

CONVERSATIONS ON THE DIPLOMACY OF THE HOLY SEE

Accepting the invitation of the Sulkhani-Saba Orbeliani University, I would like to thank the Rector, Dr. Vaja Vardidze and Mr. Irakli Javakhishvili for the gracious invitation to speak to you about the diplomacy of the Holy See and its International relations. Thank you to the Illustrious Professors and dedicated student body here today.

I propose to you a talk divided in three parts: first, given that the Roman Catholic Church is the only religion in the world that entertains official diplomatic relation with states, I believe that it would be helpful to present some background factors that contributed to this reality. I propose to talk about some of the guiding principles and aspects of modern day diplomacy of the Holy See. Finally, I think it would be useful to entertain some of your questions about the Holy See's international relations.

1. The diplomacy of the Holy See, as Pope Francis stated in his 2017 address to the Curia, is "the sincere and constant search to make the Holy See a constructor of bridges, peace and dialogue among nations. And being a diplomacy at the service of humankind and of humanity, with an outstretched hand and an open door, it strives to listen, understand, help, signal and intervene promptly and respectfully in any situation to bridge distances and foster trust".¹²

Pope Benedict XVI suggested, "As an art of the possible, diplomacy is based on a firm conviction that peace can be better achieved through dialogue, attentive and discreet listening, rather than through reciprocal re-primations, useless criticism and demonstrations of strength".¹³

In 2010, When asked about the contribution of the Holy See to the difficult situation in the Middle East, Pope Benedict XVI further suggested: "I would

¹² Address to Roman Curia, 21 / XII / 2017.

¹³ Address to Authorities Korean and Diplomatic Corps accredited there, Seoul - 14 / VIII / 2014.

say that we have contributed, above all, in a religious way. We can also help with political and strategic advice, but the essential work of the Holy See is always religious, it touches the heart. With all the episodes that we have lived through, there is always the danger of losing patience, saying "enough now", and no longer desire to seek peace. (...) We need to imitate God in his patience. After all the cases of violence, one must not lose patience, courage and the magnanimity to start over. One must contribute to the conditions of the heart, which will allow to start over again. One must believe in the certainty that we can move forward, reach peace, and that violence is not the solution. Only patience can achieve good. Creating such conditions seems to me the main work that the Vatican with its agencies and the Pope himself can do".¹⁴

The Pope is a figure of great international prestige. (Suffice it to think that during the papal conclave of 2013 there were 6000 accredited journalists. When the Pope arrives for a pastoral visit in country he is most often met at the airport by the head of state.) He possesses an authority of persuasion and an influence that derives from his function and the moral weight of the Catholic Church, because of her influence in the world by her institutions and her social and religious works (Caritas International is more than twice as large as the Red Cross, Red Crescent and the Star of David taken all together).

In addition, as the head of a "world institution" like the Catholic Church, with a strongly centralized authority, the Holy Father receives information from all corners of the world, not only on religious matters, but also on cultural, social and political matters. That is why we can assume that the Pope is an extremely well informed person and that the diplomatic activity of the Holy See is possibly one of the most efficient in the world.

Without belabouring on the concrete international activities of the Holy See, its influence on the international scene is well known. The Holy See

¹⁴ Colloquium with the journalists during the flight to Cyprus, 06 / VI / 2010.

does not have the resources of a political-economic and military nature, (in fact, it is said that at the peace negotiations after WWII as a pretext to exclude the Holy See from the peace accords, Stalin asked, "how many divisions does the Vatican have?"). The Holy See's role in international diplomacy is recognized in historical and symbolic privileges, such as recognizing the Apostolic Nuncio as the Dean of the Diplomatic Corps accredited to a specific country. The Holy See offers a diplomacy that is "*super partes*" (above taking sides).

A few recent accomplishments of the Holy See's diplomacy, count among them: its role as mediator in the Beagle Strait dispute between Argentina and Chile; the role of Pope John Paul II and the fall of the Berlin Wall and the aftermath of those events (which lead to Georgian independence); its active participation in the Middle East peace process (despite its continued disruption); in the Balkans; to prevent military intervention in Iraq; foster fraternal dialogue among religions (noteworthy is the recent signing of the document on fraternity in Abu Dhabi); humanitarian and solidarity with refugees and the poor (Pope Francis' visit to the Island of Lesbos, Greece); and in many other sensitive questions around the world.

