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## THE PROBLEM OF PAPAL PRIMACY AT THE COUNCIL OF FLORENCE\*

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At Ferrara and Florence the healing of the old schism between the Eastern and Western Churches proved to be more than a hope, and in corresponding measure the breach between the Pope and the Council of Basel became less than a real new Occidental Schism. The Florence-Ferrara conception of Christian unity has led to the doctrine of the Vatican Council and will be of great importance at the council which has been announced by the present Pope. Together with our Roman Catholic brethren we are convinced that a clear understanding of the character of Christian unity must exist prior to all attempts at union or reunion of churches, prior as a condition and as an incentive to those efforts.

We are dealing with a serious theological problem, and we cannot fail to recognize that at Ferrara and Florence serious theological work was done. Here any discussion of the old question about the legitimacy of the union must take its start, rather than in evaluating such contributing factors as political needs, personal interests or even pressures. A man like Georgios Scholarios, who later denied the validity of the union, to which he had subscribed himself, maintained that the principal fault lay in the insufficient theological preparation, in which criticism he then had to include his own substantial contributions to the Florentine agreement on the procession of the Holy Spirit.<sup>1</sup> That a "union suitable and based upon the truth" could have come to pass under better circumstances he never denied.<sup>2</sup> It is another question whether or not Scholarios was only trying to rationalize a change in his attitude toward the work of Florence; also whether or not in his case non-theological reasons, which played such a great part in the final practical result, were decisive.<sup>3</sup> But do such considerations entitle us to assume that Florence cherished only an illusion? Or did something become visible there which was at least a beginning of a new encounter in truth? If the latter is the case, then, of course, the last page in the history of this council and of its importance for the Christian world has not yet been written.

If the Council had had to deal only with the problem of the procession of the Holy Spirit, our answer would be easier. But there was, among other causes of division and issues of debate, the problem of papal supremacy or primacy.

\*A paper read before the American Society of Church History on December 29, 1959, in Chicago.

There was no agreement of opinion, either in the Eastern or in the Western Church, about the degree to which this problem was decisive for a union.<sup>4</sup> But usually it was regarded as an issue of debate second only to the problem of the *filioque*. Its discussion belongs to that part of the council which immediately preceded the decree of union. There were feelings among the Greeks that, after agreement had been reached about the understanding of the *filioque*, all other debates could be bypassed as not essential for the union. But when the Latins insisted on discussing and formulating some other points, and various attempts were made from the Greek side to reduce their number, it was the problem of papal primacy alone which was never singled out for a possible tacit or informal agreement or called a difference of minor importance.<sup>5</sup> However, the fact that it was treated in a way quite different from the vehement and extended dialogue about the procession of the Holy Spirit was not solely due to the understandable anxiousness of the Greeks to come to an end and to return home. There *was* a debate concurrent in which the problem of papal primacy became more acute than all other concerns. It was the debate between Basel and Florence, not that between the Greeks and the Latins at Florence.

Although this problem was the only one in which the Pope had to meet a simultaneous and at least similar opposition from the conciliarists of Basel and from the Greeks, one cannot say that the Greek defenders of patriarchal rights exploited this situation or tried to add strength to their cause by adopting tenets of Western conciliarism.<sup>6</sup> The very fact that they acknowledged as the Western representation Ferrara and Florence, and not Basel, was not only due to various historical factors (the question of the place of the Council, the split of the Fathers of Basel, the various embassies, financial and military considerations, etc.), but also to some theological concerns, in which the traditional Greek view appeared unable to envisage a representation of the Church apart from the Pope.

The issue between the followers of Eugene IV and the thoroughgoing conciliarists of Basel was about the relation between the Church and the Pope as the Church's earthly head. Whereas conciliarism saw this head as a member of the body of the Church and therefore subordinated his claims to those of the whole body, the other side viewed the Pope's headship in the light of divine origin and authorization, not in the light of privileges within a corporation. The addition of the corporative understanding of the Church to its old hierarchical understanding was a more recent Western development, alien to the way in which the Greeks understood their patriarchs and bishops as "heads" in the Church.<sup>7</sup> The Ecumenical Council which, according to Greek views, was entitled to depose every patriarch in the

case of heresy, had this power as the representative of Christ or of the unity of the orthodox faith, not as a representative of a body of the Church. And no Western defender of papal privileges, however extreme, has denied that a heretical Pope could be deposed by a council or could be declared by it to have already ceased being the head of the Church. The deciding question was not what a synod could do under certain circumstances, but by what kind of authorization it could do so.

The fact that the Greeks chose the patriarch of the West and his synod over against the Western Church as represented by the remonstrating body at Basel is consistent with their view in which the order of representation goes from unity to multiplicity, to which a head of the Church is much more than a "single person," a single member of the body. What did they expect to take place? "A Universal Council according to the order and custom of the holy seven Universal Councils, and that the Holy Spirit may grant the establishment and maintenance of such council for the sake of peace."<sup>8</sup> And over and over again it was said that the personal presence of the two highest patriarchs, representing West and East, was almost necessary, if the planned synod were really to become such a council of union.<sup>9</sup> With the separation from the patriarch of the West, the successor of Peter, Basel lost its appeal. In men like Cesarini and Cusanus, the motif of unity and union overrode strong conciliaristic convictions; the symbolic power of the person of the Pope was stronger than critical questions about his privileges.<sup>10</sup> Why should the Greeks resist? To the Latins, even to most of the conciliarists,<sup>11</sup> the Pope was more than the first of the patriarchs; but he was also the patriarch of the West, whatever else he might be.

