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**AUTONOMIA DEL PATRIARCATO,
GIURISDIZIONE SULLA CHIESA MALABARESE
IN INDIA E INFALLIBILITÀ DEL PAPA**

VOLUME II: DAL 1866 AL 1874

A cura di

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Introductory Article

ROME AND THE CHALDEAN PATRIARCHATE: IMMEDIATE HISTORICAL CONTEXT AFTER 1865

In the introductory article of the first volume, the general historical and ecclesiastical situation of the Chaldean patriarchate and the Propaganda Fide up to the end of the XIX century was presented. In this article, attention is drawn only to two particular events: the modification of Eastern canonical discipline, which restricted the autonomy of the Eastern patriarchates, and the First Vatican Council. Both events had grave repercussions on the relationship between Pope Pius IX and Patriarch Joseph Audo as well as on the ecclesial life of the Chaldean Church (in Iran and Iraq) and the Malabar Church in India.

1. Pope Pius IX and the Modification of Eastern Canonical Discipline concerning the Election of Patriarchs and Bishops, Armenian Schism

In the Ottoman Empire the patriarchs were considered the religious and civil heads of the community and in the Armenian Church patriarchs and bishops were elected with the participation of priests, monks and lay Christian faithful. One of the main reasons for the conflicts between Pope Pius IX and the Eastern Catholic Churches was the Pope's desire to reserve the appointment of bishops for himself. As Giacomo Martina rightly points out:

Pope Pius IX wanted to remove the election of patriarchs and bishops from the influence of the laity at all costs; he did not want to entrust the election entirely to the local episcopate, but to reserve the appointment to himself, or at least to be controlled by him. All this meant abandoning centuries-old practises, renouncing the great autonomy that the various Eastern Churches had enjoyed for centuries, and inevitably led to bitterness and harsh conflicts¹.

The first of these conflicts erupted between the Pope and the Armenian Catholic Church, which eventually led to a new schism in the Armenian Catholic Church.

¹ G. MARTINA, *Pio IX (1867-1878)*, Roma 1990 (*Miscellanea Historiae Pontificiae*, vol. 58), p. 53.

1.1. The Historical Situation of the Armenian Catholic Church in the XIX Century

From the XIX century onwards, there were two primatial sees and two centres of authority in the Armenian Catholic Church: the Catholic patriarchate of Cilicia of the Armenians with the see in the remote village of Bzommar in Lebanon (where the Maronites had sheltered the Armenian Patriarch from 1740 to protect him from persecutions) and the primatial archbishopric of Constantinople erected by Pope Pius VIII on 6 July 1830 (there had been an Armenian vicariate for the Armenian Catholics in Constantinople and Turkey since 9 July 1759). In 1850 six new episcopal sees were also established in Turkey under the primatial see of Constantinople, which further strengthened the said see and provoked occasional disputes over jurisdiction between the two heads of the same Church². At this time, there were around thirteen sees in the patriarchate of Cilicia. The primatial see of Constantinople had about 28,000 faithful scattered throughout Europe, Turkey and Greater Armenia, while the Armenian patriarchate of Cilicia had no more than 16,000 faithful³.

Two canonical disciplines also prevailed in the two primatial sees of the Armenian Catholic Church. In the see of Constantinople, which was established by Rome, the primatial head (archbishop) and the bishops were appointed by the Roman Pontiff in accordance with the Latin discipline of the time, while in the patriarchate of Cilicia the Patriarch and the bishops were elected in a synod with the participation of priests, monks and lay Christian leaders in accordance with the Eastern tradition⁴. In fact, the instruction of the Propaganda Fide on 20 August 1853 entitled *Licet* regulated the appointment of bishops in the primatial see of Constantinople and in its suffragan sees: the role of the bishops was limited to proposing three candidates (*ternus*) for appointment to the Roman Pontiff via the Propaganda Fide⁵.

² Cf. CONGREGATION FOR THE EASTERN CHURCHES, *The Catholic East*, Vatican City 2019, pp. 291-292; G. MARTINA, *Pio IX (1867-1878)*, pp. 61-62; H. JEDIN and J. DOLAN (ed.), *History of the Church, Volume VIII: The Church in the Age of Liberalism*, New York 1981, p. 171.

³ G. MARTINA, *Pio IX (1867-1878)*, p. 62.

⁴ Cf. G. MARTINA, *Pio IX (1867-1878)*, pp. 63-64.

⁵ The instruction can be found in MANSI 40, coll. 927-928. Cf. G. MARTINA, *Pio IX (1851-1866)*, Roma 1986 (*Miscellanea Historiae Pontificiae*, vol. 51), pp. 369-370.