Thus, the Holy See is present on the world stage to collaborate with all peoples and nations (regardless of their race or creed), willing to continually reiterate the importance of preserving our common home from all destructive selfishness.

2. We have, therefore, a diplomacy which is above all a diplomacy of patience in order to attain the greater of goods. It seeks to touch truths of the heart. On whose behalf? In my concrete case as an Apostolic Nuncio, it is on behalf of the Holy See, understood as the government of the Church, whose head is the Pope, Bishop of Rome and Supreme Pastor of the Holy Roman Catholic Apostolic Church, which simultaneously enjoys the sovereignty of the Vatican City State.

In order to understand these distinctions, one must understand some historical events, in particular, February 11, 1929, when the Plenipotentiaries of the Holy See and the Italian Republic signed a famous agreement called the Lateran Treaty, which put an end to the so-called "Roman Question". At that time, there was no Vatican City State. At that point, the Holy See became a new international subject and juridical entity.

The Holy See was constituted by the Lateran Treaty, which formally extinguished the earlier Territories of the Papal States that were occupied in 1870 with the invasion of Rome by the troops of the King of Piedmont. For the parties, in negotiating the Lateran Treaty, it was important to emphasize, that the international recognition of the Apostolic See continued uninterrupted, despite the loss of the Papal States. This showed that States and governments did not look to the Holy See merely as a territorial entity, although necessary, but also as an international juridical entity whose purpose was to maintain the spiritual sovereignty of the Church through the ministry of the Supreme Pontiff. (It is worthy to note that between 1870 and 1929 the Pope continued to receive Ambassadors from various countries and send his Legates to various European nations.)

The Preamble to the Lateran Treaty explicitly states that the Holy See needs a visible sign of autonomy to carry out its mission in the international field with complete independence. In view of this, it was deemed necessary to recognize the full sovereignty of the Holy See over the Vatican City State. The Vatican, in fact, is an area in Rome beyond the Tiber River where the residence and the Curia of the Pope, the Departments or Ministries of the Apostolic See, the Basilica of St. Peter and the apartments, museums, archives, library and surrounding gardens are located.

The Lateran Treaty recognized the full sovereignty of the Holy See over a particular territory, the Vatican City, consisting of merely 44 hectares. This tiny territory is all that remains of the previous Papal Territories, whose total surface covered approximately 40,000 square kilometres. This territory, called the Vatican City State, is a juridical reality with all the rights and

prerogatives of a State whose purpose is to assure the Holy See, by guaranteeing its territorial limits, the free and independent exercise of its spiritual universal mission. (The Vatican City State enjoys all the prerogatives of any other state, issuing passports, vehicle license plates, communications, having its own army, police and security force. This sovereignty ensures the freedom of the Pontiff from pressures that would inhibit his evangelic mission.)

The Holy See or Apostolic See, strictly speaking, is the Petrine Ministry (of the Pope), in which there is a dual sovereignty: as Pastor of the universal Church and as Head of State of Vatican City. In a broader sense, the dicasteries (departments) belong to the Holy See, which, with the authority of the Pope, collaborate in the government of the Church.¹⁵ In the canonical order, the Holy See is a sovereign entity that is configured as the central organ of the government of the Church, described in can. 361 of the CIC as an Office of the Roman Pontiff, a legal reality accepted by international law.

The sovereign and independent nature, autonomous capacity and power of internal and external self-organization are characteristics recognized by the Commonwealth of Nations to the Holy See. The Holy See, is the reason for the existence of the Vatican City State. Its sovereignty is recognized by the international juridical system.

