

Byzantium and the Roman Primacy

by Francis Dvornik

The most important and the most controversial point in all endeavors for rapprochement of other Churches with the Roman Catholic Church is undoubtedly the question of the Roman Primacy in Christianity. The denial of this prerogative to the Bishop of Rome by the Orthodox is, perhaps, the only serious obstacle on the way to reunion of the Eastern Churches with the Roman Church. The many polemic writings issued in the East and in the West from the eleventh century, denying or defending the primary position of the Roman Bishop, have, so far, failed to produce the desired effect on either side. Mutual distrust caused mostly by political divisions and the different development of the Church's organization in East and West, manifested particularly from the eleventh century on, have often embittered the minds of the controversialists and prevented the faithful on both sides from considering the problem without prejudice.

Instead of repeating all the known arguments pro and contra, let us try the historical method and examine the position which the Byzantine Church took on this problem from earliest times on up to the period when the estrangement between the Eastern and Western parts of mediaeval Christianity became apparent and began to envenom the atmosphere in which the Churches had to live.

The Roman Bishops, from the beginning, derived their prestige from the fact that St. Peter, the chief of the Apostles, had died and was buried in Rome. Although some think that no absolute evidence for Peter's stay in Rome can be quoted from before the last quarter of the second century, that is, from around the year 180 (from the letter of Dionysius, Bishop of Corinth, to Rome, and from the testimony of Irenaeus), the Eastern Church had never denied the fact that St. Peter had stayed and had died in Rome. Not one of the numerous cities in the East which had been visited by Peter had ever boasted of the honor of providing his last resting place, and no ancient writer denies that Peter went to Rome. Although this is only an argument from silence, it is still very powerful, and it adds considerable weight to the testimonies mentioned above and to the numerous evidences from the third and the fourth centuries.

Up until the fourth century, however, the Roman Bishops had another reason for feeling they should be regarded as the first in the Christian commonwealth. Their See was, at the same time, the residence of the Emperors and the capital of the Roman Empire. It is very often forgotten that the early Church found a model for her organization in the political divisions of the Roman Empire rather than in the apostolic tradition. This form of Church organization was initiated by the Apostles themselves, who, for practical reasons, had to respect and to use the organization they found in the world in which they lived. They started preaching in the capitals of the major cities of the Roman provinces because there they found important Jewish communities, and it was from these centers that Christianity spread through the provinces and to other communities.

The future organization of the Church was thus foreshadowed by the Apostles when Peter addressed letters to the communities of Galatia, Pontus, Cappadocia, and Asia, and Paul to the capitals of the political provinces of the Empire (Rome, Ephesus, Corinth, Thessalonika). A passage in the second Epistle to the Corinthians (II

Cor. 1:1) indicates clearly that these letters were meant to be sent by the bishops of each capital to other cities of the province. Although this does not mean that the bishops of these cities received from the Apostles a superior place in the original hierarchy of the Church, it was natural that the bishops of the capital of a civil province should enjoy a certain prestige over the bishops of other provincial cities. So it happened that from the outset the Church was obliged, for reasons of practical expediency deriving from the political and economic conditions of the Roman Empire, to adapt its ecclesiastical organization to the political divisions of the Empire.¹ The same factor also influenced the origins and the organization of the Synods. When it became necessary to discuss important problems arising from the spread of Christianity throughout the different provinces and from the development of doctrine, the meeting places of the bishops was again dictated, not by the consideration that the See of any particular city was founded by an Apostle, but rather by administrative expediency. The political centers of the provinces were the natural places for such meetings, and the initiative of convoking the local Synods and the privilege of presiding over its debates was left to the bishops of the provincial capitals, called Metropoles. Such was the origin of the metropolitan organization. It has also been shown recently that the sessions of the Synods were held according to the same rules which were observed at the meetings of the Roman Senate and of the local municipal assemblies.²

Also, the supra-metropolitan organization which resulted in the formation of the first Patriarchates of Rome, Alexandria and Antioch, owes its origin, not to the apostolic foundation of these cities, but to the fact that they were the most important cities of the Empire, the capitals of groups of provinces. Rome was more privileged in this way, because it was the capital of the Empire and the residence of the Emperors. Owing to the intimate connection of all Italian cities with the city of Rome by which they were regarded only as municipia, the Bishops of the capital of Italy and of the Empire were able to preserve direct jurisdiction over the whole of Italy, without the intermediary of the Metropolitans of the provinces, into which Italy was subdivided.

This development in the organization of the Church was sanctioned by the First Oecumenical Council of Nicea in 325. Canon Six of the Council also acknowledged the rights of the Roman See over the whole of Italy, and the Fathers suggested that the exercise of these rights by the Bishop of Rome over Italy was a precedent that should serve as a good example to the Bishop of Alexandria and, partially, also to the Bishop of Antioch. Thus even the supra-metropolitan organization found its basic sanction in the Council of Nicaea. Even Rome adapted itself to the principle that the ecclesiastical organization should follow the political division of the Empire. When Italy was divided into two political dioceses with the capitals of Rome and Milan, Milan became automatically a metropolis with jurisdiction over the North of Italy, and the direct jurisdiction of the Bishop of Rome was limited to the provinces of central and southern Italy, called suburbicariae.³

The organization of Christianity in other Western provinces also followed the rule of accommodation to the political division of the Empire. The prestige of the Roman Bishop in Gaul, Africa, Spain, and Illyricum was great from the beginning, however, thanks not only to the circumstance that many of the first missionaries there came from Italy and Rome, and that Rome was the center of the Empire and the official residence of the Emperors, but also because of the veneration in which young Christian communities in the West held St. Peter, the founder of the Roman See and the chief of the Apostles, whose successors the Bishops of Rome claimed to be.

It should be pointed out, however, that the idea of the Roman Bishops' direct succession from the Apostle Peter had to undergo a certain evolution before it acquired its full meaning. The early Christians regarded the Apostles as universal teachers charged by Christ with spreading His doctrine throughout the world. They venerated them as founders of the churches in the cities where they had preached the new Faith, and where they had resided for some time, but they did not count them as the first Bishops of these cities. The lists of Bishops in the cities where the Apostles had worked were headed, not by the Apostles, but by the first disciples appointed by them to continue their work.