1.2. Unification of the Armenian Patriarchate of Cilicia and the Primatial See of Constantinople

Pope Pius IX, Propaganda Fide and even the Armenian Church desired the unification of the Church, namely the patriarchate of Cilicia and the primatial see of Constantinople, but the real problem was the unification of discipline. Pope Pius IX wanted to extend the provisions of the instruction *Licet* to the entire patriarchate, while the Armenians desired to retain their rights and privileges⁶. In fact the unification took place after the death of Gregory Petros VIII (Michel) Der-Astvadzadourian on 9 January 1866, Patriarch of Cilicia of the Armenians (1843-1866)⁷. On 14 September 1866 Anton (Andon) Bedros Hassun, a former alumnus of the Propaganda Fide and until then archbishop primate of Constantinople was elected as the Patriarch of the unified Armenian Catholic patriarchate in the synod of bishops of the Armenian Church, held under the presidency of Joseph Valerga, Latin Patriarch of Jerusalem and pro-apostolic delegate in Syria⁸.

Immediately after the election the bishops of the Armenian Church informed Pope Pius IX and Propaganda Fide of the election and announced that they had proclaimed Msgr. Anthony Hassun “archbishop primate of Constantinople as Patriarch of Cilicia, with the name of Peter IX and as successor in the rights and privileges of the ... deceased Patriarch”⁹. However, the confirmation of the election was delayed by more than a year, due to the dispute over the canonical discipline to be followed in the unified Patriarchate: in general the Armenian bishops wanted to retain the rights and privileges of the Patriarch of Cilicia, while Pope Pius IX wanted to extend the system of papal appointment of bishops, which until then had prevailed in the primatial see of Constantinople, to the entire Armenian patriarchate¹⁰. After many discussions at the Propaganda Fide and consultations on the most important question of the appointment of bishops, Pope Pius IX decided in favour of the procedure already indicated in the above-mentioned Instruction *Licet*: a list of

⁶ Cf. G. MARTINA, *Pio IX (1867-1878)*, pp. 64-65.

⁷ *Hierarchia Catholica*, vol. 7 (1800-1846), Padova 1968, p. 151.

⁸ For more information concerning the election of Anthony Hassun: G. MARTINA, *Pio IX (1867-1878)*, pp. 65-66; C. A. FRAZEE, *Catholics and Sultans: the Church and the Ottoman Empire, 1453-1923*, Cambridge 1983, pp. 264-265; R. J. TAFT, “Between East and West: The Eastern Catholic (‘Uniate’) Churches”, in S. Gilley and B. Stanley (ed.), *The Cambridge History of Christianity, World Christianities, C.1815–C.1914* (vol. 8), Cambridge 2008, p. 416; for information about Latin Patriarch Valerga: *Hierarchia Catholica*, vol. 8 (1846-1903), Padova 1978, p. 204.

⁹ G. MARTINA, *Pio IX (1867-1878)*, p. 66.

¹⁰ For details and documentation: G. MARTINA, *Pio IX (1867-1878)*, pp. 66-71.

three candidates (*ternus*) drawn up by the Patriarch and the synod of bishops was to be transmitted to the Pope, who would select one of the candidates directly. Moreover, the clergy and the people were absolutely excluded from the election of the patriarch¹¹.

In a secret consistory on 12 July 1867, Pope Pius IX finally abolished the primatial and archbishopric status of the Armenian See of Constantinople and united it with the Patriarchate of Cilicia of the Armenians; the Pope also confirmed the election of Anthony Hassoun as Patriarch of the united Armenian patriarchate and conferred on him the sacred pallium. The formula used by the Pope is as follows:

Auctoritate Omnipotentis Dei, Sanctorum Apostolorum Petri et Pauli, ac Nostra commemoratae Sedis Constantinopolitanae a felicis recordationis Pio VIII Decessore Nostro erectae Primatiales et Archiepiscopales titulum extinguimus, et ecclesiasticam eiusdem Sedis provinciam cum Patriarchatu Ciliciae Armenorum perpetuo coniungimus: confirmamus, et approbamus electionem, seu postulationem a Venerabilibus Fratribus Episcopis Armeniis Ciliciae factam de persona Venerabilis Fratris Antonii Hassun, Ciliciae Patriarcham Armenorum constituimus, praeficientes eum in Patriarcham et Pastorem eiusdem Patriarchalis Ecclesiae, prout in Decreto et Scheda Consistorialibus exprimitur, contrariis quibuscumque non obstantibus. In Nomine Patris et Filii et Spiritus Sancti. Amen¹².