Thus by their very views of Christian unity the Greeks were prompted to join the Pope without being papalists at all. When the issue of papal primacy came to the fore at Florence, was it not a worthwhile task for the papal theologians to show that the Greek position was less than an opposite view, but rather an incomplete one, incomplete but perfectible by sound theological reasoning?

However, the point of departure for any discussion of this problem was very similar to that point to which the whole debate about the *filioque* could be reduced. There the question was: Did "procession of the Holy Spirit through the Son" imply "merely through," or was it a "through" which could also mean "from"? And with respect to the papal primacy, the question was put: Was it merely a primacy of respect, a dignity of symbolical character? Or was it all this in such a way that it was at the same time more? In no other

issue of debate was such a sharp alternative, such a clear need for definition involved.<sup>12</sup>

After the settlement of the dogmatic question about the *filioque*, there was some discussion on which of the remaining points needed an official settlement with or without formal debate.<sup>13</sup> On June 16, 1439, John of Montenero, the Lombard provincial of the Dominicans, delivered, in a public session, a discourse on the papal primacy, following almost word by word a *cedula*, i.e. a proposed wording of the part of the union decree referring to that subject, drafted earlier by the Latins.<sup>14</sup> After him John of Torquemada, a Dominican too, did the same thing with respect to the questions on the Eucharist.<sup>15</sup> In order to discuss these subjects, the following day some Latin theologians met with the synod of the Greeks, and the objections raised by the Greeks against some formulations of the *cedulae* were answered the next day (June 18), at another public session, by the same orators.<sup>16</sup> To the presentation of both subjects some discussion was added.

During these and the following days, the Pope always insisted on the necessity of a formal agreement; for this purpose the *cedulae* had been proposed. Our impression of the various reactions of the Greeks, particularly of the Emperor, is that they would have preferred to base the whole union upon the agreement on the procession of the Holy Spirit, even when, with respect to the other issues, they were aware of differences between their views and those expressed in the *cedulae*. Toilsome deliberations and negotiations followed. Only on June 27 was an agreement on the essentials reached. It was now known which of the original *cedulae* should come into the decree of union, what should be omitted, and what added.<sup>17</sup> But the formal difficulties in establishing the Latin and Greek texts of the decree were not straightened out before July 4.<sup>18</sup> Two days later, Eugene IV promulgated it in the bull *Laetentur caeli*.<sup>19</sup>

To all the difficulties which had preceded and delayed this final event, the problem of the papal primacy had contributed its good share. Here the whole discussion had turned around the relation between the privileges of the Pope and those of the Eastern patriarchs and of the Emperor.<sup>20</sup> And when we compare the final wording of the decree with the original proposal of the Latins,<sup>21</sup> it seems that the Greeks were successful, at least in part, at the end. The Pope's authority to convene the Church (i.e., in its Ecumenical Councils) was no longer mentioned, while, on the other hand, a clause and a paragraph had been added: "as it [*scil.*, the preceding definition of the powers of the Pope] is also contained in the acts of the Ecumenical Councils and in the sacred canons. Furthermore, we proclaim anew the order of the other venerable patriarchs, as it is handed down in

the canons, namely, that the Patriarch of Constantinople is second after the most holy Roman Pontiff, and third the Alexandrine, fourth the Antiochian, fifth the Jerusalemite, under reservation of all their privileges and rights."<sup>22</sup>

However, the importance of these changes cannot obscure the fact that the meaning of the whole statement on the papal primacy depends on those of its parts which had been proposed by the Latins and accepted by the Greeks without too much discussion. Their growing fixation on the problem of the patriarchal and imperial privileges hindered the Greeks from seeing that the issue was not decided by subtraction or addition of words but by the interpretation of the whole. The Latins built and explained their formulations in such a way that they became much more than expressions of some papal interests and concerns. In carefully chosen terms they expressed their ecclesiology. Their statement was much shorter than its predecessor of the Union Council of Lyons (1274), the Profession of Faith of Michael VIII.<sup>23</sup> All amplifications on the jurisdictional privileges of the Pope, which we find in that former document, now were omitted, and only the reason for and extent of these privileges were asserted again in similar terms: "primacy in the whole world" (*in universum orbem primatum*), "full power" (*plenam potestatem*).<sup>24</sup> But the full meaning of these words was to be grasped from their conjunction with a series of other words, honorary titles of the Pope, which we do not find in the profession of Lyons, but which in that of Florence add much specific meaning to the claims of primacy and full power as they derive thence their specific interpretation. They are: "true vicar of Christ, and head of the whole Church, and father and teacher of all Christians" (*verum Christi vicarium totiusque ecclesiae caput et omnium christianorum patrem et doctorem*). To these dignities the following powers are ascribed: "to lead to pasture, to rule, and to govern [in the first draft also: to convene] the Church Universal." These together are the "full power handed down to him [*scil.*, the Pope] in blessed Peter by our Lord Jesus Christ" (*Et ipsi in beato Petro pascendi, [convocandi,] regendi, ac gubernandi universalem ecclesiam a domino nostro Iesu Christo plenam potestatem traditam esse*). Each of these terms is open to many interpretations, extensions or restrictions. Some of them, including "full power,"<sup>25</sup> could be understood as nothing more than an outstanding function within the body of the Church—a power delegated to its outstanding member, to represent the body or to act in behalf of it. Others would rather mean the privilege of an outstanding divine commission. Each of them, taken singly, could express what the Greeks were willing to grant to the Pope, with the possible exception of the "power to convene."<sup>26</sup> But it was shown that taken together they could mean more than a

sum of qualities—that they were rather a conceptual organism which was more than the total of its conceptual members.