This custom was practiced also by Rome in the first period of her Christian life. The earliest known list of Roman Bishops given by St. Irenaeus of Lyon (who died in 202) designates not only Peter, but also Paul, as founder of the Church of Rome.⁴ As the first Bishop of Rome is designated Linus, who was ordained by the Apostles. It is possible that Irenaeus of Lyon used the Roman catalogue of Bishops established by Hegesippus.⁵ If he did, this would be another indication that what he said concerning Peter and Paul was in the oldest Roman tradition. Hippolytus' list likewise does not count Peter or Paul among the Roman Bishops. Although Pope Callixtus (217-22) is said by Tertullian⁶ to have connected the origins of Christianity in Rome only with Peter (since he is the first to have used the famous passage of *Matt. 16:18 f.*), the custom of attributing the origins of Roman Christianity to Peter and Paul and not to designate Peter as the first Roman Bishop continued to be observed in the West, in some cases, up to the fifth century.

The so-called Liberian Catalogue from the year 354⁷ is the first which introduces the practice which became general, of attributing the origins of Roman Christianity to Peter only, and to place his name at the head of the Roman Bishops. This failure to stress Peter's function as founder and as first Bishop of the Roman Church seems to indicate that, as long as Rome was the capital of the Empire and the Imperial residence, its privileged position in Christianity was sufficiently guaranteed because all ecclesiastical organization was modeled according to the political divisions of the Empire.

This, of course, does not mean that the Romans did not regard the activity of Peter in Rome as the main reason for their primacy in the young Church. When, however, Constantinople became the residence of the Emperors, it seemed necessary to lay more stress on the Apostolic and Petrine character of the Roman See. From the middle of the fourth century on, the Roman See was often called in the West, simply the See of Peter, and this use became general also in Rome during the time of Pope Damasus (336-89) who emphasized further the apostolic character of his See, calling it simply: *sedes apostolica*. From that time on, this usage became a general rule not only in Rome, but also in the whole of the West.⁸

This stressing of the apostolicity of the Roman See in the West is easy to understand. There was in the whole West only one See which could claim an apostolic origin, and that was the Roman See.

In the Eastern part of the Empire the situation was different. There, several important Sees could claim the honor of having been founded by an Apostle: these were Jerusalem, Antioch, Alexandria and Ephesus. Besides these, less important Sees in Asia Minor and Greece were at least visited by the Apostles, according to the Acts and apocryphal writings on the activities of the Apostles, which began to appear as early as the second century. This circumstance naturally reduced the prestige in the East of the claim to apostolicity, and

contributed to the easy victory gained for the principle of adaptation to the political division of the Empire. In reality, we find up to the fifth century only a few instances in which the apostolic character of those cities is mentioned.

Such was the situation in the Eastern part of the Empire, and things must be viewed in this light. That the Church had adapted the organization of its hierarchy to the territorial division of the Roman Empire, and to its administrative system, is generally recognized. But not all are ready to admit the logical consequences of this, or to consider the further evolution of the Church's organization, especially the rise of Constantinople, in the light of this fact. However, only in this light can the first conflict between Rome and Constantinople, which is often interpreted as an attempt at a denial of the primacy of Roman Bishops in the Church by the Easterners, be explained and understood.

This conflict is said to have arisen in 381 when the Synod of Constantinople, later accepted as the Second Oecumenical Council, exempted the Bishop of Constantinople from the jurisdiction of the metropolitan of Heracleia, and conferred upon him a rank second only to that of the Bishop of Rome, because Constantinople had become the residential city of the Emperor.

It is believed that the reaction in Rome to this innovation was very strong. In reality this was not the case. Originally the Council was not meant to be oecumenical, because only the prelates of the Eastern part of the Empire were invited to assist by the Emperor Theodosius. The original intentions of the conciliar Fathers were to reorganize the ecclesiastical affairs of the Eastern dioceses and to legislate for them alone. The ecclesiastical situation in the East was disturbed by the uncanonical interventions of Peter II of Alexandria (373-80/81) in the affairs of Antioch and Constantinople where he wanted to install prelates of his own choice. His intervention in Constantinople was particularly glaring. He sent there a number of Egyptian Bishops escorted by a mob of Alexandrian sailors and ordered them to consecrate and install his candidate Maximus, a philosopher, in place of the lawful titular St. Gregory of Nazianzus. The Emperor intervened and the Synod of 381 condemned this provocative action which manifested the intention of the Bishop of Alexandria to establish his supremacy over the whole East. In order to break the hold of Alexandria over the Eastern dioceses for good, it was decided to give to Constantinople the precedence over other Eastern churches.

Because the principle of adaptation to the political divisions of the Empire was the leading and decisive factor in Church organization, especially in the East, and stressed again at the Council of 381, and because Constantinople had become a residential city, the Canon promoting its Bishop encountered no opposition among the Eastern prelates. Peter's brother and successor, Timothy of Alexandria, had to swallow this bitter pill and he signed the decisions of the Council, its Creed and its Canon. The Bishop of Alexandria thus ceded the right of precedence, which he had hitherto possessed in the East, to the Bishop of the Imperial capital.⁹ When all this is borne in mind, it becomes clear that this first promotion of the Bishopric of Constantinople was in no way inspired by an anti-Roman bias. Because the Council was originally meant to be the gathering of Eastern Bishops and had to deal with Eastern religious affairs, the decisions of the Council were not even communicated officially to Pope Damasus, as Leo I himself later testified.¹⁰ The provisions of the Council were, however, known soon afterwards in Rome and, because the principle of accommodation to the political division of the Empire was) at that time, still accepted in Rome, Pope Damasus made no objection to this promotion

of the Imperial city, although Alexandria used to be in very close contact with Rome. In this way, this first so-called conflict between Byzantium and Rome can be satisfactorily explained. The Bishop of Rome continued to be regarded as the first Bishop of the Empire, the head of the Church.

More serious would seem to be the second conflict between Byzantium and Rome which originated at the Council of Chalcedon in 451, when the Fathers voted, in the absence of the Papal legates, the so-called Twenty-eighth Canon confirming Constantinople as having second place in Church organization, and giving to her Bishops direct jurisdiction over the dioceses of Thrace, Pontus and Asia.¹¹ It is known that the Papal legates protested against this vote and that Pope Leo I (440-61) rejected this Canon with sharp criticism. The question now arises as to whether or not it was the intention of the Eastern Fathers really to question the primacy of the Bishop of Rome in making the Bishop of Constantinople equal to him.

