

# COLUMNISTS

## Archbishop's appointment and canon law

The headline in the *New York Post* on the day following the Vatican's announcement of Edward Egan as the next archbishop of New York read: "Meet the Pope's New Man in New York." Only those without any historical perspective would have found that headline unexceptional in content and tone.

Throughout most of the history of the church, bishops were elected from the local diocesan clergy by the laity and clergy of the diocese. The bishop of Rome (the pope's most exact ecclesiastical title) had no role whatever in the election.

However, because of the communion that existed among local churches (dioceses), with one another and with the church of Rome, the bishop of Rome was eventually informed of such elections as a matter of courtesy and protocol.

It was not until the 19th century, in fact, that the popes began to claim the exclusive right to appoint bishops. Although that has been the practice ever since, it is hardly traditional.

Indeed, first millennium Catholics would have been utterly taken aback by the description of any new bishop as "the pope's new man" in a particular diocese, at least beyond Rome's neighboring dioceses, where the pope did exercise some influence.



By FATHER RICHARD P. MCBRIEN

essays in theology

First millennium Catholics, especially from the early fourth century until the 10th, would also have been surprised to learn that the bishop of one diocese was transferred to become the bishop of another. Such a practice would have been recognized as in direct violation of the teaching of the First Council of Nicaea in 325, a teaching reaffirmed by the Council of Chalcedon in 451.

Canon 15 of Nicaea I, the council that gave us the classic Nicene Creed, reads as follows: "On account of the great disturbance and the factions which are caused, it is decreed that the custom, if it is found to exist in some parts contrary to the canon, shall be totally suppressed, so that neither bishops nor presbyters nor deacons shall transfer from city to city.

"If after this decision of this holy and

great synod anyone shall attempt such a thing, or shall lend himself to such a proceeding, the arrangement shall be totally annulled, and he shall be restored to the church of which he was ordained bishop or presbyter or deacon."

The Council of Chalcedon, which gave us the dogmatic formula that endures to this day, defining the relationship of humanity and divinity in Jesus Christ, reiterated the teaching of Nicaea I in its own canon 6:

"In the matter of bishops or clerics who move from city to city, it has been decided that the canons issued by the holy fathers concerning them should retain their proper force."

These canons were regarded as retaining "their proper force" as late as the year 897 when the body of Pope Formosus was exhumed from its resting place nine months after his death, clothed in full pontifical vestments, and placed on trial in the so-called "cadaver synod."

Among the politically-motivated charges against the deceased pope was that he had accepted election as bishop of Rome when he was already the bishop of another diocese, a clear violation of the canons of Nicaea I and Chalcedon.

While the force of these canons did not endure beyond the first Christian

millennium (popes thereafter were elected from other dioceses), the requirement that bishops be elected by members of the local church did survive, at least in principle, until the early 19th century.

The most oft-quoted statement in this regard is that of Pope Leo the Great (440-61): "He who is in charge of all should be chosen by all."

In our own time, a certain group of Catholics pines for "the good old days" before Vatican II when, it is thought, the Lord's "organizational plan" for his church was faithfully honored and implemented. Is it not surprising, however, that none of their number has expressed any concern about the wholesale violations of the sacred tradition of the church in the matter of episcopal appointments?

Were the dictate of Leo the Great and the canons of Nicaea and Chalcedon still in force, the headline in the *New York Post* might well have read: "Meet the People's Choice for New York: Local pastor elected archbishop".

Alas, that was not the case, and no one's body is going to be exhumed to make a point of it.

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Father McBrien is a professor of theology at the University of Notre Dame.

## Use Holy Spirit's gifts as modern-day apostles

Pentecost Sunday (June 11): (R3) John 20:19-23. (R1) Acts 2:1-11. (R2) 1 Corinthians 12:3-7, 12-13.

"Pentecost," which means "fiftieth," was the second of the three most important annual feasts in the Jewish calendar. The other two were Passover and Tabernacles.

The Jewish Pentecost occurred seven weeks after Passover and was primarily a feast of thanksgiving for the first fruits of the wheat crop. Later, on, the giving of the law to Moses on Mount Sinai was also commemorated on this feast day. All Jewish men were expected to come to Jerusalem to the Temple for the feast. Generally, the city was filled to overflowing with hundreds of Jews from outside of Palestine. That is why God chose this feast day for the descent of the Holy Spirit on the Apostles.

Pentecost is called the "birthday" of the church. The Apostles had already received the Holy Spirit when Christ appeared to them on Easter Sunday evening (John 20:22). But on Pentecost, the Holy Spirit came publicly to teach the local and foreign Jews that the Spirit was now to be given to all mankind. Through the gift of tongues, the Apostles explained this. Peter proclaimed that



By FATHER ALBERT SHAMON

a word for sunday

God had raised Jesus from the dead, proving he was the promised Messiah and the only Son of God. And he chose the Apostles to bring to all nations the good news that all men are now reconciled to God, their creator, and are his adopted sons and heirs to heaven.

When Peter, representing the Eleven, preached Christ — crucified, raised from the tomb by the Father, and now seated at his right hand in heaven — he raised the Christian standard aloft. And to plant it throughout the Roman Empire, the Apostles gave their lives gladly. The remaining 26 chapters of the Book of Acts and the inspired letters of the Apostles tell the growth of the infant church.

Twenty centuries separate us from those heroic men of God. The truth of

their labors is with us still, thanks to the same Holy Spirit who has remained with the church down through the centuries. From generation to generation the message and the means of salvation have been handed down. This has happened sometimes through periods of peace and evident progress, but more often through years of persecution and apparent near-extinction. But the church has always survived because men of God valued eternal life, and the church as the means of reaching it, more than their own comfort or personal safety.

Today we need men of principle and generosity who will put eternal values before earthly gain or personal comfort. The church has her enemies who shout loud and long, parroting the same old themes used down through the centuries against her. The voice of the Holy Spirit is just as strong as it was on that first Pentecost. He is divine and his powers infinite. And he will continue to bring millions to the eternal kingdom of God.

The Holy Spirit came to us in confirmation making us soldiers of Christ. As soldiers of Christ, we are to help fellow Christians and all others in their common fight against sin and Godlessness.

There is a place for everyone in the

church's line of battle. All that is needed is sincerity and a bit of moral courage — sincerity in our belief that it is the future life that counts and moral courage to face opposition and criticism from enemies and often from false friends. When the Holy Spirit is on our side, we need never worry about the opinions or sneers of worldly-minded people. If we are true soldiers of Christ, we shall win our battles, not by crushing our enemies, but by making them children of God.

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Father Shamon is administrator of St. Isaac Jogues Chapel, Fleming.

### Daily Readings

- Monday, June 12  
1 Kings 17:1-6; Matthew 5:1-12
- Tuesday, June 13  
1 Kings 17:7-16; Matthew 5:13-16
- Wednesday, June 14  
1 Kings 18:20-39; Matthew 5:17-19
- Thursday, June 15  
1 Kings 18:41-46; Matthew 5:20-26
- Friday, June 16  
1 Kings 19:9, 11-16; Matthew 5:27-32
- Saturday, June 17  
1 Kings 19:19-21; Matthew 5:33-37

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