In the same address to the secret consistory of 12 July 1867, convened for the confirmation of Patriarch Anthony Hassun, Pope Pius IX declared his decision to change the discipline regarding the election of patriarchs and bishops in the Eastern Catholic Churches, reserving to himself the confirmation of the election of patriarchs and the appointment of bishops¹³.

1.3. Promulgation of the Apostolic Letter *Reversurus* and the Modification of Eastern Canonical Discipline in the Armenian Church

In fact, on the same day (12 July 1867), the Pope promulgated the apostolic letter *Reversurus* (*ex hoc mundo*), which modified the Eastern canonical discipline in the Armenian Church¹⁴. In the first part of the apostolic letter, the Pope emphasised the universal primacy of papal jurisdiction, which

¹¹ MANSI 40, coll. 940-942.

¹² *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, Romae 1868, pp. 302-303.

¹³ PIUS IX, Allocution *Cum ex hac vita*, in *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, pp. 296-303.

¹⁴ PIUS IX, Ap. letter *Reversurus*, in *Acta Sanctae Sedis* 3 (1887) pp. 386-393; in *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, pp. 304-310; also in *Iuris Pontificii de Propaganda Fide*, vol. VI-I, pp. 453-458.

was defined in the council of Florence in the presence of the Orientals, as well as the practice of patriarchs receiving the Pope's letter of confirmation since ancient times. The Pope then continues with the history of the Armenian Catholic Church: the reunion of Abraham Peter I and the establishment of the Armenian Patriarchate of Cilicia, the constitution of the primate archiepiscopal see of Constantinople, the unification of the Patriarchate, the Armenian schism and the confirmation of Anthony Hassun as the first Patriarch of the united Armenian Catholic Church¹⁵.

The Pope then proceeded to modify the Eastern canonical discipline regarding the election of patriarchs and bishops. The most important changes concerning the election of the Patriarch were: 1) prohibition of the Armenian tradition which allowed the participation of the Christian faithful and priests in the election; 2) confirmation of the election or postulation by the Pope before enthronement; 3) prohibition of the exercise of patriarchal powers before the conferral of the pallium; 4) prescription of an *ad limina* visit every five years; and 5) restriction of the alienation of temporal goods by the Patriarch. The original text of the apostolic letter *Reversurus* on the election of the Patriarch is reproduced with our own English translation:

In electione autem Patriarchae solis Episcopis ius erit suffragii ferendi, exclusis omnino Clericis et Sacerdotibus, qui episcopali character non polleant. Nemo vero laicorum in eadem electione semet inserere, ullamque partem possit habere quovis quaesito colore vel praetextu.

Porro electum Patriarcham neque, uti aiunt, inthronizari, neque ullum ius aut iurisdictionem, ne procuratorio quidem aut vicario nomine vel titulo, in Patriarchatum habere volumus, nisi prius eiusdem electio seu postulatio a Nobis vel a Romano Pontifice pro tempore existente fuerit admissa et de more confirmata, atque Apostolicae

However, only bishops are entitled to vote in the election of the Patriarch; clerics and priests, who have no episcopal character, are completely excluded. Certainly, none of the laity can interfere in the same election and take part in it under any unusual pretence or excuse.

Moreover, we do not wish the patriarch-elect to be enthroned, as they say, or to acquire any right or jurisdiction, even by a procuratorial or vicarious name or title in the patriarchate, unless his election or postulation has been previously approved by us or by the contemporary Roman Pontiff and confirmed according to custom, and

¹⁵ PIUS IX, Ap. letter *Reversurus*, *Acta Sanctae Sedis* 3 (1887) pp. 386-390; *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, pp. 304-317.

litterae confirmationis eiusdem fuerint expeditae, sublata qualibet contraria consuetudine.

Eidem Patriarchae, quamvis ab Apostolica Sede uti supra confirmato, non licebit Episcopos consecrare nec convocare concilium, nec chrisma conficere, neque ecclesias dedicare, nec clericos ordinare antequam ab Apostolica Sede sacrum Pallium obtinuerit.

Praedicto autem Pallio Patriarcha uti tantum poterit in Missarum solemnibus intra fines et in ecclesiis sui Patriarchatus sequentibus dumtaxat diebus; videlicet in Nativitate Domini Nostri Iesu Christi [...].

Sacra limina Beatissimorum Apostolorum Petri et Pauli singulis quinquenniis Patriarcha personaliter et per se ipsum visitabit, Romanoque Pontifici pro tempore existenti rationem reddet de toto suo pastoralis officio, ac de rebus omnibus ad patriarchatus sui statum pertinentibus; eiusdemque monita et mandata humiliter excipiet ac diligentissime exequetur.