The man who did this was not Torquemada, the great champion of the Romanist ecclesiology against the conciliarists.<sup>27</sup> Another important Dominican, Montenero, took the stand. The persons were different, as were the fronts on which they fought. The treatment of the problem of primacy was very different, but the philosophy and theology applied in both cases was the same. Let us turn to Montenero's two discourses, which are more directly connected with the cause of the union than Torquemada's great defensive discourses against Basel.

Montenero did not have to develop the principles of his master Aquinas;<sup>28</sup> rather he had to apply them to the given task. No authorities were quoted except those from or related to the ancient Ecumenical Councils.<sup>29</sup> And this restriction of the debate to such authorities as are accepted by both partners is a good Thomistic principle. The second principle which we find applied throughout is that every order of priority is to be explained as an order of causality. But thirdly, a cause which in one order is only the instrumental cause of a primary cause, may become, in its own order and sphere of action, a primary cause with respect to a subsequent cause in the same sphere. This latter cause then cannot be simply subsequent, but must be the instrument or servant of the preceding cause. The idea of a joint power with respect to the same sphere of action is excluded, as is joint causality in such a case. In this all other action is distinguished from the common actions of the persons of the Trinity. This results in a view of the Church in which primary and secondary roles are viewed under the same ratio of headship. It cannot happen, as we see it in conciliarism, that Christ is called the primary head of the Church, because he governs it spiritually, whereas the Pope is considered as the Church's secondary head, because he represents it as a body.<sup>30</sup> To Aquinas, everyone who is called a "head" of the Church governs, yet in such a way that Christ is so much the true head of the Church that all "other ministers of the Church . . . cannot be called head, except perhaps *ratione gubernationis*, in which way every prince is called a head."<sup>31</sup> A theological view of the Church here meets a sociological view. The spiritual government of Christ is so much emphasized that for a moment it seems as if all other possible forms of church government are dismissed as non-essential, only external. But only for a moment! For the result is quite different from the criticism in which conciliarists and, more radically, Wyclif and Hus,<sup>32</sup> envisaged competition or conflict between the primary and the secondary power, Christ and Pope. For Thomas, to the degree that the

Pope is under Christ as Christ's instrument, so much is any further "head" of the Church under the Pope, *ratione gubernationis*. This external governing power now, in the synthesis of primary and secondary authorities, is nothing else than the representation to the Church of its own proper head, by those "who are called heads."<sup>33</sup>

And now let us take some examples of Montenero's application of these principles.

His interpretation of the Pope's being "successor of Peter and vicar of Jesus Christ" he summarized in a sentence which could remind the fathers of the very purpose and reason of their gathering: "If there were diverse heads, the bond of unity would be broken."<sup>34</sup>

His exposition of the next words of the *cedula* ("head of the whole Church and father of all Christians") used very conveniently conciliar texts referring to the role of Pope Leo I in times of ecumenical strife. "The Church Universal, however considered, assembled or not, has the relation of members with respect to the Roman Pontiff, and the Roman Pontiff is always set over it like a head over the members."<sup>35</sup>

When then Montenero came to the word "teacher," he was interrupted by Cesarini, who added some patristic quotations. Was he thinking that the Dominican proceeded in an all too formalistic way? Was not this word an opportunity to show the papal primacy in terms more agreeable to the Greeks, i.e. not in the unity of an organism (*ratione gubernandi*), but rather in terms of the unity of the orthodox truth? Cesarini, who later took the role of a defender of conciliaristic theories, when Torquemada made his solemn speech against Basel, was a different kind of unionist from the Dominicans.<sup>36</sup>

About the ominous term, the Pope's power to "convene" the Church, Montenero spoke briefly but significantly. He quoted again a Chalcedonian document, in which the word *convocare* does not occur as such. Instead of it, we read the following words, referring to Leo I: ". . . who hastened to unite the body of the Church" (*qui corpus ecclesiae adunare festinavit*). And he gave only this comment: "Therefore, if Leo, who was the successor of Peter, had [the power] to unite the body of the Church, then, consequently, one may [also] conveniently put 'to convene.'"<sup>37</sup> In our comment we try at least to emulate such stupendous briefness. Both verbs, *adunare* and *convocare*, could mean almost the same: "to assemble," "to convene." But *adunare* has a more causal connotation ("to unite"). Apparently Montenero wanted to say: If to the Pope the causal uniting (or at least: keeping in unity) of the body of the Church is ascribed, what then forbids us to ascribe to him also the lesser power of only functionally, instrumentally bringing together that body in a synod?<sup>38</sup>



