesia, Graecos redeuntes voluerunt unquam imitari.³⁰⁸

The same assertion to be found in the text where the author wrote about the Cerularian discord. This was the period when the Kyivan Empire had officially accepted Christianity and remained

³⁰⁴ *Elucidarius*, fol. VI (r).

³⁰⁵ *Ibidem*, fol. fol. X (r) - XVII (r). — Reprinted in: J. LASIŹSKI, op. cit., pp. 198-219.

³⁰⁶ *Elucidarius*, fol. XV (v).

³⁰⁷ ... Misso quidem execrabili, nulla tamen obliteratione preteribili sacrilegio, quod in Dominum Isidorum Kyviensem Metropolitam, de concilio Florentino missum cum collega, quodam Episcopo ad se venientes, ut iuxta Florentini concilii determinationem cum grecis occidentali seu ecclesie romane concorporarentur et unirentur, commiserunt, oppugnatione rabida consencientes nequaquam, tum decreto unioni recens hoc de anno domini Millesimoquingentesimo facinus admissum universorum obrutibus ante positum inotescat. — *Ibidem*, fol. III (r).

³⁰⁸ *Ibidem*, fol. X (r).

in the unity with the Roman See after Cerularius' death. Sacranus, however, felt justified to refer to the same faithful:

Et scissi semel ac divisi ab Ecclesia Romana, nunquam redire nec de ecclesia aliter nisi impie sentire voluerunt.³⁰⁹

After Sacranus "proved" by dogmatic and historical arguments that the Eastern Christians of the Polish-Lithuanian federation were the worst and most stubborn heretics, he passed on to his *second affirmation (B)*, which treated the possibility of a future Church union of the Kyivan Metropolitanate on an ecumenical basis by the acceptance and retaining of the existing Eastern hierarchy and the entire Church organization. As a rigid uniformitarian, Sacranus excluded such a possibility *a priori*. The best way to achieve this, was to deny that any valid Eastern hierarchy existed in the Kyivan Metropolitanate and to reject the presence of any Church there. Consequently, there was no one with whom an ecumenical union could be concluded. There were only individuals who were to be "converted" to one uniform rite of the Latin Catholic Church.

The author was preoccupied with this task in Chapter 5 of Tractate II,³¹⁰ where he tried to prove that the clergy of the Kyivan Metropolitanate did not have valid Orders. All his obscure argumentation was based upon a confusion between the power of jurisdiction and of ordination. By denying the power of jurisdiction to the Kyivan hierarchy, he excluded the validity of ordination, thus denying the whole hierarchical and ecclesiastical organization.³¹¹ From his assertion would follow the logical conclusion that all Eastern Churches were deprived of clergy. Hence, Sacranus was constrained again to introduce a subtle distinction between Greeks and Ruthenians, and to deny to the latter what he accorded to the former. This is further proof that the book was not destined for readers of the Kyivan territory,

³⁰⁹ Ibidem, fol. XV (r).

³¹⁰ This chapter is designated:

Capitulum quintum de Grecorum redditu: benigna susceptione: et toleratione ritus eorum ab ecclesia et q. non tam facilis gratia Ruthenis deberet impendi et quomodo sacramentum ordinis non habent. — *Elucidarius*, fol. XIX (v).

³¹¹ The perplex and obscure argumentation embraces the entire Chapter, fol. XIX (v) - XXI (v); - main point on fol. XX.

because it would have been more logical to deny the validity of all Eastern Orders.

It was not sufficient to describe his Eastern Christian cocitizens as the worst heretics, who never wanted to join the Roman Church. More dogmatic arguments were required. Therefore this theologian of Kraków University asserted that the Greek ordinations, even if Catholic, were only tolerated in the Catholic Church, principally because they did not have proper (read: Latin) ministers of this Sacrament. But such toleration was not to be extended to the worst of heretics, the Ruthenians, because even Greeks considered them as heretics.³¹²

To the objection that the Kyivan succession of Orders derived from Byzantium, the author, lacking other arguments, used the rumor that the present Patriarch of Constantinople was not a Christian but a Hebrew, installed by a Moslem emperor.³¹³ In reality this was irrelevant, because Metropolitan Josyf Bolharynovyč, the former Bishop of Smolensk, only asked the Patriarch for a confirmation to the Metropolitan See, not a consecration, which, as was the custom, he received previously from his local co-bishops. Twenty eight years earlier, his predecessor Metropolitan Gregorios was consecrated in Rome by Patriarch Gregorios Mammas. Thus, the apostolic succession and validity of Orders was not the question. Nevertheless, Sacranus concluded his argumentation with the following statement:

Ed idcirco cum ordinis sacramentum non habeant, sequitur

³¹² ... Nam quos alicui graciose conceditur [it means: to the Greeks - I.M.] trahi non debet ab alijs in exemplum ut dicit regula iuris septia. Et iterum in argumentum trahi non poterunt q. aliquando propter necessitatem sunt concessa. Nam quod sine periculo fieri poterit animarum sacramentorum usum et eorum administratio eis permissa aut dissimulata seu tolerata post eorum etiam reditum ad unionem q. veris legitimisque ministris sacramentorum carent. Et nec ordinem, nec cum eo characterem sacerdotalem unquam percipiunt. Nam cum a grecis veris dissideant, ab eisque vitentur et excommicentur. — *Elucidarius*, fol. XX (v).

³¹³ Cum etiam patriarcha grecorum Rome resideat sub obedientia pape verum q.dē communi fama vulgatur, Judeum quendam ab imperatore Thurcorum mercatu obtinuisse ut in sedem patriarchalem illic et in alijs ecclesijs, si que supersunt, pontifices surroget, cui demum auctoritis gerendi pontificij et consecrationis munus ab Judeo ne perfido an ab imperatore Thurcorum machometico veniat, sana mente diiudice ut si vero id auctoritatis consecrandi et instituendi quibuspiam suis pontificibus extra ecclesiam Romanam attribuant cum tunc eadem erit questio de eisdem. ... Quo sit ut et benedictiones talium maledictiones sunt et execrationes eo quod caractere sacri ordinis omnino carent. — *Ibidem*.

nec conficere neque ministrare sacramenta possunt ... unde neque dominus papa Ruthenorum ritū non sacerdotū approbare potest.³¹⁴

Thus, rejecting the Eastern Orders, Sacranus proceeded to the *third and principal affirmation (C)* of his work, namely, to reject an ecumenical unity of the Kyivan Church. Rejecting Eastern hierarchy and clergy, there remained only one alternative, namely to support the existing parallel Latin hierarchy and their endeavours for uniformity in the Church. This was aptly indicated by the illustration on the front page, where the Pope was shown seated in the center turning himself away from the horrible faces of the Eastern bishops towards the favoured Latins. The same idea was literally expressed thus:

Et his omnibus colligitur q. Ruthenis venientibus ad fidei unionem, ritus eorum veteres circa Sacramentorum administrationem admittere aut dissimulare sine nova sacri ordinis susceptione non solum derogat ecclesiastice honestati verum etiam periculum generat animarum.³¹⁵

The statement of this principle was followed up by exposing different solutions in the past and condemning them as wrong. Sacranus condemned the ecumenical decision of Pope Sixtus IV, who accepted Misail's submission in 1476, while Misail had retained Eastern Orders and rite.³¹⁶

Sacranus preferred that reordination would be required from Metropolitan Misail. Evidently, such iteration of the Holy Orders as proposed by Sacranus, would be in the Latin rite, which would equal to integration into the Latin Church. Other solutions were excluded by Sacranus' statements, because reordination by the same "invalid" bishops was senseless. In Constantinople "a Hebrew" was on the Patriarchal throne, and the titular Patriarch of Constantinople, a resident in Rome, was a Latin bishop.

The author did not even try to hide his uniformitarian

³¹⁴ Ibidem, fol. XXI (r).

³¹⁵ Ibidem, fol. XXI (v).

³¹⁶ ... quos facilitas apostolice susceptionis obstinatiores reddideret duos in medium proferre sufficiant Soltan. quidam nobiles a Paulo secundo et Inasco germanus eius ex Lithuania primores inter Ruthenos ambo a Sixto quarto Rome suscepti et bullis patentibus in suapte ritu manere permissi ad suos redentes pertinaciores ecclesieque magis infensi. — Ibidem, fol. VII (v). — Cf. notes 188 and 191.

persuasions; for him Eastern rites were illegal in principle and only tolerated for practical purposes:

Grecos ... redeuntibus ... susceptionis gracie et tolerantus eorum ritus licet tanquam illegittimus non tamen approbatus, esto q. ab ecclesia Romana quondam articulo necessitatis, imminente observatus extiteret velud monstrabitur inferius. Toleratus quidem tanq. ab eis usurpatus ut malum inde minus emergeret, iuxta illud Innocentij prima questione p̄am Quod pro necessitate temporis statutum et cessante necessitate debet cessare pariter quod urgebat.

... Hac ob rem Grecos redeuntes ad depositionem ritus huiusmodi repente suscepto necessitare noluit Ecclesia permisit quidem ignoscendo non precipiendo, cum non sine vicio est quod ignoscitur ..³¹⁷

For Sacranus the decisions of the Florentine Council were only temporary tolerations of the Eastern rite, as was the use of leavened bread for the Holy Eucharist:

... abuses eorum [it means: of the Greeks - I.M.] ab ecclesia ad tempus tollerari ...

... nemo dubitare poterit Grecos **precare** contra sacramenti congruentiam in eo quod in fermentato **consecrant** et contra Jus ut dicit Albertus ...³¹⁸

In the author's opinion, there was no ecumenical Church union of diverse rites concluded in Florence, but an inclusion and assimilation of the Byzantine Church into the Latin Roman Church. It seemed to Sacranus that even the Greek Metropolitan of Kyiv, Isidore, was fulfilling this uniformitarian task when he visited his Metropolitanate: "... ut iuxta Florentini concilii determinationem cum grecis occidentali seu ecclesie romane concorporarentur et unirentur ...".³¹⁹

This propagation of a uniformitarian interpretation of Church unity was the main purpose of Sacranus' entire work. Other questions considered by him were "*corollaries*", consequences of the main principle: disavowal of the Eastern rite.

In one of these "*colloraries*" he tried to justify the

³¹⁷ *Elucidarius*, fol. XIX (v).

³¹⁸ *Ibidem*, fol. XXIX (r).

³¹⁹ *Ibidem*, fol. III (r); cf. note 307 above.

uniformitarian practice of *rebaptism* of Eastern Christians when "converting" them to the Latin rite. Sacranus did not deny validity of Eastern baptism, because he himself stated in Chapter 1 of Tractate III³²⁰ that everybody could validly baptize. Rebaptism, in his opinion, was "sub conditione", that is to say, it was not required in principle but for a secondary reason.³²¹ Undoubtedly, he recognized Eastern baptism for the faithful of the Kyivan Metropolitanate: "... quales sunt Scismatice Ruthene que et si videtur habere Sacramentum baptismi et recipere characterem qui equal. est in bonis et malis..."³²²

Therefore, it is not justifiable, as was done by some historians, to consider "Elucidarius" from the point of the problem of rebaptism only or of any other partial problem.³²³ The main purpose of the work was not only to defend the radical practice of

³²⁰ Ibidem, fol. XXII sq.

³²¹ Ex his infero quod tutius et securius atque salubri. greco redeunti arrogantia temera deposita baptismum ab Ecclesia sub conditione suscipere quam sub dissimulatione aut tolerantia seu indultu in suo ritu baptismatis et aliorum sacramentorum permanere, quod si de Grecis dicuntur multo magis de Ruthenis intelligendum venit quod et ministris legitimis sacrificiorum carent et in multis peccant qñq in materia baptismi ut patuit in pma pte. arti XV [it means: as shown in the fifteenth "error", fol. IV (v) - I.M.] erroneo et plerumque et in ipsa forma ritus Grecani cum agrestes ineruditos atque rusticos illiteratosque presbiteros habeant formam verborum sacramentorum, si dici Sacramenta mereant non attendentes aut non agnoscentes. — Ibidem, fol. fol. XXVII (v) - XXVIII (r).

The entire Chapter 4 of Tractate III is dedicated to the problem of rebaptism and is entitled: "Capitulum quartum de baptismo Grecorum et forma eius" — *Elucidarius*, fol. XXVI (v).

In Chapter 6 of the same Tractate III, entitled: "Capit'm sextum de abusu Ruthenorum et nullitate Sacramentorum eorum", Ibidem, fol. XXIX (r), the accusations against Eastern Christians and their Sacraments are resumed once more.

³²² Ibidem, fol. XXX (v).

³²³ Such partial consideration seems to be adopted by: K. MORAWSKI, *Historya uniwersytetu Jagiellońskiego*, vol. II, Kraków 1900, p. 77, where the author investigating the role of "Elucidarius" in those times concludes with the following statement: "Jan of Oświęcim lost thus the case", because the Pope did not favour rebaptism of the Easterners.

Among present historians even A. AMMANN seems to be inclined to a partial consideration of this work. (Cf. *Abriss der Oslawischen Kirchengeschichte*, p. 190). It can be noted especially in the article *Zur Geschichte der Geltung der Florentiner Konzilsentscheidungen* (for full quotation cf. note 275), where it is even asserted that Sacranus "was one of the most strenuous opponents of the validity of Greek baptism" (p. 311) and A. AMMANN considers Sacranus's work from this point of view.

rebaptism against the more tolerant practice of the Bernardines, but to defend the uniformitarian outlook *per se* against an ecumenical alternative.

Another corollary about the matter of the *Holy Eucharist* was mentioned above.³²⁴

The most daring conclusion drawn from the rejection of the Eastern rite appeared in the consideration of *mixed marriages*. Admitting Eastern baptism as valid, this theologian and professor of Kraków University would like, nevertheless, to apply the Pauline privilege to Eastern faithful. His "dogmatic" arguments were very extraordinary because he could not declare, as in the case of rebaptism, that this was "*tutius et securius atque salubrius*". To answer the question: "*utrum alicuius in scismate coniugem unitam Ecclesie liceat Christiano capē in uxorum priore marito vivente*",³²⁵ Sacranus put the following statement as a premise: "*Scismatice Ruthene que et si videtur habere Sacramentum baptismi et recipere characterem ... inter infideles tum merito connumerantur quia fidem habeat informem sive semiplenam*".³²⁶ According to this statement, the Eastern faithful

³²⁴ Cf. quotation referred to note 318 above.

³²⁵ The question is thus put in the title of Chapter 7, Tractate III, which is entirely dedicated to the problem of mixed marriages: "*Capitulum septimum et ultimum in quo dicitur quod non licet viris catholicis Scismaticas in coniugium accipere et utrum alicuius in scismate coniugem unitam Ecclesie liceat Christiano capē in uxorem priore marito vivente*" — *Elucidarius*, fol. XXX (r).

³²⁶ *Ibidem*, fol. XXX (v). — The confusion of non-Catholics with non-Christians was not as striking then as it is now. Even the official documents of XV century do not always make a clear distinction between non-Catholics and non-Christians. It suffices to recall the brief of Pope Nicholas V of May 26, 1452 on the matter of mixed marriages written to the Latin Bishop of Vilno Maciej. First the Pope mentions the marriages with "*scismaticis et infidelibus*", but later deals with "*infidelibus*" only and their marriages "*in dispari cultu*":

... mandamus, quatinus ... omnibus Christi fidelibus ... copulam matrimonii cum quibusvis scismaticis et infidelibus faciendam, auctoritate nostra ... interdicis, non permittens huiusmodi matrimonia contrahi, nisi per hoc ipsorum infidelium, cum fidelibus ipsis contrahere volentium, ad fidem huiusmodi primo conversio fiat; taliter vero in dispari cultu contracta matrimonia nulla denunties, personas, que ea contraxerunt, si infideles ex eis obstinate ad fidem huiusmodi converti noluerint, in ipso matrimonio ... remanere non permittas ...

The brief is published in: A. AMMANN, S.J., *Zur Geschichte der Geltung der Florentiner Konzilsentscheidungen in Polen-Litauen*, in *Orientalia Christiana Periodica*, vol. 8 (1942), pp. 315-316.

Even the title, placed by someone else on the original document, preserved in

in matters of marriage would be placed on par with non-Christians and pagans.

To base the application of the Pauline privilege on such a questionable premise was indeed very daring, especially after having condemned the thirty seventh "Ruthenian error" that "divortia sine rationabili causa quemlibet ... separari licere".³²⁷ The answer was not written explicitly, it was rather insinuated. Sacranus wrote much about the Pauline privilege in the second part of the seventh and last chapter of Tractate III which had a separate sub-title:

Quo vero ad secundam partem Capituli per modum questionis inquirō.

Utrum duobus coniugibus in uno scismate seu errore existentibus et ab Ecclesia Catholica precisis altero accedente ad unionem et obedientiam Ecclesie possit aliquo casu fidelis iam a vinculo coniugij remanentis in Scismate liber esse et secure cum altero ritus sui contrahere.³²⁸

Whether Sacranus had in mind the concrete case of the matrimony of the Lithuanian great Prince Alexander with the Muscovite Princess Olena (Helen) was not explicitly stated, but could be supposed, knowing the great opposition of the uniformitarian circles to that marriage.

Another conclusion from the general rejection of the Eastern faithful was a pragmatic one, but that was what Sacranus attempted: one *exclusion from public affairs on religious grounds*.³²⁹ Although political exclusion from government affairs

the Museum of Czartoryski in Kraków, did not astonish the people of the previous centuries. The title on the outer cover of the Brief reads as follows:

Commititur episcopo Wilnensi, ut in Rossie et vicinis partibus (dirim)at matrimonia, inter fidelem et scismaticum et infidelem contracta, nisi infidelis convertatur et n(e) inea)nt prohibendi, nisi sub promissione, quod alter veram fidem profitebitur ... — Ibidem, p. 295.

³²⁷ *Elucidarius*, fol. VI (r).

³²⁸ Ibidem, fol. XXXII (v) - Sacranus carries on about the Pauline privilege through three entire pages, until fol. XXXIV (r).

³²⁹ Quare merito sequitur q. si beatus Joannes ruinam balnei metuebat ex heretici presentia, quomodo reges et principes timere non debeant Regnorum et dominiorum suorum labere et confusibilem ac precipitem interitum, qui Ruthenos impios Ecclesie blasphematores sacerrimorumque sacramentorum eius, in suis dominiis honoribus cumulant et sublimant dignitatibus officijs ac magistratibus gerendis supra populum catholicum ... — Ibidem, fol. XXIX (v).

did not require any religious justification, it was closely related to the religious problems. For some insecure Eastern individuals striving for public position, this was a sufficient reason to join the dominating Latin rite. At the same time, those Eastern faithful who were morally stronger, were excluded from leading government posts where they would be in a position to check the uniformitarian expansion. This discriminatory law was observed throughout the entire century following the Florentine Council, although in practice, there were many exceptions.

From this short investigation of "Elucidarius", it is evident that Tractates I and II of this work were written to convince the reader that the Kyivan hierarchy, as opposed to the Greek, had no valid ordinations. Therefore, any unity in the ecumenical spirit with this Church had to be excluded. Tractate III dealt with some minor questions which followed from the main statement, namely: rebaptism (Chapter 4), usage of leavened bread for the Holy Eucharist (Chapter 5), participation of non-Catholics in Catholic government (Chapter 6) and mixed marriages (Chapter 7). Some other chapters dealt theoretically with purely dogmatic problems, and were inserted in Tractates II and III to give a more learned and scholarly semblance to the entire work.

8. DECISIONS OF POPE ALEXANDER VI

A copy of Sacranus' "Elucidarius errorum" is on file in the Vatican library. However we have no direct knowledge as to when the Vatican and especially Pope Alexander VI, became familiar with Sacranus' work and whether it had influenced pontifical decisions. This question could be clarified by comparing Sacranus' opinions with the eight decisions taken by Pope Borgia within a seven month period in 1501.³³⁰ These eight letters were the first Vatican documents, regarding the Metropolitanate of Kyiv, written in the period of time following

It seems that this statement is the main theme of the entire Chapter 6 of Tractate III, because the rest of this Chapter is a simple repetition of the accusations known from other parts of the work.

³³⁰ All these eight letters were published in: *Documenta Pontificum Romanorum historiam Ucrainae illustrantia* (ed. A. Welykyj, O.S.B.M.), vol. I, Romae 1953, no. no. 102-109, pp. 175-189.

the division of the Kyivan Metropolitanate into the northern Muscovite and southern Kyivan in 1458. Therefore, these letters merit special consideration and even more because in them the unionistic problem was thoroughly examined.

Rome investigated the whole question fundamentally, as far as the validity both of baptism and orders was concerned. One gets the impression that the Roman curia would have wanted the entire unionistic question examined completely anew and thus, totally had forgotten about Isidor, Gregor II and Misail Prucki.³³¹

The first of this series of documents was dated April 26, 1501, three weeks after the letter of submission of Metropolitan Josyf was presented to the Roman Pontiff on April 6, 1501.³³² At that time the Pope also received a letter from the Latin Bishop of Vilno, Wojciech Albert Tabor, and some information from elsewhere, as is testified in the Pope's return letter to Bishop Tabor.³³³

Archbishop-Metropolitan Bolharynovyč never received a written reply from the Vatican as the note at the bottom of the Metropolitan's letter explains: "quia vero Albertus Episcopus Vilmensis scripserat ad Pontificem in eode negotio, misit Pontifex dicto Episcopo Breve".³³⁴

The attitude of the Vatican towards the unionistic question of Kyiv was aptly expressed in *two similar pontifical letters: to Bishop A. Tabor* (April 26, 1501) and *to the Great Prince Alexander* (dated May 7, 1501).³³⁵ The other six letters, dated from April 28 to November 26, 1501, only developed the same ideas by applying them to particular questions.

It is obvious from both principal letters that Pope Alexander VI

³³¹ AMMANN A., S.J., *Abriss der Ostslawischen Kirchengeschichte*, Wien (1950), p. 190.

³³² HALECKI O., *From Florence to Brest*, Rzym 1958, p. 115. The reception of the delegation from Metropolitan Josyf in Rome was investigated in Chapter 5 above. (Cf. note 222 of that Chapter).

³³³ Magnam nobis laetitiam lettere tue attulerunt ... quandoquidem Iohannes Ioseph ... etiam nobiscum per literas et nuncium suum egit ...
... Accepimus etiam a nonnullis, quod ... — *Documenta Pontificum*, nr. 102, p. 175, 176.

³³⁴ This note is quoted together with the text by: J. PELESZ, *Geschichte der Union der ruthenischen Kirche mit Rom*, vol. I, Wien 1878, p. 483.

³³⁵ These two principal letters in the edition *Documenta Pontificum* are numbered: 102 (pp. 175-178) and 104 (pp. 180-182) respectively.

held in *high esteem Metropolitan Bolharynovyč* and believed in the sincerity of his submission to the Roman See.³³⁶ The Pope was aware of the fact the Metropolitan understood his submission to the Roman See according to the ecumenical tenor of the Florentine Council.³³⁷ It was evident to the Roman Pontiff that Archbishop Bolharynovyč did not raise any dogmatic difficulties or restrictions regarding unity. He was concerned only with the conservation of the proper rite in the liturgical and jurisdictional sense. Speaking in present terminology, he asked for confirmation of his Archbishop-major's rights to the Kyivan See.

When referring to Bishop Tabor's intervention, the Pope's letters reflected a completely different attitude toward Church unity of this Latin Prelate. He did not use expressions like: "iuxta tenorem concilii Florentini", but the question was simply a "reductio ad unitatem", which obviously for Tabor, signified "reductio ad uniformitatem".³³⁸ The Pope quoted from Tabor's letter Metropolitan Bolharynovyč's readiness to comply with the supremacy of the Roman See, but it seems that Tabor was not content with this. The Pope's letter stated:

Proinde petis, ut ... tibi, quod in hac re agendum sit, respondere velimus. Commendamus plurimum tuam erga nos et sanctam hanc sedem devotionem, quam neque locorum distantia, neque perfidorum, quibus circumvalleris, insidie, neque depravata multorum scismaticorum et hereticorum mens aut potentia impedire potuerunt ... qui tam diligenter animum intendis, ut tanta

³³⁶ Credimus quoque, quod prefatus Iohannes Ioseph, quem litterarum et precipuum sacrarum scientia, gravitate et prudentia accepimus, divino spiritu tactus, ad gremium matris sue Romane ecclesie ... redire ... summo cum animi desideria cupiat ... — *Documenta Pontificum*, no. 102, p. 176.

³³⁷ ... Iohannes Ioseph ... etiam nobiscum per literas et nuncium suum egit, et alios ex dictis populis pro viribus, ut id faciant, inducturum iuxta tenorem sacri concilii Florentini. — *Ibidem*, no. 102, p. 175.

Ceterum supplicavit nobis Iohannes Sopega, secretarius predictus, quod Iohannem Ioseph prefatum, ut verum Archiepiscopum Metropolitanum ac primatem iuxta ritum Grecorum dilecto filio Alexandro duci Lithuanie prefato commendaremus ... — *Ibidem*, no. 102, p. 177.

Quod autem etiam postulavit ... de admittendis ad obedientiam sedis apostolice et Romane ecclesie quibuscumque, qui ritus Grecorum sequi voluerint, si intellexerimus, eos decreta concilii Florentini servare, nec in sacramentis ecclesie, aut aliis articulis fidei a Romana ecclesia discrepare ... — *Ibidem*, no. 102, p. 177.

³³⁸ Magnam nobis laetitiam lettere tue attulerunt, quibus tuum ... vehemens studium in reducendis ad unitatem sancte Romane ecclesie istius Magni Ducatus Lithuanie, et precipue in Metropoli Chyovyensi et Russie habitantibus populis nobis declares ... — *Ibidem*, no. 102, p. 175.

provincia ad gremium matris seu Romane ecclesie revertatur, et sub uno ovili et pastore recipiatur.³³⁹

The allusion to perfidious and depraved schismatics and heretics who encircled the devout Latin Bishop of Vilno, recalled a similar description in the dedication of "Elucidarius".³⁴⁰ In any event, the opinion as to the "severe conditions" in which Bishop Tabor was situated, had been proposed to the Pope by someone whose views were not impartial.

Similarly, the Roman Pontiff was aware of *some doctrinal and moral errors of the Kyivans, but all "ex auditu"*. In the same way: "Accepimus etiam a nonnullis" that Ruthenians err in their teaching about the procession of the Holy Spirit, and about the Holy Eucharist, that they "in fermentato pane, sed sub indebita et vili forma" and matter consecrate; and "pueros communicent, quod nephas est dicere, nobis relatum est. De purgatorio ... audivimus illos a Concilio dissentire". The primacy of St. Peter and the Roman Pontiff "a predictis populis pertinaciter negari intelleximus; quin etiam ... attente perspicitur, sub quibus materia, forma et quibus ministris apud istos Chyovyenses et Ruthenos sacramenta predicta fiant, et an celebrantes, vel alio modo utentes sacramentis secundum ritum Romane ecclesie abhorreant ..." ³⁴¹

This enumeration of Ruthenian errors received "ex auditu" by the Pope, recalled similar enumerations or descriptions in "Elucidarius".³⁴² Certainly, we could not expect to find all the

³³⁹ Ibidem, no. 102, pp. 175-176.

³⁴⁰ Cf. quotation - note 290 above.

³⁴¹ *Documenta Pontificum*, no. 102, pp. 176-177.

³⁴² Cf. the errors enumerated in "Elucidarius", especially no. no.: 36, 15, 33, 35, 1, 2, 10, 8 and the entire Chapters 5 and 6 of Tractate III. — *Elucidarius errorum ritus Ruthenici*, fol. fol. IV (r) - VI (r), XXVIII (r) - XXIX (v).

The relationship between the Pope's information "a nonnullis" and the writings of Sacranus was already perceived by: J. TRETIAK, *Piotr Skarga w dziejach i literaturze unii Brzeskiej*, Kraków 1912. On pages 21-22 the author writes as follows:

The Pope ... receives unfavourable information regarding the purity of faith and rite of the Ruthenians from elsewhere ... Most probably these came from Kraków where the study of theology flourished at that time and where Ruthenians, according to testimonies, were regarded as heretics. A few years earlier a citizen of Kraków, Fiol, had printed Slavic prayer books for Ruthenians and by this inflicted upon himself judicial inquest and imprisonment — being accused of heretical convictions. In the year 1500

strange errors noted by Sacranus repeated in the Pope's official letter. However, even this short presentation denoted, at least, some similarity if we do not wish to admit interdependence.

For the Roman Pontiff this was sufficient to make him proceed discreetly with any ecumenical projects:

Curandum nobis est, ne ecclesie congregatio constupretur dogmatum varietate ... Consultum tunc magis ... ovile sanum et immaculatum, prout tenuimus, custodire, quam labe aliqua heresis aut olio morbo infidelitatis pollutas oves admittendo incolumitatem ovilis nostri corrumpere.³⁴³

Besides dogmatic forewarnings to the Kyivans, the Borgia Pope added some historical ones: "... huiusmodi reductio iuxta diffinitionem predicti concilii Florentini sepius tentata, et, tociens ... interrupta extitit ..." ³⁴⁴

This was written in a relatively short time after the Florentine Council, thus, the Roman Pontiff could hardly have meant the Florentine Union in the literal sense, but rather an ecumenical unity in general. On the basis of Kyivan history, no one could have arrived at a conclusion that a union was "sepius tentata et interrupta", unless the entire Oriental Church history was perceived, in the way Sacranus did by finding twelve schisms in the Ruthenian believers.³⁴⁵

For these reasons, Pope Alexander VI could not accept Bolharynovyč's petition unquestionably.³⁴⁶ It was very difficult

Jan Sakran, one of the most learned theologians, a noted reformer of the school discipline in the Kraków Academy, published a book entitled: "Elucidarius errorum ritus Ruthenici".

The book was associated with the delegation of Metropolitan Joseph to the Pope and played an important role in dealing with the Union at that time.

³⁴³ *Documenta Pontificum*, no. 102, p. 176.

³⁴⁴ *Ibidem*, no. 104, p. 180.

³⁴⁵ *Elucidarius*, fol. fol. X (v) - XVI (r); cf. also note 305.

³⁴⁶ There can be perceived in the Pope's letter some doubt about the sincerity of the Metropolitan's affirmations and adhesion:

Hec enim est vera obedientia, veneratio et adhesio sancte Romane ecclesie, apud Deum et homines grata, et accepta iuxta Evangelium Mathei et prophetiam Esai, que non solum labiis, sed corde et opere prestatur et exhibetur. — *Documenta Pontificum*, no. 104, p. 181.

These recalled Sacranus's affirmation about the insincerity of Ruthenians in their unionistic moves, as for example:

Unde in simplicitate et humilitate simulata venientibus ad apostolicam

for a Pope of Spanish origin, residing in Rome during the sixteenth century, to decide between two contradictory sources of information, i. e. between the devout letter of a Metropolitan and the terrifying descriptions and suspicions "a nonnullis" about the same Metropolitan.

The natural means to resolve these contradictory assertions would have been to send *an impartial delegate from Rome to investigate the case*, expell doubts and assess the truth. This, Alexander VI actually intended to do,³⁴⁷ but a delegate from Vilno persuaded him against this move.

Such a papal mission, suggested already in Misael's appeal twenty-five years before, could have been very helpful indeed and in any case would have clarified and probably removed some doubts which still remained in the Pope's mind and, as shown in his letters, influenced his whole policy in the matter of reunion. But unfortunately Ciołek requested that this papal mission be postponed ... Even more surprising is the reason given by Ciołek when he suggested such a delay: the Duke of Muscovy would consider that mission from Rome a reason for waging war against Lithuania. Such a motivation was surprising at the given moment because the war ... had started a year before ... There was, therefore, no apparent reason for avoiding to provoke Moscow's anger.³⁴⁸

It should be noted that the Pope, in relating about this delayed mission in his letter to Great Prince Alexander, mentioned only one delegate from Lithuania: "quoniam orator super tuus

sedem, an e vestigio credendum dispensandumque sit cum eis de plano, non diffinio. — *Elucidarius*, fol. VI (r).

Quas ob res non facile eis credendum est quoties redituri et concorporaturi sancte Romane ecclesie sub ritu suo postulant conservari, faciunt hoc nempe ut impetratione ec obtenu tali in errore suo pertinaciores firmioresque sint et insultent magis catholicis approbatione ab Ecclesia sui ritus. — *Ibidem*, fol. VII (v).

... qui in tot grecorum accessionibus uniri et ad obedientiam ecclesie Romane et summi pontificis nunquam voluerunt accedere, merito caute suscipiendi sunt et cogendi ad iurandum tenere decreta et ad abiurandum errata ... — *Ibidem*, fol. XXI (v).