Possessiones vero pertinentes ad Ecclesiam vel mensam suam, sive ad alias quascumque Ecclesias, vel loca pia sui Patriarchatus non poterit idem Patriarcha vendere, aut donare, vel oppignerare, aut de novo infeudare, vel alio quocumque modo alienare, neque assentiri, ut a quovis alienentur, inconsulto Romano

the apostolic letter of his confirmation has been obtained, after every custom to the contrary has been abolished.

The same patriarch, although confirmed by the Apostolic See as stated above, will not be permitted to consecrate bishops, convoke a synod, consecrate chrism, consecrate churches, or ordain clerics, until he has received the sacred pallium from the Apostolic See.

However, the Patriarch will be able to use the above-mentioned Pallium only during solemn Masses within the boundaries and in the churches of his patriarchate on the following days; that is, on the Nativity of Our Lord Jesus Christ [...].

Every five years the Patriarch shall personally visit the holy thresholds of the blessed Apostles Peter and Paul and render an account to the contemporary Roman Pontiff of his entire pastoral office and of all matters concerning the state of his Patriarchate; he shall humbly receive his advice and orders and carry them out with the greatest care.

Goods (property) belonging to the Church or to his table (house) or to other Churches or to the pious places of his Patriarchate shall not be sold or given away or mortgaged or remortgaged or otherwise alienated by the same Patriarch, nor allow them to be alienated by anyone, without consulting the

Pontifice, secundum formam iuramenti, quod electi Patriarchae Orientalis ritus in sua promotione emittere tenentur ¹⁶ .	Roman Pontiff, according to the form of the oath which the elected patriarchs of the Eastern rite must take on their promotion.
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According to the apostolic letter *Reversurus*, two juridical acts of the Apostolic See were required for a patriarchal election to take place: firstly, confirmation of the election by the Pope and then the conferral of the pallium. Before the pallium was conferred, the elected and confirmed Patriarch could not even exercise episcopal powers such as the consecration of churches and the ordination of clerics. Because of these modifications, the synodal election of patriarchs became almost tantamount to proposing a candidate for appointment.

The Apostolic Letter *Reversurus*, promulgated by Pope Pius IX on 12 July 1867, also modified the immemorial tradition of the synodal election of bishops in the Armenian patriarchal Church. According to *Reversurus*, the patriarchal synod draws up a list of three candidates and submits it to the Roman Pontiff for appointment in a vacant diocese. The Pope is free to appoint the new bishop from the submitted list or anyone he wishes if none of the candidates on the list is deemed worthy. The original text of the *Reversurus* on the election of bishops is reproduced with our own English translation:

Verum nihil magis animum Nostrum sollicitat atque angit, quam provida Episcoporum electio, a qua praecipue pendent felicitas populorum, ordo ecclesiasticae disciplinae, atque aeterna animarum salus. Animo igitur assidue recolentes, quod sanguinem ovium Christi, quae peribunt ex malo regimine pastorum negligentium, et sui officii immemorum, de manibus Nostris sit requisiturus Dominus Noster Iesus Christus, qui humilitati Nostrae universae Ecclesiae, quanta illa est, regimen et sollicitudinem demandavit, ea quae sequuntur, circa electionem Episcoporum Armenii	But nothing troubles and disturbs Our mind more than the providential election of bishops, on which the happiness of the people, the order of ecclesiastical discipline, and the eternal salvation of souls chiefly depend. We constantly remember that Our Lord Jesus Christ, who has entrusted to our humility the government and care of the universal Church as it is, will require at our hands the blood of Christ's sheep, who will perish through the bad government of negligent shepherds who are unaware of their office. Therefore, We establish and decree the
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¹⁶ PIUS IX, Ap. Letter *Reversurus*, *Acta Sanctae Sedis* 3 (1887) pp. 390-391; *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, pp. 312-313.

Patriarchatus, pro Apostolici Nostri ministerii officio ac de Nostrae potestatis plenitudine, tenore praesentium statuimus atque decernimus.

Quoties aliquam dioecesim memorati Patriarchatus vacare contingeret, Patriarcha quamprimum synodum indicat universorum Episcoporum eiusdem Patriarchatus; quo facto, ab eodem Patriarcha et Episcopis synodaliter congregatis tres idonei Ecclesiastici viri, collatis consiliis, Romano Pontifici pro tempore existenti proponantur, ut ex illis digniorem et magis idoneum eligere, et vacanti Episcopali Sedi providere possit. Non dubitamus autem, quin iidem Episcopi dignos ac vere idoneos viros proponere studeant, ne umquam cogamur Nos vel Successores Nostri pro eiusdem Apostolici ministerii officio alium, licet ab eis non propositum, episcopali dignitate augere, et vacanti Ecclesiae praeficere. Quod si propter instantem necessitatem, aut itineris longitudinem universi Episcopi ad synodum uti supra a Patriarcha indicatam accedere non poterunt, tres saltem Episcopi propriam dioecesim cum iurisdictione habentes una cum memorato Patriarcha in eandem synodum omnino convenient, absentibus ternariam suam propositionem scripto significantibus. Volumus autem ut universa acta eiusdem Synodi ad praefatam Congregationem de Propaganda

following regarding the election of the bishops of the Armenian Patriarchate, by virtue of the office of Our apostolic ministry and by the fullness of Our power, according to the tenor of the present (letter).

