

Clerical Celibacy and Eastern Catholic Churches

By Elias Mallon, SA

Often in life some things are more than they seem and other things are less. Rarely but sometimes things are paradoxically more and less than they seem at the same time. On 17 November 2014 the *National Catholic Reporter* carried a story from Religious News Service with the title “Vatican Lifts Ban on Married Priests for Eastern Catholics in the Diaspora.” It seems that some stopped reading at the word priests and for a brief time there was (uninformed) talk about “married Catholic priests.” That soon died out together with interest in the topic when it was discovered that the decision had nothing to do with Latin Rite priests who make up the vast majority of Catholic priests. The decision had rather to do with Eastern Catholic priests, whose churches already had married priests for centuries. The decision was less than it had seemed initially and quickly disappeared from the minds of most Latin Rite Catholics.

However, the decision was far more than merely once again allowing Eastern Catholic priests to marry. It was an extremely important decision which begins to heal a period in which Eastern Catholic churches and their traditions were treated in ways which were painful, insensitive, ignorant and at times even bigoted – and this by other Catholics!

While most Catholics are familiar with the Roman Catholic Church, the vast majority of them are unaware that the Catholic Church consists of Latin Rite Catholics, of whom there are over a billion, and twenty-three¹ other Churches which are called *sui juris*, that is, “in their own right.” The histories of these churches are varied. Some like the Maronites have always been in communion with the Bishop of Rome. Others came into communion with the Bishop of Rome later in their histories and, as a result, many have Orthodox counterparts. In most instances the Orthodox counterpart churches are larger and more dominant in the home countries. Tragically there is often mistrust and hostility between many of the Eastern Catholic Churches and their Orthodox counterparts, although that is rarely the case in the Middle East with the oldest churches.

The Great Schism which divided the churches of the east and west is traced back to the mutual excommunication of the Bishop of Rome, Pope Leo IX (21 June 1002 – 19 April 1054), and the Patriarch of Constantinople, Michael Cerularius (ca. 1000 – 21 January 1059). The differences between the two churches did not start with the visit of Cardinal Humberto, the legate of Pope Leo, to Constantinople. However, those differences took a historical and tragic turn when Cardinal Humberto put a Bull of Excommunication against Patriarch Cerularius on the altar of Hagia Sofia, the Patriarch’s Church, on 16 July 1054. The Patriarch then proceeded to excommunicate Pope Leo IX. Although the excommunication

delivered by Cardinal Humberto was not valid, since Pope Leo had died three months earlier in April, it nonetheless set the eastern and western churches on a trajectory of mistrust and invective, which is only now being overcome almost a thousand years later.²

One of the results of the Great Schism was that the eastern and western Churches were no longer in communion. Attempts at global reconciliation between the two Churches at the Councils of Lyon (1274) and Florence (1472) failed because Orthodox monks and believers did not trust the western Church and, in fact, held many grievances against it.³ Although the eastern and western churches had existed with a modicum of peace for over a thousand years, the relation between the Catholic Church in Rome and the Orthodox Churches of the east deteriorated and a long period of mutual polemic and competition ensued. The competition to some extent coincided with the western European age of exploration which began in the 15th century. Catholic European explorers and missionaries began travelling on a large scale to lands in Asia. Many countries they visited had Christian communities, some of which went back to apostolic times. For the most part, the western Catholic missionaries were unfamiliar with the Christian churches they encountered. Seeing the Roman Catholic Church as they experienced it as the one, true church, the missionaries often evaluated ancient, indigenous churches as to how closely they approached the theology and liturgical practices of the Roman Catholic Church. Often the differences were striking. Especially in India the ancient “Thomas Christians” who credibly trace their roots to the Apostle Thomas, were forced by Portuguese missionaries to adapt to Latin practices. Many ancient traditions were suppressed and lost. The age of “converting” other Christians had begun.

The missionary efforts towards other Christians were not only directed towards individuals but also to communities and churches. What seems so strange to a post-Vatican II Catholic was the normal way ancient non-Latin churches were treated by colonial powers and travelling missionaries. Many reasons – some theological and noble and others less so – led groups of these Christians to come into communion with the Bishop of Rome. The “uniate movement” had begun. Groups of Christians belonging to ancient churches, which for whatever reason – and there were several – were not in communion with the Bishop of Rome, broke off from

continued on page 11

Rev. Dr. Elias D. Mallon, SA, has been engaged in Ecumenical & Interreligious ministries for many years and is presently on the staff of the Catholic Near East Welfare Association in New York.

their church and formed a new church in communion with Rome. As a result we find that many of the twenty-three Catholic Churches *sui juris* have (larger) counterparts in the Orthodox Church. Coming as they did from ancient Christian traditions, these newly Catholic churches understandably wished to keep as many of their traditions as possible. Because the theological differences between the eastern and western churches were minimal, as former Orthodox Christians came into communion with the Roman Catholic Church, they brought their ancient traditions and customs with them. This resulted in many places in two churches which were practically indistinguishable except for the fact that one was in communion with the Bishop of Rome and the other was not.