"... cogitaveramus aliquem nostrum nuntium istuc destinare, virum doctrina, experientia et moribus peditum, qui de consilio et sententia nostra pro eiusdem Iohannis Iozeph et totius Rutheni populi salute tecum agert. — *Documenta Pontificum*, no. 104, p. 180.

Cf. also the historical exposition of this matter in Chapter 5 above.

³⁴⁸ HALECKI O., *From Florence to Brest*, p. 116.

hac nostri nuntii destinatione differendum esse nos rogavit",³⁴⁹ although a little earlier two were mentioned: "Erasmus Vitellius, et Iohannes Sopyeha, Rutenus, Secretarius tuus, eiusdem Iohannes Iozeph consanguineus et procurator". As could be seen, one proxy was Ciolek, a typically Polish name, which in the Latin version meant Vitellius, and the other was Sopyeha, "Ruthenus", "consanguineus" of the Metropolitan, who, as can be supposed, represented an opposing opinion.

The papal mission, presumably would have been "plenipotentia", meaning that it could have settled the question by its own authority and confirmed the Metropolitan.³⁵⁰ But the Borgia Pope, probably following Ciolek's suggestion, chose another possibility. An interested party, the Latin Bishop of Vilno, Tabor, replaced the planned Papal delegation and was entrusted to inform the Roman Pontiff about the controversial question.³⁵¹ It seems unnecessary to look for some complicated political situation in order to find the real reason against the sending of a special mission from Rome. Tabor's advantage, being the Papal's official investigator, explains sufficiently what was at stake in choosing one or the other solution.

Pope Alexander VI himself sincerely intended to achieve unity through Tabor's mediation if only his misgivings were resolved:

Ne interea tamen aliqua parte salutis viam et ipsi Iohanni Iozeph et populis predictis precludere videamur ... significamus ... quod ipsius Iohannis Iozeph reductionem et obedientiam sancte Romane ecclesie ac nobis per suum procuratorem prestitam gratissimam habuimus et habemus, orantes Deum omnipotentem, quod in eo ipsum confirmet et faciat perseverare ...³⁵²

³⁴⁹ *Documenta Pontificum*, no. 104, p. 180.

³⁵⁰ The role of eventual Pontifical legation is indicated already on Pope's letter to the Latin Bishop of Vilno:

Nos quoque ... illos in visceribus charitatis et omni plenitudine potestatis a Deo nobis concessae et per nos et per nuncios nostros, si res ipsa exegerit, destinandos complectemur. — Ibidem, no. 102, p. 178.

Cf. also note 364 below.

³⁵¹ ... dabis solertem operam, prout in sapientia tua confidimus, quod de premissis omnibus et aliis, in quibus Ruthenorum ritus a Romana ecclesia discrepant, veram notitiam habeas, ita ut nos de illis certiores reddere possis. — Ibidem, no. 102, p. 178.

³⁵² Ibidem, no. 104, p. 180. Cf. also: ibidem, no. 102, pp. 177-178: "cognoscent piam mentem nostram esse, ut accipiamus paterna caritate volentes ad gremium Romane ecclesie redire".

All that was requested by Pope Alexander VI, was adhesion to the Florentine Council and an investigation, on the part of Tabor, of orthodoxy in the Kyivan Metropolitanate according to the ecumenical conclusions of the Council.³⁵³

In the letter to Great Prince Alexander, the Pope precisely enumerated what the Florentine Council decided in unionistic matters, namely, the Catholic profession on the procession of the Holy Spirit, on the primacy of the Roman See and “de novissimis”. All ritual differences of the Eastern faithful were left untouched as the Florentine Council had stipulated:

... baptisati in tertia persona sub ritu Grecorum ... non debeant rebaptizari, et quod Eucaristie sacramentum in fermentato confici, et sub utraque specie et secularibus per eos in suis ecclesiis exhiberi possit, et quod sacerdotes greci uxores ante sacros ordines susceptas possint retinere, permittimus ... et in ritibus et ceremoniis non substantialibus licitum sit mores patrios cuilibet ecclesie servare...³⁵⁴

The question of rite, in the liturgical sense of the word, created no obstacle for the Roman See in achieving Church unity according to the ecumenical spirit of the Florentine Council. Doubts regarding the dogmatic requirements could easily be solved. Metropolitan Bolharynovyč, as his predecessor had done before, had already submitted all of them in his letter and Pope Alexander VI had already received his profession of the Catholic faith.³⁵⁵

The only question that remained unsettled was *the ritual autonomy of the Kyivan Metropolitanate in the jurisdictional sense*;

The Pope's sincere intention to accomplish unity is testified also by Bernard, Cardinal of the Holy Cross (legate of Ferdinand, King of Spain), in his letter of May 18, 1501, to the Great Prince of Lithuania. — *Monumenta mediæ ævi historica res gestas Poloniae illustantia*, vol. XIV, no. 474, p. 494. — B. BUČYNŠKYJ, *Zmahania do unii ruškoj cerkvy z Rymom v rokach 1498-1506*, in *Zapysky UNT v Kyivi*, vol. VI, p. 40.

³⁵³ In the letter to the Latin Bishop of Vilno, Pope Alexander VI writes as follows:

... mittimus tibi presentibus acclusum sanctum et salubre decretum diciti concilii Florentini, ut diligenter inquiras, quonam pacto isti, qui obedientiam Romane sedi offerunt, contenta in ipso decreto concilii intelligant, profiteantur, et observant. — Ibidem, no. 102, p. 176.

³⁵⁴ Ibidem, no. 104, p. 181.

³⁵⁵ For the letter of Metropolitan Bolharynovyč and his Catholic conviction cf. Chapter 5 above. — Cf. also note 337 above.

namely, that the Roman See would confirm "Iohannes Ioseph prefatum, ut verum Archiepiscopum Metropolitanum ac primatem iuxta ritum Grecorum",³⁵⁶ which in modern terminology meant as "Archiepiscopus Major" with all traditional rights of ecclesiastical jurisdiction and autonomy.

According to the Pope, the obstacle for this confirmation by Rome of the rights of Archbishop, was Bolharynovyč's promotion to the Metropolitan See by Constantinople and not by Rome:

Verum cum patriarcham Constantinopolitanum, sub cuius ditione Metropolis Chyovensis est constituta, apud Romanam ecclesiam iam quinquaginta annis moram traxisse viderimus, ignoramus quo pacto ad Metropolim istam sine nostro aut dicti patriarche consensu pervenire potuerit ...³⁵⁷

The matter was still made more precise in the letter to Great Prince Alexander:

Cum enim Constantinopolitanus Patriarcha vere nullus alius sit hodie quam Venerabilis frater noster Iohannes Episcopus Portuensis Cardinalis sancti Angeli, qui post Ruthenum, Nicenum et Cretensem Prelatos dignati iure prefatus est, nescimus quonam pacto promotio facta per illum Ioachim hereticum, constitutum violenta manu in sede Constantinopolitana per tirannum Turcorum ... debeat ... approbari.³⁵⁸

The similarity between the last argument and Sacranus's description of the forcible institution of the present Patriarch by the Turkish emperor, is remarkable.³⁵⁹ The letter ignores completely the fact that Metropolitan Bolharynovyč was nominated by Great Prince Alexander, and that only confirmation was required from the Patriarch, who at that time had very little to say as to the nomination itself.³⁶⁰ The Great Prince must not

³⁵⁶ The expression is taken from the Pope's letter to Bishop Tabor: *Documenta Pontificum*, no. 102, p. 177. Cf. note 337 above.

³⁵⁷ The quotation from the Pope's letter to Bishop Tabor (*ibidem*).

³⁵⁸ *Ibidem*, no. 104, p. 181.

"Iohannes Episcopus Portuensis Cardinalis sancti Angeli" known also as Iohannes Michele, was Patriarch of Constantinople, residing in Rome, in the year 1497-1503. He was preceded in this assignment by another Latin Prelate: Hieronymus Lando, Cretensis, who inherited this title after three Patriarchs of Oriental origin have resided in Rome: Gregorios Mammias, Isidore and Bessarion.

³⁵⁹ Cf. note 313 above.

³⁶⁰ Re the Patriarch's influence in the nomination of the Kyivan Metropolitans cf. note 238 above.

have been pleased by being ignored of his decisive role in the nomination of the Metropolitan. Let us remember that "the present Patriarch of Constantinople, recognized as such by the Pope, was an Italian of the Latin rite, the former Bishop of Orto, Cardinal Iohannes Michele whose connection with the Eastern Church was purely theoretical".³⁶¹ His confirmation of the Metropolitan would not have meant much more to the Eastern faithful than the supremacy of a distant Latin Bishop over them.

More notable was the fact, that the good relations between Bolharynovyč and Patriarch Ioakim, did not cause any suspicions in Rome of the Metropolitan's orthodoxy. All the dogmatic doubts of the Pope were founded on the information "a nonnullis", not on the relations between the Metropolitan and Constantinople. These relations were considered as "offensiones et maculae" in the sphere of jurisdiction only and not as any signs of deviation in faith.

The Borgia Pope's solution of this jurisdictional "irregularity" was most interesting. The letter written to the Great Prince Alexander on this topic, differed considerably from the letter written ten days earlier to Bishop Tabor. In the letter to the Prince, the Pope did not require anything new, except the settlement of doubts rearding orthodoxy raised "a nonnullis":

Si autem ipse Iohannes Iozeph paratus est recipere decretum concilii Florentini ... contetabimus ab omnibus preteritis offensionibus et maculis predictum Iohannem Iozeph absolvere, et tunc in dignitate Metropolitana per nos confirmare, aut per dictum Iohannem Constantinopolitanum confirmari facere ...³⁶²

But in the letter to Bishop Tabor a condition was placed:

... nec possumus eidem tanquam Metropolitanano de huiusmodi petitionibus morem gerere, nisi provisionem de Metropoli predicta, renuntiato per eum provisioni vel perfectioni, quam aliunde habuisset a nobis et sede apostolica acceperit.³⁶³

³⁶¹ HALECKI O., op. cit., p. 118.

³⁶² *Documenta Pontificum*, no. 104, p. 181.

³⁶³ *Ibidem*, no. 102, p. 177.

Since both letters deal with the same matter and are written by the same authority, Pope Alexander VI, in the differences the latter one should prevail. Therefore the request for renunciation, contained in the first letter only, can be considered as revoked by the second letter and could not be a cause of

The letter did not indicate what this renunciation from a provision made by an "incompetent" authority meant to the Pope. According to the Roman canon law, provision of an incompetent authority is null. Consequently, the requested renunciation would be a renunciation from nonexistent provision, which is meaningless. But in the Kyivan territory, where Bolharynovyč was considered by the people as the true head of the Kyivan Church, such a renunciation would have meant a great deal. All the decisions in the unionistic matters, including a re-confirmation of the Kyivan Metropolitan, would depend on such uniformitarian as Bishop Tabor. Even the Great Prince would have to inform Tabor about his own ecclesiastic activity, according to the Pope's suggestions.³⁶⁴ Bishop Tabor could thus have exerted a great influence upon the new nomination of a Metropolitan. Evidently, he would have preferred to see a pro-uniformitarian on this post, rather than such a capable ecumenist as was Josyf Bolharynovyč.

Pope Alexander VI himself was not less inclined than his predecessor, Sixtus IV, to conclude an ecumenical unity with the Kyivan Metropolitane. Unfortunately, the conclusion of this unity was conditioned on further information and mediation by the "staunch latinising prelate" Wojciech Albert Tabor. He was even foreseen as the later papal legate during the solemn conclusion of the union.³⁶⁵ Tabor could truly be grateful to his spokesman, Ciołek, for influencing the Pope in the decisions pertaining to unionistic matter. Although both papal briefs were in principle favorable towards ecumenists, Tabor's mediation made those ecumenical principles inapplicable.

This dissonance between principles and their application

Metropolitan's Josyf's misfortune. — About the possible reasons of the differences between the two Pope's letters cf. Chapter 5, especially note 222.

³⁶⁴ Pope Alexander VI concludes his letter of May 7, 1501, to the Grand Duke Alexander as follows:

Hec omnia cum eodem Iohanne Ioseph communicabis, ascito etiam tecum Venerabili fratre Episcopo Vilenſi, et de omnibus que tractaveris et concludas facies nos certiores, ut iuxta informationem tuam, vel de aliquo Nuncio mittendo cum plena actoritate nostra ad integram reductionem admittendam, vel de bullis et facultatibus predictis in persona prefati Episcopi Vilenſis, prout melius expedire videbitur, provideamus. — Ibidem, no. 104, pp. 181-182.

³⁶⁵ Cf. the preceding note 364.

For the quotation about Tabor cf. note 281 above.

came up even more drastically when the central argument of the uniformitarians was debated; namely, the question regarding the validity of Eastern Holy Orders. There was no mention in the Pope's letter of any doubt as to the validity of the Holy Orders of the Kyivan hierarchy or priesthood.

There was, however, *a papal letter concerning the case of a particular Eastern priest* in the delegation of Sopiha's suite, "quem Pontifex iussit Romae in ceremoniis Misse examinari ... et relatione facta in publico Consistorio iussit Pontifex eundem Ruthenorum presbiterum denuo consecrari ab Episcopo latino, prout ex litteris infrascriptis clarius intelliges".³⁶⁶

In this letter, the mentioned condition of this priest did not differ substantially from any other Eastern priest.³⁶⁷ If there were doubts about his Orders, it was in a jurisdictional field because the ordaining bishop had received promotion (not consecration) from Constantinople. The same confusion between the validity of Holy Orders and jurisdiction was met in "Elucidarius". In fact, the Pope's objection against the Eastern Holy Orders was expressed as follows:

... a nonnullis asseratur, prefatum Vasianum in Episcopum promotum non fuisse, seu ad id facultatem a sede apostolica non habuisse, sed more Graecorum illarum partium pro tunc gerentem se pro Patriarcha Constantinopolitano in Episcopum promotum, seu administratorem deputatum fuisse ...³⁶⁸

The Pope's letter did not mention whether this priest's ordination was considered valid or not, but accorded a "concession" to receive Confirmation and all Orders in one day from a Latin bishop, not even specifying whether the new Orders were to be conferred "sub conditione" or "simpliciter".³⁶⁹ It

³⁶⁶ The quotation is taken from the introduction to the Pope's letter as preserved in: Archivum Secretum Vaticanum, Armarium XXXI, vol. 21, fol. 48. — The letter, together with the introduction in the note, is published in: *Documenta Pontificum*, no. 105, pp. 182-183 dated May 10, 1501.

³⁶⁷ ... tu, qui Ruthenus es, ac ex legitimo matrimonio ex sacerdote iuxta Greorum morem genitus, et in tertia persona baptizatus fuisti, per quendam Vasianum Episcopum Wladimiriensem, quem rite in Episcopum promotum et consecratum esse credebas, ecclesia Kyoviensi tunc pastore carente, absque aliquibus dimissorialibus, et augustum confirmationis sacramentum recepisses, ad omnes etiam sacros et presbiteratus ordines promotus fuisti ... — Ibidem, no. 105, p. 182.

³⁶⁸ Ibidem.

³⁶⁹ Nos... quodque ad omnes ordines ordinatos rite promoveri ... necnon

seemed that the main point to which the Borgia Pope paid attention in signing this letter, was the dispensation from intervals of time between each ordination. Five days later, he granted the same privilege to Erasmus,³⁷⁰ although the conditions of these two men differed substantially, the former was an Eastern priest and the latter a layman.

The Pope's "concession" referred to one particular case only. But if it were taken as a precedent, the entire clergy, including all bishops of the Kyivan Church ordained under the same conditions, would have had to be re-ordained by Latin bishops, and would hardly have continued to be considered by their faithful as Eastern clergy and hierarchy.

A similar attitude appeared in another of *the Pope's letters regarding a particular case of building a church at Sopiha's own expenses, in which Latin and Eastern priests would celebrate.*³⁷¹

confirmationis sacramentum prius, et deinde ordines huiusmodi a quocumque malueris catholico antistite gratiam et communionem sedis apostolice habente, et in Romana Curia residente uno et eodem die dominica alias festivo, etiam extra tempora a iure statuta suscipere libere et licite valeas, auctoritate et tenore predictis similiter dispensamus ... — Ibidem, no. 105, p. 183.

³⁷⁰ *Vetera monumenta Poloniae et Lithuaniae gentiumque finitimarum historiam illustrantia* (ed. A. Theiner), Romae 1860-1864, vol. II. no. 308, p. 287. — It could be that the petition for both "privileges" was presented together to Pope Alexander VI and therefore some kind of inattention to the different status of these two men could occur easily.

³⁷¹ The letter of Pope Alexander VI, dated April 28, 1501, is published in: *Documenta Pontificum*, no. 103, pp. 178-179. The case — petition of Sopiha is described there as follows:

Sane pro parte dilecti filii, nobilis viri Johannis Sopyeha, militis Vilmensis dioecesis, nobis nuper exhibita petitio continebat, quod licet ipse olim fervore devotionis accensus parrochialem ecclesiam Sancti Spiritus in Ukasno in districtu Krzeslaviensi dictae dioecesis canonice fundari et erigi obtinuerit illamque de bonis sibi a Deo collatis decenter dotaverit ita quod presbyteri rutheni vere catholici ac sancte Romane Ecclesie obediens semper esse ac secundum morem Grecorum seu iuxta eorum ritus et mores celebrare deberent, tamen ecclesia ipsa adhuc constructa non fuit et propterea ecclesiam ipsam et in ea altaria quotquot fuerint opportuna consecrari, ac in ea, postquam consecrata fuerit, quod presbyteri et clerici item latini secundum ritum Latinorum ordinati, ac obedientiam dicti Sedi exhibentes ac illius gratia et communionem habentes item super altari seu altaribus missas et alia divina officia audire possint. — Ibidem, no. 103, pp. 178-179.

The case was not a singular one. Metropolitan Josyf made a general appeal to the Pope that the prohibition to construct permanent Eastern churches in the Polish-Lithuanian federation should be abolished. Alexander VI mentions this

This involved not only the abolition of the prohibition to construct new Eastern churches in the Polish and Lithuanian states, but also a practical manifestation of the equality of Eastern and Latin churches and of its priesthood as well.

The first of these two problems (free construction of Eastern Churches) facing the Eastern faithful of the Kyivan Church, did not seem to be understood by Rome, where civil superiority over ecclesiastical authority was unknown. The construction of churches was a financial problem, not one necessitating permission. The second (equality of rites) was solved as follows: first the Eastern priests should be re-ordained and their churches consecrated by Latin bishops in the Latin rite, before an "equality of rites" would be installed:

... quod omnes presbyteri latini et rutheni secundum ritum Latinorum ordinati in dicta parrochiali ecclesia et super altaribus in ea pro tempore constructis, priusquam constructa et ordinata ac per Venerabilem fratrem nostrum modernum Episcopum Vilensem seu alium episcopum ad hoc per eum deputandum... secundum ritum Latinorum consecrata fuerint, missas et alia divina officia celebrare ac utriusque sexus Christifideles tam Latini quam Rutheni sub devotione et obedientia Romane Ecclesie persistentes, missas et divina officia huiusmodi inibi audire libere et licite possint ... statuimus et ordinamus.³⁷²

Evidently, if this particular case would have been imitated in all churches of the Kyivan Metropolitanate, a complete fusion into the Latin rite would have resulted, according to the uniformitarian pattern. The new "Latin-Eastern" Metropolitanate would be headed by the Latin Bishop of Vilno, because he, and not the Kyivan Metropolitan, had the foremost right to consecrate new churches, which in those times also meant authority over these churches.

Such a solution would perfectly correspond with Sacranus's ideas expressed in his "Elucidarius",³⁷³ especially as to the validity

appeal in both his principal letters, however, the Pope did not take any decision on this matter.

Quod autem etiam postulavit de edificandis de muro ecclesiarum Ruthenorum ... — Ibidem, no. 102, p. 177.

... in edificationibus ecclesiarum Ruthenorum de muro, in litteris latinis et aliis per procuratorem suum expositis duximus mature cogitandum ... — Ibidem, no. 104, p. 181.

³⁷² Ibidem, no. 103, p. 179.

³⁷³ Cf. notes 310-315 and 303 above.

of Eastern Orders and to the existence of Eastern "synagogues", which constituted the central point of his argument.

In the letters of Pope Alexander VI, we also find decisions pertaining to questions which constituted "corrolaries" of Sacranus's work.

One of these minor points was *the rebaptism of Eastern "converts" to the Latin rite*. In his letter to the Great Prince of Lithuania, the Roman Pontiff clearly admitted the validity of the Eastern form of baptism,³⁷⁴ but in the letter to Bishop Tabor, this was conditioned by a proper form and proper ministers of the Sacrament.³⁷⁵ Why would the Borgia Pope mention ministers of baptism when anyone could validly baptize? Here again one can see the influence of ideas similar to those exposed in "Elucidarius", where an argument concerning the ministry of this sacrament was utilized against the validity of baptism.³⁷⁶

A special document was issued by Pope Alexander VI on August 21, 1501, in defence of Eastern baptism by referring this matter to the decision of the Florentine Council.³⁷⁷ The question was terminated, at least in theory, as to whether the faithful of the Kyivan Metropolitanate were validly baptized; in other words, whether they were Christians indeed. By this decree the radical practice of rebaptism received a blow but the general trend of uniformitarian "conversions" continued. The Bernardines had been using the mitigative practice of uniformitarian conversions without rebaptism, even before this document originated.

Another uniformitarian minor point with regard to *the Holy Eucharist*, was decided by the Pope also in favor of ecumenism and according to the Florentine decisions.³⁷⁸

Evidently, *the problem of mixed marriages* could not be

³⁷⁴ ... quod baptisati in tercia persona sub ritu Grecorum, premissis nullo alio canonico obstaculo impediante, non debeant rebaptizari ... permittimus ... — *Documenta Pontificum*, no. 104, p. 181.

³⁷⁵ Petiit etiam idem Iohannes per nos sibi concedi, quod baptizati secundum ritum Grecorum venientes ad obedientiam Romane ecclesie, non debeant rebaptizari; hoc si nobis, sub qua forma et quibus ministris baptizati fuerint explicabitur, facilius petitioni sue complacere curabimus. — *Ibidem*, no. 102, p. 177.

³⁷⁶ Cf. note 321 above.

³⁷⁷ The brief "Altitudo divini consilii" is published in: *Documenta Pontificum*, no. 108, pp. 186-188.

About the historical background of this document and its significance for ecumenism, cf. Chapter 5, especially note 231.

³⁷⁸ Cf. note 354 above.

decided according to the desires of some uniformitarians who would have liked to see some of these marriages dissolved, especially the marriage of the Great Prince Alexander and Princess Olena. Pope Alexander VI wrote three letters in 1501 concerning this matrimony, and his successor Julius II another one, four years later.³⁷⁹ They furnished some interesting particularities with regard to unionistic problems.

Pope Borgia made references to an oath that the Great Prince Alexander, whose zeal for the propagation of the Catholic faith was known,³⁸⁰ had made on the occasion of his marriage with the Muscovite Princess:

... cum nobilem Helenam in uxorem tuam acciperes, per medium Oratorum tuorum, patri eiusdem inter cetera pollicitus est, quod etiam iuramento forte dictorum Oratorum sub nomine tuo confirmatum extitit, numquam eandem compulsurum ad ritum Romane ecclesie suscipiendum ...³⁸¹

Pope Julius II expressed himself in the same way:

... prestito ... iuramento, quod nisi dicta Helena uxor tua Romana ecclesie ritus sua sponte suscipere vellet, tu ipsam ad eos suscipiendos nunquam cogeres ...³⁸²

The oath referred expressly to Roman rite, not the Catholic faith. Nevertheless, Pope Borgia considered the oath as "perniciosa satis et iure contraria", liberated the Prince from it and imposed upon him the contrary, that is to constrain his wife to change rite.³⁸³

³⁷⁹ The three letters of Pope Alexander VI were written: on June 8, 1501, to the Great Prince Alexander; another on the same day to the Latin Bishop of Vilno A. Tabor; and a third on November 26, 1501 to Cardinal Fryderyk (Frederic), Primate of Poland. The letter of Pope Julius II was dated August 22, 1505, and addressed to Alexander, King of Poland. All four letters are published in: *Documenta Pontificum*, no. 106, 107, 109 and 111, pp. 183-186, 188-189, 194-195.

³⁸⁰ Pope Alexander VI expressed himself about the Great Prince as follows:
 ... cognovimus tuum bonum zelum summamque pietatem erga nos sanctamque hanc Sedem Apostolicam, ac universam religionem Christianam, cum populos nonnullos ex tibi subditis, ut relicta scismatica Ruthenorum pravitate, orthodoxam fidem amplecti et sequi velint, inducere studeas ... in quo salutifero proposito, ut perseverare velis, quemadmodum pro prudentia et bonitate tua te facturum minime dubitamus, quantum possumus, iterum atque iterum enixe hortamur ac oneramus. — *Documenta Pontificum*, no. 106, pp. 183-184.

³⁸¹ Ibidem, no. 106, p. 184.

³⁸² Ibidem, no. 111, p. 194.

Should the Great Prince not succeed in this, Pope Borgia delegated the solution of this matter to Bishop Tabor, writing him a separate letter on the day, June 8, 1501. The Bishop was to act "figura iudicii procedendo ex officio, etiam nemine instante". Were he to find Olena "Ruthenorum erroribus implicitam" he should act with inquisitorial rigor "per censuras ecclesiasticas et alias iuris remedia, etiam cum invocatione, si opus fuerit, brachii secularis".³⁸⁴ In case he needed a desperate measure, Bishop Tabor should separate the Great Prince Alexander from his wife Olena "citra tamen preiudicium vinculi matrimonialis":

... separet ... ex lecto, domo et omni maritali consorcio ... etiam dotem et omnia alia bona eiusdem confiscata declarando ... non obstantibus quibusvis promissionibus, etiam iuramento firmatis, quibus forsitan prefatum Alexandrum Ducem promisse et se obligasse diceretur, quod numquam compelleret prefatam Helenam ad ritum Romane ecclesie suscipiendum ...³⁸⁵

Evidently the Great Prince was not pleased with such possible interference in his family affairs by a Bishop. Most probably Tabor would not even have dare to use all the power delegated to him. Hence, nothing was done in this matter. In the meantime the Great Prince Alexander inherited the Polish throne from his

³⁸³ Itaque volumus, teque oneramus, ut non obstantibus promissionibus et iuramentis predictis, quibus te nullatenus teneri tenore presentium declaramus, denuo tentes, ac ea omnia agas, que tibi necessaria videbuntur, quo eadem uxor tua, relicta pessima Ruthenorum secta; tandem resipiscat, ac sanctam christianam religionem agnoscat et observet. — Ibidem, no. 106, p. 184.

³⁸⁴ Ibidem, no. 107, pp. 185-186.

The instructions of Pope Alexander VI dispatched to the Bishop of Vilno Tabor retraced the decision of Pope Nicolaus V about Eastern marriages, as presented in his brief of May 26, 1452, to another Bishop of Vilno, Maciej (Matthew). The brief, published in *Orientalia christiana periodica*, vol. 8 (1942), pp. 315-316, contained the following ordinance:

... personas, que ea contraxerunt, si infideles ex eis obstinate ad fidem huiusmodi converti noluerint, in ipso matrimonio in detrimentum salutis ea, ut prefertur, contrahentium remanere non permittas, sed eos, ut ad Christi fidem convertantur, iuxta tue fraternitatis prudentiam, proviso, ne scandalum inde oriatur, coercendi et ammonendi plenam damus tibi et concedimus, prout visum fuerit ipsarum animarum utilius expedire, disponendi auctoritatem, contradictores et rebelles quoslibet per censuras huiusmodi et alia ... remedia appellatione postposita compescendo, invocando etiam ad hoc, si opus fuerit auxilio brachii secularis ...

³⁸⁵ *Documenta Pontificum*, no. 107, p. 186.

late brother Jan Olbecht (John Albert). Therefore, Pope Borgia wrote on November 26, 1501, another letter pertaining to this case to Cardinal Fryderyk, Primate of Poland, who was Alexander's own brother. This letter was less severe.³⁸⁶

The only effect of this letter was that Princess Olena was not crowned Queen at the coronation of her husband Alexander as King of Poland on December 12, 1501. Alexander justified before the Holy See the impossibility to follow the Pope's orders on political grounds — danger of war from Olena's father, the Great Prince of Moscow. On August 22, 1505, more tolerant instructions were furnished by Pope Julius II:

... prefatam Helenam, dummodo ipsa decreta sacri Concilii Florentini ... diligenter observet, ritus catholicos latinisque non contemnat, et ad sectam ruthenicam suadendo vel alias inducere quemquam non tentet, uxorem tuam velut hactenus tollerare et habitare cum eadem libere et licite valeas.³⁸⁷

It is noteworthy that in all these letters on particular issues there was such great confusion between the Catholic faith and the Latin rite. We do not find this in the Pope's first two general decisions. It would seem as though the later ones were inspired by someone with a specific uniformitarian outlook, considering the Latin rite as a necessary condition for proper Catholic faith. It was as though the Florentine Council only provisionally tolerated the practices of the Eastern faithful, but did not regard them as equals.

It was remarkable, also, that the Muscovite Princess Olena was blamed for Ruthenian errors. Usually, at least in those times, the Roman See made a clear distinction between Muscovites and Ruthenians. Only uniformitarian writings contained intentional confusion between these two peoples and countries.³⁸⁸ The

³⁸⁶ ... ut ... studeat eam alloqui, et in salutis viam dirigere, adhibendo quascumque suassiones, hortationes ac monitiones ... quam si demum cognoscet Ruthenorum pravitatem abiurare nolle, et fidem catholicam perfecte sequi ac sincere colere et observare, tunc aperte illi declarabit nos permissuros, quod contra eam procedatur iuxta iuris formam, castigeturque, sicuti eius errorum pertinacie convenit ... [without any specification of punishment] — Ibidem, no. 109, p. 189.

³⁸⁷ Ibidem, no. 111, p. 195.

³⁸⁸ Such confusing exposition of East-European peoples can be found in the writing of another uniformitarian of those times: JOHANNES DE LASCO, *De Ruthenorum nationibus earumque erroribus*, 1514; based mostly on "Elucidarius" of Sacranus. This work will be examined more closely later on.

natural conclusion would seem to be that Olena, as the wife of the Lithuanian Great Prince, joined the Church of his country, i.e. the Kyivan one, and thereby ceased to adhere to the Muscovite autocephalic Church, as was the practice of ruling persons in those times.

9. SPIRITUAL HERITAGE OF "ELUCIDIARIUS" THROUGHOUT THE XVI CENTURY

Whatever were the causes of these controversial decisions of Pope Alexander VI on particular matters, their application in practice was more significant for the Kyivan Metropolitanate.

Unfortunately for the ecumenists, the Polish King Jan Olbrecht (John Albert) died on June 17, 1501. A few days later his brother, the Great Prince Alexander, appealed to the Polish circles, especially to the Primate Cardinal Fryderyk (Frederic), to secure the Polish crown for himself.³⁸⁹ The uniformitarian circles would support Alexander's candidature only under the condition, that he would abandon his support of the ecumenists. It was not surprising that from that time on the enterprise of Metropolitan Bolharynovyč fell into oblivion.

The election of Alexander to the Polish throne at the Polish Diet on October 3, 1501, and the political union between Poland and Lithuania decided at the Diet, created new situation. Residing in the uniformitarian center of Kraków, it was inconvenient for Alexander to patronize the distant Eastern faithful and their Church. Moreover, the same canon of Kraków, Sacranus, who was the former king's chaplain, remained as Alexander's first chaplain — "regiae Maiestatis Capellae magister". Sacranus even visited Lithuania with the King in 1505 as the King's confessor,³⁹⁰ and one would assume that all his

³⁸⁹ As early as June 25, Alexander wrote about his candidature to Cardinal Fryderyk (Frederic); the next day to another influential person; and on June 28 he sent a messenger concerning this matter to Cardinal Fryderyk, Alexander's own brother. — B. BUČYNSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 41, quoting: J. CARO, *Geschichte Polens*, vol. V, P. II, pp. 852-853. Erasmus was informed in Rome about the death of the King on July 2, 1501. — Ibidem.

³⁹⁰ MORAWSKI K., *Historia Uniwersytetu Jagiellońskiego*, vol. II, Kraków 1900, p. 81.

counselling was for the benefit of uniformitarians. A brief glance at the state of the Kyivan Metropolitanate during the following decades of the sixteenth century, would convince one that in all practical solutions and events the uniformitarian concept of "Elucidarius" weighed heavily.