Whenever a diocese of the said patriarchate becomes vacant, the Patriarch should as soon as possible convene a synod of all the bishops of the same patriarchate; whereupon the Patriarch and the bishops, having assembled in synod, should after mutual consultation, propose to the contemporary Roman Pontiff three suitable clergymen, that he may choose from among them a more worthy and suitable one to fill the vacant episcopal see. We have no doubt, however, that the same bishops will endeavour to propose worthy and truly suitable men, so that we or our successors will never be forced to appoint another person to the office of the same apostolic ministry, even if he has not been proposed by them, in order to enhance the episcopal dignity and preside over a vacant Church. If however, owing to urgent necessity, or the length of the journey, not all bishops can come to the synod convoked by the Patriarch as indicated above, at least three bishops who have their own dioceses with jurisdiction, must meet together with the aforesaid Patriarch in the same synod, the absent bishops signifying their ternary proposal in writing. And We desire that all the proceedings of the

Fide Orientalium Ecclesiarum Negotiis praepositam per nostrum et huius Sanctae Sedis Apostolicum Delegatum transmittantur, ut diligenti primum trutina ab eadem Congregatione expensa, demum Nostro et Successorum Nostrorum iudicio subiiciantur¹⁷.

same synod be transmitted through Our Apostolic Delegate and of this Holy See to the above-mentioned Congregation of Propaganda Fide for the Affairs of the Eastern Churches, so that, after a first careful examination by the same Congregation, they should be submitted to Our judgement and to Our successors.

In practice the ancient tradition of the free election of bishops in the synod of bishops convoked and presided over by the Patriarch was reduced to the mere proposal of three candidates (*ternus*) for appointment by the Pope. In fact, after the selection of the three candidates, all the acts of the synod, together with their names, had to be forwarded through the Apostolic Delegate to the Congregation for the Propagation of the Faith for the Affairs of the Eastern Churches, which examined the names and submitted them to the Pope for appointment¹⁸. In brief, the same procedure for the appointment of bishops that was prevalent in the Latin Church at that time was also applied to the Armenian Catholic Church. The promulgation of *Reversurus* effectively terminated the administrative autonomy of the Armenian patriarchate.

The modification in the synodal election of the Patriarch and bishops in the Armenian Church was a first step towards a general change in Eastern discipline. In the apostolic letter *Reversurus* itself the Pope clearly expressed his desire to extend the same procedures to all the Eastern Catholic Churches:

And while we are deciding these things for the election of bishops of the Armenians, we do not forget the other Patriarchates of the Eastern rite, for whom we will also take care to regulate this very important task of electing bishops as soon as possible, as we have already publicly announced to our venerable brothers the Patriarchs of the Maronites and Melkites, and to the other Eastern Patriarchs currently residing in Rome¹⁹.

Although Pius IX intended to make *Reversurus* a model for the other Eastern Catholic Churches, this possibility was prevented by the immediate intervention of the Maronite and Melkite Patriarchs who were in Rome at the

¹⁷ PIUS IX, Ap. Letter *Reversurus*, *Acta Sanctae Sedis* 3 (1887) pp. 391-392; *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, pp. 314-315,

¹⁸ PIUS IX, Ap. Letter *Reversurus*, *Acta Sanctae Sedis* 3 (1887) p. 392; *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, p. 313.

¹⁹ PIUS IX, Ap. Letter *Reversurus*, *Acta Sanctae Sedis* 3 (1887) p. 392; *Pii IX Pontificis Maximi Acta, Pars prima*, vol. IV, p. 313.

time. Later, it was only applied to the smaller and weaker Chaldean and Syrian Churches²⁰.