Coming as they did from ancient Christian traditions, these newly Catholic churches understandably wished to keep as many of their traditions as possible.

One of the most important of these “conversions” took place in the late 16th century with the Union of Brest (1596), which contains thirty-three articles of agreement. With this agreement several Orthodox bishops entered into communion with the Bishop of Rome. Robert Taft, SJ, a renowned ecumenist and scholar noted “This act was and remains extremely controversial to say the least, as it split the Ukrainian Church into two camps – the Catholic and the Orthodox....As ‘Greek’ Catholics, the Ukrainian Catholic Church follows the liturgical and theological traditions passed on to us from the great Church in Constantinople...and is in full communion with Rome.”⁴ Taft also notes “these (thirty-three) articles not only became the foundation for the relationship between the churches [i.e. Catholic and Ukrainian], but they very clearly were formulated to protect the identity of the Kievan [i.e. Ukrainian] Church....”⁵ Article 9 of the Agreement of Brest states: “That the marriages of priest remain intact, except for bigamists.”⁶ Thus the centuries long tradition of married priests would remain unbroken as the Kievan Church came into communion with the Church of Rome with its tradition of a celibate clergy.

The notion of “uniatism” in which an ancient Church could maintain its traditions and, nonetheless, come into communion with the Church of Rome, was seen by some in the Catholic Church as a way overcoming the Great Schism of 1054. It should go without saying that no one in the Orthodox Church shared that opinion. Nevertheless there are some indications that Eastern Catholics and Orthodox worked together in Central Europe until the 18th century when one notes a sharpening polemic between the two

churches. At this time the terms Orthodox and Catholic begin to harden so that Orthodox increasingly comes to mean non-Catholic and Catholic comes to mean non-Orthodox.

The 18th and 19th centuries saw the beginning of the migration of peoples from Central and Eastern Europe to the western hemisphere and Australia. The Russian Orthodox Church had a long presence in Alaska and along the coast from Alaska to northern California. However, the presence was not strong and was greatly weakened when the United States purchased Alaska in 1867. Prior to this time, Orthodox and Eastern Catholic Christians had been demographically limited to their “historical territories.” To be sure, there were pockets of these Christians in the New World but they were few and far between. That was to change with unfortunate consequences.

The Catholic Church in the United States had its first bishop, John Carroll, appointed to the Diocese of Baltimore on 6 November 1789. Carroll belonged to an American Catholic family one of whose members, Charles Carroll of Carrollton, was a signer of the Declaration of Independence. Roman Catholics were a minority in colonial America and even after the establishment of an independent United States of America, their position was often precarious. With increasing immigration from France, Ireland, Germany and Italy, the number of Catholics in the new country grew. Many, especially the Irish and Italians, tended to remain in the larger cities where they received a rather mixed reception. The negative reception that Catholic immigrants received was due to a number of reasons. James M. McPherson notes that:

Immigration during the first five years of the 1850s reached a level five times greater than a decade earlier. Most of the new arrivals were poor Catholic peasants or laborers from Ireland and Germany who crowded into the tenements of large cities. Crime and welfare costs soared. Cincinnati’s crime rate, for example, tripled between 1846 and 1853 and its murder rate increased sevenfold. Boston’s expenditures for poor relief rose threefold during the same period.⁷

Nativist, anti-immigration, anti-Catholic movements reached a peak with the establishment of the Know Nothing Party in 1860. Earlier, on 11 August 1834 the burning of the Ursuline convent in Charleston, MA, had caught the attention of Catholics all over the country. Throughout the country sporadic violence occurred especially where there was fear that Catholics were “taking over the country.”⁸ Protestant Americans, mostly of English descent, looked upon Catholics and foreign, poor, lawless and a type of papal fifth-column. Some of these impressions were true. Catholic immigrants were foreign. Coming from Germany, Italy, Ireland, France, many, except for the Irish, did not speak English well or at all. Faced with political upheaval in Europe and the potato

continued on page 12

Protestant Americans, mostly of English descent, looked upon Catholics and foreign, poor, lawless and a type of papal fifth-column.

famine in Ireland, most of them were very poor. Among some immigrant groups, especially the Irish as we shall see, alcoholism and its attendant lawlessness was a major problem.