From 1501 on, we hear no more of Metropolitan Josyf Bolharynovyč. We do not know whether he was deposed, or if he died in that critical period. In any event, another Metropolitan, Jona (Jonas) is mentioned in 1503. The Bishopric of Smoleńsk held by Bolharynovyč is also held since 1502 by Josyf (Joseph) Soltan, the future Metropolitan.³⁹¹

The last years of Alexander's reign were difficult for Poland. In March 1503, a very unfavorable six year truce had to be concluded with Muscovy. The new political union of Poland with Lithuania did not proceed well either.³⁹² Consequently, the uniformitarians had to restrain their activity, because they were not popular in the Lithuanian state anyway.

The period of King Alexander was followed by a long reign (1506-1548) of Zygmunt (Sigismund) I, King of Poland and Great Prince of Lithuania. He was rather liberal in ecclesiastical matters, in conformity with the humanistic trend prevalent at that time. He neither protected the ecumenical enterprise, nor was too interested in the uniformitarian objective. In 1507, the second year of his reign, we meet a new Metropolitan, Josyf Soltan, the former Bishop of Smoleńsk.³⁹³ His uncles, while in Rome during the preceding century, openly manifested their adhesion to the Roman See. A synod of the Kyivan Church was held under the new Metropolitan in 1509, which promulgated decrees in an autonomous tenor.³⁹⁴

Before the Synod commenced, uniformitarians resumed their

³⁹¹ BULGAKOV M., *Istoriya russkoj Cerkvi*, vol. IX, pp. 152, 165. The author asserts that Jona was a pretégé of princess Olena.

³⁹² Alexander was constrained to seek truce with Muscovy. In 1504 he confirmed the decree of 1443 about equality between Eastern and Latin Churches. Erasmus went to Rome twice (1503 and 1505) and obtained a more tolerable decision about the marriage of Alexander with Olena. More about this is to be found at the end of this Chapter. — O. HALECKI, op. cit., p. 121; B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Ryvi*, vol. VI, pp. 21, 47-48; and the monograph: F. PAPÉE, *Alexander Jagiellonczyk*, Kraków 1949.

³⁹³ Most probably elected in 1507. — B. BULGAKOV, op. cit., pp. 164-165. — cf. also: B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 47.

³⁹⁴ The Synod 1509-1510 will be reviewed in the next Chapter.

activity with a new publication. In 1508 a second edition of Sacranus' work was published under a new title: "*Errores atrocissimorum Ruthenorum*".³⁹⁵ The new edition of the "Ruthenian errors" possibly served as a preventive measure in case the Synod of 1509 would try again to contact Rome with the intention of negotiating an ecumenical unity. The Synod did not seek any assistance either from Constantinople or from Rome against the encountered abusive treatment. In any event, there seemed to be no definite decisions or resolutions following Synodic sessions, as if some strange power prevailed to curtail the struggle for revival of the Kyivan Church.

Six years later "Elucidarius" rendered another great service, this time to the Polish Primate, Archbishop Jan (John) Łaski (1456-1531), when he was preparing his speech for the XI session of the Fifth Lateran Council.³⁹⁶ Although Łaski had no university education, he, nevertheless, served to the Crown as Chancellor between 1503-1510. Even when he became auxiliary Bishop in 1508 and later Archbishop and Primate, he continued in the diplomatic service of the King. During the Lateran Council, he obtained a very profitable brief for Poland and the title "legatus natus" for himself.³⁹⁷

It is doubtful whether Łaski's speech "*De Ruthenorum nationibus earumque erroribus*" was ever read at the Council. It, nevertheless, reflected the uniformitarian attitude of the leading Polish clergyman in the person of the Primate. It was composed

³⁹⁵ The the second edition of Sacranus's work see: the introduction of K. STYDYNŃSKYJ to: *Pamjatky Ukraïnsko-ruśkoi movy i literatury*, vol. V, Lviv 1906, p. I, n. 3. — Cf. also: B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 51; where the author presumes, contrary to K. Studynśkyj, that the second edition was published in 1507.

³⁹⁶ The speech already was published by: ODORICUS RAYNALDUS, *Annales Ecclesiastici*, a. 1514, 68-86. Republished from the same source (Bibliotheca Vallicelliana, C 20, 57 sq.) in: *Historica Russiae monimenta* (ed. A.J. Turgenev), vol. I, Petropoli 1841, pp. 123-127. The essay is described in the article: J. KRAJCAR, S.J., *A report on the Ruthenians and their Errors, prepared for the Fifth Lateran Council*, in *Orientalia Christiana Periodica*, vol. 29 (Romae 1963), pp. 79-94. — According to the investigation made by B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kiyivi*, vol. VI, p. 51. Łaski used the first edition of "Elucidarius", not the second one.

³⁹⁷ SZOSTAKIEWICZ Z., *Katalog biskupów obrz. lac. przedrozbirowej Polski*, in *Sacrum Poloniae Millenium*, vol. I, Rzym 1954, p. 503. Bibliography and information about Łaski can be found in: W. POCIECHA, *Królowa Bona 1494-1557*, vol. II, Kraków 1949, p. 121; cf. O. HALECKI, op. cit., pp. 124-126.

of two parts. The first part was a geographic description of the three groups of Ruthenians:

Rutheni albi quondam Colchitae dicti, modo vero Moscovite ...
 Rutheni Walachii ... (qui) ... incolunt propriam terram
 Modaviam sive Mysiam ... idioma habent Italicum sed ritum
 Ruthenicum [meaning Roumanians - I.M.] ..
 Rutheni rubei ... in corpore Regni Poloniae et Magni Ducatus
 Lithuaniae ...³⁹⁸

When describing their settlements, military and economical strength, the author used confusing facts, full of chaotic data and archaic geographical names. This was rather strange for a prominent diplomat of an East European country. "It is rather surprising to hear a Polish prelate call the Muscovites White Russians" and "it is not a happy idea to call Ruthenians who inhabited Poland-Lithuania Red Ruthenians".³⁹⁹

There occur geographical inaccuracies, not to be expected from a Polish statesman ... In the description of the land of Moscow, the author had a golden opportunity of painting the aggressive policy of Moscow's princes ... preventing the Poles from concentrating their efforts against the infidel. Łaski would not have that opportunity slip. The author did ... [He] makes no distinction between the dissidents in Poland-Lithuania, where the heritage of the Florentine union was not completely obliterated, and the land was under control of a Catholic sovereign, and those in Moscow, whose aggression he had to oppose.⁴⁰⁰

To explain this, it is not necessary to look to the hypothesis that someone else hastily compiled all the archaic and confusing names and contributed to all this illogical disorder. The speech was not guided by political reasons and was not composed to elucidate the ethnic and religious conditions. Indeed, the previous year at the public consistory of June 12, 1513, Łaski presented the political situation of Poland, then, threatened from two sides — from the Moslems and from Muscovy. He then received a sympathetic understanding and a solution of the political problem was found.⁴⁰¹

³⁹⁸ *Historica Russiae monimenta*, pp. 123-124.

³⁹⁹ KRAJCAR j., op. cit., p. 80.

⁴⁰⁰ Ibidem, p. 94.

⁴⁰¹ For this address of Łaski cf.: L.v. PASTOR, *Geschichte der Päpste*, IV (1), 146: or a special monograph: L. FINKEL, *Sprawy Wschodu na soborze laterańskim*; Lwów 1900, p. 7. A brief note can be found in: O. HALECKI, op. cit., p. 126.

His new speech was prepared with ecclesiastic uniformitarian purposes. It served Łaski's purpose to present all three "groups of Ruthenians" together in a confusing manner. Two of them, the Muscovite "White Ruthenians", and the "Walachian Ruthenians", vassals of the Turks, were enemies of Poland which considered itself as the Catholic "vangard". Consequently, nobody would be inclined to deal with the third group of the Ruthenians, whom "Reges Poloniae debellarunt". Sacranus in his "Elucidarius" followed the same pattern, when he identified conditions in the Kyivan Metropolitanate with the dissident attitude of Muscovy, especially what concerned the rejection of Isidore and the Florentine Council. Łaski's confusing geographical presentation alienated the Roman circles still further from those undefined Red Ruthenians with their obscure nomenclatures.

One would reach the same conclusion by considering the second part of the speech, which was twice as long as the first. It began with the statement: "Istae omnes nationes Ruthenae seu Ruthenorum praesumunt se esse de fide Graecorum, attamen fidei ipsorum colliguntur infra scripti".⁴⁰² The affirmation was identical with the first point in Sacranus's argument. The errors which followed were literally a copy from "Elucidarius".⁴⁰³

Though Łaski's statements regarding the errors of the Russian Orthodox were exaggerated, he was entirely right in stressing Moscow's anti-Catholic attitude which made any religious union with her impossible ... But the question remains why the memorandum of the Primate of Poland included in the same criticism the Ruthenians of his own kingdom and the Grand Duchy of Lithuania ...⁴⁰⁴

The question could not be answered by considering the speech only and by disregarding the possible activity of the Kyivans of that time. After the favourable royal measures towards Eastern faithful were enacted in 1504 and 1506, there was a

⁴⁰² *Historica Russiae monimenta*, p. 124.

⁴⁰³ Łaski made no religious distinction between these three groups, attributing to all Ruthenians ... the same religious errors. Such an approach which seems completely to ignore the impact and tradition of the Union of Florence among the Ruthenians of Poland and Lithuania, and possibly also those of Moldavia, appears particularly surprising ... — O. HALECKI, op. cit., p. 127.

⁴⁰⁴ *Ibidem*, p. 129.

confirmation of the rights of the Eastern Church in the diet of 1511, one year before the Lateran Council started.⁴⁰⁵ The Council itself considered possibilities of some direct relations with the Eastern Christians of Syria and Ethiopia.⁴⁰⁶ This presented a good opportunity for the Metropolitan of Kyiv, Josyf Soltan, the active successor of Bolharynovyč, to follow the example of his predecessor to try again and contact the Pope as was done earlier during the Council of Constance.⁴⁰⁷

To prevent such an ecumenical move, it would be much more suitable for a uniformitarian to mention the Kyivans with the Muscovite in a confusing description, because the hostile attitude of the latter towards the Florentine Council was well known in Rome. Łaski thus faithfully followed Sacranus not only in the enumeration of "errors" but in the whole substance of his uniformitarian writing. A uniformitarian would rather see and present the problem in the aspect of a heresy and as the battle of a group of hostile heretics, "worse than pagans", who should be converted to the true faith in the proper uniform Latin rite.

Information, similar to Łaski's, was spreading among the leading personalities of the Roman Church. They brought desired results as could be seen from the convictions of the papal nuncio Jacopo Piso. He was sent to Muscovy, but he went only as far as Poland and Vilno in Lithuania. There he was informed, contrary to the truth, that the Kyivans sided with the Muscovites in the war against Poland and Lithuania. His impression was that the uniformitarian activity of Jagello (Władysław-Jagello) was an apostolic enlightenment to that mass of "sectarians", whom he called by an archaic designation as Sarmatians.⁴⁰⁸ The Nuncio's opinion was consistent with Łaski's work as presented in the

⁴⁰⁵ These confirmations of the Eastern rights will be considered more closely further.

⁴⁰⁶ C.v. HEFELE-LECLERQ, *Histoire des Conciles*, vol. VII (1), Paris 1917, 503-513.

⁴⁰⁷ With regard to the presence of the Kyivan Metropolitan and Bishops at the Council of Constance cf. Chapter 1 above.

⁴⁰⁸ Nuncio Piso writes in his letter from Vilno on September 26, 1514:

Władysław Jagello, the first from his dynasty to reign among Sarmatians, was the first who spread the Christian faith and religion among them and from the beginning saintly and devoutly protected the right faith in the whole of Sarmatia. The sect of Ruthenians always celebrated its rites in wooden temples ... — PISTORIUS, *Polonicae historiae scriptores*, vol. II, p. 322; quoted by B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 27.

About Piso's mission cf.: O. RAYNALDUS, *Annales Ecclesiastici*, no. no. 59, 60, 65-67. P. PIERLING, S.J., *La Russie et le Saint-Siège*, vol. I, Paris 1896, pp. 260-262.

geographical description and in the enumeration of the forty errors by Sacranus.

These 40 errors, together with two other chapters from "Elucidarius", were reprinted in 1582 in a collection called "*De russorum moscovitarum et tartarorum religione etc.*" by *Johannes Lasitzki*.⁴⁰⁹ This was done in the period immediately preceding the Synods of Brest. Its consideration would go beyond the time-limits of the present historical investigation.

In the meantime uniformitarians continued to proceed with advancing their type of union. The Bernardine missionaries in their work for converts, were joined and reinforced by Dominicans. On July 9, 1501, a Dominican convent was founded in the capital city of Vilno.⁴¹⁰ Uniformitarians had adherents in most Orders. The Latin uniformitarian hierarchy in Eastern territories would purposefully call any uniformitarian for help, regardless to which Order he belonged.

One of those uniformitarian bishops, the Latin Archbishop of Lviv, received from King Zygmunt (Sigismund) I in 1509, *the right to nominate the Metropolitan's Vicar*, i.e. the Administrator, for the Eastern See of Lviv, and this expressly with uniformitarian purposes in mind, as was stated in the royal decree:

... [ut] ipsi Schismatici tanto facilius ad Religionem Christianam adducantur, et alliciantur, saltem in eorum erroribus emendarentur, tale Decretum inter partes supra scriptas tulimus ...⁴¹¹

This decree was signed by the above mentioned Latin Bishop Łaski (Johannes de Lasko), figuring as the royal Chancellor. It was surprising that a Catholic bishop, by an order of civil authority, could confer on an Eastern "schismatic" clergyman, whose Holy Orders were contested by many uniformitarians, the jurisdiction over the "atrocious stubborn heretics"; unless all those serious accusations were insincere and used only for external justification of uniformitarian activity. It seemed uniformitarians were not concerned with jurisdictional legitimacy of the means used towards achieving an uniformitarian union with the Eastern Church.

⁴⁰⁹ Cf. notes 292 and 293 re this partial reprinting of Sacranus' work.

⁴¹⁰ BULGAKOV M., op. cit., p. 108; or other historians.

⁴¹¹ HARASIEWICZ M., *Annales Ecclesiae Ruthenae*, Leopoli 1896, p. 93.

But the events developed in a way which they could not appreciate. The local Eastern population obstinately resisted this intrusion of the Latin Archbishop. This opposition was especially dramatic during the time when the Metropolitan's Vicar General Makarij was nominated, not by the Latin Archbishop but the Kyivan Metropolitan. The struggle lasted four years. It involved an enormous amount of energy and cost on the part of the Eastern Church. Royal officials as well as Queen Bona herself had to be appeased through bribery. Finally in 1539, after receiving his episcopal consecration from the Metropolitan, Makarij was also confirmed to his Episcopal See by the King.⁴¹² After a long period of interruption, *Lviv again received an Eastern Bishop.*

However, the Latin Archbishop of Lviv did not leave the new Bishop and their Eastern faithful in peace. The struggle continued not only throughout the life of Makarij, but also during the lives of his two successors, Arsenij Marko (Mark) Balaban (1549-1569) and Gedeon Hryhorij (Gregory) Balaban (1569-1607). Each new bishop had to go through a fierce struggle so as to obtain his nomination and investiture. The Latin Archbishops used every occasion to regain supremacy over the Easterners. Their claim was even sanctioned by the provincial Synod of the Latin hierarchy held in Lviv in 1564. Its resolutions read as follows:

Hortata est etiam S. Synodus omnes provinciae Episcopos ut potestate et auctoritate sua, et a Pontificibus et nuper a S. D. N. Pio Quarto et a Regibus Poloniae Ecclesiis concessa, in Vladicas et Popones graeci ritus uterentur ... ius suum in eos jurisdictionemque exercean, et eorum Ecclesias visitent.⁴¹³

A careful consideration of this ruthless conduct through many generations towards the Eastern Eparchy of Lviv explains the great distrust towards the Latin hierarchy that Gedeon Balaban showed during the Brest Synods and why that Eparchy was the last to accept the decisions reached at Brest.

⁴¹² The struggle for the renewal of the Eastern bishopric of Lviv is described at full length by many historians, like: M. HARASIEWICZ, *op. cit.*, pp. 94-110; M. BULGAKOV, *op. cit.*, pp. 204-251; M. HRUŠEVSKYJ, *op. cit.*, pp. 432-442; K. CHODYNICKI, *op. cit.*, pp. 131-134; or in the monograph: M. STASIŃ, *Metropolia Haliciensis*, Roma 1960.

⁴¹³ *Monumenta Ucrainae historica*, (coll. Metr. A. Šeptyčyj), vol. I, Romae 1964, no. 9, p. 9.

The renewal of the Eastern Episcopacy in Lviv did not mean the return of Eastern benefices from the Latin Archbishop. Another endless contest had to be undertaken and sustained through centuries. In the meantime *expropriation of Eastern benefices* continued through the whole of the sixteenth century.⁴¹⁴ The confiscation of benefices of the Eastern Eparchy of Kholm (Cholm) in 1533, was even argued as an accomplished uniformitarian "conversion" of the Eastern faithful to the Latin rite,⁴¹⁵ even though this did not correspond with reality. This explains why the retention of Eastern benefices was such a crucial problem during the Synods of Brest and why so much emphasis was placed on this point during the preparations that preceded.

The confiscation of Eastern benefices was followed by a prohibition to construct Eastern churches and to publicly celebrate and participate in Eastern devotions. Such restriction of Eastern worship limiting the Eastern faithful to "sacristies" was even ordered by the Latin hierarchy in their Provincial Synod in 1542. That Latin Synod prohibited mixed marriages between Latin and Eastern faithful and the holding of public offices by those belonging to the Eastern Church.⁴¹⁶ It was remarkable that the Latin clergy felt authorized to pass regulations about such "heretics". The active participation of the Latin hierarchy in these discriminatory acts was openly attacked by the Eastern nobility in the Diet of 1558-59. It was said that they "behaved worse than Tartars or other pagans".⁴¹⁷ Surely such conduct was not conducive to a harmony and unity with the Latin Church.

Similar prohibitions were promulgated and constantly renewed by the civil government as well.⁴¹⁸ If there were any exceptions permitting the construction of new churches, as there were twenty-five of these in the beginning of the sixteenth century

⁴¹⁴ HARASIEWICZ M., op. cit., p. 51 fol., quotes many documents re the expropriation of Eastern benefices in different eparchies, especially in those of Peremyśl, Sambir and Lviv.

⁴¹⁵ omnes fere subditi nostri, praesertim insigniores ex militari ordine, in districtu Chelmensi, ex ritu graeco seu ruthenico ad unionem romanae ecclesiae conversi jam rediissent ... — The argumentation from the royal decree quoted in: M. HARASIEWICZ, op. cit., p. 61; M. BULGAKOV, op. cit., p. 286.

⁴¹⁶ *Akty Zapadnoj Rossii*, vol. II, no. 205; M. HARASIEWICZ, op. cit., pp. 62-63; M. BULGAKOV, op. cit., pp. 248-249.

⁴¹⁷ CHODYNICKI K., op. cit., p. 96, quoting: *Dziennik Sejmu Walnego Koronnego z r. 1558/9*, (ed. Luborski), Kraków 1896, p. 228.

⁴¹⁸ HRUŠEVŠKYJ M., op. cit., pp. 443-444, describes the opposition of the Polish administration against the construction of an Eastern Church in Drohobyč in 1540.

(1503, 1511 and 1514), it was clearly indicated that these exceptions were made due to the personal military merits of the designated Eastern noblemen.⁴¹⁹

The life of the Eastern faithful, especially of the middle class, was unbearable. For instance, the Eastern faithful in Lviv were permitted to dwell in only one very small section or "ghetto", and only there could they worship publicly according to the Eastern rite. This was ordered by a royal decree in 1525.⁴²⁰ Similar restrictions also existed in other cities.⁴²¹

No help could be expected from the government because no Easterners were permitted to hold public offices. This was according to the Decree of Horodlo of 1413, which was continually renewed and reconfirmed, be it in particular cases⁴²² or generally for the entire Polish-Lithuanian state. For example, in the Diet of Grodno in 1522 and confirmed by the King Zygmunt (Sigismund) II in 1529. There was a special clause stipulating not to make any more exceptions:

Nemini postes nos nec successores nostros ritus graeci seu ruthenici a fideque ecclesiae romanae homini alieno ullas dignitates, praeeminentias concessuros nec eos ad consilia secretiora admissuros ...⁴²³

This discriminatory decree was confirmed many times, particularly in the years: 1537, 1547, 1549 and 1551.⁴²⁴ It was remarkable that in the above quotation "ritus" and not "faith" was mentioned. Consequently, an ecumenical unity preserving Eastern rite, would not protect from discrimination.⁴²⁵ This

⁴¹⁹ Re some exceptions made due to the demands of Prince Konstantyn Ostrożkyj cf.: M. BULGAKOV, op. cit., pp. 194-195; K. CHODYNICKI, op. cit., pp. 80-81.

⁴²⁰ *Monumenta Confraternitatis Stauropeigianae Leopoliensis*, (ed. W. Milkowicz), Leopold 1895, vol. I, no. 5.

⁴²¹ The sources and testimonies re these restrictions are indicated in: M. HRUŠEVSKYJ, op. cit., pp. 239, 241-244, 247-249; K. CHODYNICKI, op. cit., pp. 97, 99-101.

⁴²² Such particular confirmation for the city of Drohobycz in 1561 and for Buśk in 1541 are quoted by M. HARASIEWICZ, op. cit., pp. 59 and 62.

⁴²³ *Archivum komisji historycznej*, vol. VII, Kraków 1894, p. 297; quoted also by M. HARASIEWICZ, op. cit., p. 28.

⁴²⁴ Documents for these general confirmations to be found in: M. BULGAKOV, op. cit., p. 284; K. CHODYNICKI, op. cit., pp. 87, 99, 192; B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, pp. 49-50; or other historians.

⁴²⁵ B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, pp. 49-50, investigates, like other historians, whether the restrictions concerned all Eastern Christians, or only non-Catholics. But the whole investigation, quite confusing in

problem had been carefully considered during the deliberation at the Synods of Brest, and therefore, much insistence was put upon the admission of Eastern faithful to government posts.

Notwithstanding the predominance of the uniformitarian trend throughout the sixteenth century, there were still a few acts of government in favour of ecumenism. All of them were caused by political circumstances and calculations, consequently, they were not of a lasting nature.

Thus, the royal decree of 1443 regarding the equality of rights between Eastern and Latin citizens was confirmed twice, in 1504 and in 1543. In both cases this was done to facilitate the amalgamation of the Polish and Lithuanian states. In March 1504, King Alexander solemnly confirmed his uncle's decree, presuming that the Lithuanian Diet, including many Easterners, would ratify in February 1505 the political Polish-Lithuanian union decided at the Polish Diet of 1501.⁴²⁶ But all the efforts of the Polish Chancellor and Primate Jan Łaski at that Lithuanian Diet failed, and the entire enterprise of fusion of two states was forsaken for 35 years.

In the meantime, the new Polish King and Lithuanian Great Prince Zygmunt I (1506-1548), in his endeavours to retain both thrones, promised on December 7, 1506, not to diminish the dignities of the Lithuanian nobility⁴²⁷ and in the Diet of 1511 in Brest, confirmed the rights of the Eastern Church.⁴²⁸ However,

results, seems to be superfluous. The division of the Kyivan Eastern community into two parts: Eastern Catholic and non-Catholic took place only in the XVII century. Before the Synod of Brest (1596) such distinction was not existing, as can be seen from the documents. The national denomination (Ruthenians) and the religious one (Ruthenian ritus, or schismatics) were equivalent. The converts usually joined Polish nationality and the Latin Church by the same act, without any specific legislation or distinction.

⁴²⁶ *Arkhiv jugo-zapadnoj Rossii*, p. I, vol. I, Kyiv 1859, no. 105; O. HALECKI, *From Florence to Brest*, pp. 123-124; B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 48; cf. also note 143 above.

It is notable that on December 20, 1504, Erasmus Ciołek was sent to Rome and that between March 1 and September 12, 1505, he was received at papal audiences fifteen times (cf. B. BUČYŃSKYJ, *ibidem*; O. HALECKI, op. cit., p. 125, for sources). On August 22, 1505, Pope Julius II consented to tolerate the marriage of the Polish King and his Eastern wife (cf. *not* 139). However, there are no indications that the question of ecclesiastical unity was considered on that occasion by Erasmus and Pope Julius II.

⁴²⁷ *Archivum komisji prawniczej*, vol. VII, p. 271, quoted also by B. BUČYŃSKYJ, op. cit., in *Zapysky UNT v Kyivi*, vol. VI, p. 49.

⁴²⁸ *Akty Zapadnoj Rossii*, vol. II, no. 65, pp. 81-82.

later in his reign, in 1522 and thereafter, decrees of a discriminating tenor were promulgated again.⁴²⁹

The Polish Diets from the year 1539 on raised again and again the question of the political unification of both states.⁴³⁰ On March 23, 1543, the royal decree of equality was confirmed once more, hoping that the following year the Lithuanian Diet in Brest would incline towards a political union. Again it was a vain effort.⁴³¹ In the years that followed, the discriminatory decrees appeared again.⁴³²

The accomplishment of the final *fusion of the Polish Kingdom and Lithuanian Great Principality* into one state in the year 1569, at the famous and long Diet of Lublin, was the task of another generation. It was preceded by the more radical conciliatory acts of King Zygmunt (Sigismund) II August (1548-1572). The still valid discriminatory law of Horodlo was abolished at the Diets of 1563 and 1568.⁴³³ For the same reasons, that is, for the sake of "laudabilis actus unions Regni Polinae cum magno ducatu Lituaniae", middle class Eastern Christians also obtained some relief at the Diet of 1572.⁴³⁴

But these concessions, granted on account of a political fusion of two states, were of a short duration. Already in 1578, the first occasion presented itself to pass new restrictions on the middle class.⁴³⁵ The confiscation of Eastern ecclesiastical benefices continued. In 1580 the Polish King, Stefan Batory, confiscated all Eastern benefices in the city of Polotsk in favour of the newly installed Latin mission there by simply declaring:

justum arbitrari sumus, publica bona et quaecumque Deo consecrata, templis Ruthenicis et monasteriis attributa, s. Romanae Ecclesiae catholicae ejusque sacerdotibus et templis omnia conferri ...⁴³⁶

⁴²⁹ Cf. notes 423 and 424 above.

⁴³⁰ HALECKI O., op. cit., p. 138; M. HRUŠEVSKYI, op. cit., pp. 455-456. — It is significant that precisely in that year, 1539, the first Eastern Bishop of Lviv finally obtained a confirmation from the King for this See after a prolonged vacancy. (Cf. note 412 above).

⁴³¹ Ibidem. — Cf. also note 143 above.

⁴³² Cf. note 424 above.

⁴³³ HARASIEWICZ M., *Annales Ecclesiae Ruthenae*, Leopold 1862, p. 68; K. CHODYNICKI, op. cit., pp. 88-90; or other historians.

⁴³⁴ *Monumenta Confraternitatis Stauropeigianae Leopoliensis*, vol. I, no. 53, pp. 57-62.

⁴³⁵ Ibidem, no. 63; K. CHODYNICKI, op. cit., pp. 102-103.

⁴³⁶ HARASIEWICZ M., op. cit., p. 63.

These facts belong to a later historical period which is beyond the limits of this work.

It should be noted that the decisions favourable to Eastern faithful were granted by Diets. Indeed this was the only place where the Eastern voice was heard and therefore, the Diets greatly influenced the later course of Church history. For this reason the Eastern faithful so often resorted to them, despite the fact that these Diets were intermittently convoked and were not very effective, because the central administration of the Polish Kingdom lacked adequate coercive means for implementing own decisions. Therefore, all decrees, including those promulgated by the King or the Diet, to become effective depended on the good will of the influential nobility. As long as the majority of nobles was of a uniformitarian orientation, not much could be expected from even an anti-uniformitarian decision or decree.

Only later, when a great majority of the Latin nobility became Calvinists or other Protestants, the exclusiveness of Latin Catholics in government positions could not be maintained as strictly. Thus, the Protestants, even though they differed much in religious matters, indirectly helped the Eastern faithful and often were their allies in the Diets, especially during the stormy period following the Synods of Brest.

10. SURVIVAL OF FLORENTINE ECUMENISM IN THE KYIVAN CHURCH

The most significant point in the two confirmations of 1504 and 1543 of the royal decree on the equality of rites, was the fact that the original decree of 1443, which they reconfirmed, was based on *the attained ecclesiastical Union of Florence*.⁴³⁷ Without the acknowledgement of that basic condition, both new confirmations would be meaningless. Indeed, King Alexander confirmed the decree in 1504, "as if the Ruthenian Church of his realm had remained faithful to the Union of Florence and thus fulfilled the prerequisite condition for enjoying rights with the Polish Church of Latin rite".⁴³⁸

⁴³⁷ Cf. note 141 above.

⁴³⁸ HALECKI O., op. cit., p. 123.

Uniformitarian circles of the Latin clergy sometimes tried to undermine the validity of this confirmation on the grounds that the basic conditions seemed to them not to have been fulfilled. They took the schism and heresy of Kyivans as a presupposition not only in the sixteenth century but in the fifteenth century as well. In fact, as far as these two periods were concerned, "it is impossible to discover any difference in their attitude [that of Kyivans - I.M.] towards the problem of reunion with Rome".⁴³⁹

There were positive indications that this constancy in the unionistic attitude should have been interpreted in favour of the Florentine Union. In both cases, in 1504 and 1543, the confirmation of this "Florentine" document was requested by the Eastern Bishops of Kholm (Cholm). They themselves submitted the deteriorated original document,⁴⁴⁰ kept in custody by them, which they most probably consulted frequently. In any case, it showed that at least the Bishops of Kholm, until as late as the middle of the sixteenth century, persevered in the spirit of Florence and held it in esteem. No document is available that shows that the Kholm Bishops have ever been reproached for this unionistic attitude by their superiors, the Kyivan Archbishops, or by any other Bishops of that Metropolitanate.

Some former historians⁴⁴¹ claimed that the first successor of Josyf Bolharynovyč on the Metropolitan see, Jona (Jonas) II, (there are references to him in 1503 and 1507), was a dissident. The only argument for this opinion was the affirmation of later writers,⁴⁴² that his nomination was favoured by Olena (Helena),

⁴³⁹ Ibidem, pp. 123-124. — This statement on the lack of changes in the unionistic attitude should eliminate entirely the doubt which the author expresses a little below (p. 124):

In 1504, soon after the negotiations between Metropolitan Joseph and Pope Alexander VI, it was particularly difficult to determine whether that Union [of Florence - I.M.] was still respected by the Ruthenians or not.

The logical conclusion can only be one: if there were no changes, the respect for the Florentine Union continued.

⁴⁴⁰ HALECKI O., op. cit., pp. 123 and 138; quoting: *Acta Regis Alexandri I* (ed. F. Papée), Kraków 1927, no. 233.

For the text of confirmation cf. note 143 above.

⁴⁴¹ BULGAKOV M., op. cit., p. 152, quotes and follows the previous writers in this opinion.

⁴⁴² M. HRUŠEVSKYJ, op. cit., p. 414, n. 3, refers to the writer of the XVII cent.: L. KREUZA, *Oborona Unii*, in *Russkaja istoričeskaja biblioteka*, vol. IV, col. 237, as to the source of this affirmation. — Cf. also: K. CHODYNICKI, op. cit., p. 120, n. 1; and note 391 above.

wife of the Polish King and daughter of the Muscovite Great Prince, Ivan III.⁴⁴³ Even if Olena favoured Jona indeed, this does not prove anything. When Olena rejected the accusations about her husband Alexander's religious intolerance and did not sustain the political and ecclesiastical intrigues of her father Ivan III as well,⁴⁴⁴ there was no reason to assume that she acted differently this time in her own realm, by favouring a dissident candidate for the Kyivan See. Rather, it should be admitted that she shared the political and ecclesiastical views of her husband and the local Eastern Church, regardless of the intentions of her father.⁴⁴⁵ Modern historians were more cautious in expressing their opinion about Jona's convictions.⁴⁴⁶ Nothing certain is known about Jona's confirmation by a Patriarch of Constantinople.⁴⁴⁷

Jona's successor, Josyf Soltan (1507-1521), if not the same Soltan who signed Misail's letter to the Pope in 1476,⁴⁴⁸ at least of the same ecumenically disposed family, was certainly confirmed by the Patriarch of Constantinople.⁴⁴⁹ However, in the sixteenth century the Patriarch had even less influence on the Kyivan Metropolitanate than in the preceding century. This was true not only in the nomination of Metropolitans but also in influencing their activity.⁴⁵⁰ This became evident in the decisions of the Synod held in Vilno in 1509-1510, as pointed out later in this work. This notwithstanding, some writers consider Soltan a dissident without any positive argumentation.⁴⁵¹

⁴⁴³ AMMANN A., S.J., *Abriss der ostslawischen Kirchengeschichte*, Wien (1950), p. 191, writes: "It could be, that he [Jona] belonged to the party of moscophils". But there is no confirmation for this supposition.