We have again to examine first why it was the Eastern Fathers thought it necessary to reaffirm the leading position of the Bishop of Constantinople in the East. One of the reasons again was the attitude of the Alexandrian Bishops. Although they had accepted the decision of the Council of 381, they still continued their aggressive pursuit of power in the Eastern Church. Bishop Theophilus of Alexandria (385-412) intrigued against St. John Chrysostom, Bishop of Constantinople, and succeeded in obtaining a decree from the Emperor which drove the saintly bishop into exile unjustly. His nephew and successor, St. Cyril (412-44), accused the Bishop of Constantinople, Nestorius (428-31), of heresy and obtained his condemnation and deposition at the Council of Ephesus (431). It is now generally accepted that Cyril accomplished this by means which were very questionable, and many scholars have doubts as to whether or not Nestorius' teaching was really heretical. It is well known how Dioscorus, Bishop of Alexandria and promoter of monophysism, once more humiliated Constantinople in allowing her Bishop, the saintly Flavian (441-49), to be condemned by the irregular and ill-famed Synod of Ephesus, justly called the Robber Synod (*Latrocinium*). Flavian was treated so badly by Dioscorus' men that he died from the injuries.¹²

From all this it was evident to the Orthodox Fathers that Alexandria, then in the hands of an heretical Bishop, should not be allowed to continue in her pretensions to the leadership of the East. This could be done only as a result of further promotion of Constantinople, confirmed by a new Council which was, this time, oecumenical from the beginning.

On the other hand, we must not forget that, in order to obtain general approval for such a measure, the Fathers could not afford to alienate the Pope, who had played a prominent role during the final stages of the dogmatic struggles with the monophysites of Alexandria, and whose representatives were still present at Chalcedon. It would, therefore, be illogical to suppose that the Fathers intended to deny the primacy of the Bishop of Rome, a primacy which had just made itself particularly apparent in the triumph of orthodoxy at Chalcedon.¹³ This primacy had been once more clearly proclaimed at Chalcedon by the legates when they quoted the Roman version of Canon Six of Nicaea. The old Latin translation prefaced the wording of the Canon as follows: *Romana ecclesia semper habuit primatum*. Although the Roman version differed from the original, also read at the same last session of the Council by the Greeks, the Fathers did not protest against such a glaring declaration of the primacy of the Roman Church, and did not even question the authenticity of the Roman version of the Canon and its preface.¹⁴

Moreover, the fact that the Fathers of the Council, the Patriarch of Constantinople Anatolius, and the Emperor Marcian himself insisted in their letters that the Pope should sign the Canon is sufficient indication that the conciliar Fathers saw in its wording no offensive against Rome.¹⁵

In order to understand the negative position of the legates and of the Pope after the vote of this Canon, we have to consider that the Canon gave to Constantinople more privileges than did Canon Three of the Council of 381. The legates and the Pope were ready to accept the idea that the See of Constantinople, because it was the residence of the Emperor, should be given precedence over the two other Eastern Sees of Alexandria and Antioch. To this extent they could pay lip service to the old principle of adaptation to the political organization of the Empire which was still, at that time, generally accepted. Canon Three of the Council of 381 granted, in reality, to the See of Constantinople, only honorary precedence, but did not extend the jurisdiction of that See. The delegates also accepted Canons Nine and Seventeen of Chalcedon, which granted to the Bishops of Constantinople a status of concurrent instance of appellations, because it did not substantially alter their position.¹⁶

Canon Twenty-eight of Chalcedon, however, advanced the See of Constantinople to a position of great power in the East, giving her jurisdiction over the minor dioceses of the Empire (Thrace, Pontus, and Asia) as well as over the new missionary lands. This amounted to the creation of an immense, new, ecclesiastical power in the East which, because it had the support of the Emperors, could become exceedingly dangerous to the unity of the Church and to the primacy of Rome.

What would certainly have aroused any Westerner against such a measure was the fact that the Fathers, although guaranteeing in the same Canon Rome's ancient privileges, had completely neglected to stress either the apostolic character of that See or the fact that the Pope was the successor of Peter, the Prince of the Apostles. Because of this Pope Leo I refused to sign the Canon and opposed the principle that there should be correlation between the rank of a city in the civil administration and the place of that city's See in the ecclesiastical hierarchy. He insisted, on the other hand, that the rank of a See should be determined by the principles of the apostolic character of its foundation. Thus Rome has primacy in the Church, not because she was a capital of the Empire, but because of the Petrine origin of the Roman See. Alexandria is second in rank because she was founded by Peter's disciple, St. Mark. Antioch is the third in the hierarchy because of her connection with St. Peter and because the name "Christians" first arose there. Constantinople has no special position in the Church hierarchy because she was not founded by an Apostle. Moreover, this promotion of Constantinople contradicted the Sixth Canon of the Council of Nicaea which had allotted the first three places in the Church to Rome, Alexandria and Antioch.¹⁷

In this way the argument of the apostolicity and of the Petrine tradition was introduced by Leo I into the disputes between the East and West and remained, for centuries to come, the main argument used by the Roman canonists against the pretensions of Constantinople to a privileged position in the Church.

Leo's fears are easily understood. Rome had lost her great prerogative as the center of the Empire and the residential city of the Emperors, and had retained only her apostolic character and her successorship to St.

Peter as justification for her claim to the primacy in the Church. Leo the Great foresaw correctly that the new status of the See of Constantinople could, in the future, endanger the rightful claims of Rome.

It is most unfortunate that the Eastern Fathers who had put together Canon Twenty-eight showed a lack of comprehension of the anxiety of Rome. The East was still greatly influenced by the principle of adaptation to the new political situation, and could not see beyond its immediate horizon. When we examine the Acts of the Councils of Ephesus and of Chalcedon and other documents of this period, we are surprised to notice that only in a few instances the Easterners mentioned the apostolic character of the main Sees, and when they did so, it was without emphasis.¹⁸ Had they respected the apostolic and Petrine character of Rome in the drawing up of the contested Canon, the Pope would have probably been induced to accept it.