1.4. The Armenian Schism

The apostolic letter *Reversurus* and the curtailment of the autonomy of the Armenian patriarchate finally triggered a schism in the Armenian Catholic Church. While Patriarch Hassun was in Rome for the First Vatican Council, four bishops, namely Basil Gasparian, Ignatius Kalybgian, Jacob Bahdarian, Placid Casagian and about 50 priests rebelled against the decisions of Propaganda Fide and Pope Pius IX concerning the canonical discipline on the election of the Patriarch and bishops; they were excommunicated from the Catholic Church on 2 November 1870²¹. Despite the excommunication and other provisions of the Propaganda Fide the schism progressed and on 2 February 1871 the excommunicated rebel bishops elected one of them, Jacob Bahdarian, Armenian bishop of Diarbekir, on the Tigris, as Armenian Patriarch of Cilicia with the name Jacob Peter IX, who in the opinion of the electors obtained “all the rights and privileges” traditionally enjoyed by the Patriarch before the promulgation of the *Reversurus*²².

In the apostolic letter *Ubi primum* of 11 March 1871 Pope Pius IX declared that the four bishops mentioned had already been excommunicated from the Catholic Church and that the election of Jacob Bahdarian was illegitimate, schismatic, and completely null and void²³. However, the schism continued to progress and the pseudo-patriarch, with the support of his bishops, elected and consecrated four more bishops²⁴.

²⁰ Cf. C. A. FRAZEE, *Catholics and Sultans: the Church and the Ottoman Empire*, p. 233.

²¹ For details: G. MARTINA, *Pio IX (1867-1878)*, pp. 78-84; R. AUBERT, *Storia della Chiesa XXI/2: Il Pontificato di Pio IX (1846-1878)*, seconda edizione italiana a cura di G. Martina (parte seconda), Torino 1976, pp. 640-642; C. A. FRAZEE, *Catholics and Sultans: the Church and the Ottoman Empire*, pp. 266-268.

²² Letter of three rebel bishops and that of the Pseudo-Patriarch Bahtirian to Pope Pius IX concerning the election (dated 13 March 1871): in Vatican City, Archives of the Dicastery for the Eastern Churches, *Ponenze* 1871, ff. 523-526. Concerning the election see also MANSI 40, coll. 1090-1094.

²³ PIUS IX, Ap. Letter *Ubi prima*, addressed to the legitimate Patriarch Anthony Hassun (Peter IX), Catholic bishops and faithful: in Vatican City, Archives of the Dicastery for the Eastern Churches, *Ponenze* 1871, ff. 515-518; printed text in R. DE MARTINIS (ed.), *Iuris Pontificii (Ius Pontificium) de Propaganda Fide*, vol. VI-II, Romae 1895, pp. 113-114.

²⁴ Cf. Letter of Anthony Joseph Pluym, Apostolic Delegate of Constantinople to the Prefect of Propaganda Fide on 24 March 1871: in Vatican City, Archives of the Dicastery for the Eastern Churches, *Ponenze* 1871, ff. 518-519. It is not within the scope of this article to treat the Armenian schism further. For more details: G. MARTINA, *Pio IX (1867-1878)*, 85-96.

1.5. Apostolic Letter *Reversurus*, Armenian Schism and Chaldean Patriarch Audo

The application of the provisions of the apostolic letter *Reversurus* concerning the election of patriarchs and bishops in the Chaldean Church and the relationship of Patriarch Joseph Audo to the Armenian schismatics are two main topics of the *Ponenze* published in this second volume. Since the history of these two events gradually emerges from original and authentic documents, they are not dealt with here, also to avoid redundant repetition. As we can see from the documents, the Chaldean Patriarch Joseph Audo, a relentless defender of the canonical autonomy of the Eastern patriarchates, congratulated the pseudo-patriarch and supported the Armenian schismatics also by maintaining *communicatio in sacris* with them. In addition, two priests of the Chaldean Catholic Diocese of Diarbekir, Anthony Dallal and Luis Sciauriz, supported the schismatics. These actions of the Patriarch and his priests alarmed Propaganda Fide and provoked a strong reaction.

Pope Pius IX extended the provisions of *Reversurus* concerning the election of the Patriarch and the appointment of bishops to the Chaldean Catholic Church by the apostolic letter *Cum Ecclesiastica (Disciplina)* on 31 August 1869²⁵. The modification in Eastern canonical discipline was part of the centralizing policy of Pope Pius IX and Propaganda Fide prevalent at that time and it was carried out before the First Vatican Council. Therefore, the curtailment of the canonical autonomy of the Eastern patriarchates cannot be considered a result of the Council.

²⁵ PIUS IX, Ap. letter *Cum ecclesiastica disciplina*, in R. DE MARTINIS (ed.), *Iuris Pontificii de Propaganda Fide*, vol. VI-II, pp. 32-35; also in *Pii IX Pontificis Maximi Acta, Pars prima*, vol. V, Romae 1871, pp. 38-47. For the historical and ecclesiastical context of the apostolic letter *Cum ecclesiastica*, see G. MARTINA, *Pio IX (1867-1878)*, pp. 96-108; J. HABBI, « Les Chaldéens et les Malabares au XIX siècle », in *Oriens Christianus* 64 (1980) pp. 82-107; C. A. FRAZEE, *Catholics and Sultans: the Church and the Ottoman Empire*, pp. 299-301.