⁴⁴⁴ Cf. Olena's letter to her father of January 2, 1503; — see: note 207 above. — Cf. also: O. HALECKI, op. cit., p. 121.

⁴⁴⁵ Cf. conclusion at the end of Chapter 8 above.

⁴⁴⁶ For instance O. HALECKI, op. cit., p. 121, writes: "nothing is known about any inclination he would have shown towards reunion with Rome". Neither is anything known about a contrary inclination of Jona.

⁴⁴⁷ CHODYNICKI K., op. cit., pp. 120-121; M. BULGAKOV, op. cit., p. 158.

⁴⁴⁸ BULGAKOV M., op. cit., p. 164, cf. note 393 above.

⁴⁴⁹ *Akty Zapadnoj Rosii*, vol. II, no. 10, p. 39; see also: Ibidem, no. 51 and 55.

⁴⁵⁰ HRUŠEVSKYJ M., op. cit., pp. 414-422; K. CHODYNICKI, op. cit., pp. 120-122; cf. also note 238 above.

⁴⁵¹ AMMANN A., op. cit., p. 191, writes about Josyf Soltan:

Although he was a non-Catholic and was confirmed in his dignity by the Byzantine Patriarch Pachomios (1503-04, 1505-14), nevertheless he was not an enemy of the Latins.

Non-Catholic historian M. BULGAKOV, op. cit., pp. 164-165, relates the assertion

As to the unionistic convictions of two subsequent Metropolitans: another Josyf (1522-1534) and Makarij (1534-1556), the opinions of authors were divided in the past.⁴⁵² Now we should rather acknowledge a complete lack of information. Nothing is known about a confirmation by a Patriarch. The nomination of Metropolitans in those times seemed to depend entirely on the King's decision. Documents confirm the predominant role of the King in the designation of the Metropolitan, as far as Makarij and his three successors were concerned; that is until the year 1579. This sometimes assumed a form of a donation or selling of ecclesiastical benefices to the nominant.⁴⁵³ The attitudes of those Metropolitans towards an ecclesiastical unity are not questioned by historians.

The same practice of *royal appointments* was adopted for *granting bishop's seats* and in the administration of monasteries. Ecclesiastical benefices were taken into consideration rather than responsibilities. These benefices were very often given to particular secular persons as rewards for good public service to the Crown. The lower ecclesiastical posts depended also on the local nobility, where abuses and unsuitable designations were ever more frequent. Consequently, the spiritual religious standard abased constantly throughout the sixteenth century. It was difficult to change this, because those, whose duty it was to maintain a particular standard, were not appointed with this purpose in mind.⁴⁵⁴

of some Catholics that Josyf Soltan was of unionistic convictions, but he rejects this assertion (ibidem, pp. 174-176), because of lack of evidence. However, there is no evidence of Soltan's dissident non-Catholic conviction either.

⁴⁵² BULGAKOV M., op. cit., pp. 209 and 206, enumerates the writers who considered these two Metropolitans as non-Catholics and those who held a contrary opinion. The modern historians rather omit the question entirely, or adopt evasive remarks like:

Without any formal break with Rome, all of these Metropolitans of Kiev of the sixteenth century continued to be satisfied with their confirmation by the Orthodox Patriarchs of Constantinople, as well as by the secular authority, the Catholic King of Poland and the Grand Duke of Lithuania. — O. HALECKI, op. cit., p. 126.

⁴⁵³ Cf. BULGAKOV M., op. cit., pp. 234, 329, 350, 385; M. HRUŠEVSKYI, op. cit., pp. 415-417; K. CHODYNICKI, op. cit., pp. 121-123, 127-128; where different sources are quoted.

⁴⁵⁴ Historians agree in attributing the principal cause of the decline of the Eastern Kyivan Church in the XVI century, so plainly described by them, to unsuitable appointments for ecclesiastical positions. O. HALECKI, op. cit., p. 135,

Nevertheless, all through the sixteenth century there were attempts, collective and individual, to ameliorate the situation. The Synod of the Kyivan Church held in Vilno in 1509-1510 was entirely dedicated to settling the manner of ecclesiastical nominations and designating the duties of the clergy.⁴⁵⁵ There were also endeavours to convocate synods in 1514, 1546 and 1558 to deal with the matter of internal reform, but we do not even know whether these synods were held or not.⁴⁵⁶ In any case, there were no signs of effective reform. The situation deteriorated continuously. Ten years after the last ineffective attempt of reform through the action of a synod, the new Metropolitan Jona Protasevyč in the Diet of 1568 appealed directly to the King to protect the Kyivan Church from harmful interference in ecclesiastical matters.⁴⁵⁷ But even this appeal remained futile, and the state of the Kyivan Church in the last quarter of the sixteenth century, just before the Synods of Brest, was disastrous.

It is true that the standard of the Latin Church, especially in Poland, was not much better before the application of the reforms adopted at the Council of Trent.⁴⁵⁸ The King exercised a great

literally writes:

... there was not a single prominent **personality** among its [Eastern - I.M.] hierarchy including the metropolitans themselves. This was at the same time one of the main reasons of the **poor** conditions of religious life and even of its deterioration already in the **first half** of the sixteenth century. And since the appointments of those metropolitans and bishops were practically decided by the King and his advisers who were only in part members of the Orthodox Church, the Catholic administration under which the Ruthenian lands were placed, was certainly not without serious responsibility for these deplorable conditions.

See also: K. CHODYNICKI, op. cit., pp. 107-150, especially pp. 135-150; M. HRUSEVSKYI, op. cit., pp. 461-482-496; O. LEVYCKYI, *Vnutrišnij stan zachidno-ruškoj cerkvy v Polško-lytovskij deržavi v kinci XVI st. ta Unia*, in *Ruška istorična biblioteka*, vol. VIII, Lviv 1900, pp. 1-80; and other historians.

⁴⁵⁵ The Synod commenced on December 25, 1509, and its decisions were written down on January 18, 1510; published in: *Russkaja istoričesjaja biblioteka*, vol. IV, col. 5-18. A summary of these decisions can be found in: M. BULGAKOV, op. cit., pp. 168-174; or in other historical works.

⁴⁵⁶ *Akty Zapadnoj Rossii*, vol. III, no. 3; M. BULGAKOV, op. cit., pp. 176, 309, 334. — M. BULGAKOV (p. 176) assumes that in 1514 a synod was held, but the matter of deliberations is not exactly known.

⁴⁵⁷ *Akty Zapadnoj Rossii*, vol. III, no. 43, 47; *Archiv jugo-zapadnoj Rossii*, P. I, vol. I, nr. 7, 8, 12; M. BULGAKOV, op. cit., pp. 375-380.

⁴⁵⁸ SUŠKO O., *Predteča Unii*, in *Zapysky NTŠ*, vol. 53 (Lviv 1903), pp. 23-32, collected a lot of documentary material and presented a large picture about the disorder of the Polish Latin Church in the XVI century. In the next chapter (pp. 32-41) he compared this to the situation of the Kyivan Eastern Church and came to the conclusion that the situation in both Churches did not actually differ.

influence in the choice of the Latin hierarchy as well. But the main difference was that Latin "Catholicism had the support of Rome, facilitated by regular free contacts with the Holy See".⁴⁵⁹ The endeavours of Metropolitan Josyf Bolharynovyč to install such direct contact with Rome failed. There was no prospect in sight that any of his successors would succeed in establishing such contact, especially with the even closer dependence of Lithuania on the Polish Crown in the sixteenth century and the ardent unifromitarian activities of the followers of Sacranus.

The Kyivan Church, in its struggle for reform was *abandoned to its own limited forces*. The decisions of the Synod of 1509-1510 furnished the best example of a desperate struggle. The Synod was conscious that the root of the evil lay in the interference in ecclesiastical matters, especially in the nominations of bishops by the civil administration, including the King. Nevertheless, the only means of defence that the Synod possessed was a collective supplication before the royal court.⁴⁶⁰

The Bishops feared that the King and the nobility might violate the synodal decisions. Again the only defence was to stand firmly united behind those decisions.⁴⁶¹ But this firmness could easily be broken by the royal appointment of one inappropriate person.

In the desperate decisions of the Synod of Vilno, there was a complete lack of reference to the Patriarch of Constantinople. Not only was an eventual appeal to Constantinople not considered, but even a courteous mention of the Patriarch was not made. This was only a few months after the head of the Synod, Metropolitan Josyf, was confirmed in his dignity by the Patriarch.⁴⁶² It seemed that the Metropolitan needed this confirmation to

⁴⁵⁹ O. HALECKI, *op. cit.*, p. 136.

⁴⁶⁰ Even if the Lord [King - I.M.] should stand for an unworthy, we all with the Metropolitan should go to the Lord and disclose his unworthiness and should in no way dare to install him. — *Russkaja istoričeskaja biblioteka*, vol. IV, col. col. 9-10.

⁴⁶¹ If the Lord [King - I.M.] or any of the noblemen and potentates ... should try to violate this order, approved by us according to the holy rules, and do his own will, none of us should even dare to follow. We all should convene at the Metropolitan's see ... and supplicate the Lord about this and stand firmly, that ... the law of our orthodox Christian faith [in sense of the Church - I.M.] might not be violated. — *Ibidem*, col. col. 16-17.

⁴⁶² The confirmation took place in the middle months (between February and September) of 1509, although the Metropolitan was elected two years earlier. — M. BUTCHAKOV, *op. cit.*, p. 165; see sources quoted in the note 449 above.

act as a legally installed head of the Kyivan Church lest he be thought of as an autocephalous self-styled Metropolitan. Only such a legitimization and nothing else was expected from the Patriarch of Constantinople.

... the Ruthenian Church ... without formally denouncing the Union of Florence and without having any contacts with the Metropolitans of Moscow, continued to recognize the authority of the Patriarchate.

That recognition was, however, limited to the practice that the Metropolitans of Kiev received their formal confirmation and blessing from the Patriarchs of Constantinople. In most cases, particularly of the later sixteenth century, little is known even of these confirmations, even less of occasional relations... and in general the Ruthenian Church of both Lithuanian and Poland was completely left alone.⁴⁶³

In those times the Kyivans were far from imitating the Muscovite autocephalous trend, and in general, they did not follow the same path in either ecclesiastical or political life.⁴⁶⁴ During the war against Muscovy in 1514, it was the Eastern Bishop of Smolenśk who encouraged his faithful to defend the city against the Muscovites, and the combined Polish and Lithuanian forces combatted in 1514 under the supreme command of the Eastern Prince Konstantyn Ostrożkyj as they had also done in 1500.

After the fall of Smolenśk, many Eastern faithful preferred to emigrate to other Lithuanian regions rather than stay under Muscovite rule.⁴⁶⁵ The same attitude persisted half a century later, when the Eastern Christians of the Lithuanian Great Principality supported the fusion of that state with the Polish Kingdom in the Diet of 1569, precisely in expectation of stronger Polish engagement in the Lithuanian defensive struggle against Muscovite expansion.⁴⁶⁶

⁴⁶³ HALECKI O., op. cit., p. 135. — Cf.: K. CHODYNICKI, op. cit., p. 123, where the author quotes non-Catholic writer Vladimirskij Budanov expressing similar opinion.

⁴⁶⁴ ... there were no similar [close - I.M.] relations at all between these Ruthenians and the Muscovites.

... This was particularly true in the religious sphere. — O. HALECKI, op. cit., p. 133.

⁴⁶⁵ HALECKI O., op. cit., p. 130; quoting sources and bibliography. Cf. also: K. CHODYNICKI, op. cit., p. 106, or any other historians.

⁴⁶⁶ HALECKI O., op. cit., p. 162; or other historians.

The Diet of Lublin (1569), at the request of the Eastern nobility, recognized equal rights of Eastern and Latin faithful,⁴⁶⁷ because generally, there was a tendency to avoid religious controversies. At the very end of the Diet, King Zygmunt (Sigismund) August even expressed his desire to see all his Christian subjects united in one Church, but he did not elaborate on that topic.⁴⁶⁸ The Polish King seemed to have understood the reunification of his Eastern subjects by their conversion to the Latin rite Church. Two years later, in his letter to the Polish representative in Rome, Cardinal Hosius, King Zygmunt pointed out that a conversion of an Easterner is more difficult than of a Hebrew, therefore, conversion of the whole Eastern populace had no prospect.⁴⁶⁹ But for the time being, the papal Nuncio, Portico, welcomed the King's general expression at the Diet about Church unity, attaching to it a great hope, although the Nuncio was more concerned with the recently separated Protestants than the Eastern faithful.⁴⁷⁰

Due to the outbreak of Protestantism, Rome considered all ecclesiastical matters from the point of this new menace to the Church in its basic principles. As soon as the Council of Trent was concluded, the Holy See became anxious that its decisions be applied in all possible regions, particularly in those under the Polish Crown which were contested between Latin-Catholic and Protestant influences. "It had become indispensable to study more carefully than ever before the position of the followers of the Eastern Churches who without being heretics were nevertheless separated from Rome".⁴⁷¹ As a matter of fact, there were *testimonies of impartial Catholic subjects*, that the Kyivan Church was not contaminated by innumeral heresies, as Sacranus tried to make believe.

⁴⁶⁷ The guarantees were included in the Royal Chapter of May 27, 1569. — *Akta Unii Polski z Litwą*, no. 136, p. 305 fol., quoted by O. HALECKI, op. cit., p. 164.

⁴⁶⁸ The King's speech on August 12, 1569, in: *Dziennik lublińskiego sejmiku*, 634 fol., quoted by: O. HALECKI, op. cit., p. 166.

⁴⁶⁹ The letter of May 23, 1571, to be found in: *Akta podkanclerskie F. Krasieńskiego*, vol. III, Warszawa 1871, no. 38, quoted by: O. HALECKI, op. cit., p. 169.

⁴⁷⁰ This conclusion of O. HALECKI, op. cit., p. 167, is based upon two letters of Portico of August 17 and 18, 1569, to Commendone and Cardinal Morone respectively. (Vatican Archives, Nunz. di Polonia, vol. 6, fol. 31; E. RYKACZEWSKI, *Relacje nuncjuszów apostolskich i innych osób o Polsce od r. 1548 do r. 1690*, Paryż 1864, vol. I, p. 218 fol.).

⁴⁷¹ O. HALECKI, op. cit., p. 152.

As early as 1525, the German Dominican, *Johannes Faber* (the real name: *Heigerlin*), later Bishop of Wien (Vienna),⁴⁷² wrote an essay about the religion of East-Europeans.⁴⁷³ On the ethnic level he confused the Muscovites with the Kyivan population, calling the Great Prince of Muscovy: "Ruthenorum Imperator".⁴⁷⁴ On the religious level, however, he presented extensive comparison between Easterners and Latins in matters of faith, Holy Sacraments, religious life, fasting, veneration of saints, holy images and even indulgences. Revealing a profound knowledge of this subject, he found in all of these matters a substantial identity.⁴⁷⁵ After the final assertion that the Eastern faithful even "Pontificem Rom. ut Christi vicarium et successorem Petri agnoscunt",⁴⁷⁶ the reader could only remain perplexed as to why those Easterners remained separated, and were blamed for schism and heresy. As a reply to such a prospective astonishment, the author had the following eloquent paragraph:

Quod autem ab eo veluti apostatae ac schismatici damnentur hoc se iudicio iusti iudicis Dei committere, dicebant. Saepissime certe tentatum est eos persuaderi, quo ad occidentale in Ecclesiam redirent. Quae tamen fuerint, quae infelicius homini frustrata sint, forte plus profuerint obticere quam commemorando vel scandalum infirmioribus preaeber, vel odium quorundam in me contrahere.⁴⁷⁷

⁴⁷² *Johannes Faber* (1478-1541), member of the Dominican Order since his youth, was from the very beginning of the Protestant outbreak an active polemic writer and later on a witch-inquisitor. In 1526 he participated in the dispute of Baden and two years later went as ambassador to England and Spain. Since 1531 Bishop of Wien (Vienna) — *Allgemeine Deutsche Biographie*, vol. 14, Leipzig 1881, pp. 435-441; *Encyklopedja kościelna*, vol. V, Warszawa 1874, pp. 244-245.

⁴⁷³ The essay was published the next year, 1526, in Basel under the title: "De Moscovitarum religione et juxta mare glaciale religione" (*Realencyklopädie für protestantische Theologie und Kirche*, ed. 3, Vol. V, Leipzig 1898, p. 717). Republished in the work: J. LASITZKI, *De russorum moscovitarum et tartarorum religione, sacrificiis, nuptiarum, funerum ritu e diversis scriptoribus*, Spira 1582, pp. 170-183, entitled: "Religio moscovitarum Johannis Fabri, ad Ferdinandum Regem Romanorum cui a confessionibus erat". There (p. 183) the essay terminates in following date: "... Serenissime princeps ... iussu tuo haec certe illorum hominum perquisita sunt. Data Tubingae XVIII. Septembris, Anni MDXXV".

⁴⁷⁴ *Religio moscovitarum Johannis Fabri*, in J. LASITZKI, op. cit., p. 171.

⁴⁷⁵ Ibidem, pp. 172-182.

⁴⁷⁶ Ibidem, p. 182.

⁴⁷⁷ Ibidem. — It is remarkable that J. Faber mentions some attempts that Easterners "ad occidentale in Ecclesiam redirent", or in other words some attempts to make them join the Church of the Latin rite. But he does not mention any attempts to introduce a unity in the ecumenical sense.

However, to terminate the work with such a statement would discredit the author. To attenuate this, he added a short reference to the divergences between the Churches disputed in Florence and in this way mitigated his accusatory statement. But even in this classic sphere of Eastern differences, the author noted that the Kyivans did agree with the Roman Church in their belief in Purgatory. In the consecration of Holy Eucharist there were some differences, not necessarily condemnatory. The only theological point in which Kyivans, according to Faber's assertion, followed the schismatic Greeks was the procession of the Holy Spirit. This strictly theoretical point, which was indeed never raised before or after the Florentine Council in Kyivan regions against the Roman Church, seemed to have been added by the author on account of the rooted common tradition to base the ecclesiastical disagreement on this point, rather than because of his sincere conviction that the Kyivans were to be really blamed for this dogmatic error. It was the alleged Kyivan belief in the procession of the Holy Spirit and not some minor liturgical usages of the Kyivan Church that the future Bishop of Wien (Vienna) would not approve.⁴⁷⁸

The orthodoxy of faith of the Kyivan Church in sixteenth century, immune from heresies, had still more evident and authoritative testimony by *Pope Clemens VII*. At that time, one of the most prominent and powerful Eastern Princes, *Jurij* (George) *Slučkyj*, along with *Ostrožkyj* and *Sopiha*, constituted the leading group of persons among Eastern faithful. In 1529, *Jurij Slučkyj* asked for papal consent for his intended marriage to *Helena Radziwiłł* who was of the Latin rite. To his petition he attached a

⁴⁷⁸ The above quoted statement is followed by the paragraph, which terminates the essay:

Disentiunt a nobis in Sacramenti consecratione aliquantulum, ac fractione panis, Spiritum Sanctum a solo Patre nec a Filio procedere perinde atque Graeci tuentur. Quanquam vero sint spud Graecos plerique qui purgatorium negant, et alij qui purgatorium scriptis probare conentur. In hoc tamen se non facile scissuram pati affirmant, quin id ipsum firmiter cum Romana Ecclesia teneant. Missas nostras animo promptissimo audiunt neque aliud magis cruciari aiunt, quam quod a quibusdam quasi alieni a fide vitentur, quando omnia fere nostra sacra cum studio observant.

Unicum est quod a nobis sane probari non potest et notris institutis alienissimum, quod pueris vix dum tres annos natis, Eucharistiae Sacramentum praebent, quodque in pane fermentato conficiunt, et ex cocleari panem vino intritum pro corpore et sanguine populo ministrant. (This is the terminal paragraph of Faber's essay. — J. LASITZKI, op. cit., pp. 182-183).

special condition that some of his future children should be baptized in the Eastern Church and some in the Latin. The Prince introduced himself as an Eastern faithful, in the traditional line of his ancestors, giving not the slightest indication as to any distinction from the rest of the Eastern Kyivan faithful or from his forefathers. Nevertheless, he acknowledged the Roman Pontiff as the head of the Universal Church and the supreme legislator by Divine institution.⁴⁷⁹

The Pope in his reply in the form of a brief, referred to the ecclesiastical condition of Prince Slučkyj in a similar way and without any prerequisites, consented to this marriage. The request that some of his offsprings should remain in the Eastern Church was upheld, stating that parents should in no way induce them to change their ecclesiastical adherence.⁴⁸⁰ If the Pope had considered the Kyivan faithful as heretics, he could not have

⁴⁷⁹ The letter of Prince Slučkyj, written on January 15, 1529, commences:

Non sum nescius, quis Orientalis Ecclesiae in fide Christi militem auspiciis Sanctitatis. Tuae et illius sanctae Romanae ac universalis, cui Sanctitas Tua feliciter praesidet, Ecclesiae legibus, nonnisi in cultus paritate admitti connubia. Quo fit, ut ego ritum graecorum profitens, et aliquando cum socia Romani ritus, si Deo placuerit, foedus matrimonii inire moliens, ad clementiam Tuam ... cogor confugere, sciens hanc tibi divinitus traditam potestatem ... ut opem clementiae tuae implorantibus, non obstante quovis legum, quibus non pares, sed illas conditis praescripto, ... possis et valeas impartiri. ... humiliterque rogo, ... ut possem ritum hunc, quem a maioribus meis per manus traditum accepi, profitens, mihi ritus Romani coniugem christiano more despondere, alterutro in sui cultus caerimonia permanente ... — *Monumenta Ucrainae historica* (coll. Metr. A. Šeptyčyj), vol. I, Romae 1964, no. 8, pp. 7-8.

⁴⁸⁰ The brief of Pope Clemens VII is dated November 27, 1531, and reads as follows:

... Sigismundi Regis quam Georgii predictorum supplicationibus inclinati, cum eodem Georgio duce, ut cum quacunque virgine orthodoxa et iuxta ritum Romane Ecclesie vivente ...

... ac cum orthodoxa muliere, ut ipsa cum ipso Georgio duce matrimonium contrahere et in eo, postquam contractum foret, etiam eodem Georgio duce ritum Graecorum (etiam) servante, remanere, valeret, per alis litteras dispensaveramus ... [this letter of dispensation was not known previously - I.M.] ... ac in huiusmodi contracto matrimonio inter Georgium ducem et Helenam prefatos ... conventum extitit ... quod quaecunque proles masculina subsecutura ritu Graecorum esset baptizanda et in eodem permanerent, ac quod prima proles feminea ... ritu Graecorum etiam esset baptizanda ... et quod neque pater neque etiam mater hanc vel illam adversi ritus prolem debeat quomodo inducere, aut vi cogere ad eum ritum ... deserendum et alium amplectendum ... Nos igitur ... conventiones et pacta seu capitula huiusmodi ... omnia et singula ... auctoritate apostolica tenore presentium approbamus et confirmamus ... — *Documenta Pontificum Romanorum historiam Ucrainae illustrantia*, vol. I, no. 117, pp. 209-210.

permitted that the children of Helena, a faithful of the Latin Church, follow heresy and would have directed their mother to convert them. Evidently, as far as the Pope was concerned, the Kyivans were of a different rite but not of a different faith. His consent was based expressly on the reference to the Florentine Council which was also respected by Prince Slučkyj.⁴⁸¹

The royal support of the Prince's petition most likely had a great influence on the Pope's decision, especially when it came to dissipating all eventual calumnies, should any uniformitarian follower of Sacranus dare to present them in Rome. The three year interval between the first petition and the final consent indicated a rather profound examination of the case. Only after being convinced as to the orthodoxy of the faith of the Kyivan Church, would the Roman Pontiff grant a second privilege, that Helena and all her children of both sexes (therefore even those baptized in the Eastern Church) were to freely chose their confessor, to whom the Pope granted in advance the most extensive powers of absolution from censures, vows and oaths, if needed. The entire family (except the Prince) was permitted to have the Mass celebrated privately in their home, even secretly behind locked doors; Helena and her daughters (also the one belonging to the Eastern Church) were even allowed to enter and visit nuns in the cloistered monasteries.⁴⁸²

Evidently, all these privileges facilitated for the Latin chaplain of the Princess the task of familiarising all her children with the Latin worship.⁴⁸³ But the very fact of granting these

⁴⁸¹ ... dictus Georgius dux, qui ipsius Regis subditus erat, ac ritu et more Graecorum et Orientalis Ecclesie vivebat, alias tamen fidem catholicam profitebatur, ex certis causis matrimonium cum aliqua virgine orthodoxa et ritum sanctae Romane Ecclesiae servante contrahere desiderabat. Nos tunc attententes in concilio felicitis record. Eugenii pape III, Predecessoris nostri, Florentie celebrato, Grecos cum Romana ecclesie consensisse, tam Sigismundi Regis quam Georgii predictorum supplicationibus inclinati ... — Ibidem, p. 209.

⁴⁸² The privileges were granted on January 10, 1532, (Ibidem, no. 12, pp. 212-214) a week after the Pope had informed the King and Prince Slučkyj in two letters (Ibidem, no. 118 and 119, pp. 210-212) about the brief of November 27, 1531, quoted above.

⁴⁸³ It was expressly noted at the bottom of the Pope's letter that the granted privileges were valid only as long as Helena persevered in the Latin rite:

... si a sinceritate fide, puritate Romanae Ecclesiae et obedientia et devotione nostra ... destiteritis ... concessio et remissio huiusmodi ... vobis nullatenus suffragentur ... — Ibidem, no. 120, p. 214.

privileges to Eastern descendants indicated that they were not considered heretics.

The Holy See must have been fully informed of all aspects of that important case which, therefore, can be considered typical of a situation resulting from the continuity of the Florentine tradition in the given region.⁴⁸⁴

Evidently, "Elucidarius" and the followers of Sacranus succeeded in preventing Rome from having direct communication with the Kyivan Archbishop. They did not succeed, however, in convincing the Roman See about those alleged "innumerable errors" of all the Orientals. On the contrary, the Popes of those times even defended Greeks from those Latins who obstructed Greeks from practicing their rites. In 1521, Pope *Leo X* promulgated a brief based on the Florentine decisions in defence of the Byzantine rite in general.⁴⁸⁵ The brief was confirmed by Pope Clemens VII in 1526⁴⁸⁶ and later by Pope Paulus III in 1536,⁴⁸⁷ each time by literally quoting the document of Leo X. To the sanction imposed by Leo X which already threatened the disobedient Latin hierarchy and clergy who hindered the jurisdiction of Greek prelates, Pope Paulus III added another more severe one. This only indicates that there were not many who followed the Pope's directive regarding the Greeks.

Any papal brief would only be less effective in the Kyivan regions, where by the middle of the sixteenth century, the Eastern

⁴⁸⁴ HALECKI O., op. cit., p. 133.

⁴⁸⁵ Accepimus nuper, quod licet dudum in Concilio Florentino ... in quibusdam eorum Ritibus et observantiis, quae non imputabantur haeresis, permanere ... per dictum Concilium statum, ordinatum et decretum, sive permissum fuerit; tamen Ordinarii locorum latini, ipsam nationem super dicti Ritibus et observantiis, in locis, ubi praesertim Graeci morantur, quotidie molestant, perturbant, et inquietant ...

Considerantes autem Nos ... ut unio praedicta ... conservetur, et dictorum Graecorum molestiis ac impedimentis huiusmodi obvietur ... de Apostolicae potestatis plenitudine dictis Graecis, tam Praelatis quam aliis personis nationis Graecae et eorum cuilibet, ut eorum Ritibus ac observantiis, sive consuetudinibus, ut praemittitur, uti ac illos et illas observare ... tenore praesentium concedimus et indulgemus. — *Documenta Pontificum*, no. 114, pp. 201-202.

The document mentions even Holy Communion to minors (*venerandumque Sacramentum sub utraque specie omnibus, etiam pueris ministrare possint ...* — Ibidem, p. 209), which is one of the Eastern usages disapproved by Faber, as noted above.

⁴⁸⁶ Ibidem, no. 115, p. 207.

⁴⁸⁷ Ibidem, no. 121, pp. 217-218.

Church was reduced to a helpless position. Nevertheless, even in those critical times some noble individuals rose in defence of the Eastern Church. Some were even clergymen who belonged to the Latin Polish Church. One of these was *Stanisław Orzechowski* (1515-1566),⁴⁸⁸ a great scholar and author of many works. Due to the education of his mother who was of the Eastern rite and to his long stay abroad, especially in Italy, Orzechowski developed a wide personal outlook on unionistic problems. One of his works, written after his return in 1543 to his native regions, was entitled: "Baptismus Ruthenorum, Bulla de non rebaptisandis Ruthenis". It was published in Kraków in 1544. In this writing he refuted not only the practice of rebaptism but the other calumnies spread by Sacranus as well. The author of "Elucidarius" was described by Orzechowski in the following way:

⁴⁸⁸ *Stanisław Orzechowski* was born in a mixed family in the border region of Peremyśl, where many Latins lived alongside Easterners. He spent 17 years in his youth studying in Germany and in Italy (Bologna, Padova, Venice and Rome), where Cardinal Contarini took an interest in him. After returning home in 1543, his father prompted by the prosperous benefices, constrained him to accept Holy Orders in the Latin rite. He himself was not inclined towards the priesthood and still less towards celibacy.

The benefices and later his writings brought him into controversy with the local Latin Bishop of Peremyśl. Condemnations and reconciliations filled all his turbulent life. In 1551 he violated the oath of celibacy and for many made great endeavours, supported by some noblemen, the King and even some Polish bishops, to have his attempted marriage sanctioned by the Pope. Orzechowski died shortly after the death of his wife, in 1566, or in the beginning of 1567 (in any case before February 12, 1567).

His numerous (about 50) writings on the existing political and ecclesiastical problems disturbed very many people in those turbulent times during which the Council of Trent was held. Apart from the question of celibacy, in which his personal problems played a great role, Orzechowski in his writings revealed himself as most devoted to the Catholic Church and to the Pope. He confuted Protestantism and almost approaches theocracy in his support of the Pope's supremacy.

Orzechowski considered his priestly character imperishable and expressly manifested his desire to remain in the Latin rite, unless he should be constrained to change to the Eastern Church. Nevertheless he liked to call himself "Ruthenian", as in the work "Diatribē St. Orichovii Rutheni contra calumniam ad And. Mickicium tribunum ac equitem ruthenum", Kraków 1548, (in which he deals also with the role of the Patriarch of Constantinople) or in "Stan. Orichovii ad Julium Tertium Pontif. Maximum Supplicatio de approbando matrimonio a se inito", Basel 1551. — *Encyclopedja kościelna*, vol. XVII, Warszawa 1891, pp. 488-505; *Encyclopedja powszechna*, vol. 20, Warszawa 1865, pp. 82-83; E. JARRA, *Twórczość prawna duchowieństwa polskiego*, in *Sacrum Poloniae millenium*, vol. I, Rzym 1954, pp. 286-299; K. CHODYNICKI, op. cit., pp. 195-202, with large indication of the bibliography on p. 19, n. 1.

... homo Sylesius et alienigena, durius in Ruthenos inquirebat, multa enim obicit in eo libro Ruthenis, quae partim pratermitti, partim vero mitiorem in partem interpretari poterant. Deinde homo rudis Ruthenarum litterarum; Graecorum etiam expers, qui poterat sine istis adiumentis, aut de Graecis statuere aut de Ruthenis aliquid certi pronuntiare? ⁴⁸⁹

In 1547 Orzechowski was reprimanded by the Latin Bishop of Peremyśl for his defence of the Eastern faithful and for another work written against the celibacy of the clergy.⁴⁹⁰ The "Baptismus Ruthenorum" was reproved and Orzechowski had to promise not to sustain "Ruthenian errors" by these words: "Promitto sectam Ruthenorum eiusque errores nec dictis, nec scriptis meis me approbaturum..." ⁴⁹¹ Nevertheless, through the next twenty years he continued to defend the Eastern Christians, because, as he later wrote: "iurari me nullis illorum patrocinatorum, quod quidem faciam, si quis mihi in eorum ecclesiis errorem versari aliquem ostendit. Nam ego in Ruthenorum ecclesiis, Graeco ritu constitutis, versari errorem nullum scio." ⁴⁹²

Indeed, Orzechowski did not see any differences between the faith of the Latins and Easterners. He asserted this expressly in his letter to Cardinal Hosius: "Si igitur Graeci et Roxolani nostri [Kyivan Easterners - I.M.] in omnibus articulis atque punctis... veritatem fidei catholicae sequuntur, non desciverunt ab ecclesia catholica, sed intra illam manent, non alia ulla re quam lingua atque moribus [i.e. in the rite - I.M.] ab Latinis differentes". ⁴⁹³

Apart from his moral behavior, Orzechowski until his death remained sincerely attached to the Catholic Church and to the Latin rite. He acknowledged deeply the supreme power of the

⁴⁸⁹ ORZECZOWSKI S., *Baptismus Ruthenorum*, Kraków 1544, p. 12; — most quoted paragraph of Orzechowski's work, for instance, in: J. TRETIAK, op. cit., p. 22, n. 1. — It must be noted that Orzechowski published this work before his difficulties with the Latin hierarchy and his violation of celibacy.