"The Catholic Church and the Apostolic See have the nature of a moral person by their own divine ordinance".¹⁶ But, on an international level, is the Church also a distinct juridical subject of the Holy See? No. At the international level, it is always the Holy See that appears as an international subject and never refers to the internal legal system, which is regulated by the Code of Canon Law. It is thus confirmed that the Holy See is the government of the Catholic Church, not assimilated to the civil concept of gov-

¹⁵ cf. Canon 362, CIC.

¹⁶ can. 113-§ 1, CIC.

ernment because Church government is understood as a service to the community.¹⁷

The authority of the Pope is a universal paternity, assuming undoubtedly his legal, moral and religious requirements. From the purely institutional point of view, "the basic and intangible structure of the Church is not democratic, but sacramental and hierarchical".¹⁸ When meeting the journalists during the apostolic trip to the United States and Canada (September 10-20, 1987), Pope John Paul II affirmed that the Church is not a democracy, but a theocracy, whose Head is Jesus Christ.

3. In view of this peculiarity, "does the Church run the risk of resembling the institutions and agencies of the temporal order?" The question was posed by Pope Paul VI, who explained that in diplomacy, Roman Pontiffs: "obeyed the imperative of the mandate itself - that of being interested in civil society too - not to take undue advantage of a domain that was not within their competence, but to favour respect for the basic principles of civil and international life: justice for all, mutual harmony and collaboration among peoples; in a word, to collaborate in the peaceful search for this common good, whose temporal authority must be the guarantee of service and the defence of peace".¹⁹

The diplomat of the Holy See does not defend territorial, military or strategic interests, but has a mission to safeguard and promote human rights, including religious freedom, which is essential to safeguard all other rights, and collaborates with Nations in the construction of a just, ethical and peaceful society.

The Pontifical Representative is a diplomat to whom? To the local Church and, if possible, also to the Governmental Authorities. In fact, the Letters

¹⁷ see LG Chapter III, Catechism of the Catholic Church, 874-896.

¹⁸ Cardinal Ratzinger, *Entretien sur la foi*, Paris 1985, 54.

¹⁹ Address to members of the diplomatic corps accredited to the Holy See, 12 / I / 1970.

that he takes with him when entering the "accrediting" country are of two orders: in his diplomatic function, he takes two Letters of Credence addressed to the Head of State (one revoking the previous Apostolic Nuncio and one of accreditation of the new one); then, in addition to these, he takes a letter addressed to the President of the Episcopal Conference, called the "Letter of Presentation" (and not the Letter of Accreditation), which refers to the ecclesial function or intra-ecclesial mission. Of course, the functions of the Pontifical Representative have seen significant changes over the centuries. For example, in the Code of Canon Law of 1917, its diplomatic representations to States were more prominent, taking on a very secular state reality of the Holy See that dominated the Papal States, lost in 1870. (Since early church councils in the third century, Papal representatives carried with them letters of credence and of presentation. Today, the Ambassadors of all states present letters of credence to the head of state hosting his or her diplomatic mission.)

However, with the new conciliar vision of a "communion" Church which reviewed the concept of perfect "societas" (the classical doctrine of the Holy See until the Second Vatican Council), the concept of perfect "societas" was re-framed and the Pontifical Representations were opened up to a more intra-ecclesial function. That is, "The principal, primary and specific office of the pontifical legate is to strengthen the bond of union between the Apostolic See and the local Churches becoming ever more solid and efficient".²⁰

This first aspect of the pontifical representation is not a diplomatic one. It is a "unilateral" ecclesial representation. The Catholic Church is one and the highest authority is in the person of the Pope who sends his representative to the local church. Hence, this ecclesial representation does not require the consent of the particular local church. This function springs forth from the Pope's own primacy, as the universal Pastor of the Catholic

²⁰ Ap. Letter *Motto Proprio, Sollicitudo omnium Ecclesiarum*, 24 / VI / 1969, Article IV-§ 12.

Church. It is governed by the norms of the Code of Canon Law and by other ecclesiastical laws, which disciplines institutions and persons belonging to the Catholic Church.