In his second discourse, Montenero said that he had not expected doubts about this part of the *cedula* and therefore had been brief.<sup>39</sup> But the Greeks had objected to it, and now Montenero began his answer by adding a pseudo-Isidorian testimony, where the word *convocare* is used. Then he declared that the objection of the Greeks was a two-fold one, on the one hand concerning the rights of the Emperor, on the other those of the patriarchs.<sup>40</sup> Also in other parts of his second discourse, answering other objections, he made it clear that in these two points the whole Greek criticism was focused.<sup>41</sup> And he also made it clear that those were two very different concerns, which had been often in conflict. To illustrate this, he did not fail to speak of the historical background of the conciliar quotations which he gave. He told of heretical emperors and persecuted patriarchs.<sup>42</sup> Thus he revealed that he could also be a church historian, when he did not need to be too brief. And certainly he was aware of indications that this old Byzantine tension between Church and State was not all a thing of the past.<sup>43</sup> But he said also as concisely as possible what one was forced to conclude about the basic character and order of offices in the Church. The act of convening the Church as such derives from an origin which "is called the power of spiritual jurisdiction."<sup>44</sup> And in this sphere of power, ". . . *prima causa agens pervenit a sede apostolica, . . . principalis causa congregationis in materia ecclesiastica attribuitur auctoritati sedis apostolicae.*" The "worldly arm" acts only "*pro executione,*" we could say, as an instrumental cause, not in behalf of its own power and sphere of action. With respect to the rights of the patriarchs, the idea of a pentarchy (a joint patriarchal government of the Church Universal) was rejected with the usual claim that monarchy is the best form of government. Christ gave the Church a good constitution: "*Christus bene ordinavit ecclesiam.*"<sup>45</sup> But more than that, Montenero showed that each patriarch had his definite rank not merely in terms of more or less honor but as a particular form of causal relationship of his see to that of Rome. The Church of Alexandria, for example, is "*prima filia ecclesiae Romanae*" because it has a more direct relationship to the founder of the Roman Church than any other church can claim. But why did Constantinople later win the second place? We could guess the answer: The final *consent* of the Pope to this change in the hierarchy in Montenero's argumentation becomes the primary *cause* of this change.<sup>46</sup> The Pope, so to speak, adopted Constantinople as his daughter.<sup>47</sup>

Now it is clear that all those titles of the Pope proposed in the *cedula* cannot have that "simple word-meaning" (*solum vim vocabulorum dicere*), namely, the meaning of "some reverence, because [the

Pope] is the first among all patriarchs.”<sup>48</sup> In this the Greeks had taken refuge. But Montenero insisted that a hierarchy of honor does not exist which is not at the same time a hierarchy in terms of obedience. For “*caput denotat superioritatem respectu aliorum membrorum.*”<sup>49</sup> There is no patriarch in the Church who is not a member *under* its earthly head, before he may be understood as a head over his particular church.<sup>50</sup>

Montenero ended his speech with the clause: “*Haec sufficient.*” And the interpreter responded: “*Et mihi sufficiunt.*”<sup>51</sup>

The short discussion which followed turned on the canonical privileges of the Pope.<sup>52</sup> But the strength of the Latin position was that it sought the solution of the problem from a quite different angle. The Latin way of arguing about “power in the Church” was to define powers in terms of their relations to the power of Christ as the head of His mystical body.<sup>53</sup> The Latins derived their defense of the primacy of the Pope from an interpretation of the way in which he is second to Christ, not as “another head,” but as Christ’s instrument for governing His Church Universal.

The Western conciliarists saw the relation between the heavenly head of the Church and its earthly head in different ways. But in common with the defenders of Papal supremacy, they argued about this basic relation.<sup>54</sup> Torquemada in his defenses against their claims pointed out over and over again that for him it was not merely some privilege of the Pope in the Church but the privilege of Christ which was at stake, and that he as a papalist defended the “institution of Christ” and the “imitation of the celestial hierarchy.”<sup>55</sup> The Greeks, in other respects somewhere between these two parties, did not show, in their discussion of papal primacy, anything of such Christological concern. Whatever had driven them to make common cause with Eugene IV and not with Basel, the way in which those Dominicans derived ecclesiological theses from Christological tenets was evidently suspect to them. A deep desire for Christian unity and a warm love of the old institutions and doctrines of the undivided Church were shown often enough by the Greeks, before, during, and after the Council. But the problem of the papal primacy, in their minds, from all that we gather, was unrelated to these deep and original concerns with regard to the Church, whether they were opposed to the union or not.<sup>56</sup> Thus they could not respond to the appeal of the Latins to consider this problem as a theological one. They did not appeal to Christ as the head of the Church when they made their objections against papal supremacy of jurisdiction.

Only when our problem is seen in the terms in which Aquinas and the Dominicans at Florence saw it, does it become a matter of

vehement debate. But only thus does it become also really meaningful. In questions of the unity of the Church a meaningful discussion, a genuine presentation of the problem, is not a matter of course, but is always an occasion for gratitude.

In the notes, the following abbreviations are used:

Ceccoli

E. Ceccoli, *Studi storici sul concilio di Firenze* (Florence, 1869).

CF

*Concilium Florentinum, documenta et scriptores*, editum consilio et impensis Pontificii Instituti Orientalium Studiorum (Rome, 1940ff.):

CF, I/1, I/2, I/3

Vol. I: *Epistolae pontificiae ad concilium Florentinum spectantes*, ed. G. Hofmann, Pars 1 (1940), 2 (1944), 3 (1946);

CF, IV/2

Vol. IV, fasc. 2: Ioannes de Torquemada O. P., *Oratio synodalis de primatu*, ed. E. Candal (1954);

CF, V/1, V/2

Vol. V: *Quae supersunt actorum Graecorum concilii Florentini*, ed. J. Gill, Pars 1 (1953), 2 (1953);

CF, VI

Vol. VI: Andreas de Santacroce, *Acta Latina concilii Florentini*, ed. G. Hofmann (1955).

Denzinger

H. Denzinger, *Enchiridion symbolorum* (many editions; numbers are given according to those of C. Bannwart or J. B. Umberg).

DThC

M. Jugie, "Primauté dans les églises séparées d' Orient," *Dictionnaire de théologie catholique*, XIII/1 (Paris, 1936), 344-391.