⁴⁹⁰ *Encyclopedyja powszechna*, p. 87. — The Bishop of Peremyśl, Dziaduski, was a rigid uniformitarian. According to Orzechowski, he asserted: "Sunt quidam in diocesi mea, qui volunt Graecos unire cum Latinis, id autem est Ruthenos cum Polonis, quod quidem absit, non patiar, non sinam, vitam etiam, ne id fiat, profundam". — *Orichoviana, Opera inedita et epistulae Stanislai Orzechowski* (ed. J. Korzeniowski), Kraków 1891, p. 315.

⁴⁹¹ *Orichoviana*, pp. 89-90.

⁴⁹² The quotation is taken from the letter written in 1549. — Ibidem, p. 218.

⁴⁹³ Ibidem, p. 560.

Roman Pontiff and did not condone Protestant errors.⁴⁹⁴

He had an ecumenical vision of the Universal Church not obstructed by shortsighted identification of the Latin Church with the Universal Catholic: "si ipsa quoque Latina pars non est corpus, non est universitas, denique non est ecclesia tota, sed sit membrum corporis de ipsa universitate sumptum parsque totius, concedam ..." ⁴⁹⁵

Based on such a concept of the Universal Church, Orzechowski was able to envisage an ecumenical approach towards unity which according to him could be realized at the Council of Trent. He exposed this in 1563 in his letter to a prominent person of the Council, the Polish Cardinal Hosius. But this Prelate was too involved in the prevailing uniformitarian concept of a Church unity, proper to the majority of the Polish hierarchy, to sustain the sincere intentions of Orzechowski.⁴⁹⁶ Consequently, he did not even raise the problem of the Kyivan Church at the Council of Trent;

... and strange enough, while Pius IV made hopeless efforts to invite to the Council Ivan the Terrible of Moscow, creating only alarm in Poland, nothing was done to achieve the participation of the Ruthenians of Poland and Lithuania, which would have been so much easier to obtain.⁴⁹⁷

Orzechowski, with his ecumenical concept, was not alone among the Latin Polish clergy and hierarchy. Besides *Andrzej* (Andrew) *Modrzewski*, who was later influenced by Protestant

⁴⁹⁴ At the beginning of his career Orzechowski wrote a reply to Luther's work "Adversus Papatum Romae, a Sathano fundatum", entitled: "St. Orichovii Pro Ecclesia Christi ad Samuelem Maciejovium Ep. Crac." He published it in Kraków in 1546, two years after his "Baptismus Ruthenorum". In this outstanding polemic work the author revealed himself a zealous defender of the Pope. The same can be said about many of his later works, as: "Fidei Catholicae confessio", published in 1563; "Quincunx", published in 1564 or others. — *Encyclopedyja poxszechna*, vol. 20, p. 86; *Encyclopedyja kościelna*, vol. 17, p. 501; E. JARRA, op. cit., pp. 286, 297, 299.

⁴⁹⁵ *Orichoviana*, p. 566, cf. also p. 564.

⁴⁹⁶ The letter of Orzechowski to Hosius is published in *Orichoviana*, pp. 550-558. The opinion of Hosius can be understood from his writings published in: STANISLAUS HOSIUS, *Opera*, Antverpiae 1566 (other edition: Coloniae 1583). It is enough to quote here one of his typical expression concerning the Church unity, which Hosius understood as a merger of one individual Church into the other: "Cur non illi potius nobiscum, quam nos congregamus cum ipsis, de quibus recte cum Cypriano dicare possumus, quod non nos ab illis, sed illi discessunt a nobis, redeant unde discesserunt" (p. 712).

⁴⁹⁷ HALECKI O., op. cit., p. 151.

currents,⁴⁹⁸ there were others, as Canon *Jan* (John) *Zaleski*⁴⁹⁹ and the Latin Bishop of Kholm (Cholm), *Jan* (John) *Drohojowski*.⁵⁰⁰ They not only shared the unionistic concept of Orzechowski, but supported it as well. However, people of this trend were easily blamed to be infected by Protestantism, although the blame was not substantiated. By quoting the instruction of the Chapter of Kraków for the Provincial Synod in 1551, it could be seen in what discriminatory manner this theological center of the Latin Polish Church blamed any deviation whatsoever, moral, liturgical, dogmatic or ritual, even though the deviations were known only "ex auditu".

Et non modo hi ipsi domini Episcopi non prohibent ab ovili suo haereticos ipsos, sed ipsi soli domini Episcopi facta haereticorum et idolatrarum facere dicuntur. Adeo enim sacrosantas ecclesiasticas constitutiones contemptui habere dicuntur, ut et festa ab Ecclesia instituta et pias ceremonias ac jejunis non observent, carnibus in quadragesimo publiciter cum saecularibus vescantur, utraque sacramenti specie personas saeculares communicent et nonnisi tria tantummodo Sacramentis in Ecclesia relinquant, alia omnia rejiciant baptismum romanum damnent, ruthenicum probent.⁵⁰¹

It would lead us too far to investigate all those persons to see how much indeed they were influenced by Protestantism and whether their ecumenical views were caused by such eventual

⁴⁹⁸ At least O. HALECKI, op. cit., p. 143 (cf. also pp. 146-147), has such an opinion about Modrzewski. Cf. also: K. CHODYNICKI, op. cit., pp. 199-200. Modrzewski expressed his unionistic view in the essay "De Ecclesia", attached to his "Commentarii de Republica emendata", written in 1551, but published in Basel in 1554.

⁴⁹⁹ About Zaleski's unionistic view, Cf.: S. KOR, *Andrzej Frycz Modrzewski*, Kraków 1923; see: K. CHODYNICKI, op. cit., p. 200.

⁵⁰⁰ *Drohojowski*, the Latin Bishop of Kholm and later of Cuyavia, was a cousin of Orzechowski on his mother's side, and of Eastern origin himself. More about him can be found in: K. CHODYNICKI, op. cit., pp. 199-200, where the author refers to: S. KOR, op. cit. There is also a quotation about the suspicious opinion ("ex auditu") of the Chapter of Kraków about Drohojowski, published in: *Acta historica*, Kraków 1878, vol. I, p. 483:

Rmus Dnus Cuiaviensis, dum Ecclesiae praeesset, aut vitio gentis suae Ruthenae, aut inscicia Sacrarum literarum, aut praestigiis lunatici fratris sui Orzechowski dementatus, fertur, Lutheranam impietatem cum scismate Ruthenorum conjunxisse.

⁵⁰¹ The "Instructio a Venerabili Capitulo Cracoviensi Nunciis ad Synodum provincialem in Iunio 1551 Petriciviae convocata" is published in the essay: O. SUŠKO, *Predteča Unii*, in *Zapysky NTS* (Lviv 1903), vol. 53, pp. 25-26.

influence.⁵⁰² Therefore, we limit ourselves to one supporter of Orzechowski's idea, namely *Benedykt* (Benedict) *Herbest* (1531-1593), professor at the University of Kraków. He later became Rector and canon in Poznań, and from 1571 a member of the Society of Jesus and Rector of the Jesuit College in Jaroslav.⁵⁰³ No suspicion of heresy or schism was raised against him. He himself was born in the same border region of Peremyśl as Orzechowski but not of a mixed family. Nevertheless, on account of his regional origin and his stay in Lviv from 1550 to 1553 as Rector of the local Latin Metropolitan school, he was very well acquainted with the Eastern problem. In 1562 he left Kraków for Poznań because of dissension with another professor of Kraków J. Gurski. Later Herbest visited once more the Eastern regions. He described this journey in a booklet entitled "*Wypisanie drogi*" (*Indication of the way*), written in November, 1566 and published in 1567 as an appendix to his polemic work against the Czech Brethren and Hussites.⁵⁰⁴

Into the description of his private journey from Peremyśl to Lviv, were interpolated with great talent some religious observations, which gradually disclosed the author's idea about a possible unity with the Kyivan Christians. First, he starts at Peremyśl with an eulogy on Orzechowski, his spirit of sacrifice, his

⁵⁰² This is also the reason why the opinions of Orzechowski himself are only briefly indicated here. The limits of this work do not allow an extensive investigation of the numerous writings left by Orzechowski, all the more that an adequate objective monograph about him is still lacking.

⁵⁰³ About B. Herbert a special study with indication of sources was published by: O. Suško, *Predteča Unii*, in *Zapysky NTS* (Lviv 1903), vol. 53, pp. 1-71; vol. 55, pp. 72-125; Idem, *Jezuity v zavadeniu Unii na Rusy v doberestejskij dobi*, Lviv 1902.

⁵⁰⁴ The book was entitled: "Chrześcyańska porządna odpowiedź na tę confesią która pod tytułem braciey Zakonu Christusowego niedawno jest wydana" (The correct Christian answer to the confession recently published under the title of Brethren of Christ's Order).

Attaching the essay to this Catholic polemic book, its title "*Indication of the way*" (*Wypisanie drogi*) rather than: "*Description of the way*" (*Opisanie drogi*) and a quite uninteresting description of a short journey (two hundred miles between Kraków and Lviv was not a long trip even in the XVI century), indicate that the principal object of the essay was the religious observation about Eastern Christians contained there, and the topographical description was only a cover-up. Attaching the essay to the polemic book against Czech heretics who claimed many usages common with Eastern Churches, was meant to protect the author of the essay from any accusation of heresy, so readily cast upon defenders of Eastern faithful. The essay "*Wypisanie drogi*" was republished in: *Pamjatky Ukrainško-ruškoj movy i literatury*, vol. V, Lviv 1906, pp. 1-12.

defence of the Pope's rights, and firm perseverance in the Catholic Church after a short defection in his youth.⁵⁰⁵ He then described the religious behavior of a small Armenian colony in Lviv, who had lived there undisturbed for a long time. According to Herbest:

Armenians are of one faith with us ...the Armenians entertained recently with great gratitude and courtesy the Papal Legate, Cardinal Commendone... go willingly to our churches and attend correctly at Mass ... nothing can better show of which faith somebody is than the common use of the Holiness of the Church ...

... At the dinner, on the day of the Ascension of Our Lord, the Armenian priest came to the Archbishop [Latin Archbishop of Lviv - I.M.], and we also saw with our own eyes their reverence towards the Prelates of our Church and their due obedience to the Holy Papal See ...

... they have a Patriarch in Armenia who consecrates and gives them bishops, and the Patriarch took power from the Pope of Rome ... and although temporarily, some Armenians may declined from obedience to the Apostolic See, but at the Florentine Council which took place 120 yrs ago, they accepted obedience ...⁵⁰⁶

Finally, Herbest proceeds to the most delicate question of the Eastern Christians, namely Christians of Byzantine rite in Lviv. Their attitude to the Roman See did not differ substantially from that of the Armenians:

That Ruthenian Father who is in Lviv reads the Scriptures and agreed in everything with us, even the obedience to the Successor of St. Peter, but that matter he referred to his superiors, the Father Prelate and the Patriarch of Constantinople ... I spoke about this also in my native region [Herbest was born in Nove Misto, near

⁵⁰⁵ HERBEST B., *Wypisanie drogi*, in *Pamjatky Ukrainśko-ruskoi movy i literatury*, vol. V, Lviv 1906. p. 4. — It is remarkable that Herbest finds so many laudatory expressions about Orzechowski, who few years earlier took the part of Gurski in his pitiless dispute with Herbest, and went as far as publishing (under another name) a booklet against Herbest: "Dissertatio Laureantii Siradiensis, Philosophi super Disput. periodica Gorscii et Herbesti", Cracoviae 1563. — Cf. O. Suśko, *Predteča Unii*, in *Zapysky NTŚ*, vol. 55, pp. 119-120.

⁵⁰⁶ HERBEST B., *Wypisanie drogi* (as above), pp. 5-7. — It has to be noted, that the Patriarchs of Armenia in the XVI century were considered non-Catholics, therefore their consecration of bishops for the see of Lviv is similar (apart from Armenian Monophysitism) to the confirmation of the Kyivan Metropolitans by the Byzantine Patriarchs. Armenian bishops resided in Lviv since the XIV century, but only since the XVII century were they considered Catholics.

Peremyśl - I.M.], with the Ruthenian priest there, who reads the Scriptures, which we have done with the Rev. Official and the preacher of Peremyśl in their monastery of the Holy Saviour ...⁵⁰⁷

Herbest knew the divergencies, of which the Easterners were blamed, but he, like Orzechowski, did not consider them to be a serious obstacle to unity. They were rather unintentional deviations caused by ignorance. Therefore, Herbest preferred to quote those who "read the Scriptures" (i.e. educated persons).

They have some of their own opinions, unbecoming to good Christians, but these have grown from their ignorance and illiteracy, and because of the pollution of those who do not want to concord, so it seems to me; and the Rev. Official of Peremyśl sees even better that their false presumptions could be more easily refuted if only respectable conversation with them could be brought about ...

... A lot could be allowed to the Greeks when there will be one Faith [it would seem in the sense: "one Church" - I.M.] and one Obedience; the Florentine Council had permitted all their ceremonies as well as to the Armenians; regarding Liturgy and married clergy the same is held by the Greeks as I have said above about the Armenians ...

... The Rev. Bishop of Peremyśl told us when we visited him that in other countries Greeks agree with us.⁵⁰⁸

Herbest desired that "our Pastors would be diligently involved in this matter, by which Our Lord considering their diligent efforts, may graciously unite our Ruś with us". He was motivated in his unionistic desires by the danger from Protestantism, "because this new sect already encumbers among their priests who are under the New-believer lords ..." ⁵⁰⁹ But the final intention was the great idea of unity in the one Church of Christ.

Who among Catholics should not have joy from this, when he

⁵⁰⁷ Ibidem, p. 8. — It is noteworthy that the Eastern priest acknowledging the supremacy of the Roman Pontiff does not want to eliminate thereby his Eastern superiors. Otherwise there would be nothing to prevent him from becoming immersed in the Latin ecclesiastical system. A similar attitude inspired Kyivan Metropolitans in seeking confirmation from Patriarchs of Constantinople.

⁵⁰⁸ Ibidem, pp. 8-9.

⁵⁰⁹ Ibidem, p. 8.

sees the consolidation of his Catholic Faith [in the sense of "Church" - I.M.] against those new people of the new Gospel? That under one Faith, there are different Rites of ecclesiastical matters; this confirms the unity of Faith.⁵¹⁰

A more expressive concept of the ecumenical aspect of Church unity could hardly be found.

Indeed, in those times *Protestantism* had begun to menace the Eastern Kyivan Church as well. As early as 1520, the Latin Church of Poland had to defend itself against Lutheran onslaughts.⁵¹¹ Later, it was Calvinism that created the greatest danger in both Polish and Lithuanian realms. In 1553, it gained the most prominent family in Lithuania, the Radziwiłł's, who were related with the Polish royal family.⁵¹² In the same decade there arose an Anti-trinitarian sect, strengthened by Judaisant refugees from Muscovy.⁵¹³

In the 1570's, Protestantism set itself directly upon the faithful of the Eastern Church by publishing in 1562 the first Calvinist catechism in their vernacular.⁵¹⁴ Although the Eastern Church was not less adverse to Protestantism than the Latin, the Eastern faithful, in the struggle for their rights, found good tactical allies in the Protestants. Thus, at the Diet convoked in 1573 for the election of a new King, Easterners and Protestants succeeded in obtaining guarantees of religious freedom.⁵¹⁵ This so called

⁵¹⁰ Ibidem, p. 7.

⁵¹¹ The Provincial Synod of 1520 forbade Lutheran writings in Poland. The decision was confirmed in the Synods of 1523, 1530 and 1532. In 1535 a similar decree was promulgated by the Polish King. — M. BULGAKOV, op. cit., pp. 312-315; or other historians.

⁵¹² In Lithuania Calvinism was preached in 1539 already. — Ibidem, pp. 315, 319. — More can be found in: J. ŁUKASZEWICZ, *Dzieje kościołów wyznania helweckiego w Litwie*, vol. I, Poznań 1843; or J. TRETIK *Piotr Skarga w dziejach i literaturze unii brzeskiej*, Kraków 1912, pp. 34-37.

⁵¹³ BULGAKOV M., op. cit., pp. 324-326; J. TRETIK, op. cit., pp. 38-41; or other historians.

⁵¹⁴ The Calvinist catechism was published Szymon (Simeon) Budny of Polish origin in the recently founded printing establishment in Nesviž by Nicholas Radziwiłł. — M. VOZNIK, *Istoria ukraińskoi literatury*, vol. II, Lviv 1921, pp. 20-21; O. HALECKI, op. cit., pp. 149-150, 159.

⁵¹⁵ For more data about the Confederation of Warszawa, cf.: O. HALECKI, op. cit., pp. 188-189. — The deliberations of this Diet, confirmed in later ones, was the source for all later claims of equal rights for Easterners and Protestants.

"Confederation of Warszawa", which had a great influence on all future religious matters in the Polish-Lithuanian state, could be compared to the "pax Augustana", concluded in Germany in 1555.

This principle of equality of religions was introduced shortly after the fusion of the Polish and Lithuanian realms in 1569. It was very significant for the Eastern regions, because from then on, the Eastern Kyivan regions were opened to all western influence: political, cultural as well as religious. The *Society of Jesus* founded its first house in Poland as late as 1564, and shortly thereafter in 1569, expanded to the Lithuanian capital Vilno. The following year a Jesuit College was founded there. Shortly after, in 1574, the very talented Jesuit preacher Piotr (Peter) Skarga went to the Eastern regions: to Lviv in 1571 and to Vilno in 1573. With Benedykt Herbest, he founded a new College in Jaroslav in the western frontier of Eastern Christians. In a short time, many other Jesuit houses and schools were opened in the Kyivan regions.⁵¹⁶

Due to the zealous work of the Polish Jesuits, Protestantism was not only checked but entire families were converted back to the Roman Church. The Latin Church was strengthened after the Council of Trent, and its restored order and discipline attracted even Eastern faithful. In the last quarter of the sixteenth century, there was a mass conversion of Eastern nobility to the Latin rite. Apart from converting Protestants, the Polish Jesuits were interested from the very beginning in the Easterners. As early as 1574 P. Skarga wrote and in 1577 published his book "O jedności Kościoła Bożego pod jednym pasterzem i o greckim od tej jedności odstąpieniu" (On the unity of the Church of God under one Pastor and on the Greek separation from that unity).⁵¹⁷ This work provoked a long line of polemic writings which continued for over a century. The widely spread art of printing enabled a wide participation in this polemic.

Soon after the establishment of Latin schools in Eastern regions, the Eastern faithful began to establish their own schools

⁵¹⁶ HALECKI O., op. cit., p. 155; A. AMMANN, op. cit., p. 201; J. TRETIK, op. cit., pp. 42-45; or the special monographs: S. ZALEŃSKI, *Jezuici w Polsce*, vol. I, Kraków 1900; O. SUŠKO, *Jezuici v zavedeniu Unii na Rusy v doberestejskij dobi*, Lviv 1902.

⁵¹⁷ This book was edited a second (in 1590) and third time (in 1610) during the life of Skarga. — Cf. pp. IX and XII of the introduction to the sixth edition in Kraków 1885. — Many sources could be found about P. Skarga in: J. SYGANSKI, *Listy Ks. Piotra Skargi T. J. z lat 1566-1610*, Kraków 1912.

and publishing houses.⁵¹⁸ Prince *Konstantyn* (Constantine) *Ostrožkyj*, who in 1578-79 founded in Ostroh the famous Academy and cultural center, played the leading role in this cultural renaissance of the Kyivans.⁵¹⁹ The ecclesiastical brotherhoods in various cities became his followers in this extensive cultural revival.

Ostrožkyj also considered unity of the Kyivan Church with the Roman See. As early as 1567, he invited P. Skarga and another Dominican preacher to his estate in order to discuss with them the unionistic problems. But Skarga did not oblige then.⁵²⁰ Much later, in 1583, Ostrožkyj started talks with Alberto Bolognetti, the Papal nuncio in Poland, and Antonio Possevino, S.J., the special Papal legate, who for some years was interested in the East-European unionistic problem.⁵²¹

The original motive of these conversations was Ostrožkyj's solicitation that some students of the Greek College in Rome would come as lecturers to his College in Ostroh. Thus, the petition of the Roman teachers for the education of future Eastern priests was a sign of a good disposition towards the Church unity and the Roman See. A few years earlier, in 1577, Pope Gregorius XIII founded the Greek College in Rome, which later rendered great services to the Kyivan Church. Even earlier, in 1573, the same Pope instituted the "Congregatio de rebus Graecorum". In this way the interest which the Roman See had shown towards Eastern Christians, started to materialize. After the reforms of the Council of Trent had solved the problem of the Latin Church, Rome could devote more attention towards the East.

Papal Nuncios resided permanently in Poland since the times

⁵¹⁸ The first school was opened by Prince Konstantyn (Constantine) Ostrožkyj in Turiv in 1572. Printing in the Kyivan territories began as early as 1569 in Zabludiv, and 1674 in Lviv. — Cf.: M. VOZNIAK, op. cit., pp. 54, 59; or monograph: K. CHARLAMPOVIČ, *Zapadno-ruskija pravoslavnyja školy XVI in načala XVII vika*, Kazan' 1898.

⁵¹⁹ Ibidem, or another monograph: K. CHARMAMPOVIČ, *Ostrožskaja pravoslavnaia škola*, in *Kievskaja starina*, vol. II, Kiev 1897.

⁵²⁰ P. Skarga was not yet a Jesuit, but a canon and preacher of the Latin cathedral in Lviv. He joined the Jesuit Order in 1569 at the age of 33. — Re this first meeting between Ostrožkyj and Skarga, cf.: J. TRETIK, op. cit., pp. 58-59; G. MYLANYK, *Constantini senioris ducis de Ostrog pro unione ecclesiastica activitate* (dissertatio ad lauream), Romae 1940, p. 89.

⁵²¹ G. MYLANYK, op. cit., pp. 104-174.

of Pope Paulus IV (1555-1559). However, in their archives there are no indications before 1564 of any religious problems within the Kyivan Church. Due to the preparation to the Provincial Synod of the Latin hierarchy, the Papal Nuncio *Joannes Franciscus* (John Francis) *Commendone* was allowed to visit the Eastern regions of the Polish state in the summer of 1564. On that occasion he met a spontaneous and cordial welcome by the Byzantine and Armenian hierarchy and the faithful of the Eastern regions, Lviv and Belz, that he visited. Indeed, it was the first time after very many centuries that a legate of the Roman Pontiff, apart from Metropolitan Isidore, directly contacted and acquainted himself with the Kyivan Church. Such contact had been unsuccessfully sought by the Kyivan Metropolitans Misail and Bolharynovyč. Therefore the long-awaited guest was fervently welcomed.

The Nuncio related to Rome about his unexpected experience, remarking with satisfaction that these Eastern Christians were not contaminated by "the heresies of these times".⁵²² Not much later, Nuncio *Julius Ruggiero* provided Rome

⁵²² His relation written in Lviv on September 9, 1564, reads as follows:

In Belz, che è il capo del Palatinato, gli Rutheni che sono del rito e religione greca, vennero a far meco il medesimo officio di ringratiar Nostro Signore, supplicando Sua Santità, che voglia con l'autorità sua ovviare et rimediare a tante et si pestifere sette, mostrando d'haverle tutte per empie, et nel medesimo odio, che l'hanno i catolici ...

Io venni in Leopoli alli 6 di questo, dove l'Arcovescovo de gl'Armeni, et il Vescovo de gli Rutheni, che stanno in questa città, s'erano apparecchiati insieme con l'Arcivescovo latino ad uscir con i loro cleri et con i magistrati de la città ad incontrarmi, et benche io arrivassi un giorno prima di quel che essi mi aspettavano, fu nondimeno un concorso grandissimo per tutte le strate et fuori della città, con molta dimostrazione di riverenza et divotione verso la Sede Apostolica, ritrovandosi questa città, secondo ch'io intendo, del tutto netta da l'Heresie di questi tempi ... — *Litterae Nuntiorum Apostolicorum historiam Ucrainae illustrantia* (ed. A. Welykyj, O.S.B.M.), vol. I, Romae 1959, no. 18, pp. 42-43.

The Eastern Bishop of Lviv, who saluted the Nuncio was Arsenij Balaban (1549-1569), the father of Hryhorij (Gregory) Balaban, who played so important role during the Synods of Brest.

It is noteworthy that B. Herbest, writing about the greetings of the Armenian Bishop towards the Nuncio Commendone (Cf. note 506 above), does not even mention the presence of Bishop Balaban. It seems that in his cautious exposition he preferred to describe separately the orthodoxy of the Armenians, who were not exposed to such intolerable blames. The similarity between the Kyivan and Armenian Easterners was known to the readers, consequently after the orthodoxy of Armenians was admitted, the extension of this opinion to the Kyivans would be easily accepted.

with a long description (sixty pages) of Poland, its geography, economy and policy. Towards the end of his work, he described the Eastern subjects of this realm and observed that apart from their submission to the Patriarch of Constantinople, they have persevered since the times of Volodymyr the Great (978-1015), that is since the pre-Cerularian times, in the same faith without any inclination to any schism or heresy.⁵²³

In March of 1566, Nuncio Ruggiero received instructions from the Vatican Curia to become interested in the miserable conditions of the Kyivans. The instructions were formulated in very broad terms, but a suggestion was added to the Nuncio, that for further information he should apply not only to his predecessor Commendone, but also to two uniformitarian Polish Prelates, Cardinal Stanisław Hosius and Martin Kromer, who was later coadjutor of Hosius.⁵²⁴

There is no record in the archives of any other involvement of Nuntios into religious problems of the Eastern faithful. For more than a decade, the only references to the Eastern regions of the Polish-Lithuanian state were the continuous Mongolian incursions and devastations, but nothing on the religious matter was noted. The instructions of the Roman See to the Nuncios included only sporadic references of the Eastern faithful. It seemed that the Nuncios' activity was limited to the Latin Church of the Polish-Lithuanian state. Hence, the Roman Curia had no exact information about the conditions of the Easterners who were to be dealt with.

Even the ecclesiastical organization of the Greek Church in the

⁵²³ In Russia et anco in Littuania sono molti che osservano il rito greco et che riconoscono per capo della loro Chiesa il Patriarca di Constantinopoli ...i quali ricievettero da Greci la loro religione al tempo di Vlodimiro, Duca di Russia, e l'hanno ritenuta sino a questo tempo, senza alcuno movimento di altro scisma, o heresia, et con continua obbedienza del Patriarca di Constantinopoli. — Ibidem, n. I, pp. 20-21.

⁵²⁴ Of the long instruction the short paragraph, referring to the Eastern faithful, reads as follows:

Et perché in civitatibus Leopoliensi, Presminensi, Luceoriensi Wilnensi (et Chioviensi) et in oppido etiam Polischio vi sono vescovi Grechi soliti d'esser confirmati dal patriarca Constantinopolitano, intendendosi che fra questi regnino varie antiche, dannate et abhominande heresie, pigliarete consiglio dal Rev.mo Commendone et Varmiense, et dal Rev.mo Cromero ancora, come potessero quelli miseri in qualche parte esser aiutati ... — *Monumenta Ucrainae historica*, (coll. A. Šeptyčkyj), vol. I, Romae 1964, no. 12, p. 10.

Jagellonian Federation was insufficiently known in Rome, where it was not clearly distinguished which of the eight Ruthenian dioceses were in Poland and which in Lithuania ... nor which of them were archbishoprics and which bishoprics only ...

Under such conditions it was not surprising that the method of dealing with that whole problem of the Eastern Churches in Poland and Lithuania was not discussed at all and nothing said about the most important alternative whether individual conversions to Catholicism of Latin rite or a union of Western and Eastern Churches, recognizing the different rite of the latter, would be preferable.⁵²⁵

In those times the Roman See was more interested in wooing the Muscovite realm for its anti-Turkish league as well as for an ecclesiastical union with Muscovy. The Roman Curia was not better informed about the conditions in Muscovy, although this could be easily explained by the lack of any permanent papal legate in those regions. Hence, there was great hope set on the conversion of Ivan the Terrible, and many utopian plans were proposed, even the idea of nominating a Patriarch in Moscow who would recognize the supremacy of the Pope or even without such recognition.⁵²⁶

This last daring proposal was noticed in the original text several years later by *Antonio Possevino*, S.J., as "almost incredible, quite abominable and intolerable". This profound thinker and objective expert on East-European ecclesiastical matters, regretted that so much time and energy was wasted on ineffective endeavours to attract Muscovy to the Roman See, instead of concentrating the efforts on the much easier task of consolidating the Union of Florence among the Kyivan

⁵²⁵ HALECKI O., *From Florence to Brest*, pp. 154-155.

⁵²⁶ There is quite lot of documentary material and literature about these relations between the Roman See and Moscow. It can be referred to: P. PIERLING, S.J., *Rome et Moscou* (1547-1579), Paris 1883; Idem, *La Russie et le Saint-Siège*, vol. I, Paris 1896; E. ŠMURLO, *Rossia i Italia*, Petersburg 1907-1924, 4 vol., especially vol. II; A. POSSEVINO, S.J., *Moscovia et alia opera de statu huius saeculi adversus Catholicæ Ecclesiæ hostes*, Vilnae 1586 (another edition: Colonia 1587). — A short historical résumé of these relations can be found in: O. HALECKI, op. cit., pp. 172-179, 190-195; or in other historians.

About the suggestion of creating a Patriarch for Moscow by the Roman See even without recognition of papal supremacy, cf.: P. PIERLING, S.J., *La Russia et le Saint Siège*, vol. I, pp. 404-406; and O. HALECKI, op. cit., pp. 194-195.

Easterners.⁵²⁷ This was the same Possevino, to whom Ostrožkyj turned with his unionistic intentions in 1573, instead of turning to the permanent Papal Nuncio in Poland, whose connections with the Polish Latin hierarchy were manifold.

This first meeting between the representative of the Roman See and the leader of the Kyivans, initiated a long prelude to what was to be crowned two decades later with the famous decisions of the Synods of Brest. Many significant events took place in this quarter of the sixteenth century preceding these historical decisions of the Kyivan hierarchy: the revival of the cultural life among the Eastern faithful, the insistent penetration of Protestantism and its overthrow by the zealous work of the Jesuit Order, the foundation of many Jesuit Colleges, the polemic literature and finally, the creation of the Patriarchate of Moscow and the first visit in history of the Patriarch of Constantinople to the Kyivan regions. All those facts influenced the development of the religious thought of the Kyivans considerably before the final deliberations of the hierarchy in Brest took place. To consider all these interdependant factors of this last quarter of the century thoroughly, would require no less a voluminous work than this one (which comprises a century and a half). We, therefore, terminate our historical research with the seventh decade of the sixteenth century and proceed to conclusive theological evaluation of the historical events presented thus far.

⁵²⁷ This is a brief summary of Possevino's opinion expressed in "De rebus Moscovitis Commentarius ad Gregorium XII. Pont. Max.", published in the first part of his work "*Moscovia*".

CONCLUSIONS

THE KYIVAN CHURCH IN THE LIGHT OF THE FLORENTINE PRINCIPLES

1. TRAITS OF AUTONOMY OF THE KYIVAN METROPOLITANATE

The preceding one hundred and fifty year review of the Florentine and post-Florentine period in the Archbishopric-Metropolitanate of Kyiv furnished quite a thorough picture of that Church. It emerged as a single ecclesiastical unit, evolving its own life. However, a question could be posed whether in those times this ecclesiastical unit constituted an autonomous individual Church. Only the interrelations with the Church of Constantinople were examined, since this was the only individual Church with which the Kyivan Metropolitanate had close relations. The other neighbouring Church, namely the Latin Polish one, was in opposition to the Kyivan Archbishopric.

An individual Church denotes an ecclesiastical unit, hierarchically duly organized and developing its proper autonomous life in all three aspects: theological, liturgical and jurisdictional. Evidently, it is difficult to determine when an ecclesiastical life is autonomous, especially in the first two aspects. Autonomous theologies of different individual Churches are mutually complementary rather than entirely independent from one another.¹ Therefore, it is very often difficult to determine whether a theological approach of a particular Church is autonomous or a constitutive element of another theology.

