Conciliarity and Primacy

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Introduction

The relation between conciliarity and primacy constitutes a crucial subject in ecclesiology in our time. This is due particularly to the fact that the question of primacy in the church has occupied a central place in ecumenical discussions, mainly since the encyclical "Ut unum sint", issued by the late Pope John-Paul II, which invited all Christians to reflect on the subject of papal primacy and its consequences for the restoration of Christian unity. As a response to this invitation several ecumenical meetings have taken place and a considerable amount of theological literature has made its appearance dealing with reasons why the primacy of the bishop of Rome as it is conceived and practiced in the Roman Catholic Church is not acceptable to all Christians, and proposing ways which may turn this primacy into an instrument that could serve the unity of the Church in our time.

The Orthodox have been involved in these discussions through participation in relative theological conferences, contributions to the relevant literature, and above all in the context of the official Theological Dialogue between the Roman Catholic and the Orthodox Churches, which has adopted the question of primacy as the topic of the conversations in the current stage of the dialogue. The first fruit of these conservations has been the issuing of the *Ravenna document* in 2007, which dealt with the "Ecclesiological and Canonical Consequences of the Sacramental Nature of the Church: Ecclesial Communion, Conciliarity and Au-

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thority". It was in this document that Roman Catholics and Orthodox expressed for the first time agreement on a fundamental ecclesiological thesis: "primacy at the different levels of the life of the Church, local, regional and universal, must always be considered in the context of conciliarity". The importance of this common agreement lies in the following:

It is agreed by both Roman Catholics and Orthodox that primacy is linked inseparably with synodality and cannot be exercised outside it. This is a major step made from the Roman Catholic side to meet the Orthodox position on primacy.

It is also agreed that there is no synodality without primacy at all levels; local, regional and universal. This means that the Orthodox are prepared to accept a universal "primus" provided that his primacy is exercised synodically.

These two points make the Ravenna document, in my view, a historic document. It opens the way to a *rapprochement* between the two great historic traditions of the West and the East on an issue that has bitterly divided them over the centuries. If the above agreed principles are officially accepted and applied a major obstacle to the restoration of full communion between the two Churches will be removed.

The discussions in the dialogue continue, because the above principles have to be analysed and supported both historically and above all theologically. It is for this reason that the present meeting of our Academy can prove to be significant also for the on – going official Dialogue between Roman Catholics and Orthodox. The International Commission of the Theological Dialogue has been trying to look at the subject of the relation between synodality and primacy both from the angle of history and in the light of systematic theology. The present paper will attempt to do the same albeit briefly given the space and time limitations by which it is conditioned. I propose, therefore , to have first a quick look at history before we come to a more systematic approach to the subject.

A glance at history

The historical roots of conciliarity and its relations to Primacy

The main question facing the historian with regards to the birth of the synodical institution consists in the dilemma either to regard this institution as a by-product of the conditions of the late 2nd c. A.D., when we first encounter synods

in the form with which we are familiar today, or to seek the origins of synods in the very first ecclesial communities which we encounter in the New Testament itself. It was customary with church historians (e.g. Mouceaux, Lubeck and Harnack) to seek the origins of synods in the public and religious life of the Hellenistic cities while scholars such as Dvornik and others would connect the origins of synods with the Roman senate. For other historians, such as R. Sohm and Harnack, followed later by G. Kretschmar and others, the appearance of synods is connected with Montanism and the Paschal controversy in the late 2nd c. and the conflict between institution and charism (*Amt und Geist*) which appeared in a dramatic way in connection with Montanism. In all of these theories the assumption is that the synodical institution is not to be found earlier than the end of the 2nd c. and in this sense it is not to be connected with the essence of the Gospel and the foundations of the Church.

In another study I have tried to show that the origins of synodical life must be sought *within* the Church and can be found in the earliest sources of the NT, namely the letters of St. Paul and the very structure of the first Christian communities.