On the other hand, Pope Leo, in his anxiety to preserve the privileges of his See, seems to have overlooked the fact that the Easterners still looked upon Rome as the Imperial city, as is evident from declarations made by some of the Bishops at Chalcedon. To them, the fact that Rome was the first capital and the foundation of the Empire was sufficient proof that the primacy in the Church belonged to her Bishops, and it would so remain as long as the Roman Empire, of which Constantinople was now the Imperial residence, endured.

The Pope's representative, Julian of Kios, was aware of this, and he advised the Pope to approve the decision of Chalcedon regarding the See of Constantinople. This could have been done in a document that stressed the apostolic character of the Roman See and her primacy because she had been founded by Peter whom the Lord had chosen to be the head of the Church. Such a declaration would most probably have been accepted by the Easterners, because they seem to have been aware of the mistake they had made in not mentioning the apostolic character of the Roman See. Perhaps, in order to give the Pope some satisfaction, they called Rome an Apostolic See in the letters in which they asked the Pope to confirm the Canon. Anatolius of Constantinople and the Pope came, at the end, to a kind of "compromise." Although Constantinople continued *de facto* to use the right accorded to her Bishops by the Council, Canon Twenty-eight was not included in the collection of Eastern Canon Law. It appeared only in the sixth century, in the Syntagma of Fourteen Titles.¹⁹

One thing is securely established, namely, that the Byzantine Church did not intend to question the primacy of Rome in the Church. In spite of what happened, Rome continued to be regarded as the superior of Constantinople and as the first See in the Church. The conflict can be explained by the clash of two principles in the organization of the Church—accommodation to the secular situation and the apostolic origin. The failure of the Chalcedonian Fathers to find a compromise between these two principles marks the beginning of a long struggle over the apostolicity, which became the source of new bitterness in the relations between East and West. It is symptomatic that Canon Twenty-eight was officially accepted in the West only at the Fourth Lateran Council of 1215, when the See of Constantinople was occupied by a Latin Patriarch, following the conquest of the city by the Latins.²⁰ This, of course, did not contribute to a better understanding between the Orthodox and the Latins.

The friendly relations between Constantinople and Rome were seriously disrupted for the first time during the so-called Acacian Schism (484-519) when Pope Felix excommunicated Patriarch Acacius because he was sponsoring a compromise between the heretical monophysites and the Orthodox doctrine of Chalcedon,

proposed by the Emperor Heraclius in his decree called *Henoticon* (482). During this rift, Pope Gelasius (492-496) went even further than Leo. He was the first to assert clearly the primacy of Rome and her jurisdiction over the entire Church. He not only repudiated Canon Twenty-eight, but he refused to count even Constantinople among the major Sees of Christendom. His language was too passionate for the Easterners, and Gelasius complained that in their letters, they spoke of him as proud, arrogant and stubborn. But, in spite of this, the Easterners were impressed by the Pope's emphasis on the apostolic character of his See, and by the deductions he made from the fact that he was the successor of St. Peter. In their correspondence with the Pope, the apostolicity of the Roman See was stressed more and more.

On the other hand, one can also see that, although willing to acknowledge the special position of Rome in the Church, they found some of the claims made by Gelasius strange and contrary to tradition. Their sharp criticism of Gelasius' attitude reveals their determination not to surrender the autonomous status of their Church, although compromised in the eyes of Rome as having supported an heretical creed.²¹

The reconciliation was made in the reign of Pope Hormisdas (514-23) when the Eastern Bishops signed the so-called *Libellus Hormisdas* which contained a clear definition of the Roman primacy in matters of faith. It is an important document recalling the promise of the Lord given to Peter (*Matt. 16:18 f.*) and declaring that "in the Apostolic See the Catholic religion has always been kept immaculate" and that in it "persists the total and true strength of the Christian religion."²² Some of the Eastern prelates may have signed the *Libellus* with mixed feelings, for never before had they read such a clear definition of Roman primacy, but even the Patriarch John signed it. They objected only to certain declarations of Gelasius which threatened the autonomous status of their Church. The *Libellus* dealt only with questions of dogma in which Rome had always proved to be a staunch defender of the Orthodox faith.

Interesting also in this respect is the declaration of John's successor Epiphanius in his letter to Pope Hormisdas: "It is my greatest desire to be united with you and to embrace the divine doctrines which have been entrusted to your holy See by the blessed and holy disciples and God's Apostles, especially by Peter, the head of the Apostles, and to esteem nothing more than them."²³

At the same time the Patriarch and the Emperor Justinian, in referring in their letters to the four general Councils, had persuaded Pope Hormisdas to accept implicitly Canon Three of the Council of 381, which gave the See of Constantinople second rank in the hierarchy of the Church.

On the other hand, Justinian, when sanctioning in his *Novel* 131,²⁴ the rank of the Patriarchs, expressed very clearly that the Bishop of Constantinople was inferior to the Bishop of Rome. This is important, and contradicts the statements of the mediaeval Greek controversialists who argued that because Rome was called the Old City, and Constantinople the New City, Rome outranked Constantinople only in age and in no other respect. This thesis was also rejected in the twelfth century by the famous Byzantine canonist Zonaras, who bases his rejection on the wording of Justinian's *Novel* 131.²⁵

Another incident which occurred under Pope Pelagius (579-90) is generally interpreted as a denial by the Byzantines of the primacy of Rome. The Pope was scandalized when he learned that the Patriarch of

Constantinople, John IV the Faster (582-95), was using the title of Oecumenical Patriarch. The Pope translated the word “oecumenical” by the word “universal” and asked the Patriarch to renounce a title which did not belong to him. The Patriarch did not abandon the use of this title and Pope Boniface III seems to have complained to the Emperor Phocas in 607 that “the Church of Constantinople declared itself to be the first of all the Churches.”

The Emperor Phocas issued a degree stating that “the Apostolic See of the blessed Apostle Peter” should always be “the head of all Churches.”²⁶ This decree is a new confirmation of Justinian’s *Novel* 131. Boniface’s complaint and Phocas’ decree would appear to have been provoked by the use of the “oecumenical” title. This title, however, did not mean that the Patriarch using it pretended to have power over the whole Church. It had already been used by Bishop Dioscorus of Alexandria in 449, and by many other bishops, and was also given by the Greeks to Popes Leo I, Hormisdas, and Agapetus. Justinian gave this same title to the five Patriarchs in order to express their supreme power within the borders of their own Patriarchates. Thus, the use of this title by the Patriarchs of Constantinople does not mean that they intended to usurp the power over the whole Church and to supersede Rome.