In the period investigated historically, some characteristic theological opinions of the Kyivan Metropolitans on ecclesiological matter are mentioned, namely, the relationship between the Roman Pontiff, the Patriarchs and other Churches.²

¹ Cf. Chapter 1 of the Theological part of this work, especially note 26.

² Only a few brief documents of contemporary Kyivan theological thought are extant. Nevertheless, the autonomous elaboration of these mutual relationships can still be found even in those few documents preserved to our times. As an example we quote the expressions of Misail's letter of 1476 (cf. note 193 of the Historical part), addressed to "The universal Pope ... Most Holy Father of Fathers ... [from whom] flow four rivers, watering the entire creation through

The nature of the mutual relationship between the Supreme Pontiff and the Patriarchs was never sufficiently illuminated by any authoritative declaration, although many theories were formulated. Not even the specifically ecclesiological synod, Vatican II, treated exhaustively this important problem.³ The treatment half a millenium ago was still less definitive. Hence, the endeavours of the Kyivan Metropolitans not only to elaborate theoretically but also to realize practically this important problem, merit special consideration. However, the specific theological opinions cannot be taken as a criterion in order to determine whether the Kyivan Metropolitanate constituted an individual Church.

Still less reliance can be placed on the liturgical aspect of ecclesiastical life. In our historical review no attention was paid to this feature of the Kyivan Metropolitanate. But it is obvious that the local Slavic dialect introduced into the Kyivan liturgy in the early Middle Ages, along with the typically local melodies, cultural usages and general ritual customs, created autonomous liturgical features in the Kyivan Church centuries before the Florentine events. Essentials of these early Kyivan peculiarities were preserved throughout the centuries up to the present time. With the printing of liturgical books, later influences were much less notable than in the Middle Ages, especially in the liturgical texts and rubrics. Therefore, the remarkable liturgical differences presently found between the Kyivan and the Constantinopolitan Churches are similar for the most part to the differences in the Florentine times.⁴ Nevertheless, since the Kyivan liturgy belongs

the four ecumenical Patriarchs, holy columns of the Eastern Church. From these rivers ... we all ... drink everyday bounteously ...".

³ The lack of sufficient authoritative solution of the problem regarding the relationships between the Supreme authority and the local individual Churches was pointed out in the article: I. MONČAK, *Concilium Vaticanum de Ecclesiis Orientalibus*, in *Bohoslovía*, vol. 29 (1965), p. 139. The question has bearing on the origin of patriarchal jurisdiction, be it participation in the jurisdiction of the Supreme Pontiff or an evolution of the jurisdiction of other Sees subject to the jurisdiction of the Patriarch. In recent times, opinions were divided among Catholic theologians (cf. *ibidem*, pp. 143-144; and note 56 of the Theological part of this work).

⁴ The study of Isidore's liturgical manuscript published by M. MARUSYN, *Divinae Liturgiae in Metropolia Kioiensi secundum manuscriptum liturgicum Metropolitanae Isidori saec. XV expositio*, in *Bohoslovía*, vol. XXV-XXVIII (1964), pp. 33-61; vol. XXIX (1965), pp. 97-124; furnishes a good illustration of this assertion.

to the Byzantine liturgical family of rites, it would be quite difficult to delineate the precise limits of autonomy according to the liturgical criterion.

By a process of elimination therefore, a reliable criterion has to be sought in the jurisdictional aspect as the most internally cohesive and externally distinctive element of an individual Church. However, the entire ecclesiastical activity must be considered to render an adequate judgment of autonomous evolution.⁵ Evidently, the most significant acts must be stressed, among which undoubtedly is the designation (nomination or election) of the hierarchical prelates, especially the Kyivan Archbishop-Metropolitans. The actual choice of the leading person determines to a high degree the evolvement of the entire ecclesiastical activity, comprising the designation of other members of the hierarchy.

In the reviewed historical period, the titulars of the Kyivan See were designated locally and not by the Constantinopolitan See. This was more the case in the latter part of this period, than in the initial times. In 1415, the Kyivan Metropolitan Hryhorij (Gregory) Camblak was elected by the local hierarchy gathered at the Synod of Novhorodok.⁶ Though this election was not ratified by the Patriarch of Constantinople, yet it testifies to the awareness by the entire Kyivan hierarchy to have the right to elect independently the head of the Kyivan Church.

In fact, this was not the first time the local hierarchy used this right, notwithstanding the opposition of Constantinople. History recorded many precedents. The most notable of them was the election of Metropolitan Ilarion (Hilarion) in 1501 and Klym (Clement) Smolatyč in 1147.⁷ Even though after Hryhorij

⁵ The work of the non-Catholic historian N. POLONŠKA-VASYLENKO, *Istoryčni pidvalyny UAPC*, München 1964, offers comprehensive history of the Kyivan Church, with regard to its independent life. The author tries to justify the autocephalous feature of the present Ukrainian non-Catholic Church. However, the historic arguments brought forward, speak in favor of an autonomous rather than autocephalous past of the Kyivan Church. The misinterpretation seems to be due to the fact that at present the notion of an autonomous individual Church is overlooked by lay scholars. Especially among non-Catholics the attention is concentrated on two concepts: on a uniform Catholic Church and on autocephalous non-Catholic Churches (cf. quotation in the note 268 of the Theological part of this work).

⁶ Cf. notes 4 and 242 of the Historical part of this work.

⁷ About the election of Klym Smolatyč, there are many contemporary

Camblak two more Metropolitans (Isidore and Gregorios Bulgar) were not chosen by the local hierarchy but designated by others, yet, their jurisdiction, especially that of the latter, was independent of the Church of Constantinople. All the subsequent Metropolitans were elected by the Kyivan hierarchy from among themselves.⁸ Two other attempts of Constantinople, in the eighth decade of the fifteenth century, to impose a Metropolitan of its own choice (Spyridon Satana and Galaktion) were entirely unsuccessful. The nominees were rejected from the very beginning.⁹ The Kyivan Church was opposed to any curtailment of its autonomy to freely elect its own ecclesiastical leaders.

The relations between the Kyivan Archbishop and the Patriarchs of Constantinople were confined to petitions for benedictions (confirmations) of the newly elected Metropolitans. From the late fifteenth century, these benedictions had little influence on elections, resulting merely in honorific acts of the Patriarchs with no effective exercise of jurisdictional power.¹⁰ In fact, the upshot was the mutual communication between the newly elected head of an individual Church and another highly venerated head of an ancient individual Church.

This bears a striking resemblance to the relationship which existed in the early Church between the Mesopotamian Church and the Antiochene one.¹¹ Until recent times, the granting of patriarchal titles to individual Churches founded outside the ancient Roman Empire was not customary. Their heads usually retained the titles of Katholikos or Archbishops-Metropolitan, and the respective Churches occupied to some extent an intermediate position: an ancient Church within the Roman Empire was particularly honored, but actually both were mutually independent and equal. At the very most the "elder" Church had

documents which, describing the election, testify to the consciousness of the electors of their right to elect freely the Kyivan Metropolitan, despite the attitude of Constantinople. — Cf., apart from general historical works, the monograph written by I. NAZARKO, O.S.B.M., *Mytropolyt Klym Smolatyč i joho poslannia*, Philadelphia 1952.

⁸ The intervention of the Polish and Lithuanian monarchs in the choice of Kyivan Metropolitans (cf. note 240 of the Historical part) was rather an excessive abuse of power of an extraneous instance, as was noted in the decisions of the Synod of Vilno in 1509-1510 (cf. notes 455, 460 and 461 of the Historical part).

⁹ Cf. notes 199 and 239 of the Historical part.

¹⁰ Cf. note 242 of the Historical part.

¹¹ Cf. note 95 of the Theological part and the respective text of this work.

the right of appeal,¹² and communication of the "junior" individual Church with the Supreme Authority was usually realized through the "elder" Church.

Hence, it can be understood why the Kyivans so assiduously maintained this natural way of communication with the Universal Church.¹³ If this natural way of communication with the Supreme Authority of the Universal Church would be interrupted, the Kyivan Metropolitanate would appear as autocephalous, a fact repugnant both to the Kyivan hierarchy and to its faithful. Even Metropolitan Gregorios Bulgar, designated and consecrated in Rome by Patriarch Gregorios Mammias, was not satisfied with such personal communication with the Supreme Authority, and sought to resume the traditional contact of the Kyivan Metropolitanate with the Church of Constantinople.¹⁴

The Kyivan Archbishops considered this communication as a requisite for the proper exercise of their own power.¹⁵ On the other hand, they did not consider themselves deprived of the Metropolitan jurisdiction without such communication or benediction. They exercised their jurisdiction even before such benediction arrived.¹⁶

In general, the Kyivan Metropolitans acted as sovereign heads of their individual Church not only internally, but also in external relations with other individual Churches and the Universal Church. Towards the end of the fourteenth century, Archbishop-Metropolitan Kyprian Camblak submitted to the Patriarch of Constantinople a proposal for an Ecumenical Council to solve the East-West discord.¹⁷ The other Camblak, Hryhorij (Gregory), in his solemn speech at the Council of Constance in 1418 offered a similar proposal. The Kyivan Archbishop dealt independently

¹² Cf. note 103 of the Historical part.

¹³ The complicated case when there is a suspicion of a deficiency of Church unity between the "elder" Church and the Roman See is now left out of consideration. It will be treated later on.

¹⁴ Cf. Chapter 4 of the Historical part, especially notes 170, 182 and 183, and the respective text.

¹⁵ Cf. the quotation from the *Constitutio Dogmatica de Ecclesia*, art. 21 (note 83 of the Theological part) and the expression in the petition to the Patriarch for blessing (quoted in note 237 of the Historical part).

¹⁶ Cf. note 238 of the Historical part.

¹⁷ Cf. note 3 of the Historical part.

from the Church of Constantinople and considered himself as head of a different ecclesiastical unit.¹⁸ Likewise, relations between Metropolitan Herasym (Gerasim) and the Council of Basel evolved unconditioned by the Church of Constantinople.¹⁹

At the Council of Florence, the Kyivan Church was officially (*de iure*) represented as distinct from the Constantinopolitan one. The protocol's designation of Isidore as "Ruthenus" and the signature: "Isidoros metropolites Kyevou" and then the undersigning of Bishop Avraamij separately from the signatures of the Constantinopolitan hierarchy, the proclamation of the Florentine decisions for the Kyivan Church in March 1440, prior to the promulgation for the Constantinopolitan one, and similar details,²⁰ clearly demonstrate that in the Florentine Council, the Kyivan Metropolitanate participated as an autonomous individual Church. However, Isidore's representation of two different individual Churches, the Kyivan and the Antiochene, along with the exclusion from the Council subjects from the southern regions of the Kyivan Metropolitanate, caused the Kyivans to feel that their independent activity was restricted at that Council.

This cunning Greek combination of two offices in one person was the last effective interference in the Kyivan ecclesiastical affairs by Constantinople. Isidore's successors exercised their power in a manner completely independent of the Church of Constantinople. In 1473 and 1476 the Kyivan hierarchy with Metropolitan Misail appealed to Rome, even though the Metropolitan's election was not yet "sanctioned" (confirmed) by the Patriarch.²¹ Metropolitan Josyf (Joseph) Bolharynovyč reiterated on his own initiative the appal to Rome, after communication was established with the Patriarch but without any interference of the Constantinopolitan See.²² Likewise, the "confirmation" of Metropolitan Josyf (Joseph) Soltan by Constantinople did not involve any subordination to the Patriarch. The Synod, convoked by Soltan shortly after his "confirmation" does not even mention the Patriarch of Constantinople; the acts and appeals of the Synod do not in any way refer to the "elder"

¹⁸ Cf. note 19 of the Historical part.

¹⁹ Cf. notes 25, 27, 28 and 34 of the Historical part.

²⁰ Cf. entire Chapter 2 of the Historical part.

²¹ Cf. notes 189, 190 and 238 of the Historical part.

²² Cf. note 214 of the Historical part.

Church.²³ Thenceforth, throughout the sixteenth century there is no evidence of any dependence involving the activity of the Kyivan individual Church on the Patriarch of Constantinople.

Hence, it can be concluded that throughout the entire historical period under discussion, the Kyivan Archbishopric-Metropolitanate had the characteristics of an autonomous individual Church, headed by its own Archbishop-Metropolitan (Archbishop Major — according to modern terminology). The Kyivan Church maintained a respectful attitude towards the See of Constantinople, as was due to an honorable ancient See, thereby communication with the Universal Church was realized. However, the Kyivans were very alert as to the prospect of submissive dependence. Despite some undue interference from Constantinople in the first half of the fifteenth century, essential sovereign autonomy of the Kyivan Church was preserved intact.

Yet, some notable changes were introduced at this time with regard to the geographical extension of the Kyivan individual Church. Even though the Kyivan empire ceased to exist two centuries earlier, the Kyivan Metropolitanate still comprised the entire territory of the former empire with peoples of diverse cultural, social and political background. Constantinople by its countless interference persisted in perpetuating the concept of one ecclesiastical unit for various and different peoples. Evidently, such an artificial state of affairs could not last long. This large Metropolitanate's division into two individual Churches, according to ethnic boundaries, was finally achieved in the middle of the fifteenth century (in 1448 *de facto*, in 1458 *de iure*). In the nucleus of the ancient Kyivan Metropolitanate remained the territories of the southern eparchies which now became part of the Lithuanian and Polish states. The northern eparchies developed into a new separate Metropolitanate of Moscow.²⁴

This fact demonstrates that individual Churches are based naturally on the cultural and social backgrounds of people.²⁵ Individual Churches are actually social or national groupings, elevated to the supernatural sphere of the holy assembly of the

²³ Cf. notes 449 and 460-462 of the Historical part.

²⁴ Cf. notes 155, 169, 170, 174 and 181 of the Historical part, with the respective text.

²⁵ Cf. quotations in notes 56 and 57 of the Theological part.

Church ("ecclesia"). The elevation, however, does not alter the natural inclinations of the human societies. Consequently, the ecclesiastical life of each individual Church evolves according to the cultural and social features of each human community. Hence, both individual Churches, the Kyivan and the Muscovite, developed diverse attitudes towards Church unity. The Muscovite embraced the autocephalous notion of a "national churchdom", but the Kyivan strove to realize its own specific idea of ecclesiastical relations between the individual Church and the Universal one.²⁶

2. ATTITUDE OF THE KYIVAN METROPOLITANATE TOWARDS CHURCH UNITY

Before considering the attitude of the Kyivan Archbishopric-Metropolitanate towards the problem of Church unity, it seems expedient to recollect some ecclesiological principles. The basic one affirms that the Universal Church, in its visible aspect, is composed of individual Churches.²⁷ All of them, in principle, are equally authorized to express faithfully the true Christian faith. Hence, no individual Church can claim a higher prerogative that corresponds more accurately than any other to the exigences of the Divine Kingdom.

Though the principle is obvious, it is not always followed when practical problems are approached. More often than not there can be seen in historical writings an inclination to imply that membership in some individual Churches prejudices to some extent one's attitude towards dogmatic and ecclesiastical problems. As a basis for this, there is an unconscious juxtaposition between faith (in the dogmatic sense) and rite (in the sense of an individual Church). As a consequence of this bias, some historians take a specific approach to members of different rites. Latin-rite members are all considered to be of the Catholic faith unless a very opposite belief is expressly manifested. On the contrary, Eastern-rite members are assumed to be dissident (non-Catholic), except where Catholic conviction in dogmatic and

²⁶ To be compared with quotations respective to notes 156 and 176 of the Historical part. — Cf. also quotation of note 200 there.

²⁷ Cf. quotation in note 67 of the Theological part.

ecclesiological aspects cannot be disclaimed. Evidently, such approaches do not merit respect.

Explicit or implicit declarations of believers must form the basis of adjudication regardless of the particular rite to which they belong. External declarations are to be earnestly taken as corresponding to internal convictions, unless through persuasive arguments there is evidence to the contrary. This principle is of significant importance, not only where individuals but also when an entire ecclesiastical unit is judged by official declarations, as is done in our case. When such statements are reiterated intermittently, continuity is to be presumed.

A community is even more inclined to persevere in its convictions than an individual. Therefore, when for a certain period of time the profession of the Catholic faith was not expressed by an official of an Eastern individual Church, this should not induce the suspicion that this individual Church turned away from the Catholic Church. The general moral principle, "*in dubio melior est conditio possidentis*", must be applied also in cases where explicit or implicit statements are not evident. Finally, in case of a "negative doubt", (where there is lack of arguments for or against), one should assume rather that human nature strives towards achieving its proper objectives — truth and love of truth, and not that it deviates from them for no apparent reason. Consequently, in research one should seek rather reasons that cause separations than reasons that cause a unity, because unity is a natural goal corresponding to the final aim of human nature.²⁸

With this in mind, the promulgation of the Florentine decisions (in March 1440) with respect to the Kyivan Church and the lack of any repudiation of these decisions in the southern part of the ancient Metropolitanate, shall be taken to mean the full adhesion of the entire southern Metropolitanate to the ecumenical decisions of that Council.²⁹

The period preceding the Florentine Council does not constitute an objective of our historical review. However, it can

²⁸ There are many essays, especially by non-Catholic writers, searching for "reasons of the union of Brest", "reasons of the Florentine union" etc. We should rather search for reasons of divisions and separations in the Church.

²⁹ Cf. Chapter 3 of the Historical part, especially the part referring to notes 72, 82 and 83.

be observed that in the formulation of Isidore's decree, the lack of allusion to any changes being introduced into the Kyivan Church, asserts the fact that, at least in the time immediately preceding this, there reigned in the Metropolitanate the same ecumenical attitude towards dogmatic and ecclesiastical problems which later where made manifest in the decisions of the Florentine Council.

We note the fact that in the Kyivan territories in the entire period under review, no anti-Catholic polemic work was written. Neither was the Florentine Union repudiated.³⁰ There are also positive arguments on matter of faith in the post-Florentine times. In the fifteenth century, we note explicit and solemn Catholic professions of faith by Kyivan Metropolitans. Archbishop-Metropolitan Misail together with other clergymen and laity, signed in 1476, the letter to the Pope, stating that the Kyivans are

living ... under the law of the Eastern Church, retaining all seven of the holy Ecumenical Councils, with them together and the eighth Florentine, which decided ... that the Holy Spirit proceeds equally together from Father and also from the Son by one exhalation ...³¹

Metropolitan Josyf Bolharynovyč made a similar profession of faith in 1500, acknowledging everything the Catholic Church believes and teaches.³²

During the first seven decades of the sixteenth century, Kyivans issued no known solemn statements on matters of faith. However, "it is impossible to discover any difference in their attitude towards the problem of reunion with Rome".³³

In fact there are assertions of unprejudiced persons throughout the entire period of the sixteenth century, testifying to the invariably positive attitude of the Kyivan Church towards the Catholic faith. Thus, the King's continuous confirmation of equality between rites, based on the preservice of the Florentine union,³⁴ furnishes an indirect testimony from the uniformitarian circle least to be expected.

The future Bishop of Wien (Vienna), German Dominican

³⁰ Cf. note 176 of the Historical part and the respective quotation.

³¹ Cf. note 194 of the Historical part.

³² Cf. note 214 of the Historical part and the respective quotation.

³³ Cf. note 439 of the Historical part.

³⁴ Cf. the initial section of Chapter 10 of the Historical part (note 438).

Johann Faber, in 1525 furnished an impartial and positive attestation to the fact that Kyivans persevered throughout the first quarter of the sixteenth century in the right faith.³⁵ A few years later (1531-1532), Pope Clemens VII examining the case of the mixed marriage of Prince Slučkyj, makes a decision which presupposes the Catholic faith of this noble, who in his petition actually does not differentiate himself from the rest of the Kyivan faithful.³⁶

There was an explicit defence of the true faith of the Kyivans, developed by the ecumenically-minded part of the Polish clergy and laity (Orzechowski, Drohojowski, Zaleski, Moderzewski and others) in the middle of the sixteenth century.³⁷ It proves the fact that, when charges of heresy were leveled by some uniformitarians against the Kyivans, such calumnies were not cast by all members of the neighbouring Polish Church.³⁸ To this latter group belongs the eminent Polish Jesuit, Benedykt Herbest, who wrote favorably about Eastern Christians in 1566-1567.³⁹

Finally, the affirmations of the Papal Nuncios, Joannes Franciscus Commendone in 1564,⁴⁰ and Julius Ruggiero of the following year regarding the faith of the Kyivans, are most eloquent authoritative testimonies. According to Nuncio Ruggiero, the Kyivans were very zealous in maintaining their faith pure as they received it in pre-Cerularian times (from the tenth century) and "l'hanno ritenuta sino a questo tempo, senza alcuno movimento di altro scisma, o heresia".⁴¹ It can only be regretted

³⁵ The reference of Faber to a single point of "deviation" in faith of the Kyivans, namely, about the procession of the Holy Spirit, may be understood as a real heresy of the Kyivan Easterners, if taken out of context. But together with the rest of the work it would appear that it is cited only to "justify" the not yet consummated ecclesiastical unity. (Cf. note 478 of the Historical part). Faber's reference appears even more irrelevant if compared not only to the complete lack of any changes in matters of faith during the first quarter of the sixteenth century and the time before, but also to the explicit declarations of Metropolitans Misail and Bolharynovyč on this point of faith, as quoted above.

³⁶ Cf. notes 479-484 of the Historical part.

³⁷ Cf. notes 488, 498-500 of the Historical part.

³⁸ Cf. for the explicit statement of Stanisław Orzechowski Chapter 10 of the Historical part (notes 492-493).

³⁹ Cf. the quotations in Chapter 10 of the Historical part (notes 506-510 and also notes 503-505).

⁴⁰ Cf. for the report of Nuncio Commendone note 522 of the Historical part.

⁴¹ Cf. quotation in the note 523 of the Historical part.

that on authoritative Romans went sooner to the Kyivan regions to obtain first-hand information about the religious attitudes of the Kyivan Church.

From all these arguments and documents, one can conclude that the Kyivan Church throughout the entire span of 150 years, here under consideration, was not contaminated by any heresy as taken in the sense of a pertinacious negation of a truth of faith.⁴²

Closely connected with this, is the question of schism, a conscious and voluntary separation from Church unity.⁴³ If schism is understood in this spiritual-moral sense, we find no document indicating any willful separation of the Kyivan Church throughout the entire period of history under review. On the contrary, there were constantly repeated attempts and statements on the Kyivan part to establish perfect unity and communication with the Roman See. The intervention of Metropolitan Hryhorij (Gregory) Camblak at the Council of Constance,⁴⁴ and Metropolitan Herasym's (Gerasim) appeal reiterated at the Council of Basel,⁴⁵ demonstrate the trend of the Kyivan Church towards appropriate ecclesiastical unity even before the Council of Florence was convoked.

In the post-Florentine period, apart from explicit adhesions to all of the Council's decisions including the supremacy of the Roman Pontiff, there are also extant on this point specific declarations by Metropolitans Misail (1476) and Bolharynovyč (1500). The former together with the leading clergy and nobility, calls the Roman Pontiff:

The universal Pope ... Most Holy Father of Fathers and first Pastor, blessed Sixtus, of the holy universal Catholic apostolic Church, Christ's Vicar ...⁴⁶

Josyf Bolharynovyč, a quarter century later, repeats this by writing:

Sacrosantissimo patrum patri, originali pastorum pastori, beato ac beatissimo Alexandro Sacrosante Romane ac Universali

⁴² For the definitions of heresy cf. note 121 of the Theological part.

⁴³ For the definitions of schism cf. note 101 of the Theological part.

⁴⁴ Cf. quotations in notes 13 and 19 of the Historical part.

⁴⁵ Cf. notes 25, 27 and 28 of the Historical part.

⁴⁶ Cf. the rest of the quotation from Misail's letter to the Pope (note 193 of the Historical part).

catholice ac apostolice ecclesie Pontifici maximo, dignissimo
Vicario Christi, sedenti in Trono principis Apostolorum Petri ...

O beatissime Patriarcharum Pater, sic magnus, sic beatificatus
incomparabili dignitate apud Deum! ⁴⁷

In the sixteenth century, there are testimonies of impartial objectivity by the German Dominican (and inquisitor), Johann Faber, asserting that the Kyivans "Pontificem Rom. ut Christi vicarium et successorem Petri agnoscunt", and "quod autem ... veluti apostate ac schismatici damnantur hoc se iudicio iusti iudiciis Dei committere, dicebant" ...⁴⁸ That the Roman Pontiff presides over the Universal Church, possessing jurisdiction by divine succession, was professed by a representative Eastern nobleman, Prince Slučkyj in 1529.⁴⁹

This attitude prevalent among Eastern Kyivans was confirmed forty years later (in 1566-7) by Benedykt Herbest asserting: "that the Ruthenian Father who is in Lviv agreed in everything with us, even the obedience to the Successor of St. Peter".⁵⁰ At the same time (1564) the Eastern Christians of Lviv and Belz not only welcomed the Pope's Nuncio J.F. Commendone "con molta dimostrazione di reverenza et devotione verso la Sede Apostolica", but also appealed through the Nuncio to the Roman Pontiff, to intervene "con l'autorità" against the Protestant heresies infiltrating the Eastern regions.⁵¹

Hence, it is no wonder, that in the middle of the XVI century S. Orzechowski stated:

Nam ego in Ruthenorum ecclesiis, Graeco ritu constitutis,
versari errorem nullum scio.

And consequently he concluded:

Si igitur Graeci et Roxolani nostri in omnibus articulis atque punctis ... veritatem fidei catholicas sequuntur, non desciverunt ab ecclesia catholica, sed intra illam manent, non alia ulla re quam lingua atque moribus ab Latinis differentes.⁵²

⁴⁷ Cf. other quotations from the letter of Metropolitan Josyf Bolharynovyč to Pope Alexander VI Borgia (page 212 of the Historical part).

⁴⁸ Cf. note 476 and 477 of the Historical part.

⁴⁹ Cf. quotation in the note 479 of the Historical part.

⁵⁰ Cf. note 507 of the Historical part and the respective quotation.

⁵¹ Cf. quotation in the note 522 of the Historical part.

⁵² Cf. notes 492 and 493 of the Historical part.

It can be concluded that throughout the entire period under review, the Kyivan Church entertained no conscious voluntary thoughts of separation, that is to say: a tendency to schism, according to the definition enunciated in the Theological part of this work.

The only objection to this assertion can be the fact of seeking "benediction" (confirmation) from the Patriarchs of Constantinople for newly elected Kyivan Archbishop-Metropolitans. However, the contemporary Popes of the fifteenth century did not interpret these benedictions as signs of schism.⁵³ These facts were more thoroughly understood and correctly interpreted at that time than by some later theologians.

In conferring blessings upon Metropolitans, there is no certainty that the respective Patriarchs of Constantinople were schismatics themselves and that they had rejected the Florentine decisions. It is true that in 1472 Patriarch Simeon I revoked the Florentine unity which was never again officially restituted. However, one has to take into consideration the actual circumstances under which the Patriarchate of Constantinople acted. Moslems, confounding secular with religious authority, would interpret any communication with the spiritual head of Christianity as conspiracy with their political enemies.

That the Patriarchs were well disposed towards Church unity but were unable to reveal this, is testified in two cases. The first example is a letter of 1498, written by Patriarch Niphon to Metropolitan Josyf Bolharynovyč.⁵⁴ The second example comes ninety years later with the visit of Patriarch Jeremias II to the

⁵³ The confirmation of Metropolitan Gregorios Bulgar did not raise any suspicions of schism against him in Rome. (Cf. notes 185-187 of the Historical part).

Even Pope Alexander VI, so very hesitant in accepting the laudatory letter of Metropolitan Bolharynovyč, did not consider the confirmation of the Metropolitan by the Patriarch as a sign of the Archbishop's schismatic inclination. The objections of the Roman Pontiff were confined to the question as to who actually was authorized to confirm the Kyivan Archbishop, the Patriarch resident in Rome or the other one whom the Pope supposed to be "constitutum violenta manu in sede Constantinopolitana per tirannum Turcorum". Nevertheless, the Roman Pontiff was disposed to absolve Bolharynovyč also of these "preteritis offensionibus et maculis". In any case, the confirmation by the Patriarch did not cast upon the Metropolitan any suspicion of schism. (Cf. Chapter 3 of the Historical part, especially notes 91, 92, 96, 97 and the respective quotations).

⁵⁴ Cf. the quotation in the note 213 of the Historical part.

Kyivan regions. Unity with the Roman See was considered by the latter as:

il pensiero santissimo, et che felici doueuano reputarsi quelli, à chi non era uietato l'esseguirlo, ma che non era licito di farlo à chi staua soggetto à Turchi per uarij pericoli, che si correuano.⁵⁵

It was precisely to these unionistic Patriarchs that the Metropolitans appealed. Documents demonstrating eventual unitive convictions of other Patriarchs who conferred confirmation upon Metropolitans are not extant. But it has to be kept in mind that conditions were such that it was prudent not to commit to paper compromising assertions. Therefore, when it came to abiding by Florentine decisions, no wonder that many Patriarchs were unable to confide their opinions for posterity to any documents.

Regardless of Patriarchs' true conviction, it can be said, that even if blessings were conferred upon some Kyivan Metropolitans by schismatically minded Patriarchs, it is not necessarily indicative that the respective Metropolitans were guilty of schism. Kyivans, when asking confirmation for Jona Hlenza (1489-1494) did this because confirmation was required "for our fortification", in order to hand to the Metropolitan "the spiritual sword to defend us".⁵⁶ No matter what verdict the future finally passes on the question of jurisdiction of non-Catholic hierarchs, one has to consider the subjective conviction of the applicants of those times. Once tradition dictated that a "blessing" was required for the full investiture of a Kyivan Archbishop, the Patriarch had to be petitioned, regardless of his attitude towards Church unity.

At most it could be interpreted as a kind of "communicatio in sacris", or rather "communication in holy jurisdiction", by itself insufficient to be adduced as proof of schism, at least in the circumstances as found in the fifteenth-sixteenth century. There can be brought forward a comparison between this eventual "communication in holy ecclesiastical matter" of Kyivans with

⁵⁵ This is the reference of A. Possevino, S.J., in his letter to Rome about the debate of Patriarch Jeremias II with the Kyivan hierarchy in 1589 about the unionistic possibilities of Constantinople and Kyiv. The recently discovered letter was published in the article by O. HALECKI, *Isidore's tradition*, in *Analecta OSBM*, vol. IV (X), (Romae 1963), pp. 27-43. The quotation to be found on p. 39.

⁵⁶ Cf. note 237 of the Historical part.

Constantinople and the participation of Greeks, enjoying full rights as equal partners with the Latins at the Council of Florence.⁵⁷ No Catholic authority ever raised any suspicion of heresy or schism against the Latin Fathers of the Florentine Council on account of their partnership with Greeks at the Council.

The appeal to Rome by one of these "confirmed" Metropolitans, Josyf Bolharynovyč, shortly after receiving his blessing from Constantinople, dispels remaining doubts. The Kyivans found themselves in the following situation:

the Ruthenian Church ... without formally denouncing the Union of Florence ... continued to recognize the authority of the Patriarchate. That recognition was, however, limited, to the practice that the Metropolitans of Kiev received their formal confirmation and blessing from the Patriarchs of Constantinople.⁵⁸

In fact, not wishing to remain entirely isolated and autocephalous there was no other individual Church with which the Kyivans could communicate. To the Latin Polish Church, ecclesiastical communication connoted uniformitarian submission and a final supplanting of the Eastern rite by the Latin one. Actually, constant appeals and communications with Constantinople safeguarded the Kyivans from being engulfed within the Polish sphere of influence.

The Kyivan Metropolitans also strove to install direct communications with the Roman See without weakening their relations with Constantinople. There are sufficient indications that in the fifteenth century such direct communications with Rome existed, notwithstanding great practical difficulties. Considering all the conditions of those remote times, not too many facts have to be advanced to verify the existence of a direct communication with Rome. This is especially true when one considers that the Kyivan Metropolitanate was at that time an autonomous individual Church. In the pre-Tridentine times an

⁵⁷ The Greek participation at the Council of Florence was studied from different points of view in two articles: J. GILL, S.J., *Greeks and Latins in a Common Council*, and B. SCHULTZE, S.J., *Das letzte ökumenische Einigungskonzil theologisch gesehen*; both published in *Orientalia Christiana Periodica*, vol. 25 (1959), pp. 265-287, and 288-309, respectively.

⁵⁸ Cf. note 463 of the Historical part and also quotation in the note 523 there.

individual Church, especially of an Eastern rite, was not required to link its activity closely with the Supreme authority.