There are two cases of synodical activity in the NT which constitute the background of the synods, as they establish themselves in the life of the Church from the end of the 2nd c. and afterwards. We begin with the case described by St. Luke in the book of Acts and we proceed to consider the earliest source we have, namely the letters of St. Paul.

In the book of Acts (ch. 15, cf. Gal. 2) we encounter the synod which came to be known as the "Apostolic Council". The exegetical problems presented by the text of Acts as well as the question of the historicity of the council will not occupy us here (see the contribution of Prof. Van Cangh). We shall limit ourselves to the structure of this council as it is described by the author of this book of Acts, which appears to be of particular interest for the study of the synodical origins.

The composition of the council consists of a. the "multitude" (το πλήθος), i.e. the local community and b. the "apostles" and the "presbyters". In the gathering which took place *before* the actual council in order to listen to Paul and Barnabas those present include "the apostles and the presbyters" on the one hand, and the «εκκλησία», i.e. the "multitude" (πλήθος) on the other (Acts 15,4). But in the actual council itself we observe that the "εκκλησία» is not mentioned at the beginning. Instead we read: "the apostles and the presbyters gathered (συνήχθησαν) in order to consider this matter (ιδείν περι του λόγου

τούτου)." It is only at the end of the council that we encounter again the entire community in connection with the choice of the person to accompany St. Paul to Antioch (vs 15 and 22) when we read that "it appeared right (έδοξε) to the apostles and the presbyters with the whole church (συν όλη τη εκκλησία)". Yet, the letter which is sent to Antioch as the official decision of the council seems to be written only by the "apostles and the presbyters" (this is the text preferred by most exegetes), although it is mentioned that the local community had given its approval. In the expression "it is seemed good to the Holy Spirit and to us (έδοξε τω Αγίω Πνεύματι και ημίν)" (15, 28) the words "and to us" must be referred to the "apostles and the presbyters" who write the letter, yet with the understanding that the whole community has given its agreement.

What appears to be interesting is that from the 21st ch. of Acts onwards the formula "the apostles and the presbyters" which we encounter in ch. 15 is replaced with that of "James and the presbyters". This we regard as extremely important. James occupies the place of his brother Jesus in the consciousness of the Jerusalem community, and is therefore a Christological figure who as it is evident from the Episcopal lists of Hegesippus (middle of 2nd c.) (the first document of Episcopal lists we possess) is regarded and listed as the first bishop of Jerusalem and according to the Episcopal lists given by Eusebius, the head not only of the Jerusalem bishops but indeed also of those of the Churches of Antioch , Alexandria and... Rome.

The replacement, therefore, of the scheme "the apostles and the presbyters" of Acts 15 with that of "James and the presbyters" in Acts 21 must be regarded as the historical link that leads to the scheme "the bishop and the presbyters" (or the συνέδριον του επισκόπου) which we encounter in St. Ignatius of Antioch (Philad. 8,1, Magn. 6,1, Tral. 3,1). Having acted as a model for the churches at least of the East (Ignatius, Hegesippus, the Syriac Didascalia, Eusebius) the Jerusalem Church has provided the synodical structure already present in the Apostolic council of Acts 21, pointing to the post-apostolic period when the office of the bishop as successor first of James and then of Peter (Cyprian) established itself in the ancient Church.

We shall return to this later in order to grasp its significance for the relation between conciliarity and primacy. We can now consider the other biblical reference to conciliarity, namely I Cor. 5. In this chapter the local community of Corinth is asked by St. Paul to *gather together* in order to pass judgment on one of its members with regard to his participation in the Holy Eucharist (v.11). It

is interesting that this gathering would have a structure similar to that of Acts 15 in that it would involve the community (υμών), the apostle (του εμού πνεύματος) and the "power of our Lord Jesus Christ", an equivalent of the Holy Spirit. This reminds us of the expression "it seemed good to the Holy Spirit and to us (the apostles – and the people?) of Acts 15.