In the meantime, the passage of events had made the Byzantines increasingly aware of the growing importance which the idea of apostolicity had in their relationship with Rome. Many scholars have supposed that because of the impression which the display of the apostolic character of the Roman See had made during the Acacian Schism in Byzantium, the Greeks had invented the legend that their See was also founded by an Apostle, St. Andrew, the brother of Peter. Because St. Andrew was the first to be invited by the Lord to join Him, and because he had introduced his brother Peter to the Master, he, Andrew, should be regarded as the first of the Apostles, and his successors in Byzantium at least equal, if not superior, to the successors of Peter in Rome. If this could be verified, it would amount to a clear negation of Roman primacy in the Church by the Byzantines. I have examined this story thoroughly in my book *The Idea of Apostolicity in Byzantium and the Legend of the Apostle Andrew*²⁷ and came to the conclusion that there is no trace of it in Byzantine or Western tradition before the end of the seventh or the beginning of the eighth centuries. During this time the Byzantines were still clinging to the old principle of accommodation to the political situation, and the fact that their city was the Imperial residence was regarded as sufficient to assure it a privileged position in the Church.

However, they were impressed by the idea that a See which was to play such a prominent role should be connected with the Apostles, the universal teachers, whose doctrine the Patriarchs should explain and promote. In reality, we find some instances in the seventh century in which the See of Constantinople is called “apostolic.” It is reasonable to see in this the influence of the Roman emphasis on the apostolic character of the Church in general and the Roman See in particular. It should be stressed, however, that this custom was not originated by the story of the Apostle Andrew as founder of its bishopric, because the Andrew story was then not yet known in Byzantium.

Early Syriac, Armenian and Coptic traditions show, however, that the apostolic character was attributed to the See of Constantinople because this See was the heir of Ephesus, and, thus, of the Apostle John, when the jurisdiction which the See of St. John had exercised over Asia Minor was transferred to Constantinople.²⁸ This

is also confirmed by the declaration of the Patriarch Ignatius at a synod in 861,²⁹ and seems also to be alluded to by the Patriarch Photius in his letter to the Armenians.

Anyhow, the attribution of an apostolic character to the See of Constantinople reveals that the Byzantines were making some interesting progress towards the Roman conception of leading principles in Church organization. This progress was accelerated by the controversy over the image worship. The iconoclastic Emperors were stressing the priestly character of the imperium. Because of this they were inclined to exalt the position of the Emperors in religious matters, at the expense of the “sacerdotium,” particularly since the Patriarchs of the truly apostolic Sees did not favor the iconoclastic doctrine. It is the last glaring instance of the intervention of Emperors over religious, nay, doctrinal matters. It was a radical application of the old Hellenistic political philosophy according to which the Emperors, not the Patriarchs, were the representatives of God on earth, and, thus, had not only the right, but also the duty to watch over the purity of the faith and care for the true worship. The early Church had accepted the basic principles of this political conception, the only one which was known, but defended always the thesis that the definition of the Christian teaching was the privilege not of the “imperium” but of the “sacerdotium.”

And so it came about that the apostolic idea became a weapon for the defenders of the image cult against the intervention of the Emperors in the doctrinal field. The Pope was exalted by the defenders of image worship as the heir of Peter, the head of the Apostles, and the repository of pure doctrine. The Iconoclastic Council of 754 was condemned by Stephen the Younger in 760, for example, because the Acts had not been approved by the Pope.³⁰

More outspoken were St. Theodore the Studite (759-826) and his followers. Theodore called the Pope simply “apostolicus,” using the title given to the Popes in the West, and which he had probably learned from his correspondence with the monks of the Greek monasteries in Rome.³¹ He recognized the Emperor’s right to convoke a Council as it had been practiced so far, but in several councils he insisted on the preeminent position of the Pope. If the convocation of a Council was not desired by the Emperor, he recommended that the case be submitted to the Roman Bishop for a decision. However, he extended the apostolic character to all Patriarchs, even that of Constantinople, because they were the successors of the Apostles. “This is the patriarchic authority of the Church; these have jurisprudence over divine dogmas,” exclaimed Theodore. Of course, among these five Patriarchs, Theodore always gave the first place to the Bishop of Rome.³²

This is another milestone in the recognition of Roman primacy in Byzantium. In spite of this, however, the official Byzantine Church still clung to her traditional concepts. This is illustrated particularly by the Acts of the Seventh Oecumenical Council. Pope Hadrian (772-95) sent a letter to the Empress Irene and her son Constantine which was read during the Synod. It is very significant that many passages which clearly express the primacy of the Roman See have been omitted in the Greek version read at the Synod. The Pope’s quotation of Our Lord’s words to St. Peter (*Matt.* 16:18 f.) are passed over. Only one short allusion to these words is left but the name of Paul is added to the name of Peter, whenever the Pope mentioned the foundation of the Roman See by Peter. The protest of the Pope against the use of the title: “Oecumenical Patriarch” by the Bishop of Constantinople was also suppressed in the Greek version, and the Pope’s criticism of Tarasius’ elevation to

patriarchal dignity, although he was a layman, was likewise left out. Similar changes were made by the Greeks in the letter sent by the Pope to Patriarch Tarasius.³³

Of course, the primacy of the Pope in the Church is not only not denied, but is actually very clearly expressed. All this shows, however, that the Byzantines, although willing to recognize and accept the Roman primacy fundamentally, were anxious to preserve the autonomous status of the Church and were not willing to allow the Popes to interfere directly with their customs and usages. This is important and must be borne in mind whenever we examine the attitude of the Byzantines towards Rome. On the whole, however, we have to admit that in the eighth century further progress was made by the Byzantine mentality towards a better understanding of the question of the Roman primacy.