The nomination of Bishop Makarij (Makarios) by Pope Calixtus III in 1458 for the See of Lviv-Halyč, his appeal to Rome, the division of the Metropolitanate into two parts, and finally the nomination of Gregorios Bulgar for the Kyivan See by Pope Pius II (in 1458-59), all these acts of jurisdiction by the Supreme Pontiff were willingly accepted by the Kyivan Church.⁵⁹ The reception (in 1467-1469) of Alexander Soltan by Pope Paulus II with the honours consequently conferred upon this nobleman by the Pope, and a similar attitude of Sixtus IV towards Ivaško Soltan at the time of Misail's appeal to Rome (1476),⁶⁰ demonstrates that there was due communication with many Roman Pontiffs. The last element in this sequence of communicative events with the Roman See, was the appeal of Metropolitan Josyf Bolharynovyč in 1500.

Since that time, however, there is a gap in the tradition of direct contacts with the heads of the Kyivan Church. "One gets the impression that the Roman curia would have wanted the entire unionistic question examined completely anew and thus, totally had forgotten about Isidor, Gregor II and Misail Prucki".⁶¹ The information received by Pope Alexander VI "a nonnullis", in which "Elucidarius" of Sacranus seems to play a principal role, caused this change in Rome's attitude with the ensuing hesitant reply. Actually, in the Pope's documents a final decision to the appeal of Bolharynovyč is lacking.

⁵⁹ For the respective Pope's decree cf. notes 168 and 169 of the Historical part.

⁶⁰ Cf. notes 191 and 197 of the Historical part.

Worthy of note is the petition of Metropolitan Misail to the Pope asking privileges and indulgences for the holy year (1475) for the Kyivan Church (*Archiv jugo-zapadnoj Rossii*, p. I, vol. VII, p. 212; M. BULGAKOV, *Istoria russkoj Cerkvi*, vol. IX, p. 49). The granting of these graces would be a manifest sign of communication between the Roman See and the Kyivan Church.

There is a striking similarity between this petition and St. Francis Xavier's plea of 1549 for plenary indulgences for the two principal churches of Malabar, to be granted by the Pope, for "consolation for these Christians and to increase their piety". (This request was discussed in the dissertation of XAVIER KOODAPUZHA, pp. 139-144, quoted in note 119 of the Theological part of this work).

Likewise, the doubts entertained by Pope Alexander VI as to the origin of the autonomous authority of the Kyivan Archbishop and the Mesopotamian Katholikos bear a striking similarity (*ibidem*, p. 86).

⁶¹ Cf. note 331 of the Historical part.

However, from 1501 onwards, political changes in Eastern Europe and the subsequent outbreak of Protestantism, constituted insuperable moral hindrances throughout the rest of the period investigated, for the Kyivan Church to reestablish direct communication with the Roman See. The only exception, thanks to the intervention and protection of the Polish King, was the Pope's decision about the mixed marriage of Prince *Slučkyj* (1529-1531). This bears witness to the fact, that the Kyivan Church even in the sixteenth century, was not considered in Rome as heretical or schismatic. Only external communication between the Roman See and Kyivan Church was lacking in the sixteenth century and this constitutes the only differences in the state of the Kyivan Church between this and the preceding century. This situation of internal unity without exterior manifestation should be called "alienation", according to the terminology proposed in the Theological part of this work.⁶²

3. STRUGGLES OF THE KYIVAN CHURCH FOR PERFECT UNITY

Considering themselves true members of the Universal Church and professing the true Catholic faith, the Kyivans strove only to establish due communication with the Supreme Pontiff, while maintaining all the autonomous features of their own individual Church intact. This is apparent from the speech of Metropolitan *Camblak* at the Council of Constance.⁶³ It was for this reason that the Florentine ecumenical decisions were so readily accepted in the Kyivan regions. Consequently, the corroboration by the Pope of Kyivan autonomy in the most crucial jurisdictional point, was sought by Metropolitan *Bolharynovyč*.⁶⁴ Finally this ecumenical idea was expressed acutely by *S. Orzechowski*, when he considered both individual Churches, the Latin and the Kyivan, as parts of one Universal

⁶² Cf. Chapter 3 of the Theological part, especially the text regarding note 119; and also the statement of the Polish historian *O. HALECKI* quoted in the note 471 of the Historical part.

⁶³ "... hoc servato, ut cum via debita et honesta atque consueta fiat ..." — Cf. quotation in the note 19 of the Historical part.

⁶⁴ "... supplicavit nobis *Iohannes Sopega*, secretarius predictus, quod *Iohannem Ioseph* prefatum, ut verum Archiepiscopum Metropolitanum ac primatem iuxta ritum Grecorum ... commendaremus ... — Cf. note 337 of the Historical part.

Church.⁶⁵ This is exactly the essence of Florentine ecumenism.

In contraposition to this concept, was the idea of the uniformitarian circles who exerted all their efforts to spread their idea of unity. As early as the fourteenth century they tried to consummate unity by placing hierarchs of the Latin Church in Eastern bishoprics.⁶⁶ This paralleled the so called "Crusaders' ecumenism" as was mentioned in the Theological part of this work. The uniformitarian approach did not cease after the Florentine Council, even though it is not always clear whether this approach was only as a "jurisdictional uniformity" or an all-encompassing one.⁶⁷ It seems, rather, that jurisdictional uniformity preceded the intended total uniformity. This can be deduced from the prejudices expressed by Sacranus against both the Eastern clergy and Byzantine liturgical customs. Likewise, the prohibition against the construction of new Eastern churches and the practice of rebaptism indicated that in reality "liturgical uniformity" was also included in the final aim. The final objective was a total comprehensive uniformity.

In the historical review of this work, there was sufficient exposition concerning the evolvement of uniformitarian and ecumenical activity in the Kyivan realm; therefore this recapitulation will be concise. We only want to point out a single remedy which the Kyivan ecumenists proposed in their appeals to Rome. They repeatedly implored Rome to send an impartial delegation, composed of Eastern and Western officials, "that they may bring peace, love and brotherly concord, so that everybody would preserve untouched the customs and the order of their own Church".⁶⁸ Neither Hryhorij Camblak's proposal, nor Misail's petition, nor a similar idea suggested in Bolharynovyč's times,⁶⁹

⁶⁵ Cf. quotation of the note 495 of the Historical part.

⁶⁶ The respective documents are quoted in the notes 90-107 of the Historical part.

⁶⁷ The subordination of the Eastern bishopric of Lviv to the Latin Prelate of this city, furnishes an example of the trend of "jurisdictional uniformness" in the sixteenth century. It was closely interlinked with attempts at extirpation of Eastern liturgical practice in that city. (Cf. Chapter 9 of the Historical part, especially notes 411 and 420 with the respective text).

⁶⁸ This is quotation from Misail's letter of 1476. (Cf. note 196 of the Historical part). A similar proposal that "mittantur ad illas partes persone ydonee", was pronounced by Metropolitan Hryhorij Camblak at the Council of Constance. (For the text of this speech cf. note 19 of the Historical part).

⁶⁹ The letter of Pope Alexander VI testifying to this idea is quoted in the note 222 of the Historical part.

was fulfilled at any time during this period of history.

It was only in the seventh decade of the sixteenth century that Papal Nuncios occasionally came into direct contact with the Kyivan Church.⁷⁰ But at that time, the Kyivan Church exhausted by struggles in defence from uniformitarian attempts and after lengthy isolation, found herself at the nadir of its entire history. There were only feeble relations with the Church of Constantinople, itself needing support to remain in bare existence.

It is very possible that the Kyivan Church, if it had succeeded in maintaining and strengthening ecclesiastical communications with the Roman See, could have rendered great assistance to the Church of Constantinople. The latter was within the Turkish Empire. Relations between the "younger" Kyivan See and the "elder" Constantinopolitan one, which formerly had served as an intermediary between Kyivan and the Universal Church, could have been reversed, with Kyiv serving as an intermediary for Constantinople.

The Kyivan Church, operating in Christian countries by having a close relation with both the Supreme Roman See and Constantinople, could have served as a link between the Universal Church and the "elder" Church of Constantinople. Suspicions that the Greeks were disloyal to the Turkish regime by maintaining direct contact with Rome, would have been avoided by intermediary.

This task would have been easier since in those times "the policies of the Patriarchate were not dictated by any basic hostility to Rome ... [and] Eastern Churches in free Catholic countries could make an agreement with the First Rome without necessarily breaking off with the Second one".⁷¹ This would have crystalized the role of the Kyivan Church, for it was situated on the crossroads between the East and the West. This great task was perceived by Metropolitan Kyprian Camblak in the fourteenth century.⁷² It was later enunciated by his nephew, Hryhorij Camblak, at the Council of Constance and contemplated by later Kyivan Metropolitans.

⁷⁰ There was extant a message (in 1473) of the Kyivan hierarchy entrusted to the Pope's legate, Antonio Bonumbre, on his return from Moscow to Rome. But nothing is known about Bonumbre's intervention on behalf of the Kyivan matter, even all traces of the message entrusted to him are lost.

⁷¹ For the rest of the quotation cf. note 235 of the Historical part.

⁷² Cf. quotation in the note 3 of the Historical part.

To realize this, indispensable grassroot level work had to be done in order to strengthen the Kyivan Metropolitanate as an individual Church different from the Roman one, but enjoying full unity and communication with the Supreme See according to the Florentine ecumenical principles. This is precisely what the uniformitarian concept of unity sought to annihilate, by striving to assimilate the Kyivans into a Universal Church of one uniform rite. The wrong unionistic activity destroyed the independent link by which the ancient Church of Constantinople could remain in constant contact with the rest of the Universal Church. The negative consequences of the uniformitarian activity are enormous for the Kyivan, Constantinopolitan and the entire Universal Church.

In Eastern Europe the Kyivan Church, which after long struggle successfully withstood attacks on its individual autonomy, never was tainted by any heresy or schism. However, it was brought at the beginning of the sixteenth century into a state of external alienation from the Supreme Roman See. In this unenviable situation, burdened by the above-mentioned consequences, which are still relevant in the present, the Kyivan Archbishopric-Metropolitanate encountered the Modern Era.

The Fathers of the Second Vatican Council had before their eyes these effects, when they announced in the last (24-th) article of the conciliar *Decretum de oecumenismo*: “Haec Sacrosancta Synodus hortatur fideles, ut a quavis levitate vel imprudenti zelo se abstineant quaequoque progressui unitatis necere possint”. The errors of the past are not recorded in this work to find the guilty; this review has as its aim to build a better future. The intention which permeates this work, is recalling all those events from five hundred years back “sine ira et studio”, for the love of truth, using history as the “magistra vitae”. We are aware of the importance of the conciliar exhortation (put forward in the last article of the same ecumenical decree), that we “fidenter oculos ad futura convertimus”. The Council “quadpropter spem suam in oratione Christi pro Ecclesia, in amore Patris erga nos, in virtute Spiritus Sancti penitus ponit”.⁷³ Hence:⁷⁴

⁷³ Concilium Vaticanum II, *Decretum de oecumenismo*, art. 24.

⁷⁴ Concilium Vaticanum II, *Decretum de Ecclesiis Orientalibus Catholicis*, art. 30.

omnes christiani, Orientales nec non Occidentales, enixe rogantur, ut ferventes atque assiduas, imo quotidianas preces Deo fundant ut, Sanctissima Deipara auxiliante, omnes unum fiant. Orent quoque, ut tot christianis cuiuscumque Ecclesia, qui, strenue profitentes Christi nomen, patiuntur et angustiantur, Spiritus Sancti Paracliti adfluat plenitudo confortationis et consolatii.

Omnes caritate fraternitatis invicem diligamus, honore invicem praevenientes (Rom. 12,10).

all Christians, Eastern as well as Western, are earnestly asked to pray to God fervently and insistently, indeed daily, that with the aid of the most holy Mother of God, all may become one. Let them pray also that the strength and the consolation of the Holy Spirit may descend copiously upon all those many Christians of whatsoever Church who endure suffering and deprivations for their unmaverling loyalty to the name of Christ.

“Love one another with brotherly affection; outdo one another in showing honor” (Rom. 12:10).

TRANSLATION of QUOTATIONS

This work is intended for Catholic theologians, who usually are quite familiar with the Latin and other Romance languages, especially French and Italian. Therefore quotations in those languages are not translated.

In order to make at least the text, if not the footnotes, of this book available to readers who experience some difficulty with languages other than English, we here provide translations of all non-English quotations found in the text.

Quotations from the Scripture are taken from *The Jerusalem Bible*, Garden City, New York, 1971.

The English version of the documents of the Second Vatican Council are quoted according to the translation edited by WALTER M. ABBOTT, S.J. and Very Rev. Msgr. JOSEPH GALLAGHER, *The documents of Vatican II*, New York, 1966.

Experts from the *Summa Theologiae* of St. THOMAS AQUINAS are taken from the English translation by THOMAS R. HEATH, O.P., London - New York, 1972.

INTRODUCTION

- p. 15 *Decree on ecumenism*, 5:
Concern for restoring unity pertains to the whole Church, faithful and clergy alike. It extends to everyone, according to the potential of each, whether it be exercised in daily Christian living or in theological and historical studies.
- p. 15 glorious, with no speck or wrinkle or anything like that, but holy and
Eph faultless.
5,27
- p. 18 St. THOMAS AQUINAS, *Summa Theologiae*, II-II, 39, 3:
n. 4 But the power of jurisdiction is handed on through simple human command. It does not belong permanently to the one who receives it. So it does not remain in schismatics or heretics.
- p. 18 *Ibidem*, Suppl., 19, 6:
n. 5 ... since the Church deprives heretics, schismatics and the like, by withdrawing their subjects from them either altogether or in some respect, in so far as they are thus deprived, they cannot have use of the keys.

- p. 19 BILLOT L., *Tractatus de Ecclesia Christi*, 346-347:
n. 6 ...anybody who is cut off from that visible structure... becomes incapable of holding ordinary jurisdiction, and if he possessed any before, should necessarily lose it by the very fact of separation.
- p. 19 *Dogmatic Constitution on the Church*, 21:
n. 7 But episcopal consecration, together with the office of sanctifying, also confers the offices of teaching and of governing. These, however, of their very nature, can be exercised only in hierarchical communion with the head and the members of the college.
- p. 19 *Ibidem* (In the same document), 27:
n. 8 This power, which they personally exercise in Christ's name, is proper, ordinary, and immediate, although its exercise is ultimately regulated by the supreme authority of the Church, and can be circumscribed by certain limits, for the advantage of the Church or of the faithful.
- p. 20 *Ibidem*, 24:
n. 9 (If the latter refuses or) denies apostolic communion, a bishop cannot assume office.
- p. 20 *Ibidem*, 25:
n. 10 The infallibility promised to the Church resides also in the body of bishops when that body exercises supreme teaching authority with the successor of Peter.
- p. 20 *Ibidem*, 22:
n. 11 One is constituted a member of the episcopal body by virtue of sacramental consecration and by hierarchical communion with the head and members of the body.
 But the college or body of bishops has no authority unless it is simultaneously conceived of in terms of its head, the Roman Pontiff, Peter's successor, and without any lessing of his power of primacy over all, pastors as well as the general faithful... The order of bishops is the successor to the college of the apostles in teaching authority and pastoral rule; or, rather, in the episcopal order the apostolic body continues without a break. Together with its head, the Roman Pontiff, and never without this head, the episcopal body is the subject of supreme and full power over the universal Church. But this power can be exercised only with the consent of the Roman Pontiff.
- p. 20 For in virtue of his office, that is, as Vicar of Christ and pastor of the whole Church, the Roman Pontiff has full, supreme, and universal power over the Church. And he can always exercise this power freely.
n. 12
- p. 20 *Ibidem*, 25:
n. 13 This religious submission of will and of mind must be shown in a special way to the authentic teaching authority of the Roman Pontiff, even when he is not speaking ex cathedra...
- p. 20 This is the infallibility which the Roman Pontiff, the head of the college of bishops, enjoys in virtue of his office, when, as the supreme shepherd and teacher of all the faithful, who confirms his brethren in their faith (cf. Lk. 22:32), he proclaims by a definitive act some doctrine of faith or morals.
n. 14

- p. 21 *Ibidem*, 23:
 n. 15 The Roman Pontiff, as the successor of Peter, is the perpetual and visible source and foundation of the unity of the bishops and of the multitude of the faithful.
- p. 21 From this it follows that the individual bishops, insofar as the
 n. 16 discharge of their duty permits, are obliged to enter into a community of effort among themselves and with the successor of Peter...
- p. 21 *Ibidem*, 24:
 n. 17 The canonical mission of bishops can come about by legitimate customs which have not been revoked by the supreme and universal authority of the Church, or by laws made or recognized by that same authority, or directly through the successor of Peter himself...
- p. 21 *Prefatory note of explanation, N.B., to the Dogmatic Constitution on*
 n. 18 *the Church:*
 Without hierarchical communion, the sacramental-ontological office, as distinct from its canonical-juridical aspect, *cannot* be exercised. The Commission has decided not to go into questions of *liceity* and *validity*, which are left to the debate of theologians, especially with regard to the power which is de facto exercised among the separated Easterners and which is explained in various ways.
- p. 22 *Dogmatic Constitution on the Church*, 14:
 n. 19 They are fully incorporated into the society of the Church who, possessing the Spirit of Christ, accept her entire system and all the means of salvation given to her, and through union with her visible structure are joined to Christ, who rules her through the Supreme Pontiff and the bishops. This joining is effected by the bonds of professed faith, of the sacraments, of ecclesiastical government, and of communion.
- p. 22 *Ibidem*, 13:
 n. 20 All men are called to be part of this catholic unity of the People of God, a unity which is harbinger of the universal peace it promotes. And there belong to it or are related to it in various ways, the Catholic faithful as well as all who believe in Christ, and indeed the whole of mankind. For all men are called to salvation by the grace of God.
- p. 22 *Mystical Body:*
 n. 21 ...inviting with a most loving heart each and everyone of those... who by some unconscious desire and wish are destined for the Saviour's Body...
- p. 22 *Dogmatic Constitution on the Church*, 15:
 n. 22 The Church recognizes that in many ways she is linked with those who, being baptized, are honored with the name of Christian, though they do not profess the faith in its entirety or do not preserve unity of communion with the successor of Peter.
- p. 22 *Ibidem*, 16:
 n. 23 Finally, those who have not yet received the gospel are related in various ways to the People of God.

THEOLOGICAL PART

CHURCH UNITY IN DIVERSITY

- p. 31 Blessed be God the Father of our Lord Jesus Christ,
 Eph 1,3 who has blessed us with all the spiritual blessings of heaven
 in Christ.

1. THE DIVINE-HUMAN NATURE OF THE CHURCH

- p. 31 Following the Holy Fathers... we all unanimously teach...
 n. 1 that it should be acknowledged
 that in one and the same Christ the Lord and only begotten Son
 there are two natures
 unconfused, unchanged,
 undivided, unseparated,
 the differences of these natures are not removed because of unification,
 but the properties of both natures are rather retained.
- p. 32 May they all be one. Father, may they be one in us, as you are in me
 Jn and I am in you.
 17,21
- p. 32 *Everlasting King:*
 n. 2 ... the Mystical Body of Christ, of which the hypostatic union is the
 most spectacular exemplar...
- p. 33 *Sufficiently known:*
 n. 5 The connection and union of these two, like two parts, is absolutely
 necessary for the true Church... As Christ, the head and exemplar, is not
 whole if only His human visible nature is considered, as Photians and
 Nestorians do; or if only the divine invisible nature is considered, as
 usually Monophysites do; but He is one of both and in both natures
 visible and invisible; likewise His Mystical Body is not a true Church
 unless her conspicuous parts get their strength and life from the
 supernatural gifts and other matters, from which their own reason and
 nature originates.
- p. 36 *Mystical Body:*
 n. 11 If we consider attentively this divine principle of life and virtues,
 ... we easily understand that this is nothing but the Paraclete Spirit... It is
 due to Christ's Spirit that all parts of the Body are connected among
 themselves and with their eminent Head, since He is entire in the Head,
 entire in each member. "This suffices to affirm, that since Christ is Head
 of the Church, the Holy Spirit is her soul."
- p. 37 these three virtues, by which we are most tightly united among ourselves
 n. 14 and with God: as we say Christian faith, hope and charity.
- p. 39 *Decree on ecumenism, 2:*
 n. 20 After being lifted up on the cross and glorified, the Lord Jesus
 poured forth the Spirit whom He had promised, and through whom He

has called and gathered together the people of the New Covenant, who comprise the Church, into a unity of faith, hope, and charity...

The Holy Spirit... is the principle of the Church's unity... Jesus Christ... under the influence of the Holy Spirit... perfects His people's fellowship in unity: in the confession of one faith, in the common celebration of divine worship, and in the fraternal harmony of the family of God.

- p. 40 *Mystical Body:*
 n. 21 If even the smallest act, directed towards salvation, cannot be done but in the Holy Spirit, how can the innumerable masses of different people and races cohere in common determination for the glory of the supreme one threefold Name, but by the virtue which the Father and the Son breathe in one eternal love?
- p. 41 *Decree on ecumenism, 17:*
 n. 24 in the investigation of revealed truth... different methods and approaches in understanding and proclaiming divine things
- p. 41 *VATICANUM I, ...de fide catholica, 4:*
 n. 25 right reason demonstrates fundamentals of faith and illuminated by faith cultivates knowledge of divine matters
- p. 41 *Decree on ecumenism, 17:*
 n. 26 these various theological formulations are often to be considered as complementary rather than conflicting.
- p. 43 *Sufficiently known:*
 n. 31 (Since our Saviour) usually bestowes sanctity and salvation upon mankind through human action and ministry, ...
- p. 44 Jesus Christ... called all... to follow Him, not only each separately,
 n. 32 but also actually and intentionally associated and mutually united, in order to form from a multitude a real community of people...
- p. 44 *Mystical body:*
 n. 33 A body requires a large number of members, joined among themselves, in order to be mutually helpful... Likewise in the Church single members do not live only for themselves, but also to help one another... for the greater edification of the entire Body.
- p. 44 *Dogmatic Constitution on the Church, 9:*
 n. 34 It has pleased God, however, to make men holy and save them not merely as individuals without any mutual bonds, but by making them into a single people...
- p. 45 *ad ampliorem usque aedificationem totius Corporis* - for the greater edification of the entire Body
- p. 46 *ad universa regiones extendenda, in* - (the Church) destined to extend
 n. 40 *historiam hominum intrat* to all regions of the earth, enters into the history of mankind.
- p. 46 *Dogmatic Constitution on the Church, 13:*
 n. 41 takes nothing away from the temporal welfare of any people...; rather does she foster and take to herself, insofar as they are good, the

ability, resources, and customs of each people; taking them to herself she purifies, strengthens, and enobles them; (because she) strives energetically and constantly to bring all humanity with all its riches back

p. 47 *Sufficiently known:*

n. 42 Jesus Christ... took into the Church all the natural elements, which spontaneously form a society of **people**, who, striving for perfection suitable to their nature, in order that **those**, who want to become God's adopted sons, could be made **worthy** to **reach** the appropriate perfection and retain it for their salvation.

2. THE INDIVIDUAL CHURCHES AS EXPRESSIONS OF UNITY IN DIVERSITY

- p. 48 *domestica sua ecclesia* - their domestic Church
- n. 43 *quae in domo eius est ecclesia* - the church which meets in her house
- ecclesia, quae in domo tua est* - the church that meets in your house
- p. 49 *ecclesiam Dei, quam [Christus] adquisivit sanguine suo* - the Church of God which he bought with his own blood
- n. 49
- p. 49 *est caput corporis ecclesiae* - the Church is his body, he is its head
- n. 50 *se ipsum tradidit pro ea* - sacrificed himself for her
- p. 50 *velut Ecclesia domestica* - so to speak, the domestic Church
- n. 53
- p. 50 *Dogmatic Constitution on the Church, 28:*
- n. 54 Having become from the heart a pattern to the flock, let them so lead and serve their local community that it may worthily be called by that name by which the one and entire People of God is distinguished, namely, the Church of God.
- p. 52 *Ibidem, 23:*
- n. 56 By divine Providence it has come about that various churches established in diverse places by the apostles and their successors have in the course of time coalesced into several groups, organically united, which, preserving the unity of faith and the unique divine constitution of the universal Church, enjoy their own discipline, their own liturgical usage, and their own theological and spiritual heritage.
- p. 56 This variety of local churches with one common aspiration is particularly splendid evidence of the catholicity of the undivided Church.
- n. 66
- p. 56 In and from such individual churches there comes into being the one and only Catholic Church.
- n. 67
- p. 58 The Roman Pontiff, as the successor of Peter, is the perpetual and visible source and foundation of the unity of the bishops and of the multitude of the faithful.
- n. 72

The individual bishop, however,
 is the visible principle and foundation
 of unity in his particular church,
 fashioned after the model of the universal Church.
 In and from such individual churches there comes
 into being the one and only Catholic Church.

For this reason each individual bishop represents his own church,
 but all of them together in union with the Pope
 represent the entire Church
 joined in the bond of peace, love, and unity.

- p. 58 *singuli Episcopi* - each individual bishop
omnes autem simul cum Papa - but all of them together in union
 with the Pope

- p. 58 *Ibidem*, 21:
 n. 73 bishops in an eminent and visible way undertake Christ's own role
 as Teacher, Shepherd, and High Priest, and that they act in His person.

- p. 58 *Ibidem*, 20:
 n. 74 presiding in place of God over the flock whose shepherds they are,
 as teachers of doctrine, priests of sacred worship, an officers of good
 order.

- p. 58 *Ibidem*, 25:
 n. 75 For bishops are preachers of the faith... They are authentic teachers,
 that is, teachers endowed with the authority of Christ, who preach to the
 people committed to them the faith they must believe and put into
 practice, ... making faith bear fruit and vigilantly warding off any errors
 which threaten their flock.

- p. 59 *Ibidem*, 27:
 n. 78 Nor are they to be regarded as vicars of the Roman Pontiff, for they
 exercise an authority which is proper to them, and are quite correctly
 called "prelates", heads of the people whom they govern.

- p. 60 *Ibidem*, 21:
 n. 79 episcopal consecration, together with the office of sanctifying also
 confers the offices of teaching and of governing.

Decree on the Bishops' Pastoral Office in the Church, 8:

As successors of the apostles, bishops automatically enjoy in the
 dioceses entrusted to them all the ordinary, proper, and immediate
 authority required for the exercise of their pastoral office.

- p. 61 *Dogmatic Constitution on the Church*, 14:
 n. 82 They are fully incorporated into the society of the Church who,
 possessing the Spirit of Christ... and through union with her visible
 structure are joined to Christ... This joining is effected by bonds of
 professed faith, of the sacraments, of ecclesiastical government, and of
 communion.

- p. 61 *Ibidem*, 21:
 n. 83 of their very nature, can be exercised only in herarchical
 communion with the head and the members of the college.

- p. 62 *Ibidem*, 22:
 n. 84 the subject of supreme and full power over the universal Church... in it, the bishops... exercise their authority for the good of their own faithful, and indeed of the whole Church
- p. 62 This college, insofar as it is composed of many, expresses the variety
 n. 86 and universality of the People of God, but insofar as it is assembled under one head, it expresses the unity of the flock of Christ.
- p. 64 St. THOMAS AQUINAS, *Summa Theologiae*, II-II, 39, 1:
 n. 91 The unity of the Church has two notes, the association or communion of the members among themselves, and the ordering of all members of the Church to one head.
- p. 64 ... for the particular unity of smaller groups is ordered to the unity of
 n. 93 the Church just as mutual adaptation in members of a natural organism is ordered to the unity of the whole.
- p. 67 *Dogmatic Constitution on the Church*, 24:
 n. 97 The canonical mission of bishops can come about by legitimate customs which have not been revoked by the supreme and universal authority of the Church, or by laws made or recognized by that same authority, or directly through the successor of Peter himself.
- p. 68 *ex natura rei requiritur* - required by the nature of it.

3. DEFICIENCY IN CHURCH UNITY

- p. 75 *in et per se* - in and by itself
- p. 76 *ad corpus* and *ad animam* - to the body and to the soul
- p. 77 ... not any power, or height or depth, nor any created thing, can ever
 Rom come between us and the love of God made visible in Christ Jesus our
 8,39 Lord.
- p. 77 whoever comes to me I shall not turn him away.
 Jn 6,77

4. THE PARTICULAR CHURCHES IN THE STATE OF DEFICIENT UNITY

- p. 93 *Dogmatic Constitution on the Church*, 23:
 n. 140 are the visible principle and foundation of unity in their particular churches
- p. 93 only in herarchical communion with the head and the members of
 n. 142 the college
- p. 94 the gates of the underworld can never hold out against it
 Mt
 16,18
- p. 96 Brother helped by brother is a fortress.
 Prov 18,19

- p. 97 St. THOMAS AQUINAS, *Summa Theologiae*, II-II, 39, 1:
 n. 150 for the particular unity of smaller groups is ordered to the unity of the Church
- p. 108 “*de facto*” – “*de iure*” – “in fact” – “by right”
- p. 108 *Dogmatic Constitution on the Church*, 23:
 n. 174 the individual bishops, who are placed in charge of particular churches, exercise their pastoral government over the portion of the People of God committed to their care...
- p. 108 *Ibidem*, 21:
 n. 175 of their very nature, can be exercised only in hierarchical communion with the head and the members of the college
- p. 108 *Ibidem*, 27:
 n. 176 this power... is proper, ordinary, and immediate
- p. 111 For their part, the faithful must cling to their bishop, as the Church
 n. 186 does to Christ, and Jesus Christ to the Father...
- p. 112 *Decree on ecumenism*, 3:
 n. 187 However, one cannot impute the sin of separation to those who at present are born into these Communities and are instilled therein with Christ's faith.
- p. 115 *Dogmatic Constitution on the Church*, 14 (cf. p. 61, n. 82):
 n. 194 by bonds of professed faith, of the sacraments, of ecclesiastical government
- p. 116 *Ibidem*, 37:
 The laity have the right, as do all Christians, to receive in abundance from their sacred pastors the spiritual goods of the Church, especially the assistance of the Word of God and the sacraments.
- p. 122 *communicatio in sacris* – common participation in holy matters (Sacraments)

5. RESTORATION OF ECCLESIASTICAL UNITY

- p. 124 though it is made up of many parts, is a single unit
1 Cor 12,12
- p. 124 *Decree on ecumenism*, 5:
 n. 217 Concern for restoring unity pertains to the whole Church
- p. 124 ut omnes unum sint – may they all be one
Jn 17,21
- p. 124 love one another; just as I have loved you, you also must love one
Jn 13, another; by this love you have for one another, everyone will know that
 34-35 you are my disciples.
- p. 124 *sine qua non* – without which, not
 (an indispensable condition)

HISTORICAL PART

THE FLORENTINE UNION AND THE KYIVAN CHURCH

1. TOWARDS THE UNION OF FLORENCE

- p. 151 *Laetentur caeli et exultat terra...* - May the heavens rejoice and the earth exult...
... sublatus est enim de medio paries, qui occidentalem orientalemque dividebat ecclesiam, et pax atque concordia rediit ... that the wall that has divided the Western and Eastern Churches has been broken down and peace and concord has been restored
- p. 161 (The papal letter mentions:) Herasym the Ruthenian Metropolitan desires to come to us or send his spokesmen to deal with our matters, with matters of the Christian faith and of the Roman Church; (and the Pope asked everybody a favoured transit for) the aforesaid with their companions and servants up to forty persons.

2. PARTICIPATION OF THE KYIVAN CHURCH IN THE FLORENTINE COUNCIL

- p. 167 ... they presented him with many incentives to conclude the union,
n. 54 using the following words as well: If your Majesty does not want to unite we will do it. Hearing this, the Emperor was afraid of our determination. Hence he started to apply himself vehemently to the matter of union.
- p. 169 *communicatio in sacris* - participation in holy matters

3. APPLICATION OF FLORENTINE DECISIONS IN THE KYIVAN METROPOLITANATE

- p. 171 *Legatus a latere...* - Personal legate...
n. 70 ... in Lithuania, Latvia, in
n. 71 the provinces of the entire Ruś, as well as in the cities, dioceses, lands
etc. and places of Poland, as are acknowledged to be submitted to you according to the rights of the Metropolitan...
- p. 172 ...we appoint you as our own and the Apostolic See's personal legate for matters of the Universal Church and our own.
- p. 172 *alter ego* - substitute
- p. 176 The city, after enduring siege for a certain period of time, at last
n. 88 oppressed and harassed by excessive famine... sent heralds to the King, that surrender would be considered, provided that the King would promise not to violate nor change the rite of their faith. Upon agreement to this condition (because he knew that by rejecting this condition, Ruthenians obstinate as they were, would endure the siege and suffer even the worse), they opened the gates and received the King with the army into the city...