In all this the Catholic Church in the United States continued to grow. One of the leaders of the American Catholic Church in the second half of the 19th century was Archbishop John Ireland of St. Paul, MN. Born in Ireland on 11 September 1838, Ireland's father emigrated to the New World in 1849 and his wife and son followed him later that year. Ireland was educated in France and ordained a priest in 1861. He served for several months as a chaplain to the Union Army in the American Civil War. He was named coadjutor bishop of St. Paul in 1875, became the Bishop of St. Paul in 1884 and Archbishop when St. Paul was raised to the level of an archdiocese in 1888.

With some simplification, Archbishop Ireland was intensely concerned to make Catholics in the United States conform to the American culture. He disapproved of groups of ethnically similar Catholics maintaining customs and languages which were foreign in the United States. Ireland worked tirelessly in the Temperance Movement since he saw how alcoholism was undermining the Irish community and its integration into American society. As metropolitan of the ecclesiastical province of St. Paul, Archbishop Ireland came into conflict with German Catholics and especially German Benedictine monks in the northern reaches of the province. He saw the maintaining of ethnic traditions to be an obstacle to the "americanization" of the Catholic Church.

While it would be unfair to accuse Archbishop Ireland of xenophobia, he was certainly not one who encouraged the survival of ethnic traditions. This had fateful consequences on 19 December 1889. On that day Father Alexis Toth, a Ruthenian Catholic priest, paid a courtesy visit to Archbishop Ireland. The archbishop noticed that Fr. Toth was wearing a wedding ring and asked if he were married. Fr. Toth responded yes but that he was a widower. According to all reports the meeting went very poorly with both men losing their tempers. Abp. Ireland told Fr. Toth that he did not want "his kind of priest" in the archdiocese and refused to recognize either Fr. Toth or his ordaining Ruthenian Catholic bishop as "Catholic." Fr. Toth, who had begun a mission for Greek Catholics in Minneapolis, was forbidden by Abp. Ireland to continue his ministry.

It would be inaccurate and unfair to see Abp. Ireland as the sole actor in the tragedy of Eastern Catholicism in the US. While he did provide, so to speak, the spark that ignited the tinder, that tinder was already there and widespread. Other American Latin Rite Catholic bishops put pressure on the Congregation for the Propagation of the Faith in Rome not only to prohibit married Eastern Catholic clergy from entering the United States but also to encourage Eastern Catholic communities to be absorbed into the Latin Rite. Fortunately, an Eastern Catholic eparchy (diocese) was soon erected by the Vatican, which provided some protection and stability for Eastern Catholics in America.

Archbishop Ireland's understanding of the Catholic Church was limited but it represented an attitude widespread among the American Catholic bishops of the time. For them the Catholic Church equaled the Latin Church without remainder.¹⁰ Often educated in 19th century France, American Catholic bishops were often unaware of the Eastern Catholic Churches *sui juris*. This can be seen in the decrees of the First (1852) and Second (1866) Plenary Council of Baltimore which decreed that "the Roman Ritual, adopted by the First Council of Baltimore, is to be observed in all dioceses, and all are forbidden to introduce customs or rites foreign to the Roman usage...."

Soon after Fr. Toth's visit to Abp. Ireland a series of decrees were issued from Rome which increasingly forbade the presence of married Eastern Catholic priests outside their "home territories." On 1 October 1890 the Congregation for the Propagation of the Faith¹¹ issued a decree forbidding married Ruthenian priests to minister in the United States.¹² Three decades later three decrees extended this prohibition: *Cum data fuerit* (1 March 1929)¹³ prohibited married Ruthenian clergy in North America; *Qua sollerti* (23 December 1929)¹⁴ forbade all married Eastern Catholic clergy to minister in North and South America and Australia; lastly *Graeci-Rutheni* (24 May 1930) allowed only celibate men to be accepted into seminaries and promoted to sacred orders.¹⁵

The experiences of Fr. Toth and his congregation led them to begin negotiations with the representative of the Russian Orthodox Church. Over the next thirty years it is estimated that almost a quarter of a million Eastern Catholics joined the Orthodox Church. Many of the descendants of these former Eastern Catholics were instrumental in establishing the Orthodox Church in America (1970).

The events which followed were not merely a pastoral tragedy for Eastern Catholics but also introduced a deep sense of distrust between Eastern Catholics and the Roman Catholic Church, a mistrust which ultimately led to the loss of many believers. Equally significant, the restrictions placed against Eastern Catholics were seen as a serious and unilateral

continued on page 13

violation of the Agreement of Brest in which the Catholic Church agreed to respect the traditions of Eastern Catholics. To be sure there had been any number of official documents which praised the importance of Eastern Catholicism.¹⁶ The dignity and antiquity of the traditions of the Eastern Catholic Churches were praised again and again, while one of those traditions – a married clergy – was denied them. This contradiction was not lost on the Orthodox Churches in the Catholic-Orthodox Dialogue. In the dialogue there was also talk of the respect for ancient traditions that would be maintained in any union which might occur with between Orthodox and Catholic Christians. Orthodox Christians understandably questioned if their traditions – among them a married clergy – would be any better respected than those of their Eastern Catholic brothers and sisters. There was a serious question of credibility in the Catholic-Orthodox Dialogue.