Many Catholic scholars think that the idea of the Five Patriarchs governing the Church was invented by the Byzantines in order to weaken or to negate the primacy of the Bishop of Rome, because it suggests the idea that all Patriarchs are equal in dignity. However, this is not so. The documents which formed the basis for the growth of the pentarchic idea—the Acts of the Sixth Oecumenical Council, Justinian’s Novels, the writings of Maximus the Confessor of the seventh century, of Theodore the Studite of the eighth century, of other defenders of image worship, and the Acts of the Ignatian Synod of 869-70—by no means imply the equal dignity of all five Patriarchs. In many instances the special position of the Roman Patriarch is stressed. We have to consider this problem from the Byzantine point of view.³⁴ The idea of five patriarchs expressed the universality of the Church which at that time could not be fully represented by the size of the Roman Empire, vast parts of which had been occupied by the Arabs. Furthermore, the idea that the direction of Church affairs, especially insofar as they concerned the definition and interpretation of Christ’s doctrine, should be reserved to the incumbents of the principal Sees who, at the same time, represented the bishops of their respective patriarchates, expresses the rights of the “sacerdotium” as opposed to the interference of the “imperium.” The Eastern Church had always fought for her rights against the intervention of the Emperors, and she was strongly supported in her fight by the West, as represented by the Patriarch of Rome. In the Byzantine view the pentarchy suggested also the idea of the infallibility of the Church in matters of doctrine, a truth which is firmly believed by the Orthodox Church today.

The fact that the idea of the pentarchy took such firm root in Byzantium in the eighth and ninth centuries signifies that the Roman principle of leadership in the Church—the apostolic character of the Church and of her principal Sees as opposed to the principle of accommodation to political changes—had gained considerable ground in Byzantium. With the iconoclastic heresy the traditional concept of the “imperium” was defeated in Byzantium and the Church affirmed most strongly her rights for which she had been fighting so vigorously. It meant also the definitive acceptance of the apostolic character of the See of Constantinople by the Easterners, and this time this supposition was strengthened by the spread of the legendary story of the apostolic foundation of the See of Byzantium. This story, based on the apocryphal Acts of St. Andrew in which Byzantium is mentioned, originated in the eighth century and became popular, largely as the result of new lives of St. Andrew written in the eighth and ninth centuries.

Even the Patriarch Ignatius refers to St. Andrew, as well as to St. John, as his predecessor. This indicates that the story of the apostolic foundation of the Byzantine See by Andrew was already accepted in many circles. In

spite of this it was not yet officially accepted in the Church. The Typicon of the Church of Hagia Sophia from the end of the ninth century, which is an official document, does not mention the story when recording the feast of St. Andrew, and neither does it list the feast of St. Stachys, the legendary first Bishop of Byzantium, ordained by the Apostle Andrew.³⁵ In Byzantium and in the East this story was generally accepted only in the tenth century.

It is believed that this story was used by the Patriarch Photius in a treatise denying the primacy of Rome and exalting the high position of the Byzantine See because it was founded by the brother of Peter, who had been the first of the Apostles chosen by the Lord. The fact that this story was not listed officially in the Typicon of the Patriarchal church, although this Typicon was re-edited by Photius, should be sufficient to show that Photius could not have written such a pamphlet. Only in the twelfth and thirteenth centuries could such an attack on the Roman primacy have been written on the basis of the legendary story of Andrew.

Photius is regarded both by Catholics and Orthodox as a staunch defier of the Roman primacy. This judgment needs radical correction as the result of recent studies. First of all it should be remembered that for the first time in Byzantine history Bishops who later became supporters of Photius had appealed against the judgment of Patriarch Ignatius, which they regarded as unjustified, to the first Patriarch, the Bishop of Rome. There were, of course, other Byzantine Patriarchs who had turned to Rome when unjustly condemned, such as St. Chrysostom and St. Flavian, but in their cases doctrinal questions were involved. The appellations of Gregory Asbestos and of his supporters were made, however, in purely disciplinary matters. Documentary evidence shows that Rome had begun to act as the supreme judge in this disciplinary affair, and that the Byzantine prelates took advantage of a decision of the Synod of Sardica (343) which had acknowledged the supreme position of Rome and had established the right of appeal to the Pope as representing the ultimate authority in the Church. The Canons of this local Synod of Western prelates had not been accepted, so far, in the East. This is the first time in which the Canon was invoked by the Eastern Church.³⁶

This is important, but there is much more. When, in 861, Ignatius who had resigned the patriarchal throne, but had been acclaimed as Patriarch by certain enemies of the new Patriarch, Photius, canonically elected, was judged by the Roman legates, the Byzantine prelates making declarations which amounted to an official acceptance of the famous Canon of the Synod of Sardica. First, let us stress the fact that the Byzantine Church, in consenting to the judgment of her Patriarch by the legates of the Pope, thus recognized Rome as the supreme tribunal of the Church in disciplinary matters. It does not matter if the legates were or were not authorized by Pope Nicholas I to pronounce judgment. The fact that the Byzantine Church allowed them to do so is in itself eloquent enough.

At the beginning of the Synod the legates repeatedly proclaimed that they were proceeding according to the Canons of Sardica, which declared the Pope to be the ultimate authority in the Church. What happened during the second meeting of the Synod is particularly important. The legates said: "Believe us, brethren, it is because the Fathers in the Council of Sardica decided that the Bishop of Rome has power to reopen the cause of any bishop that we desire, with the authority we have mentioned, to re-examine the case." The Bishop of Laodicea, Theodore, the speaker of the Byzantine Church, said: "Our Church rejoices at it and has no objection to it and is not offended by it" ("et ecclesia nostra gaudet in hoc et nullam habet contradictionem aut tristitiam").

Subsequent events resulted in this Synod being rejected by the Pope and its Acts forgotten. They were rediscovered in 1870, but it is certainly time that Church historians and canonists paid more attention to these outstanding declarations.³⁷

Furthermore, Photius is severely criticized by Catholic theologians for having altered the letters sent to him, to the Emperor Basil, and to the Byzantine Church by Pope John VIII, which were read at the Council of 879-80 convoked to clear his name. It is true that in the Greek version of the letters Photius omitted all that he considered misrepresented his case but, after explanations, the legates consented to the changes because the Patriarchal Chancellory retained in the Greek version some passages from the Latin original which very clearly expressed the Pope's ideas on the Roman primacy. Photius' versions contain also the quotation of the famous passage of Matt. 16:19 on which the Pope based "the power to bind and loose, and in the words of Jeremiah, to uproot and to plant." Furthermore, Photius did not add the name of Paul to that of Peter when the Pope, in the original version, spoke of the founder of his See.³⁸ This is proof that in the ninth century the Byzantines abandoned the old custom which was still in practice in the eighth century, as is clear from the Acts of the Seventh Oecumenical Council, and had accepted the Roman custom of attributing the foundation of the See of Rome to Peter alone.