- p. 178 To our beloved son Nicola de Crosna, vicar for Ruś, of the Order of
n. 94 Minors (to send) thirty Friars of the aforementioned Order... for
conversion of the schismatics.
- p. 178 *cum multis possessionibus* - with many possessions
n. 97
- p. 181 *nisi sint fidei catholicae cultores* - unless they are worshipers of
n. 109 the Catholic faith
duntaxant catholicae et romanae - that is to say: subjects of the
ecclesiae subjecti Catholic and Roman Church
- p. 186 into the regions of Ruś, Lithuania and Walachia [Roumania],
n. 123 populated by schismatics and pagans
- p. 190 (It distinguished two kinds of Easterners:) of the Greek and of the
n. 139 Ruthenian rite, (although in practice it dealt only with the last, namely
those who were) often called of the Ruthenian rite. (It was to those who,
suffered some oppression, (to whom equality of civil rights was granted,
that) after restituting freedom to them, they could carry on the Divine
cult, (particularly) all those rights and freedoms, manners, customs and
entire exemptions... which all Churches... and ecclesiastical persons of
the Church of Roman customs dared and used to enjoy.
- p. 191 The Church of the Eastern rite, namely of the Greeks and of the
n. 142 Ruthenians, which for a long (alas) time seemed to fluctuate in some
difference and separation from unity in matters of holy faith and Divine
Sacraments with some detriment to salvation...
- p. 192 ... we left and could not return until now, because of different
n. 147 Christian necessities, but we never failed to send some good and
appropriate men for correction and amendment of our Church and
Christian people entrusted to us... always hoping to come to the flock
committed to us. That happened in fact only because of different urgent
matters in the Roman Curia for restoration of Christianity, as you know,
we were impeded by Asian matters.

4. THE KYIVAN CHURCH IN POST-ISIDORIAN TIMES

- p. 198 Nicolaus Zagupiti, knight and assistant of our Lateran palace
n. 173
- p. 198 Sir Gregory, Metropolitan of both mentioned parts of Ruś, Kyivan
n. 174 and Muscovite
- p. 205 ... although I could truly testify about many, it is enough to bring
n. 197 forth two, who, due to the ease by which they were accepted by the
Apostolic See, became even more obstinate: a certain nobleman Soltan
was accepted by Paul II, he and his brother Ivaško, the most illustrious
among Ruthenians, were both received in Rome by Sixtus IV and
permitted by public bulls to retain their rite, these two, after returning
home, became more persistent and hostile to the Church.

5. KYIVAN ECUMENISM AT THE DAWN OF MODERN TIMES

- p. 210 *non paucos principes, spirituales filios in universa Russia et Lithuania* – some princes, spiritual sons in the entire Ruś and Lithuania
- p. 211 *Nosvero revera, quantumvis licet vellemus, tamen nequaquam agere eorum, quorum operae praecium est, possumus.* – We actually in fact, although we would like very much, nevertheless we cannot do what is important.
- p. 212 we committed to our son, brother and relative, noble Johannes, about whom we implored your Holiness... to grant us that kindly.
(Metropolitan Josyf addresses his letter:) ... to the Blessed and Most Blessed... and the Supreme Pontiff of the Apostolic Church, to the Most Honorable Vicar of Christ... (For Archbishop Josyf, the Pope is the head of all Patriarchs:) Oh, Most Blessed Father of Patriarchs... sustenance of the faith... one Supreme Pastor for all.
- p. 212 Indee I believe and confess that you are Pastor of all people, and Head of the Universal Church and of all Holy Fathers and Patriarchs...
Be kind to us... retaining and observing seven holy Universal Synods and likewise the eighth Florentine Synod and approving everything that the Holy Fathers decided at these...
We believe also in the Holy Spirit proceeding from God the Father and similarly from the Son by one exhalation.. This is our faith, Most Blessed Father, so we confess, and so we believe and retain.
- p. 213 (see: the same quotation on page 215 - below)
n. 218
- p. 214 *Maximi tractatus de fide* – Maximum treatise on faith
- p. 215 *miles et orator archiepiscopi Chion. 221 mensis* – nobleman and spokesman of the Kyivan Archbishop
- p. 215 *Iohannes Sopyeha, Rutenus, Secretarius tuus, eiusdem Iohannis Iozeph consanguineus, et procurator* – Ivan Sopiha, Ruthenian, your secretary, relative of the said Ivan Josyf, and his representative
- p. 215 *aliquem nostrum nuntium* – some delegate of ours
- p. 216 Ivan Sopiha, the aforesaid secretary, appealed to us, that we
n. 223 recommend Ivan Josyf, as the true Archbishop Metropolitan and Primate according to the Greek rite, to the beloved son Alexander, the aforesaid prince of Lithuania
- p. 216 *Chyovyenses et Russie populi ut pastorem et directorem tenent et secuntur* – the population of Kyiv and Ruś consider and follow him as Pastor and leader
- p. 216 we humble ourselves and inclinate our head with all the obedience
n. 224 of good will, not by constrain or necessity, but by the desire of faith and charity of hearts, longing benediction from your Most Holy Sanctity
- p. 216 *de confirmatione auctoritatis et dignitatis sue* – about confirmation of your authority and dignity

- p. 217 *facultatem indulgentias concedendi interessentibus divinis officiis per eum celebrandis tam Grecis quam Latinis* - the power to grant indulgences to the Greek as well as the Latin participants of the Divine Offices celebrated by him
- p.217 requested also the permission for masonry construction of the
n. 226 Ruthenian Churches
- p. 217 about admission to the obedience of the Apostolic and Roman See
n. 227 everyone, who wants to follow the Greek rite
- p. 218 we learned, that some Ruthenians in the Lithuanian Principality...
n. 229 thoroughly rejected from their minds and hearts some errors, in which they lived by following the Greek rite and custom; and they desire and propose to embrace unity of faith in the Catholic Latin Roman Church, and to live according to the rite of the Latin and Roman Church...
- p. 218 because they, who were baptized according to the Greek custom,
n. 230 that is in third person, are told by some that they need to be rebaptized... they, as already validly baptized, refuse and object to submit to baptism again
- p. 219 there is no need to reiterate the Sacrament conferred in third
n. 231 person... [therefore]... we decide and declare: all and everyone so baptized in third person, willing to come from the Greek rite to the rite and custom of the Holy Roman Church, may do this simply and without other condition, obligation or coercion to be rebaptized...
... to be admitted, exhorting... all, who are baptized that way, and live in the Greek rite...
... everyone, who deviates from the immaculate and holy Catholic Latin and Roman Church, may adhere to that Catholic Church
- p. 220 *a nonnullis* - from someone

6. POST-FLORENTINE ACTIVITY OF UNIFORMITARIANS

- p. 229 *Scismaticos, Haereticos, apostatas et alios infideles* who wanted to join *unitatem fidei* - Scismatics, heretics, apostates and other unbelievers (who wanted to join) the unity of faith
- p. 229 .. all and everyone of any dignity..., who dares to impede, bother or
n. 259 perturb the Vicar, Friars or Confessors, that is any of them, falls into excommunication by that very fact
- p. 232 *neophitarum gentium Lithuaniae* - neophyte people of Lithuania,
n. 273 *Rutheniae et Walachiae* Ruś and Walachia [Roumania]
- p. 234 We learned indeed, that in the regiones of Ruś and in neighbouring
n. 278 lands and places... schismatics and unbelievers are reborn by Holy Baptism...
- p. 235 to serve to the Most Honorable Great Prince of Lithuania
n. 279
- p. 236 *"Elucidarius errorum ritus Ruthenici"* - "Exposition of the errors of the Ruthenian rite"

7. SACRANUS' "ELUCIDARIUS ERRORUM"

- p. 237 ... To Albert, by Divine grace Bishop of Vilno..., watchfully presiding
n. 290 at the See of Vilno in Lithuania, surrounded by the turbulent crowd of Ruthenians, most hostile enemies of yours and the Roman Church, like a lamb among grasping wolves, you always ask and expect wholesome help from learned men. You... exhorted me,... to look into the canonical writings and decisions of the Masters of Holy Theology, what one should rightly feel about the fallacies of the rite of the Ruthenians and their errors; they, provoked by some audacity (released from your obedience) openly excised by a liberal call, dared strongly to assert in the city and place of your See, at the assembly of both Catholic and Ruthenian peoples, that their rite and Sacraments are true and lawful; enduring or rather stubbornly persisting in the error and in disdain of the rites of the Roman Church, causing scandal and further damage to the common orthodox faith.
- p. 238 *hoc de anno domini Millesimoquin-* - This year of the Lord one thou-
n. 292 *quentesimo* sand five hundredth
- p. 240 First chapter about the obstinate stubbornness of the Ruthenians.
n. 295 The Third chapter shows that the Schismatics, which are Ruthenians, are the worst of all heretics and how dangerous and destructive is their Schism and [how dangerous it is] to deal with them.
- p. 241 Second chapter about the erroneous Ruthenian articles, which are
n. 298 forty as demonstrated in this chapter. Although there are many more, that would be too tedious to insert.
- p. 243 *viventem hominem, mortaliter pec-* - living man cannot commit mortal sin (error 30);
care non posse (error 30);
accipiunt doctores graecos (error 5) - they accept Greek scholars (error 5)
reiciunt doctores Latinos, sanctos - they reject Latin scholars, they
latinos blasphemant desecrate Latin saints
- p. 244 they have many other levities and follies and errors, which I now
n. 304 omit to insert
- p. 244 Third chapter about the obstinacy of Ruthenians, who never wanted
n. 308 to follow in the footsteps of the converted Greeks, either in obedience, or by asking jurisdiction from the Church.
- p. 245 Once split and divided from the Roman Church never wanted to
n. 309 return, retaining only feelings of disloyalty towards the Church.
- p. 247 And for that reason, that they have no Sacrament of Holy Orders, it
n. 314 follows that they cannot effect nor minister the Sacraments... hence not even the Lord Pope can approve the rite or priesthood of Ruthenians.
- p. 247 And from all these we conclude that, regarding the Ruthenians
n. 315 coming to the unity of faith, an admission or dissimulation of their ancient rite of administering Sacraments without receiving Holy Orders anew, not only detracts from the ecclesiastic honesty but causes a danger for souls as well.
- p. 248 Regarding the returning Greeks... their rite was kindly received and
n. 317 tolerated, though illegitimate and still not approved, it was regarded by

the Roman Church as some case of urgent necessity, as it will be shown later. Indeed, it was usurped by them, but tolerated as the lesser of two evils, according to the Innocent's first question: What was decided because of urgent temporary necessity, should cease when the necessity ceases.

... Therefore, the Church did not want to constrain the returning Greeks to abandon their rite, she unwillingly accepted, even permitted this by overlooking and not admonishing; however what is overlooked is not without fault...

- p. 248 ... their [Greeks'] fallacy was temporarily tolerated...
 n. 318 ... nobody can doubt that Greeks infringe on the integrity of the Sacrament by consecrating fermented [bread] and act against the Law, as says Albertus...
- p. 248 ... in order to be incorporated and united with the Western Roman
 n. 319 Church, according to the definition of the Florentine Council rendered with the Greeks...
- p. 249 .. as are Ruthenian Schismatics, who seem to have the Sacrament of
 n. 322 Baptism and receive the [sacramental] Character, which is received equally by the good and the bad [people]...
- p. 250 *tutius et securius atque salubrius* - more safe and secure and wholesome
- p. 250 Whether some Christian married to a schismatic spouse may wed in
 n. 325 the Church when former husband still alive
- p. 250 Ruthenian Schismatics, who seem to have the Sacrament of
 n. 326 Baptism and receive the Character, are then rightly counted with the faithless, because they have a deformed or incomplete faith.
- p. 251 divorce without any reasonable cause... is allowed to separate
 n. 327
- p. 251 What, in fact, I investigated in the second part of the Chapter in
 n. 328 form of a question.
 Whether in the case, when one of two spouses stays in schism or error and is cut off from the Catholic Church, and the other approaches the unity and obedience of the Church, can in some cases the faithful be released from matrimonial bound with the spouse remaining in Schism and whether then [he or she] can safely conclude [marriage] with somebody else of [his or her] own rite.

8. DECISIONS OF POPE ALEXANDER VI

- p. 253 in fact because Albert, Bishop of Vilno, has written to the Pontiff on
 n. 334 this matter, the Pontiff sent a Brief to the said Bishop
- p. 254 *iuxta tenorem concilii Florentini* - according to the spirit of the Florentine Council
- p. 254 *reductio ad unitatem* - reduction to unity
reductio ad uniformitatem - reduction to uniformity

- p. 255 Therefore you ask us... to reply what has to be done in this case. We
n. 339 commend your great devotion towards us and towards this Holy See, which is not hindered by distant places, by plots of surrounding treacheries, or by pervert mind and might of many schismatics and heretics... you, who apply the mind so carefully, in order that such a province returns to the mother's bosom, that is to the Roman Church, and be received among one flock and one pastor.
- p. 255 *ex auditu* - from a rumour
accepimus etiam a nonnullis - we learned also from some people
- p. 255 (they consecrate) fermented bread, but with an improper and mean
n. 341 form (and matter; and) we were told that they minister Communion to children, as is horrible to say. With regard to Purgatory... as we have heard, they do not agree with the Council. As we understand, these people obstinately deny (the primacy of St. Peter and the Roman Pontiff); ... and it is not ascertained, by what matter, form and by what ministers those Sacraments are performed among those Kyivans and Ruthenians, and whether they oppose the celebrants and receivers of Sacraments of the Roman Church...
- p. 256 We should take care, that the Church congregation should not be
n. 343 corrupted by dogmatic variety... Therefore, it is more important... to guard a sound and immaculate flock, than to impair the safety of our flock by admitting sheeps polluted by some stain of heresies or other disease of infidelity.
- p. 256 ... such incorporation, according to the definition of the said
n. 344 Florentine Council, was often tried and always failed...
- p. 258 because your spokesman asked us to postpone the appointment of
n. 349 such our delegate, (although a little earlier two were mentioned:) Erasm Vitellius and Ivan Sopiha, the Ruthenian, your secretary, relative of the said Ivan Josyf, and his representative
- p. 258 Meanwhile however, in order that we would not seem to close, at
n. 352 least partially, the way to salvation for Ivan Josyf and for the said people,... we notified... that we always very gratefully appreciate the incorporation and obedience of Ivan Josyf, to the Holy Roman Church and to us offered by his procurator; praying Almighty God to confirm this in him and make it lasting...
- p. 259 *de novissimis* - about the last events [Parousia, Purgatory]
- p. 259 ... we permit that those baptized in third person according to the
n. 354 Greek rite should not be rebaptized, and that the Sacrament of Eucharist may be performed on fermented [bread] and be offered by them in their Churches under both species even to laymen, and that the Greek priests may retain the wives they married before Holy Orders,... and it is allowed, in not substantial rites and ceremonies, to observe the ancestral customs of one's Church...
- p. 260 (confirm) the aforesaid Ivan Josyf as the true Archbishop
n. 356 Metropolitan and Primate according to the Greek rite
- p. 260 Truly, since we saw that the Constantinopolitan Patriarch, under
n. 357 whose authority the Kyivan Metropolitanate was established, dwells in

Rome for already fifty years, we do not know how he became Metropolitan without our own or the Patriarch's consent...

- p. 260 We do not know how the promotion made by that heretic Joachim,
n. 358 placed forcibly by the Turkish tyrant unto the Constantinopolitan See, should be approved, since indeed the Constantinopolitan Patriarch is now no one else but our Venerable brother Johannes, Bishop of Porto, Cardinal of Holy Angel, who was bestowed with this dignity after the Ruthenian, Nicene and Cretan Prelates.
- p. 261 But if Ivan Josyf is prepared to accept the decree of the Florentine
n. 362 Council... we may comply to absolve the said Ivan Josyf from all previous offenses and faults and then confirm him in the Metropolitan dignity ourselves or let him be confirmed by the said Johannes of Constantinople...
- p. 261 ... we cannot consider such petitions with him as with a
n. 363 Metropolitan, unless he renounces the provision or promotion obtained from somewhere else, and accepts from us and the Apostolic See the provision of said Metropolitane.
- p. 263 ... whom the Pontiff ordered to be examined in Rome regarding
n. 366 Mass ceremonies... and after obtaining an account during the public Consistory the Pontiff ordered this Ruthenian priest to be reconsecrated by a Latin Bishop, as you can better understand from the enclosed letters.
- p. 263 ... some assert, that the said Vasian was not promoted to the
n. 368 Episcopate, that is, he had not received power from the Apostolic See, but according to the Greek custom of those regions was promoted into the Episcopate or assigned as administrator by one then acting as Patriarch of Constantinople...
- p. 265 ... we decide and order that all priests, Latin and Ruthenian
n. 372 ordained according to the Latin rite, may, in the said parochial Church, on altars constructed as the occasion demands, or formerly constructed, arranged and consecrated according to the Latin rite by our Venerable brother, the present Bishop of Vilno, or by another bishop delegated by him for this purpose,... celebrate Masses and other Divine Offices; and also Christians of both sexes, Latins as well as Ruthenians remaining in the worship and obedience to the Roman Church, may therein freely attend Masses and other Divine Offices alike.
- p. 267 ... when you took the noble Olena for your wife, you promised to her
n. 381 father by proxy of your spokesmen, confirming also by oath of said spokesmen as it happened on your behalf, that you will never constrain her to [adhere to] the rite of the Roman Church...
- p. 267 ... presented... oath that, unless the said Olena, your wife, would
n. 382 readily want to accept the rites of the Roman Church, you will never constrain her to accept them...
- p. 267 *perniciosa satis et iure contraria* - quite destructive and contrary to law
- p. 268 *figura iudicii procedendo ex officio, etiam nemine instante* - to proceed in form of a trial by virtue of his office, even not pursued by anybody
- Ruthenorum erroribus implicatam* - involved in Ruthenian errors

- p. 268 by ecclesiastic censures and other juridical means, also appealing
n. 384 for help, if needed, of a "secular arm"
- p. 268 *citra tamen preiudicium vinculi matrimonialis* - however short of prejudice to the matrimonial bond
- p. 269 ... you should separate her... from bed, home and all marital
n. 385 partnership... declaring also her dowry and all her other goods as confiscated... notwithstanding any promises, even confirmed by oath, by which, as it is told, the said Prince Alexander promised and bound himself perhaps, that he would never force the said Olena to accept the rite of the Roman Church...
- p. 268 ... you may tolerate the said Olena, your wife, just as hitherto, and to
n. 387 dwell with her freely, provided that she observes the decrees of the Holy Florentine Council carefully, and does not despise the Catholic and Latin rites and does not try by persuasion or otherwise to draw anybody to the Ruthenian sect.

9. SPIRITUAL HERITAGE OF "ELUCIDIARIUS" THROUGHOUT THE XVI CENTURY

- p. 270 *regiae Maiestatis Capellae magister* - master of His Royal Magistry's chapel
- p. 272 *"Errores atrocissimorum Ruthenorum"* - "Errors of the most atrocious Ruthenians"
- p. 272 *"De Ruthenorum nationibus earumque erroribus"* - "About Ruthenian nations and their errors"
- p. 273 White Ruthenians, formerly called Colkhits, properly Muscovites...
n. 398 Walachian Ruthenians... (who)... inhabit their own land of Moldavia or Mysia... they use the Italian language but the Ruthenian rite [meaning Roumanians]...
Red Ruthenians... on the territory of the Polish Kingdom and the Lithuanian Great Principality...
- p. 274 *Reges Poloniae debellarunt* - the Polish kings conquered
- p. 274 All these Ruthenian nations presume to be of the Greek faith, but
n. 402 their faith is presented below.
- p. 276 *"De russorum moscovitarum et tartarorum religione etc."* - "About Russian, Muscovite and Tartarian religion etc."
- p. 276 ... we brought among other writings such a decree, so that the
n. 411 Schismatics would with easiness be lead and drawn to the Christian religion, or at least amended in their errors...
- p. 277 The Holy Synod exhorts also all Bishops of the Province to use their
n. 413 own power and authority, and that granted to the Churches by Pontiffs and lately by Our Holy Lord Pius IV and by the Polish Kings, on hierarchs and priests of the Greek rite... to exercise your own right and jurisdiction upon them and to visit their Churches.

- p. 279 Neither we nor our successors should bestow any dignity or pre-
n. 423 eminence upon a man of Greek, that is of Ruthenian rite, alien to the faith of the Roman Church, nor admit him to secret councils...
- p. 281 *laudabilis actus unionis Regni Poloniae cum magno ducatu Lituaniae* - praiseworthy act on union of the Polish Kingdom with the Lithuanian Great Principality
- p. 281 we think it right that all public goods and everything that was
n. 436 consecrated to God, and assigned to Ruthenian temples and monasteries, should be transferred to the Holy Roman Churches and their priests and temples...

10. SURVIVAL OF FLORENTINE ECUMENISM IN THE KYOVAN CHURCH

- p. 290 they acknowledge the Roman Pontiff as Christ's Vicar and Peter's
n. 476 successor
- p. 290 They said, that the fact, that they were however condemned by him
n. 477 as apostates and schismatics, they commit to the judgement of God, the just judge. Certainly, it was tried very often to persuade them to return to the Western Church. It is perhaps better to remain silent about what really happened, what destruction was caused by men, than to recount thus causing scandal to the weak and drawing hatred upon myself.
- p. 295 "*Baptismus Ruthenorum, Bulla de non rebaptisandis Ruthenis*" - "Baptism of the Ruthenians, Bull against rebaptism of the Ruthenians"
- p. 296 ... the Silesian man and stranger, rudely inquired into the ways of
n. 489 the Ruthenians, indeed in his book he reproached the Ruthenians for many things, of what partly could be omitted and partly, in fact, could be given a lenient interpretation. Thereafter, what can one, ignorant of Ruthenian writings, wanting in Greek as well, state without this means about the Greeks or declare anything certain about Ruthenians?
- p. 296 I promise not to approve the Ruthenian sect and its errors neither
n. 491 by speeches nor by my writings...
- p. 296 I swore not to defend anything of theirs, what I would do, indeed,
n. 492 if anybody would only show me the errors being employed in their Churches. Because I do not know of any error in the Ruthenian Churches, established according to the Greek rite.
- p. 296 Then, if Greeks and our Ruthenians, in all articles and points...
n. 493 followed the truth of the Catholic faith, they did not abandon the Catholic Church, but remained within her, not differing from Latins in anything but in language and customs.
- p. 297 I agree, if it is said, that the Latin part as well is not the entire body,
n. 495 is not the whole, in short is not the total Church, but a member of the body taken from the wholeness, a part of the total...
- p. 298 And not only the Lords Bishops do not restrain the heretics from our
n. 501 own flock, but the Lords Bishops themselves accomplish heretical and idolatrous acts, as it is told. Indeed, it is said, that they hold in contempt

the sacred ecclesiastical regulations, do not adhere to the holidays, holy ceremonies and fastings established by the Church, publicly consume meat with laymen during lent, minister Communion to secular persons under both sacramental species and retain only three Sacraments of the Church, rejecting all others, they condemn Roman baptism, approve the Ruthenian one.

CONCLUSIONS

THE KYIVAN CHURCH IN THE LIGHT OF THE FLORENTINE PRINCIPLES

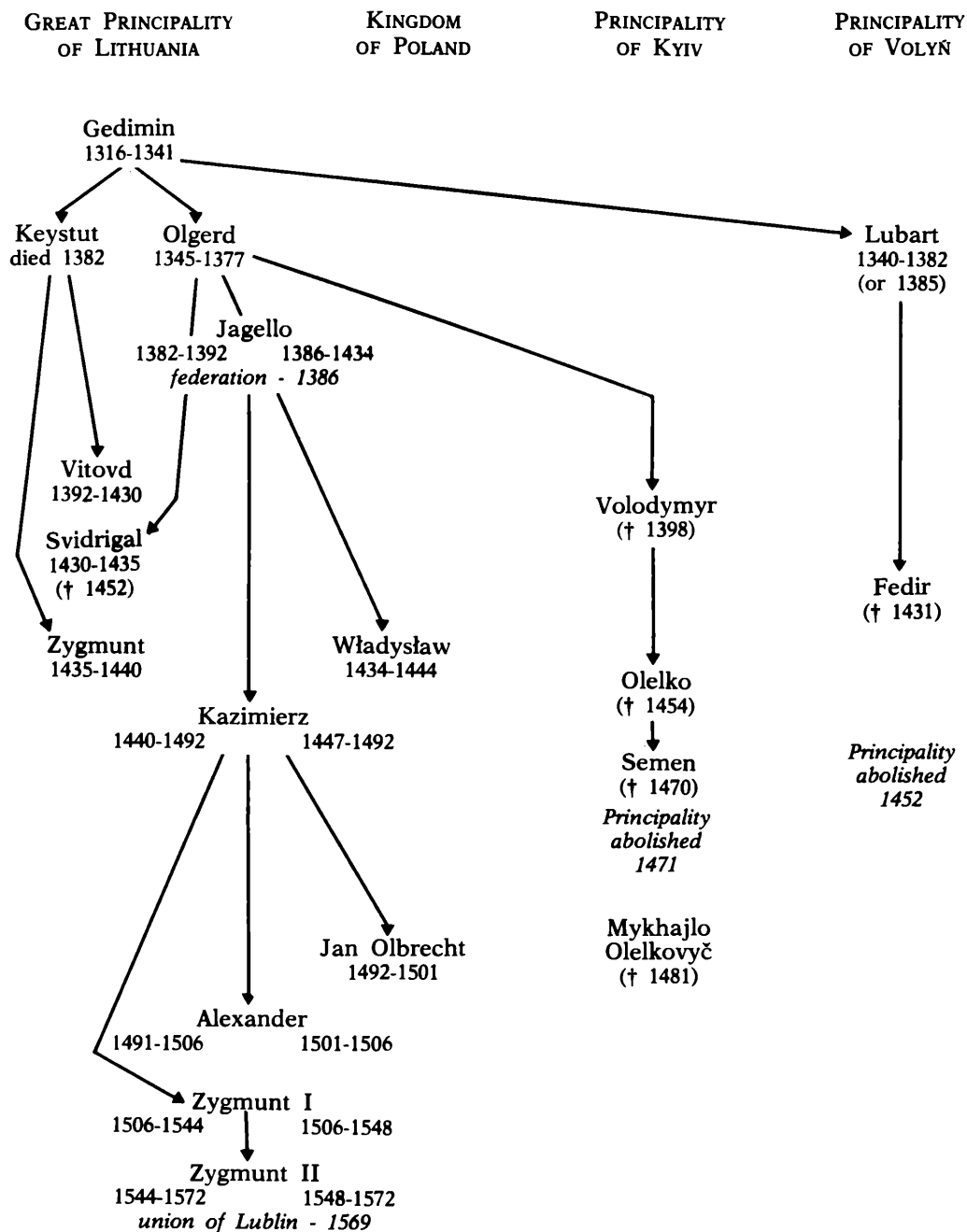
1. TRAITS OF AUTONOMY OF THE KYIVAN METROPOLITANATE

2. ATTITUDE OF THE KYIVAN METROPOLITANATE TOWARDS CHURCH UNITY

- p. 317 *in dubio melior est conditio* – in doubt prevails existing condition
possidentis
- p. 319 they retained [the Christian faith] until now without any implication
n. 41 of other schism or heresy
- p. 321 To the Most Sacred Father of Fathers, ancestral Pastor of Pastors,
n. 47 Blessed and Most Blessed Alexander, Supreme Pontiff of the sacred Roman and Universal Catholic and Apostolic Church, Most Honorable Vicar of Christ, seated on the throne of Peter, Prince of Apostles...
Oh, Most Blessed Father of Patriarchs, so great, so blessed with an incomparable honour by God!
- p. 321 they acknowledge the Roman Pontiff as Christs' Vicar and Peter's
n. 48 successor, (and) they said, that the fact, that they were however condemned... as apostates and schismatics, they commit to the judgement of God, the just judge...
- p. 321 *con molta dimostrazione di reverenza et devozione verso la Sede Apostolica* – with great display of respect and devotion towards the Apostolic See
con l'autorità – with the authority
- p. 321 Because I do not know of any error in the Ruthenian Churches,
n. 52 established according to the Greek rite.
(And consequently he concluded:)
Then, if Greeks and our Ruthenians, in all articles and points... followed the truth of the Catholic faith, they did not abandon the Catholic Church, but remained within her, not differing from Latins in anything but in language and customs.

CHRONOLOGICAL TABLES

GENEALOGY OF THE LITHUANIAN GREAT PRINCES



CHRONOLOGY OF THE HIERARCHY

ROMAN PONTIFFS	PATRIARCHS OF CONSTANTINOPLE	ARCHBISHOPS OF KYIV <i>Primary Muscovite eparchies eparchies</i>
<i>in Avignon:</i>		
Innocentius VI 1352-1362		
Urbanus V 1362-1370		
Gregorius XI 1370-1378		
<i>in Rome:</i>		Kyprian Camblak 1376-1406 1381-1382 1390-1404
Urbanus VI 1378-1389		
Bonifacius IX 1389-1404		Pimen 1382-1385
Innocentius VII 1404-1406		
Gregorius XII 1406-1415		
<i>Pisan anti-popes:</i>		Photios 1408-1415 1408-1431 1420-1431
Alexander V 1409-1410		
Johannes XXIII 1410-1415		
Martinus V 1417-1431	Joseph II 1616-1439	Hryhorij Camblak 1415-1420
Eugenius IV 1431-1447	Metrophanes II 1440-1443	Herasym 1432-1435
Nicolaus V 1447-1455	Gregorios Mammas 1446-1458	Isidore 1436-1458 1436-1448
Calixtus III 1455-1458	<i>Downfall of Constantinople</i> 1453	Jona 1448-1461
Pius II 1458-1464	<i>in exile:</i>	Gregorios Bulgar 1458-1472
	Isidoros 1459-1463	
	Bessarion 1463-1472	Theodosij <i>Metropolitan of Moscow</i> 1461-1465

ROMAN PONTIFFS	PATRIARCHS OF CONSTANTINOPLE	ARCHBISHOPS OF KYIV <i>Primary eparchies</i>	
<i>Paulus II</i> 1464-1471	<i>in Turkey:</i> Simeon I (1 st time) 1466 Dionysios I (1 st t.) 1466-1471		
Sixtus IV 1474-1484	Simeon I (2 nd time) 1471-1474		
	Raphael I 1474-1477		<i>pretenders:</i>
	Maximos III 1477-1481	Misail 1475-1480	Spyridion 1476
	Simeon I (3 rd time) 1481-1486	Symeon 1481-1488	Galaktion 1477
Innocentius VIII , 1484-1492	Niphon II (1 st time) 1486-1489		
	Dionysios I (2 nd t.) 1489-1491	Jona I Hleзна 1489-1495	
	Maximos IV 1491-1497		
Alexander VI 1492-1503	Niphon II (2 nd time) 1497-1498	Makarij I 1495-1497	
	Joakim I (1 st time) 1498-1502	Josyf I Bolh. 1498-1501	
	Niphon II (3 rd time) 1502	Jona II 1502-1507	
Pius III 1503	Pachomios (I st t.) 1503-1504		
Julius II 1503-1513	Joakim I (2 nd time) 1504-1505		
	Pachomios I (2 nd t.) 1505-1514		
Leo X 1513-1521	Theoleptos I 1514-1520	Josyf II Soltan 1507-1521	

ROMAN PONTIFFS	PATRIARCHS OF CONSTANTINOPLE	ARCHBISHOPS OF KYIV
Adrianus VI 1522-1523	Jeremias I 1522-1545	Josyf III 1522-1534
Clemens VII 1523-1534		Makarij II 1534-1556
Paulus III 1534-1549	Joannikios 1546	
Julius III 1550-1555	Dionysios II 1546-1555	
Marcellus II 1555		
Paulus IV 1555-1559	Joasaph II 1555-1565	Sylvester 1556-1567
Pius IV 1559-1565		
	Metrophanes III (1 st t.) 1565-1572	
St. Pius V 1566-1572		Jona III 1568-1577
Gregorius XIII 1572-1585	Jeremias II (1 st time) 1572-1579	Ilia 1577-1579
	Metrophanes III (2 nd t.) 1579-1580	Onysyfor 1579-1589
	Jeremias II (2 nd t.) 1580-1584	
	Pachomios II 1585-1585	
Sixtus V 1585-1590	Theoleptos II 1585-1586	
Urbanus VII 1590	Jeremias II (3 rd t.) 1586-1595	Mykhajlo Rahoza 1589-1599
Gregorius XIV 1590-1591		
Innocentius IX 1591		
Clemens VIII 1592-1605		

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