Gill

J. Gill, *The Council of Florence* (Cambridge, 1959).

Heiler

F. Heiler, *Altkirchliche Autonomie und päpstlicher Zentralismus* (Munich, 1941).

Heinz-Mohr

G. Heinz-Mohr, *Unitas Christiana; Studien zur Gesellschaftsidee des Nikolaus von Kues* (Trier, 1958).

HL

C. J. Hefele, *Histoire des conciles*, nouvelle traduction française.... corrigée et augmentée.... par H. Leclercq, VII/2 (Paris, 1916).

HKFe

G. Hofmann, "Die Konzilsarbeit in Ferrara," *Orientalia Christiana Periodica*, III (1937), 110-140, 403-455.

HKFl

G. Hofmann, "Die Konzilsarbeit in Florenz," *ibid.*, IV (1938), 157-188, 372-422.

HPC

G. Hofmann, "Papato, conciliarismo, patriarcato," *Miscellanea Historiae Pontificiae*, II (1940), 1-82.

Jugie

M. Jugie, *Le schisme byzantin* (Paris, 1941).

Syropoulos

Syropoulos, *Vera historia unionis non verae*, ed. R. Creighton (Hague, 1660).

Tierney

B. Tierney, *The Foundations of the Conciliar Theory* (Cambridge Studies in Medieval Life and Thought, New Ser., IV, Cambridge, 1955).

Viller

M. Viller, "La question de l'union des Églises entre Grecs et Latins depuis le concile de Lyon jusqu'à celui de Florence," *Revue d'Histoire Ecclésiastique*, XVII (1921), 260-305; XVIII (1922), 20-60.

Not available:

G. Hofmann, "Quo modo formula definitionis concilii Florentini de potestate plena papae praeparata fuerit," *Acta Academiae Velehradensis*, XIV (1938), 138-148.

F. Heiler, "Was lehrt das Konzil von Florenz für die kirchliche Einigungsarbeit?," *Eine Heilige Kirche*, XXI (1939), 183-193.

1. Viller, particularly 283f., 68ff., 83ff.

2. *Ibid.*, 78.

3. *Ibid.*, 83ff. Also Th. Frommann, *Kritische Beiträge zur Geschichte der Florentiner Kircheneinigung* (Halle, 1872), 86ff.

4. In May of 1438, at the third conference held between the Latin and the Greek delegations, Cardinal Cesarini indicated, as chief differences between the Churches, the same four points which finally were included in the decree of union: (A) the procession of the Holy Spirit, (B) the use of leavened or unleavened bread in the Eucharist, (C) the Purgatory, (D) the authority of the Pope (Gill, 116; HL, 967f.; HKFe, 417). During the following discussions and negotiations, two related problems were added: (a) the addition of the *filioque* to the Creed

- (Syropoulos, VII, 9, p. 199), and (b) the "form of the Eucharist," i.e. the problem of the Greek *epiclesis* after the words of consecration (Gill, 266f.). After the settlement on (A), the Latins submitted *cedulae* (concise statements for the discussion and for the preparation of the decree of union) on (C), (a), (B), and (D) (Gill, 267, 274, n. 1; HL, 1013f.; HKF1, 396f.). After agreement was reached, on June 27, 1439, Cesarini gave the Latin synod a retrospective account of all the negotiations (CF, VI, 253-256; Gill, 285f.). At first he listed (A), (a), (B), (C) and (D) as the traditional differences. His remarks about the last point begin as follows: "Ultima differentia fuit de primatu, et haec visa est quoad humanitatem difficilior, quia libenter subditi a capite deviant, et in rei veritate usque nunc non bene senserunt de potestate Romani pontificis, dicentes, quod erat ut caput quo ad unum totum, ut decanus. Et auditis sacris scripturis et sacris conciliis visa est veritas, quod sedes apostolica et Romanus pontifex est successor Petri . . ." (CF, VI, 255). In his letters of July 7 (CF, I/2, documents 178-193), Eugene IV mentioned only (A) and (D) as the outstanding features of the preceding day's union. The Greeks often gave expression to the opinion that (A), with the inclusion of (a), was the only serious issue between the Churches. See, e.g., Ceconi, 115f., with document LXXVIII; Gill, 386. In the debate about (a), on Nov. 15, 1438, Mark Eugenius said that he would have preferred even the discussion of (D) to that of (A) and (a) (HL, 984). After the council, the Greek opponents of the union had different opinions about the importance of (D). See Viller, 80, n. 1; 83, n. 3; also Jugie, 366; and cf. below, note 56.
5. On June 12, 1439, after the Pope had spoken about (B), (C), (D), (a) and (b), the leading Greek prelates expressed their opinion as follows: (B) and (C) are relatively unimportant; nor is there anything in (a) and (b) that could preclude the union. Only (D) was not mentioned (Gill, 272; HL, 1019f.). On June 9, at a similar occasion, the Greeks had avoided any discussion of (D) (HKF1, 396f.).
  6. The original contention of the Greeks was not that a council was a "more direct" or "more certain" representation of the Church than the Church's hierarchical heads (see below, note 7), rather, that an equal participation of all churches or patriarchies was the only way in which a council would win recognition as having been ecumenical. Thus for the Greeks, before, during and

after the Council of Ferrara and Florence, it was such ecumenicity which made a council superior to any decisions of the Roman Church or of the Pope. In this light, the question could be raised whether or not the Council of Ferrara and Florence had been or would be more than a Latin enterprise. Cf., e.g., Viller, 25; CF, V, 159f.; CF, VI, 51; Gill, 377. On this line, the Greek criticism of the self-sufficiency of the Pope could come close to ideas of Western conciliarists, even of Marsilius of Padua (Viller, 25). On the other side, for Western conciliarism a reunited Church was by no means a presupposition for declaring a council as ecumenical or for proclaiming the council's superiority over the Pope. The *causa unionis* was only one among other concerns of the Western reform councils, and not the primary one. Cf., e.g., Ceconi, 41. However, many conciliarists were zealous champions of the cause of union (Viller, 300, 30f.), and this led them, notably Cusanus, to a better appreciation of the Greek form of opposition against papal supremacy (Heiler, 300ff., particularly 306-312). See further below, note 10.