It is said also that Photius publicly denied the primacy and transferred it to Byzantium in 867 and convoked a Council which had condemned Pope Nicholas. Here, however, we have to distinguish between the person of the Pope and the papacy. The Council condemned Nicholas I for his neglect of the customs of the Byzantine Church and for his direct interference in an internal affair which the Patriarch and his Bishops regarded as unjustified. Evidently this was Photius' greatest mistake for which the West never forgave him. But this does not mean that he denied the Roman primacy. The same Synod acclaimed the German Emperor Louis II as "basileus" and addressed a letter to him in which he was asked to depose Pope Nicholas. When examined from the Byzantine point of view this incident becomes very important. It shows that in Byzantium there was still hope of unifying the Roman Empire, with an Emperor in Constantinople and a co-Emperor in the West. Rome was the cradle of the Roman Empire and the Byzantines called themselves not Greeks, but Romans. As long as they called themselves Romans and as long as they regarded Rome as the cradle of their Empire and its first capital, they could not deny to Rome the first place which its Bishops claimed. The fact that they desired to win over the Emperor of the West to the cause of unity makes it clear that they did not wish to degrade the See of Rome and her Bishop to an inferior status.³⁹

When we consider the events in Byzantium during the ninth century in this new light, we must confess that contrary to what had been so far believed, we can trace in these events and in the documents of this period further progress towards a better understanding of the Roman primacy. For the first time the right of appeal to the Bishop of Rome against the judgment of a Patriarch was *de facto* and synodically accepted. Other concessions granted to Rome at the Synod of 861 are important and fully testify to the primacy of this See. On the other hand, however, the Church of Constantinople very forcibly defended her administrative autocracy and her own customs and insisted that, at the Synod of 879-80, a canon be voted which confirmed to each Church her own usages.

This was a good foundation on which to develop relations between the two Churches. The history of the tetragamy conflict provoked by the fourth marriage of Leo VI shows that the right of appeal to the Roman See in disciplinary matters was still recognized in Byzantium in the tenth century. Actually, the Emperor's appeal to Rome, when Patriarch Nicholas Mysticus refused to allow his marriage, must be interpreted in this light, although it was ignored by the Patriarch and his followers. The request of Emperor Romanus I Lecapenus for confirmation from Rome of the election of his young son Theophylactus to patriarchal dignity was a feeble reflection of a principle which had been more readily recognized by the Byzantines in the ninth century.

We can stop our investigations at the beginning of the eleventh century. The further development of the relations between East and West were overshadowed by political events. The restoration of the Western Roman Empire by the Saxon Kings, who appointed their own Popes, increased the mistrust. And the development of the mediaeval theory of the superiority of the spiritual over temporal power, put into practice by Gregory VII and his reformers, alienated the Byzantines even further, although the excommunication of Patriarch Michael Cerularius by the Papal legates in 1054 did not as yet mean a definite rupture.⁴⁰ This rupture widened during the Crusades and became definite after 1204 when Constantinople was seized by the Latins. Then it was that hostility against the claims of the Roman primacy were manifested in numerous instances and in political writings. It is useless to reexamine them. They were dictated by passion provoked by injustices inflicted by the Latins on the Greeks during the Crusades and the replies of the Latins were written often in the haughty spirit of *beati possidentes*.

If we wish to find a basis on which to build anew a rapprochement between Rome and the Orthodox Church, a rapprochement which will lead to union, we must look for this in the first ten centuries, during which period both Churches were still at one. In spite of misunderstandings, many of which have been often exaggerated, we will find this basis, if we are sincere, and both are willing to look for it and to accept it.

Dvornik, Francis. "Byzantium and the Roman Primacy." *The American Ecclesiastical Review*, 143, (May, 1961): 289-312.

ENDNOTES

1 The most extensive study on the organization of the primitive Church is still that published by K. Lubeck, *Reichseinteilung und kirchliche Hierarchie des Orients bis zum Ausgange des vierten Jahrhunderts* (The political division of the Empire and the Church Hierarchy to the end of the fourth century), published in Munster i. W. in 1901. For more bibliographical indications, see my book *The Idea of Apostolicity in Byzantium and the Legend of the Apostle Andrew*, (Dumbarton Oaks Studies 4, Washington, D. C., 1958), pp. 1-38.

2 The best documentary evidence for this development is found in the letters of St. Cyprian, Bishop of Carthage, especially letters 4, 17, 56, 59, 64, 67, 70, 72, ed. G. Hartel in *Corpus Script. Eccles. Latin.*, vol. 3, part 2, pp. 472, 523, 649, 678, 717, 735, 766, 775. See my study, "Emperors, Popes and General Councils," *Dumbarton Oaks Papers*, vol. 6, pp. 3 ff. Cf. also my book *The Ecumenical Councils* (The Twentieth Century Encyclopedia of Catholicism, vol. 82, New York, 1961), pp. 9 ff.