What appears to be of special interest to the historian is that the instructions of St. Paul in I Cor. 5 reappear later in the form of institutionalized synods which have as their main function to decide about matters dividing the faithful, especially and mainly in view of their Eucharistic communion. An echo of that we get already in Math 18, but the evidence of an institutionalized synodical activity is to be found in the 2nd c. (Ignatius, Tertulian), in the 3rd c. (Syriac Didascalies where I Cor 5 is echoed in the prohibition to the members of the Church to go to secular courts in order to settle their differences), and finally in the 4th c. when the synodical system is fully institutionalized with canon 5 of I Nicaea. This canon expresses fully the spirit of I Cor. 5, Math 18 and the rest of the documents we mentioned by ordering that synods should be convoked twice a year regularly in order to deal with cases of excommunication from the Holy Eucharist.

It follows from this brief examination of the sources that the synodical institution or conciliarity in general: a. does not have its roots in the secular, cultural context of the early Church's life but in the life of the earliest ecclesial communities and b. that the synodical or conciliar institutions were concerned ultimately with Eucharistic communion and not simply with doctrinal questions as such or much less with administrative matters. The third point that emerged from our look at the sources is that with the disappearance of the apostles their leading role in the conciliar activity of the Church passed to the bishop as the successor of James (ultimately of Christ) or of Peter (= ultimately of apostolic college). In a synthesis of these two traditions of succession, i.e. the Christological and the Apostolic, which we observe clearly in Hippolytus (a Greek living and writing in Rome) in whose *Apostolic Tradition* the bishop is understood and presented as *alter Christus* and at the same time *alter apostolus*.

It is, thus, through the office of the bishop that the conciliarity we find in the first ecclesial communities (Acts, I Cor., etc) survives in the post-apostolic times and is fully institutionalized in the 4th c. The synods take the form of *episcopal assemblies* with the right to decide and vote being reserved exclusively to the bishops, not, however as individuals possessing a charisma or right of their own,

but as heads of their own communities, as it is evident from the fact that in the prayer of the Episcopal ordination the nature of the bishops communities is mentioned, ordinations in absolute being totally inconvincible (the so called "titular" bishops of later times being unknown in the early Church). The strictly Episcopal composition of the synods did not point to an "apostolic college" as such but to the communion of local Churches understood as full and "catholic" Churches. The synodical institution did not destroy the catholicity of the local Churches of which St. Ignatius and other early sources speak.

Synodality, therefore, was always intrinsic in the very nature of episcopacy. The bishop's function was to safeguard and realize in himself and in his ministry the catholicity of the Church at all levels, beginning with that of the local Church. The συνέδριον επισκόπου (the bishop's court or council) of which St. Ignatius speaks was a form of conciliarity at the local level. And the liturgical "Amen" of the laity without which the Eucharist of the local Church could not function echoed the primitive kind of conciliarity we encounter in Acts and I Corinthians. The Church was conciliar at the local level before it become so at the regional and universal levels. This local conciliarity was expressed by the bishop and safeguarded by him at the broader levels of synodality.

The office of the bishop was indeed by its very nature two-dimensional: it was meant to unite the Church at the local level and the same time to protect it from isolationism, self-sufficiency and what we may call "ecclesial individualism" by bringing it into communion with the rest of local Churches in the world. It was because of the Episcopal ministry that the Church could be called "catholic" both at the local and the universal level. This can explain why the synods were always Episcopal in their composition. By being ordained only within the Eucharistic service the bishop was made part of his community, never conceivable above or apart from it, while by being ordained by at least two or three other bishops he was made the instrument of the communion of his own Church with the rest of the Christian communities in the world. Conciliarity was thus rooted in the very nature of episcopacy: no council could be conceived without bishops, and no bishop could be deprived of his right to participate in the conciliar or synodical institution of the Church.

Now synodality and conciliarity were from the beginning irreparably connected with *primacy*. In the Apostolic Council of Acts is there seems to be no individual acting as *primus*, and yet it is clear that "the apostles and the presbyters" are distinct from the πλήθος or the community as a whole. We have al-

so seen how distinct the name of James was from the college of the presbyters in Jerusalem and how this led in the post-apostolic period to the identification of James with the first bishop of Jerusalem in the lists of Episcopal successions. There is no doubt that James was regarded as *primus* in his local Church and in the same way the bishops at least since the time of Ignatius of Antioch were singled out as "heads" of their communities.