2. The First Vatican Council (1869-1870), Promulgation of the Dogmas of Primacy and Infallibility, the Attitude of Chaldean Patriarch Joseph Audo

Already in 1864 Pope Pius IX asked the cardinals residing in Rome to give him their opinion on the advisability of an ecumenical council²⁶. The majority were in favour of the proposal, and by March 1865 the convocation of the council was all but certain. However, the First Vatican Council was not officially announced until 1867 by Pope Pius IX, summoned on 29 June 1868 with the bull *Aeterni Patris*²⁷, and opened on 8 December 1869 with the first session in St Peter's Basilica²⁸. At the opening session about 774 bishops were present; they came from all parts of the world and constituted a truly global representation, even if number of European bishops was higher. About sixty Eastern Catholic bishops attended, including the patriarchs of the Armenian, Chaldean, Melkite and Syrian Catholic Churches; the Maronite Patriarch, Bulus Massad, was not present, but some bishops represented this Church²⁹.

In the three following sessions only two constitutions were discussed and approved: the *Dogmatic Constitution on the Catholic Faith Dei Filius* (24 April 1870) and the *First Dogmatic Constitution on the Church of Christ*

²⁶ For essential information concerning the First Vatican Council: N. P. TANNER, *The Councils of the Church: A Short History*, New York 2001, pp. 87-96; H. JEDIN, *Ecumenical Councils of the Catholic Church: An Historical Outline*, New York 1960, pp. 190-226; J. F. KELLY, *The Ecumenical Councils of the Catholic Church: A History*, Minnesota 2009, pp. 149-173; *Dictionnaire de Théologie Catholique*, Tome XV, Paris 1950, pp. 2536-2585; *Lexikon für Theologie und Kirche*, vol. 10, Freiburg 1965, 636-642. For documentation on the First Vatican Council: MANSI, voll.49-53; E. CECCONI, *Storia del Concilio Ecumenico Vaticano ascritta sui documenti originali*, voll. 2 (4 tomi), Roma 1873-1879.

²⁷ PIUS IX, bull *Aeterni Patris*, in MANSI 49-II (or 50) coll. 1249-1256; also in E. CECCONI, *Storia del Concilio Ecumenico Vaticano ascritta sui documenti originali*, vol. 1, Roma 1873, pp. 383-389.

²⁸ Cf. *Enciclopedia dei Papi*, vol. 3 (Innocenzo VII-Giovanni Paolo II), Roma 2000, p. 568; For details concerning the historical-political and theological context, preparatory works and convocation of the Council: G. MARTINA, *Pio IX (1867-1878)*, Roma 1990, pp. 119-166; R. AUBERT, *Storia della Chiesa XXI/2: Il Pontificato di Pio IX (1846-1878)*, pp. 478-495; E. CECCONI, *Storia del Concilio Ecumenico Vaticano ascritta sui documenti originali*, vol. 1, pp. 3-95 and documents I-XXXV, in pp. 321-382.

²⁹ The lists of bishops in MANSI 50, col. 22-36; cf. G. MARTINA, *Pio IX (1867-1878)*, p. 166; R. AUBERT, *Storia della Chiesa XXI/2: Il Pontificato di Pio IX (1846-1878)*, p. 497; C. A. FRAZEE, *Catholics and Sultans: the Church and the Ottoman Empire*, p. 235; N. P. TANNER, *The Councils of the Church: A Short History*, pp. 95-96.

Pastor Aeternus (18 July 1870)³⁰. In four chapters the Constitution *Dei Filius* affirmed the existence of a personal, free, and provident God, who is the creator of all things; the necessity of revelation to know matters concerning God and supernatural truths without error; the nature of faith as a supernatural virtue; the agreement between reason and faith³¹.

The constitution *Pastor Aeternus* defined and proclaimed the universal primacy of jurisdiction and the infallibility of the Roman Pontiff, both issues of great importance not only for the Catholic Church but also for Churches and communities that are not in full communion with the Pope, the Bishop of Rome regarding ecumenism. The bishops were divided into two groups precisely on the question of Pope's personal infallibility. Hence, the dogma of the "personal and separate" infallibility of the Pope (independent of the Church and the universal episcopate), was hotly debated and discussed at the Council by the majority, who were supported by Pope Pius IX, and even wanted to extend it to all of the Pope's teachings, and the minority, who preferred more of an "ecclesial infallibility" within the Church, which was only restricted to some official definitions *ex cathedra*³².