7. According to Tierney, Western conciliarism has its roots in the understanding of the Church as a corporation. This concept was developed by canonists of the 13th century. In this approach, it became possible to understand any "head" of a church, including the Pope, from a new angle, as the representative of a corporative authority which originally belonged to "all members." This had little to do with the traditional concept of the *corpus mysticum*, in which the Pope did not represent the members, but represented Christ, the invisible head, to the members. See particularly Tierney, 132ff. The leading thinkers of conciliarism had moments of keen awareness of the tension between those two different conceptions of the Church. However, they did not succeed in expressing their objections to papal primacy in theological terms. Their claim that a council had a priority in being assisted by the Holy Spirit and in interpreting God's law did not make up for the preponderance of juristic arguments (and sometimes of considerations of mere expediency) in their various and always shifting assessments of the Pope's role in the Church. Their theological consideration of Christ as the primary head of the Church put both council and Pope on a secondary level of representation. But in working out the reasons for the superiority of a council over a Pope,

- a quite different set of reasons was used. See Heinz-Mohr, 136ff., 149ff.
8. Thus written by Emperor John VIII as early as 1422 (Ceconi, document IV; cf. documents XIV, XXXVII, LXVII, etc.). See also the explanation of the Greek delegation at Ferrara why public sessions should no longer be suspended (Gill, 128), despite the Emperor's opinion that the Western princes were not sufficiently represented (cf. Gill, 88, 106, 111f.).
  9. See e.g., Ceconi, 76, 108, 154ff., with documents XXX, XXXII, LX, LXI, CVI, CVII; Gill, 66.
  10. Cusanus' idea of *concordia* and his concern with its best representation and symbolization was from the beginning prior to his conciliaristic theories. See Heinz-Mohr, particularly 140ff. Thus he could use the terminology of conciliarism in explaining the representative character of the papacy, without ever thinking, though, that a council is the Church's representation in such an absolute degree that the papacy is its mere function without representative power of its own. To Cusanus, the Pope was always more than a mere member or, at best, a *caput ministeriale* of the Church (*ibid.*, 74, 164f.). His decision against the remonstrants of Basel was for the sake of "universa . . . ecclesia per orbem dispersa, quae schisma noluit et Graecam unionem optavit" (*ibid.*, 147). This very concern he had already expressed in his *De concordantia catholica*: "Inter pares apostolos Petrum ad praesidendum electum, ut capite constituto schismatis tollatur occasio" (I, 6). This was certainly more than a mere adjustment of the *inter pares* to the traditional primacy of honor granted to the Pope. As important as that *inter pares* was, in Cusanus' conciliaristic phase, it was overshadowed, in his later defense of the cause of Florence, by the emphasis on *capite constituto*. It even underwent a change of interpretation: now the unique role of Peter no longer had its relation to and counterpoise in possible other forms of representation of the Church, but only in the Church herself: "Petrus est complicatio ecclesiae; ecclesia est explicatio Petri" (Heiler, 317). For Cusanus' development, see, besides the book of Heinz-Mohr, Heiler, 300ff. For Cesarini, see CF, IV/2, xxxiiff. Even the Duke of Milan was utterly unwilling to accept "another Pope" from the Council of Basel, as long as Eugene IV was alive (Gill, 140).
  11. As far as they understood the ecumenicity of the Councils of Constance and Basel independently of the Greek idea of an ecumenical council, they regarded the Pope as the head (however limited by the privileges of a council) of the whole Church. Thus they shared the traditional Western view of the union as a *reductio* to the Roman Church. See Viller, 304.
  12. In the problem of Purgatory (with related eschatological questions), the Greeks were neither unanimous nor very definite. The problem of the matter of the Eucharist was not solved in terms of right or wrong. The other two problems (addition to the Creed, and form of the Eucharist) caused many difficulties, but were finally dropped from the list of those items which were to be defined in the decree of union.
  13. June 9 until before June 16. See Gill, 266ff.; HL, 1012ff.; HKF1, 396ff.
  14. Account of the *Acta Latina*: CF, VI, 231-236; also HPC, 41-47. The *Acta Graeca* only mention this and the following discourses, without quoting from them (CF, V/2, 448). The text of the original *cedula* can only be reconstructed from the quotations in Montenero's discourse, according to the *Acta Latina*.
  15. CF, VI, 236-239; cf. CF, V/2, 448.
  16. For the date, see Gill, 278, n. 2. Montenero's second discourse is printed in CF, VI, 241-247 (also, with some confusions of pages and lines, HPC, 248-252). Cf. CF, V/2, 450f.
  17. June 16-27: Gill, 273ff.; HL, 1020ff.; HKF1, 400ff. On June 22, a deadlock was reached, with the jurisdictional understanding of papal primacy and the right of convoking councils at stake. The Emperor threatened to leave the council. Gill, 282; HL, 1025.
  18. June 27-July 4: Gill, 287ff.; HL, 1028ff., 1045f.; HKF1, 409ff. All of these formal difficulties had to do with the privileges of Pope, Emperor and patriarchs: who of them was to be mentioned in the initial words of the decree—whether, in the definition of the papal primacy, "the writings of the Saints" (i.e., of the Church Fathers) should not be replaced by the mentioning of the conciliar canons ("the Emperor objecting that, if some Saints wrote in exaggeratedly honourable terms of a Pope, was that to count as the ground of a privilege" [Gill, 288])—and finally, whether the decree should have "without infringement of all the privileges and rights" (of the Eastern patriarchs), or the same without "all." In all these three points, the Pope yielded to the wishes of the Greeks!
  19. CF, V/2, 459-467; VI, 260-266; also HL, 1037-1044, Gill, 412-415, and (giving only the text of the four defini-