When we come to the institutionalized synodical or conciliar ministry in the 4th c. the first clear evidence of the *primus* as a special office is given by the well-known 34th Apostolic canon which became the leading canonical principle of primacy in the early Church. This can provides that in the metropolitan area there should be a "first one" (πρώτος) who should be no other than the bishop of the metropolitan see and who should be regarded by the rest of the bishops of the area as their "head" (κεφαλή) without whom they could not meet or assemble (i.e. act a synod or council). The same canon restricts the *primus* with the obligation to act always in consultation with the rest of the bishops of his area. We have in this canon the first clear reference to their inter-dependence between primacy and conciliarity. We may express this formula "no council without a *primus*, and no primus without a council". Primacy in the Church should not lead to a pyramidic ecclesiology. It is meant to serve the communion of Churches and not to stand over and above them.

If this canon is taken as a guiding principle the implications for the relation between conciliarity and primacy would also include the following.

The *primus* does not function in synodical life as an individual but as the head of the local Church. One cannot be the *primus* of a council unless he is at the same time the *primus* of a local Church. Primacy, therefore, belongs to a certain local Church and not to an individual.

The fact that the authority and power of the *primus* is conditioned by the presence and the consent of the rest of the bishops implies that neither the *primus* nor the synod or council can interfere with the affairs of the local Church without its consent (expressed by its bishop). We are, therefore, far away from the ecclesiology of *conciliarismus* which replaced the authority of one particular bishop or Church with that of a collective body. The council does not destroy the catholicity of the local Church by interfering in its own internal affairs but restricts its authority only to matters pertaining to its relations with other Churches. Such matters, for example, concern decisions of Eucharistic communion (or excommunication for it) which were given as the *raison d' etre*

of the synods which the First Ecumenical Council instituted in its 5th canon. For all internal matters of a local Church the bishop of this Church was free to decide and act himself being directly responsible to God, according to the principle expressed by St. Cyprian in his *Ep.* 55 (52).

The interdependence between the *primus* and the synod does not imply an "honorific" primacy with no special prerogatives. The *primus* is clearly endowed with authority a. to *convene* the synod and b. to *preside* over it. Canon 19 of the council of Antioch clearly speaks of the right of the metropolitan bishop to "convene" the synod and the fact that he is regarded as κεφαλή according to Canon 34 of the Apostles makes it clear that he would also preside over it. All this applies to regional synods (metropolitariates and Patriarchates) and has been strictly observed in the entire history of the Orthodox Church. But what about the *ecumenical* councils?

A study of history shows that the ecumenical councils were not permanent institutions but were convened ad hoc and whenever it was necessary. The fact that in Byzantium, they were convened by the emperor and *in some sense* presided by him does not point to an ecclesiological principle but to a mere historical accident. Ecclesiologically speaking for any council in the early Church to be regarded as ecumenical the consent and co-operation of all the patriarchal sees were presupposed as a condition sine qua non, the bishop of Rome being always regarded as the "first one" among the Patriarchs. In this sense the primacy of the bishop of Rome was always accepted by the eastern part of the Church until the Schism of 1054 AD, or rather its finalization with the fourth crusade of 1204. Even at the Council of Ferrara-Florence in 1439 Markos Evgenikos, the defender of Orthodoxy, addressed the pope with a speech at the beginning of the council calling him "the Father that gathered us from the ends of the earth", implicitly recognizing the primacy of the Roman See. The fact, however, that Rome in the 2nd millennium gradually exalted the pope above the rest of the bishops and in both theory and fact disconnected his primacy from conciliarity has made the division between Rome and Orthodoxy so deep that only a return to the ancient ecclesiology of communion with the interdependence between primacy and conciliarity can bring them together again.