We know that for the individual Bishops "The pastoral office and care of their sheep is completely entrusted to them... (bishops are not to be) regarded as vicars of the Roman Pontiffs, for they exercise an authority that is proper to them".²¹ What then, exactly is the role of the Nuncio in relation to the local Church? His role is: To inform about the situation of the Church; assist and encourage Bishops in their mission; to defend and promote the freedom of the Church and religious freedom in general, to cooperate in ecumenism and interreligious dialogue; to act jointly with the Bishops in favouring accords and peace and finally to instruct the information processes for the appointment of Bishops to be presented to the Apostolic See.

This is the ecclesial function of the Nuncio, which is explained in canon 364 of CIC / 1983. The following canon describes the specific diplomatic function of the Apostolic Nuncio: to promote good relations with the State Authorities, deal with bilateral state questions concerning the Church-State relations; and finally, prepare and implement agreements, accords and other conventions.

The diplomatic mission is governed by international law and specifically by diplomatic law. Pontifical diplomatic missions were first codified in international law in the first article of the Regulations of the Congress of Vienna on the status of the Diplomatic Representatives in 1815 and later in Articles 14 and 16 of the Vienna Convention on Diplomatic Relations, held on 18 April 1961. (These documents codify the diplomacy of the Holy See, name specifically the Apostolic Nuncio and according the same rank as any Ambassador.)

²¹ Lumen Gentium, 27.

On a diplomatic level, a diplomatic legation is born of an agreement between two parties: in the case of the Holy See as the accrediting authority and the State (through the Government) or the Presidencies of the International Organizations. The legation itself is not multilateral. But one can speak of multilateral diplomacy in relations with the International Governmental Organizations, which, by its very nature, is carried out by meetings of delegates of diverse and legitimate international subjects.

The presence of Nuncios and Legates to the local Churches and civil authorities (States Governments, International Organizations) is an ultramillenary reality that has reached great proportions in modern times. As an example, today in 2019 the Holy See maintains official diplomatic relations with 185 sovereign states, out of a total of 193 accredited to the United Nations Organization (see Pontifical Yearbook 2019). There are 105 Apostolic Nuncios (Ambassadors) posted around the world and some exercise the Papal Representation in more than one country, as is the case of the Apostolic Nuncio in Georgia, who is also Nuncio in Armenia.

In addition, the Holy See maintains diplomatic relations with almost all international intergovernmental and non-governmental organizations of the UN. The Holy See's engagement with the United Nations Organization arose in 1947 when the UN was just constituted after World War II and replaced the League of Nations. Back then, the UN was discussing the Holy Land (Israel and Palestine) and the Holy Places that should constitute a "*corpus separatum*" of Arab States and Israel where Jerusalem would be under the direct authority of a representative of the United Nations and have a special international statute.

Pius XII supported the two resolutions of the UN, respectively on December 11, 1948 and on December 9, 1949. The Holy See had relations with the United Nations throughout the 1950s, until on 6 April 1964, a Permanent Mission was established in New York and a Pontifical Representative was named. Today the Pontifical Representative has the title of Apostolic Nuncio and Permanent Observer. Hence, the figure of the Observer in in-

ternational relations is recent and has assumed its legal status over the last few decades.

Through the ages, Pontifical diplomacy has engaged with the world, collecting information, thanks to its unparalleled network of missionaries, experts, diplomats and connections of the most varied kind. It has sought to forge bridges and dialogue fostering peace, development and human dignity. Its diplomacy is grounded in the Christian Scripture, its action is inspired by Catholic Social Teaching and its main concern is the dignity of the human person.

Distinguished scholars, dear friends, an anonymous author of the second century wrote that "Christians are to the world what the soul is for the body".²² The task of the soul is to sustain the body, to be its consciousness and historical memory. A bi-millennial history links human society and Christianity. A history not free from conflicts and mistakes, nor from sins, but always animated by the desire to build upon what is good. We see it in the beauty inspired by Christian art, architecture, music, libraries, science etc., and even more so, in the beauty of the many works of charity and common human good that constellate our world. We want to continue to build together our earth that revolves, not around the economy, but of the sacredness of the human person, of inalienable values; a land that courageously embraces its past and looks confidently to its future, to live fully in its present.

²² Letter to Diognetus, 6.