- tions) Denzinger, nr. 691-694. Cf. Gill, 291ff.; HL, 1030ff.
20. See above, notes 17 and 18.
  21. See above, note 14, last sentence.
  22. "... quemadmodum *etiam* in gestis ycuenicorum conciliorum et in sacris canonibus continetur. Renovantes in super ordinem traditum in canonibus caeterorum venerabilium patriarcharum, ut patriarcha Constantinopolitanus secundus sit post sanctissimum Romanum pontificem, tertius vero Alexandrinus, quartus autem Antiochenus, et quintus Hierosolymitanus, salvis videlicet privilegiis *omnibus* et iuribus eorum." See above, note 18, for the *omnibus*. The Greek equivalent of the *etiam* is Kai, and some renderings of the Latin text (though none of the official copies of the decree) have *et* instead of *etiam*. For the discussion of this and related problems, see HPC, 65ff.; HL, 1044ff.; Heiler, 297, n. 62a.
  23. Denzinger, nr. 466.
  24. Of course the dignity of "successor of Peter" is also expressed in both documents.
  25. See Tierney, 179ff.
  26. The title *vicarius Christi* sounded rather unfamiliar to the Greeks. However, it seems that Macarius of Ancyra, who questioned it, was rather an exception. See DThC, 373.
  27. See HPC, 9ff.; CF, IV/2 (with bibliography and introduction).
  28. See M. Mineuzzi, *La dottrina teologica di Giovanni di Montenero, O. P.* (Bari, 1941; unfortunately not available to me).
  29. Quite differently, of course, from Torquemada's use of Aquinas and other Western sources in his contesting the tenets of conciliarism.
  30. See above, note 7. Andrew da Santa Croce, in his *Dialogus de primatu*, with which he opens the *Acta Latina* (CF, VI, 2-24), made the usefulness of this point very clear, as he used it for showing difficulties and inconsistencies of the conciliaristic theory. See, e.g., l.c. 4, 5, 14.
  31. *Quaest. disp. de veritate*, q. 29, a. 4: "Ad secundum dicendum, quod alii ministri ecclesiae non disponunt nec operantur ad spiritualem vitam quasi ex propria virtute, sed virtute aliena; Christus autem virtute propria. Et inde est, quod Christus poterat per seipsum effectum sacramentorum praebere, quia tota efficacia sacramentorum in eo originaliter erat; non autem hoc possunt alii, qui sunt ecclesiae ministri; unde non possunt dici caput, nisi forte ratione gubernationis, sicut quilibet princeps dicitur caput." Here, as well as in *Summa theol.*, III, q. 8, a. 6, at a certain moment in the movement of thought, it looks as if the possibility of "heads other than Christ" should not only be explained in purely institutional, functional terms, but should also (more radically than in average conciliarism!) be expressly excluded from theological legalization. But then it becomes clear that subordination is at the same time derivation and participation. Members of the one, principal head and foundation may become *capita* and *fundamenta* in their turn, since there there is "auctoritas non solum principalis, sed etiam secundaria" (*ibid.*, ad 3). The papal hierarchy is considered as a likeness of the angelic hierarchy in its using intermediate, instrumental causes (*ibid.*, II-II, q. 112, a. 2, ad 2). In every given order it is true that "unitatis . . . congruentior causa est unus quam multi" (*Summa contra gentes*, IV, 76). Thus the papal monarchy has a ministerial relation to the monarchy of Christ, and this makes the Pope's office comparable with that of the Holy Spirit—the *filioque* and the papal *plenitudo potestatis* become analogous problems! (*Contra errores Graecorum*, ed. Mandonnet, III, 322). However, the ministry of the Pope is distinguished from that of the Holy Spirit by its own, inferior sphere of action: "secundum visibilem naturam" (*Summa theol.*, III, q. 8, a. 1, ad 3). Thus there are never two heads on the same level and with the same respect, unless there be confusion and schism (*ibid.*, II-II, q. 39, a. 1, resp.). The same principle of order is applicable to a bishop's relation to the Pope. (see below, note 33).
  32. See Denzinger, nr. 588, 621, 633, 635-639, 641, 643 646f., 650, 655, and particularly 653 and 654.
  33. Cf. above, note 31. *Summa theol.*, III, q. 8, a. 6, resp.: "Interior autem influxus gratiae non est ab aliquo, nisi a solo Christo, cuius humanitas ex hoc, quod est divinitati coniuncta, habet virtutem iustificandi; sed influxus in membra ecclesiae, quantum ad exteriorem gubernationem, potest aliis convenire; et secundum hoc aliqui alii possunt dici capita ecclesiae, secundum illud Amos 6: 'Optimates capita populorum.' Differenter tamen a Christo; primo quidem quantum ad hoc, quod Christus est caput omnium eorum, qui ad ecclesiam pertinent, secundum omnem locum et tempus et statum; alii autem homines dicuntur capita secundum quaedam specialia loca, sicut episcopi suarum ecclesiarum; vel etiam secundum determinatum tempus, sicut papa est caput totius ecclesiae, scilicet tempore sui pontificatus; et secundum determinatum statum, prout scilicet