- 3 Cf. F. Lanzoni, “Le diocesi d’Italia dalle origini al principio del secolo VII,” in *Studi e Testi*, vol. 35 (1927), pp. 1016 ff.
- 4 Irenaeus, *Contra Haereses*, bk. 3, chap. 3, para. 3, Migne, *Patres Graeci*, vol. 7, cols. 849 ff.
- 5 Cf. B. H. Streeter, *The Primitive Church* (London, 1929), pp. 188-195; E. Milland, “Le developpement de l’idee de succession apostolique,” in *Revue d’his. et de philos. relig.*, vol. 34 (1954), pp. 20 ff.
- 6 De Pudicitia, chap. 21, *Corp. Script. Eccles. Latin*, vol. 20, p. 270.
- 7 *Chronographus anni 354*, ed. Th. Mommsen in *Monum. Germaniae Histor. Auctores Antiq.*, vol. 9, p. 73.
- 8 See the documentary evidence in P. Batiffol’s *Cathedra Petri* (Paris, 1938), pp. 151 ff.
- 9 On the rivalry between Constantinople and Alexandria, cf. N. H. Baynes, “Alexandria and Constantinople. A Study in Ecclesiastical Diplomacy,” in his *Byzantine Studies and Other Essays* (London, 1955), pp. 97-115. Cf. also the concise history of the first Councils in my book. *The Ecumenical Councils*, pp. 17-31.
- 10 Mansi, *Conciliorum ampliss. Collectio*, vol. 6, col. 204, letter 106.
- 11 For details, see *Das Konsil von Chalcedon*, ed. A. Grillmeir, H. Bacht (Wurzburg, 1953), vol. 2, especially the excellent study by E. Herman, pp. 459-490 and T. O. Martin on the twenty-eighth Canon, *ibid.*, pp. 433-458.
- 12 See, for details and bibliography, my book *The Idea of Apostolicity*, pp. 52 ff.
- 13 Cf. F. X. Murphy, *Peter Speaks through Leo. The Council of Chalcedon*, (Washington, Cath. Univ. Press, 1952).
- 14 Mansi, *op. cit.*, vol. 7, col. 444. Cf. C. H. Turner, *Ecclesiae occidentalis Monumenta Iuris Antiquissima* (Oxford, 1899-1929), vol. 1, pp. 103, 121.
- 15 See their letters in Mansi, *op. cit.*, vol. 6, cols. 146-156, 168 ff.; 171 ff.
- 18 Mansi, *op. cit.*, vol. 7, cols. 361, 365.
- 17 The Pope’s letters to the Emperor and the Patriarch Anatolius in Mansi, *op. cit.*, vol. 6, cols. 196 ff.; 204 ff.
- 18 See, for documentary evidence, my book *The Idea of Apostolicity*, pp. 39 ff.
- 19 Published by V. N. Benesevic, *Kanoniceskij Sbornik XIV titulov* (St. Petersburg, 1903), p. 155. It was also approved by the Council in Trullo (692), Mansi, *op. cit.*, vol. ii, col. 960.

20 Canon Five of the Council, Mansi, *op. cit.*, vol. 22, cols. 290, 291. However, already the Fathers of the Ignatian Council (869-870) when formulating Canon Twenty-one gave precedence to the Patriarch of Constantinople before Eastern Patriarchs. Pope Hadrian II did not protest against this canon (Mansi, vol. 16, col. 174). The canon is preserved only in the Latin translation of the Acts made by Anastasius Bibliothecarius.

21 The main documents concerning the Acacian Schism are published by E. Schwartz, “Publizistische Sammlungen zum Acacianischen Schisma” in the *Abhandlungen* of the Bavarian Academy, Phil-hist. Class 1934, pp. 161- 262. The papal letters in Migne, *Patrol. Lat.*, vol. 58, 59, new critical edition in the so-called *Collectio Avellana*, in *Collectio Script. Eccl. Latin.*, vol. 35, ed. by O. Gunther. See, for details and bibliography, my book *The Idea of Apostolicity*, pp. 106-137.

22 Migne, *Patr. Lat.*, vol. 63, col. 393 ff., *Collectio Avellana*, pp. 520 ff.

23 Migne, *op. cit.*, cols. 494 ff., *Collectio Avellana*, pp. 652-654.

24 *Corpus Iuris Civilis, Novellae*, vol. 3, ed. R. Schoell, W. Kroll, p. 655.

25 Migne, *Patres Graeci*, vol. 137, cols. 321C, 325, 485-489.

26 *Liber Pontificalis*, ed. L. Duchesne, vol. 1, p. 316: “Hic optinuit apud Focatem principem ut sedis apostolica beati Petri apostoli caput esset omnium ecclesiarum, quia ecclesia Constantinopolitana prima se omnium ecclesiarum scribebat.”

27 Pp. 138-299.

28 F. Dvornik, *The Idea of Apostolicity*, pp. 238 ff.

29 In the Acts of the Synod of 861 which condemned Ignatius, the latter declared: “I am also in possession of the throne of the Apostle John and of Andrew who was the first to be called Apostle,” Wolf von Glanvell, *Die Kanonessammlung des Kardinals Deusdedit* (Paderborn, 1905), p. 603.

30 Vita S. Stephani Junioris, Migne, *Patres Graeci*, vol. 100, col. 1144. He mentions also the other patriarchs, but when speaking of the Pope, he adds: “according to the canonical prescriptions religious affairs cannot be defined without the Roman Pope.”

31 On the origin and use of this title and on Greek monasteries in Rome, see my book *Les Legendes de Constantin et de Methode vues de Byzance* (Prague, 1933), pp. 295-300, 286-290.

32 Letter 129, Migne, *Patres Graeci*, vol. 99, cols. 1417, 1420.

33 See the Acts of the Council in Mansi, *op. cit.* vol. XII, cols. 1056 ff. (Second session of the Council.)

34 See, for details, my book *The Idea of Apostolicity*, pp. 163, 168, 235 ff, 275 ff.

35 This important document was published by A. Dmitrijevsij in his *Opisanie liturg. rukopisej* (Description of liturgical manuscripts), vol. I, *Typika* (Kiev, 1895), p. 27.

36 See, for details and documentary evidence, my book *The Photian Schism*, pp. 16 ff.

37 An extract from the Acts was preserved in the eleventh century canonical collection of Cardinal Deusdedit. Critical edition by Wolf von Glanvell, *op. cit.*, pp. 603-10. Deusdedit's collection contains also a summary of the Photian Council of 879-80, *ibid.*, pp. 612 ff.

38 Cf. the new critical edition of the letters in *Monumenta Germaniae historica, Epistolae*, vol. 7, pp. 166 ff. Mansi, *op. cit.*, vol. 7, cols. 396 ff.

39 Cf. my latest studies on Photius: *The Patriarch Photius in the Light of Recent Research* (Munich, 1958), pp. 30 ff. and "Patriarch Photius, Scholar and Statesman," *Classical Folia*, vol. 14 (1960), pp. 19 ff.

40 See the unbiased study by S. Runciman, *The Eastern Schism* (Oxford, 1955), pp. 28-54.