The events which followed were not merely a pastoral tragedy for Eastern Catholics but also introduced a deep sense of distrust between Eastern Catholics and the Roman Catholic Church, a mistrust which ultimately led to the loss of many believers.

When the Holy See lifted the ban on Eastern Catholic married priests ministering outside the “traditional territories” including the United States, Canada and Australia in 2014, it may have been very well been less than the lifting of the celibacy requirement for all Catholic priests. It was, however, far more than merely “allowing” married Eastern Catholic priests to minister around the world. It is a powerful sign that the Catholic Church really does take the traditions of the Eastern Catholic Churches seriously and will stand by the agreements made in the Agreement of Brest in 1596. To the Eastern Catholic Churches it is a clear signal that their traditions really are taken seriously. To the Orthodox Churches – although it will take longer for this to have impact – it is a sign that the Catholic Church will live by its promises and keep its word. 

Notes:

1. In the Alexandrian tradition: the Coptic Catholic Church, the Ethiopian Catholic Church and the Eritrean Catholic Church (formed by Pope Francis on 20 January 2015); the Antiochian or West Syrian tradition: Maronite Church, Syriac Catholic Church,

Syro-Malankara Church; the Armenian Tradition: the Armenian Catholic Church; the Chaldean or East Syrian tradition: the Chaldean Catholic Church, the Syro-Malabar Church; the Byzantine tradition: Albanian Catholic Church, Belarusian Catholic Church, Bulgarian Catholic Church, Byzantine Church of Croatia, Serbia and Montenegro, Italo-Albanian Catholic Church, Macedonian Catholic Church, Melkite Greek Catholic Church, Romanian Church United with Rome, Russian Catholic Church, Ruthenian Catholic Church, Slovak Catholic Church and Ukrainian Catholic Church.

2. Pope Paul VI and Patriarch Athenagoras rescinded the excommunications in 1965.

3. Each side had enough ground for grievance. In April 1182 there was a massacre of Latin Catholics in Constantinople. The Catholic population, estimated at about 60,000, was annihilated and its 4000 survivors sold into slavery. Not to be outdone, Catholic knights of the Fourth Crusade conquered Constantinople on 12 April 1204 and totally plundered the city, including its religious places. Memories last a long time. Pope John Paul II on a visit to Athens in May 2001 issued a statement of regret for acts of violence which Catholic had committed against the eastern Church and in April 2004 Patriarch Bartholomew I accepted the apology.

4. Cf. Robert Taft, SJ, “Anamnesis not Amnesia: The ‘Healing Memories’ and the Problem of Unitatism.”: <http://jbburnett.com/resources/union-of-brest.html>.

5. *Ibid.*

6. “Bigamists” here probably refers to those who have been divorced and remarried, a practice which is permitted in the Orthodox Church.

7. James M. MacPherson, *Battle Cry of Freedom*. Oxford: Oxford University Press, 1988, 131

8. 6 August 1855, in Louisville, Kentucky, where in a hotly contested race for the office of governor, 22 were killed and many injured; in Baltimore the mayoral elections of 1856, 1857 and 1858 were all marred by violence and well-founded accusations of ballot-rigging.

9. In point of fact, in terms of theology and Canon Law, the bishop who ordained Fr. Toth was a Catholic whether Abp. Ireland “recognized” him or not.

10. Cf. Gerald P. Fogerty, “The American Catholic Hierarchy and Oriental Catholics 1890-1907,” *Records of the American Catholic Historical Society of Philadelphia* 85 (1974) 1-11 in Delores Liptak, *A Church of Many Cultures: Selected Historical Essays on Ethnic American Catholicism*, New York: Garland Press, 1988.

11. As a “missionary” country the United States came under the jurisdiction of the Congregation for the Propagation of the Faith.

12. Jacob Mandiyil, “Diritti e doveri dei Vescovi Latini verso gli Orientali,” *Iura Orientalia IX* (2013), 110.

13. *Acta Apostolicae Sedis (AAS)* XXI (1929) 152-159.

14. *AAS* XXII (1930) 99-105.

15. Cf. *AAS* CVI (2014) 496-498.

16. Cf. *Orientalium Dignitas* (1894) of Pope Leo XIII; *Orientalium Lumen* of Pope John Paul II (1995), *Ecclesia in Medio Oriente* of Pope Benedict XVI (2012) and, of course, *Ecclesiarum Orientalium* (1964) of Vatican II.