This return to the ancient Church is not just a matter of faithfulness to history. It is also a matter of fidelity to Christian doctrine as a whole. The links between synodality and primacy derive from fundamental theological principles which can be summarized as follows.

The importance of Trinitarian theology for ecclesiology

Already in the Munich Document our Commission emphasized the idea that the mystery of the Church is deeply rooted in the mystery of the Triune God. The ultimate purpose of the Church is to bring humanity and the whole creation into communion with God by making them participants in the life of the Holy Trinity. The Church, therefore, must reflect in all respects, including not only her faith but also her structure and order, the way God exists as Trinity.

A basic principle of Trinitarian theology is that the one God and the three Persons are to be spoken of *simultaneously*: God is not first one and then three but One and Three at the same time. As Karl Rahner has pertinently pointed out, the *De Deo Uno* cannot precede the *De Deo Trino*, as was the case in the medieval dogmatic manuals. Unity does not precede multiplicity, and multiplicity does not precede unity. This is what *communion* means in the life of the Triune God.

Christology and Pneumatology as the basis of ecclesiology

The Trinitarian life is offered to humanity and creation for participation only in the person of Christ and in the Holy Spirit. Christ is the unique Savior of the world because he also through his Incarnation, Cross and Resurrection makes *theosis* a gift and a reality for us. But Christ is not conceivable without the Holy Spirit. Pneumatology is *constitutive* of Christology. Given that the Spirit operates as a force of *communion* (2 Cor. 13,13) the person of Christ is inconceivable without his *body*, the community of the Church. Christ is *one* by being at the same time *many*, i.e. a community. The mystery of the Church is born out of the mystery of Christ as "One" who becomes "many" in the Holy Spirit. Again, unity and multiplicity are mutually constitutive, neither of them being conceivable without the other.

The Eucharist as the realization and the manifestation of the mystery of the Church

The Church is the "body of Christ", according to St. Paul, but at the same time, according to the same Apostle, the Eucharist is the "body of Christ" too.

It is not another "body of Christ", but the same one in both cases. This is why, in the expression of Nicholas Kabasilas, summarizing the entire patristic tradition, at least in the East, it is only in the Eucharistic body that one can see the mystery of the Church revealed.

Now , the Eucharist contains in its very nature the mystery of communion in which unity and multiplicity co-exist simultaneously and condition one another. This happens in two ways. On the one hand, there can be no Eucharist without community or Church. The Eucharist is *synaxis epi to avto* (1 Cor. 11), in which the one becomes many and the many becomes one. On the other hand, this Eucharist exists as many eucharists spread over the world while constituting in spite of their multiplicity *one* and the same Eucharist. Every Eucharist is offered in the name and on behalf of the entire *oikoumene*, indeed of the whole creation, thus showing that in essence there is but one Eucharist. It would be, therefore, absurd to ask the question: which comes first, the local Eucharistic assembly or the one "universal" Eucharist? Here again, as in the Trinity and in Christology, the one and the many are mutually constitutive. If one participates in a local Eucharist one is simultaneously in communion with all those who participate in their own local Eucharistic communities in the whole world. And if one is excommunicated from his or her own Eucharistic community one is automatically excommunicated from all Eucharistic communities in the world (see canon 5 of Nicaea).

The Church as local and Universal

Given the Eucharistic nature of the Church, as just described, there can only be one Church in the world, yet only in the form of many local Churches. Just as there cannot be one Eucharist except in the form of many local eucharists, in the same way the one Church in the world realizes her unity in the form of a communion of local Churches. Following the principle we observed already in relation to the mystery of the Trinity, of Christ and of the Eucharist, it would be absurd to ask the question which comes first: the one Church or the many local Churches? This is why in the early Patristic documents the term *katholike ekklesia* could be applied equally to the Church *kata ten oikoumenen* (Martyrdom of Polycarp).

Two important consequences follow this principle. First, the local Church is a "catholic" Church, i.e. the "body of Christ" in its integrity and fullness. And

second, the local Church cannot be "catholic" unless it is in communion with the other local Churches in the world. Locality and universality are interdependent. The same principle we observe in Trinitarian theology, Christology and the Eucharist applies also to the local Church in its relation to the "universal" Church: the "one" and the "many" coincide.