The minority of about a quarter of the bishops, made up of the German, Austrian and Hungarian bishops, almost half of the Americans, a third of the French, most of the Chaldeans and Melkites and some Armenians, were opposed to the definition of the pope's "personal and separate" infallibility as divinely revealed truth for historical, theological, political and pastoral reasons; in their opinion, it deviated from the ecclesiastical structure of the early Christian Church³³.

As we have already seen, Pope Pius IX and Propaganda Fide had already modified the Eastern canonical discipline before the First Vatican Council and curtailed the autonomy of the Eastern patriarchates with the promulgation of *Reversurus* and *Cum Ecclesiastica*. The tensions between the Holy See and the Eastern Catholic Churches, which had already increased after the promulgation of the aforementioned documents and the subsequent Armenian

³⁰ *Decrees of the Ecumenical Councils*, vol. 2, N. P. TANNER (ed.), London 1990, pp. 804-816; *Conciliorum oecumenicorum decreta*, a cura di G. ALBERIGO e altri (edizione bilingue), Bologna 2002, 804-816.

³¹ *Decrees of the Ecumenical Councils*, vol. 2, pp. 804-811; *Conciliorum oecumenicorum decreta*, pp. 804-811.

³² For details concerning discussions and different positions concerning infallibility in the Council: G. MARTINA, *Pio IX (1867-1878)*, pp. 166-205; R. AUBERT, *Storia della Chiesa XXI/2: Il Pontificato di Pio IX (1846-1878)*, pp. 499-510; 537-548; K. SCHATZ, *Papal Primacy from Its Origins to the Present*, Minnesota 1996, pp. 156-161.

³³ Cf. *Enciclopedia dei Papi*, vol. 3, p. 568; G. MARTINA, *Pio IX (1867-1878)*, pp. 190-211; R. AUBERT, *Storia della Chiesa XXI/2: Il Pontificato di Pio IX (1846-1878)*, pp. 510-511.

Schism of Constantinople, reached their climax at the Council. As far as the attitude of the Eastern bishops and in particular the Chaldean Patriarch Joseph Audo is concerned, Robert J. Taft rightly states:

Appalled at the Ultramontane council's lack of understanding of, or respect for the distinctiveness of the Catholic East, its age-old traditions and the peculiar dignity of its supreme hierarchs, Eastern Catholic bishops at Vatican I rose up in protest. On 25 January 1870, Chaldean Patriarch Joseph VI Audo, who was to play a significant role among the anti-infallibilists, took the floor in an historic speech insisting that the particular discipline of the Christian East be respected. His long patriarchate was a constant struggle against the desire for hegemony of the authoritarian and rigid Pope Pius IX³⁴.

Patriarch Audo was forbidden to raise the question of the election of bishops in the Council³⁵ and hence he spoke generally about canonical discipline. Against the attempt to unify the disciplines of Eastern and Western Churches, Audo emphasised the usefulness and necessity of the diversity of ecclesiastical disciplines, while at the same time maintaining unity in the faith. His discourse in the Council on 25 January 1870 was based on the entire schema on the nature of the Church, *de Ecclesia*³⁶. Since our topic is the relationship between Pope Pius IX and Chaldean Patriarch Joseph Audo, we quote an essential part of his discourse:

Cum antem lecta equidem fuerint mihi prima de disciplina schemata, quantum mediocri meo ingenio ex ipsis colligere potui, propositum auctoris illorum in illud versari comperi, ut tum pro occidentalibus tum pro orientalibus ecclesiis una eademque disciplina componatur ac praescribatur, id est, unum ac idem pro utrisque ecclesiis iuris ecclesiastici corpus efficiatur. Fortasse consultores clarissimi parum vel nullum intercedere discrimen inter utrarumque ecclesiarum iura,

When the first drafts of the discipline were read to me, as far as I could decipher them with my modest abilities, I realised that the intention of their author was to compose and prescribe one and the same discipline for the Western and the Eastern Churches, that is, to enact one and the same ecclesiastical law for both Churches. Perhaps the most illustrious counsellors thought there would be little or no difference between the laws, customs and rites of the two

³⁴ R. J. TAFT, "Between East and West: The Eastern Catholic ('Uniate') Churches", p. 423.

³⁵ Cf. J. Habbi, « Les Chaldéens et les Malabares au XIX siècle », in *Oriens Christianus* 64 (1980) p. 102.

³⁶ The discourse of Patriarch Audo can be found in MANSI 50-II, coll. 513-516.