- sunt in statu viatoris; alio modo, quia Christus est caput ecclesiae propria virtute et auctoritate, alii vero dicuntur capita, in quantum vicem gerunt Christi.”
34. CF, VI, 232.
  35. *Ibid.*, 233.
  36. See above, note 10.
  37. CF. VI, 235.
  38. Another example of Montenero’s method in the same discourse: in his explanation of the word *regendi* (*ibid.*, 235), he used a paragraph of Leo I (*Sermones*, III, 3, PL 54: 146B-C) in which the *principaliter regere* of Christ is said to take place exclusively through Peter. However, Leo speaks only of a *consortium* of powers and gifts and of a hierarchy of original power followed by subsequent, derived powers, but not of different spheres of action and causality.
  39. CF, VI, 244. Disposition of the whole discourse: *Introductory problem*: The Greeks objected to Montenero’s use of papal letters as testimonies. His answer: Only such letters were quoted as were received, with great reverence, by ecumenical councils. Due to their priority in the order of things, these letters were not only equal to the canons of the councils, but of greater authority. *Ibid.*, 241f. *First problem*: Question: Do the titles *pater*, *doctor*, and particularly *caput*, really imply more than reverence toward the Pope? Answer: They mean an order of obedience. The other words are to be explained in terms of the word *caput*. From this the jurisdictional character of the papacy follows necessarily. *Ibid.*, 243f. *Second problem*: The Greeks questioned the word *convocandi* (not only its possible interpretation). In his answer, Montenero questions the privileges of emperors and patriarchs, insofar as they would imply equality with or even superiority over the Pope. *Ibid.*, 245-247.
  40. *Ibid.*, 245.
  41. When he dealt with the question of whether the titles *pater*, *doctor*, and particularly *caput* were mere expressions of reverence toward the Pope or more than that (*ibid.*, 243f.), he expounded at first the superiority of Peter and his successors over the apostles and their successors, then he discussed the relation between spiritual and secular powers.
  42. Athanasius, Chrysostom and Flavianus, the emperors who persecuted them, and the Popes who defended them are mentioned (*ibid.*, 244f.).
  43. Cf. Gill, xiv, 104, 114f., 142, 171. Syropoulos is particularly rich in hints at this tension. Note especially his opinion that Patriarch Joseph II favoured the union in order to get relief from the tyranny of the Emperor (IV, 19, 92).
  44. CF VI, 244.
  45. *Ibid.*, 245f.
  46. “Postea Leo consensit et Iustinianus postea [!] fecit legem, quod Constantinopolitana esset secunda, in titulo de sacrosanctis ecclesiis, in lege *Sancimus*.” *Ibid.*, 246.
  47. “Ergo secundum haec iura antiqua etiam illa ecclesia est filia Romanae ecclesiae.” *Ibid.*
  48. *Ibid.*, 243.
  49. *Ibid.*
  50. *Ibid.*
  51. *Ibid.*, 247.
  52. *Ibid.*
  53. Those of the Latin theologians who expounded the papal primacy against the conciliaristic theories had more opportunity of developing this way of argumentation. Cf. above, note 29. For Andrew da Santa Croce, see above, note 30. For Torquemada’s way of argumentation, see, e.g., CF, IV/2, 15-17, 40, 65, and below, note 55. In his discourse at the diet at Mainz, Torquemada used, among other testimonies for the Pope being the “head” of the Church, Aquinas, *Summa theol.*, II-II, q. 39. See HPC, 26. It is interesting to note that the bull *Unam sanctam* of Boniface VIII (which Torquemada used several times in his discourses) is, to my knowledge, the first official document of the Roman Church in which (1) the Pope’s headship in its relation to Christ’s headship, and (2) the Pope’s headship in its relation to the Church (or to the churches other than the Roman) are expressly connected and viewed together.
  54. Cf. above, notes 7, 10, and 11.
  55. For Torquemada’s use of the Pseudo-Dionysian principle of regarding the earthly hierarchy as the image of the celestial hierarchy, see HPC, 16f.
  56. See DThC, 357ff.; Jugie, 364ff.; by the same author, *Theologia dogmatica Christianorum Orientalium ab Ecclesia*

*Catholica dissidentium*, I, (Paris, 1926), 110ff; IV (Paris, 1931), 320ff. One thing stands out clearly enough: the Greeks denied the privilege of infallibility to the Pope, whatever else they were thinking of his role in the Church. But the infallibility was not yet at stake in the time of the union of Florence, however much it was already then becoming visible as an implication of the Roman ecclesiology. (See CF, IV/2, xxxi, about Torquemada's use of that term.) Since in the Greek thinking the Church as *corpus mysticum* and the constitution of the Church were two separate

*loci*, they were not able to deal with the Roman claims at their ecclesiological point of origin. With respect to questions of episcopal primacy, they used the word "head" in various ways. But I was not able to find any example where this problem is judged in the light of the original headship of Christ—unless one wants to take the frequent denial of the title "head" to all ecclesiastical hierarchs as something more than a general humble insight into the secondarity of the *locus de primatibus* in comparison with the spiritual ecclesiology. For the whole question, see also Viller.