The Church is conciliar-synodical in her nature

If the Church is to be reflect in her life the way of existence which we find in God, in Christ and in the Eucharist, the "coming together" (*synaxis epi to avto*) is not an option but an essential feature of her existence. Synodality applies in the first place to the local Church itself, as is evident, above all, in the Eucharist. The Eucharist, at least in the Orthodox Tradition, cannot be performed unless the people are gathered together with the clergy. This was the primitive form of synodality which was soon transformed to the administration of the Church. Communion among the local Churches requires not only Eucharistic communion but also and following upon it a common mind in faith and sacramental life as a whole.

The reason why synodality is fundamental in ecclesiology is that through this institution the catholicity of the local Church is guaranteed and protected, while at the same time communion with the other local Churches in the world finds its full expression. The one Church in the world and the many local Churches coincided. The synod cannot become an institution *above* the local Churches, as *Konziliarismus* would suggest; it is rather an *event of communion* of full catholic Churches that should be understood. The "one, holy, catholic and apostolic Church" does not exist prior to or above the local Churches but is expressed and manifested in and through the communion of the Churches. Synodality makes universality identical with communion.

Primacy belongs to the essence of synodality

If the fundamental theological principles mentioned above are to be followed faithfully the "one – and – the many" idea which runs through the entire dogmatic theology of the Church, including the doctrine of the Holy Trinity, Christology and the Eucharist, makes primacy a *theological* and not simply an

administrative matter. There is "primacy" even in the life of the Trinity, since it is the Father that is the "cause" if the Trinitarian Persons and the One from whose "good pleasure" (εὐδοκία) all divine activity and operation stems. In Christology, too, it is not an accident that Christ is called the "head" (kephale) of the body or the "first one" among his brothers or even the head of humanity and of creation (Colossians). There is no "body" without a "head" neither in Christology nor in ecclesiology. This was transferred very early to the structure and order of the Church at all three levels: local, regional and universal.

On the local level. An early as the time of St. Ignatius of Antioch the local Church was viewed as a community with a *primus*, a head, known with the name of *episkopos*. That this primacy was noted in Trinitarian theology and in Christology is evident from the fact that the *primus* (bishop) was understood as occupying in the Church the place (*topos*) of *the Father* (Ignatius). This was received also in Christological terms: the Bishop acting *in persona Christi* (early Syriac tradition). The local Church needs a "head" (kephale), either in the Trinitarian sense of the "Father" or in the Christological image of the "head" of the body. Primacy in the local church emerged from the Trinitarian and Christological theology, its roots being deeply *theological.*

On the regional level. The *metropolitan* system in the Church developed in close connection with the synodical institution. The synod of the bishops of the region had to have a *primus* (*protos*), and this was the bishop of the capital city, the *metropolis.* Canon 34 of the corpus known as "Apostolic Canons" (c. 4th cent. AD.) provided two conditions which express the theological justification of the synodical system. The first condition concerned primacy: in every region (*ethnos*) there should be a *protos* and this should be not any bishop of the area but a specific one, namely the bishop of the metropolis. There can be no rotation of the office of *primus*; the office is attached permanently to a particular bishop (rotation was totally unknown in the early Church). Now it is noteworthy that the *primus* is to be regarded by the rest of the bishops of the area as their "head" (*kephale*). This title had, as we have seen, a Christological connotation, and this points to the theological significance of primacy.

The second condition attached by canon 34 of the Apostles to the metropolitan system is that the primus could not act without the consent of the rest of the bishops of the region. Primacy is conditioned by synodality. The one is conditioned by the many, just as the many are conditioned by the one. This, the canon states, is not simply a matter of order but of *theology.* And it is interesting that

all that this canon provides is crowned by a reference to the Holy Trinity. Primacy and synodality appear once again to be based on Trinitarian and Christological ground. (Note on Patriarchates: From the point of view of primacy and synodality the institution of Patriarchates falls under the category of regional primacy and synodality. A patriarchate is a unit comprising several metropolitans, originally based on the apostolicity of a see, its role in the preservation of the Orthodox faith and its political importance, recognized and declared by an ecumenical council. Later on, in modern times, these convictions were not necessarily applied to the formation of new patriarchates, but in all cases, both ancient and modern, the provisions of canon 34 of the Apostles, as stated above, apply fully with regards to primacy and conciliarity).

The universal level. Orthodox theology in modern times has taken different positions on this matter. Largely under the influence of polemics against the papal claims as they developed especially in the second millennium many Orthodox theologians tended to regret universal primacy altogether, replacing it with the authority of the ecumenical council. The difficulty with this position is that ecumenical councils are not permanent institutions but *events*, and they cannot be equivalent of the primacy exercised on the local or the regional level. Thus the idea of primacy has, in this view, to be limited to these levels as if the ecclesiology of communion would be inapplicable beyond the local Church and the metropolis or the patriarchate. But if primacy is justified theologically in the case of these two levels by the idea of communion as described above it would be difficult to exclude the universal level from consideration. The Church does not cease to be an event of communion when it reaches the universal level. The Church as communion of local Churches needs synodality also at the universal level, and if she needs synodality she also needs primacy, because there is no synodality without primacy.

Thus, even if we recognize the ecumenical council as the highest authority in the Church, as most of these modern Orthodox theologians do, primacy is not excluded thereby at the universal level, because the ecumenical council, like all synodical institutions, is inconceivable without a *primus*. It would be seen, therefore, that the position taken by Meyendorff, Schmemann and others in favor of primacy at the universal level would be more sound theologically: if the Church is one as a communion of local Churches not only locally and regionally but also in the whole world she needs to express this oneness with synodality, and if so primacy as part of synodality becomes necessary also at this level.

The case of the Bishop of Rome

The argument from theology we have developed here is not historical but theological: the Church as a reflection of the life of the Trinity and as the body of Christ constituted in the Holy Spirit is one in the form of many, i.e. she is a communion of local Churches expressed synodically with a *primus* as *part of the synod.* The claims of the bishop of Rome for a universal primacy will have to fit this theological argument, otherwise they would be problematic from an Orthodox point of view. Spelled out in some detail this would mean that:

The Bishop of Rome as the occupant of the first see in the canonical order of the Church is the *primus* at the universal level.

For this primacy to be theologically justified it must be expressed in a synodical context so that the other bishops of the Church either directly or indirectly through their regional heads (metropolitans, patriarchs etc.) will consent to this primacy and participate equally in the synodical decisions. Primacy should not diminish or abolish the basic theological principle of the equality of all bishops. In this sense one could use the expression *primus inter pares.*

In order that the fullness and catholicity at the local Church be respected the bishop of Rome should not interfere in the affairs of any local Church except his own. Therefore primacy of *jurisdiction* should be excluded.

The description of this primacy as "primacy of honor" could be accepted on condition that certain prerogatives are recognized as part of the function of primacy. Such prerogatives include the indispensability of the primate presence (personally or through representatives) in any synodical activities (canon 34 of the Apostles), the presidency of the council and the right of appeal (Sardica). To these we could add today the convocation of an ecumenical council, since there is no emperor to convoke it, as was the case in Byzantium.

Conclusion

The relation and unbreakable link between synodality and primacy is not a matter of canonical convenience but of ecclesiology in its Triadological, Christological and Pneumatological foundations. In this sense both primacy and synodality *taken together* can be regarded as instituted *jure divino* – an expression that is more common in the theological terminology of the West. As long as

there is synodality at all the levels (local, regional and universal) there is also primacy, for there is no synod without a *primus*. By being recognized as the first see in the Church, the Church of Rome holds the primacy in the structure of the Church. This primacy which involves certain prerogatives cannot be exercised outside the synodical context. The one and the many must be always mutually conditioned. This is a demand of orthodox faith and not simply of canonical convenience.