

PETER'S PENCE AS A FORM OF FINANCING THE NEEDS OF THE HOLY SEE

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Abstract. The practice of sending offerings to the Holy See dates back to the seventh century, when the wealthy inhabitants of England began to support the activities of successive popes with temporal goods. It developed and was maintained for a number of years in England, Gaul, Denmark, Sweden, Norway and also in Poland, from the time of King Bolesław Chrobry. After gradually disappearing, especially during the Reformation, the practice was restored by Pope Pius IX. The institution of Peter's Pence is referenced in Canon 1271 of the 1983 Code of Canon Law, which obliges bishops to assist in procuring the means which the Holy See needs. This article is an analysis of the said institution from a legal-historical perspective and according to the current universal legislation.

Keywords: Peter's Pence; Holy See; diocesan bishop; diocese; pope.

INTRODUCTION

The Catholic Church, on the basis of an inherent right, in a manner absolutely independent of civil power, by virtue of its juridical-material dimension, enjoys the right to acquire, retain, administer and alienate temporal goods, which must serve the correct and efficient fulfilment of the Church's proper purposes, which are, among other things, to exercise works of the sacred apostolate and of charity, especially towards the needy (Canon 1254, cf. Canon 222 § 1).¹ The works of the apostolate and charity, especially towards the needy, constitute a very important task of the Church, which is confirmed by the numerous dispositions of the Codex legislature in this regard.² The Peter's Pence (German: *Peterspfenning*; Italian: *Obolo di San Pietro*; Spanish: *Óbolo de San Pedro*; Portuguese: *Óbolo de São Pedro*; French: *Denier de Saint Pierre*) is one of the already proven forms of financing the activities of the Holy See, also in the area of Christian *caritas*. This article will analyse this institution from a legal and historical perspective

¹ *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars II, pp. 1-317 [hereinafter: CIC/83].

² See Canons 114 § 2; 215, 222 § 1, 282 § 2, 298 § 1, 529 § 2, 640, 945 § 2, 1254, 1285.

and according to current ecclesiastical legislation. The introduction of more detailed regulations by the legislator regarding the entities and amounts of contributions within the framework of Peter's Pence would contribute to a better understanding and more effective fulfillment of the obligation to support the Holy See by the faithful and individual particular Churches, thus strengthening the unity and expression of love between the faithful and the universal Church.

1. PETER'S PENCE IN LEGAL AND HISTORICAL PERSPECTIVE

It is widely acknowledged that offerings made to the Holy See originated in England, where, from the seventh century onwards, people of high social status sent material gifts to support the activities of successive popes [Dudziak 2013, 399].³ This is a period when the people of England were still a newly converted nation.⁴ The authority of the papacy was so important to the English that at the synod of Whitby, convened by King Oswiu in 664, it was decided to adopt the Roman way of counting Easter [Emerson Curtis 1969, 45-49]. The English were keen to consecrate churches and other sacred buildings, dedicating them primarily to Roman saints. Donations to these saints, as well as to their earthly servants (especially the popes) in the perception of the English, were a way of strengthening the ties between heaven and earth. Kings figured prominently among those sending gifts to the Holy See.⁵ In addition, numerous high-ranking members of the ecclesiastical

³ Various names were then used to describe the tax under study: *pecunia romana* ('Roman money'), *Romgescot* ('Rome payment'), *Rompening* ('Rome penny'), *Romfeoh* ('Rome money') and others [Naismith and Tinti 2019, 521].

⁴ Although the Britons began to adopt Christianity as early as the second century, and by the end of the fourth century it had become quite widespread in the area, Britain was overrun by Picts and Scots in the early fifth century as a result of the weakening of the Roman Empire. The Germanic tribes of the Angles and Saxons, called to their aid, reintroduced paganism. The full conversion of Britain must be seen as an achievement of Pope Gregory I the Great, who proceeded to convert England in a far-reaching planned manner. First, he brought Anglo-Saxon slaves from Gaul to Rome and brought them up in the Catholic faith. Then, in 596, he sent the abbot Augustine with forty monks to England, where in 597, as a result of their missionary activity, King Etelbert of Kent was baptised with thousands of his subjects. In the following years, Pope Gregory I the Great sent out further missionaries. In 601, he ordered the division of England into two metropolises, Cantuarua and York, and into twelve dioceses. Over the next fifty years, five more Anglo-Saxon kingdoms adopted Christianity, which developed so intensively that between the seventh and eleventh centuries as many as twenty-three kings and sixty Anglo-Saxon queens and princesses were inscribed in the catalogue of saints [Kumor 2003, 25-26].

⁵ Bede, in his monograph *Historia ecclesiastica*, cites the example of King Cædwall, ruler of the West Saxons (685-688), who went to Rome to be baptised. After receiving this sacrament, he was buried in St Peter's Basilica due to an unforeseen death, on the recommendation of

hierarchy also made pilgrimages to Rome, not only later bringing a number of relics, church decorations and rich book collections to England, but also bringing generous gifts, not only financial but also works of art, to the popes. Historical accounts of the time, including those of St. Bede the Venerable, confirm that donations to St. Peter's Church were an integral and common part of pilgrimages to Rome [Naismith and Tinti 2019, 524-25]. Because the English made such numerous pilgrimages to the Eternal City, they occupied almost the entire district of Rome in the closest vicinity to the Vatican, the *Burgus Saxonum*.⁶ In time, they built a hospital and a school here, for the upkeep of which they decided to pay a special tax of one denarius per house.

In his interesting study, J. Ptaśnik considers two versions to explain the origins of the institution of the Peter's Pence. According to the first, this tax was imposed for the West of England during the reign of King Ine (689-726).⁷ According to the second, it was imposed by Offa, King of Mercia (757-796), who, at the assembly of barons in 787, in the presence of the papal legate, was said to have pledged to contribute annually 365 fines of gold for the maintenance of the English poor in Rome and for the illumination of St. Peter's Church. By contrast, there is no longer any doubt that Aethelwulf, King of Wessex (839-858), pledged to send 300 fines of gold to Rome each year, of which 100 fines were to be used to pay for the lights in St. Peter's, another 100 for the same purpose in St. Paul's, and the remaining 100 fines were to be at the pope's personal disposal. Ptaśnik considers it likely that the aforementioned obligation evolved over time into a special tax for the pope referred to in England as *Romepenny sive Petrespenny*, which was sent to Rome by each ruler after collecting tribute from his subjects [Ptaśnik 1908, 5-6].⁸

Pope Sergius I (687-701). The tomb epitaph mentions that Cædwalla made a pilgrimage to Rome 'carrying sacred gifts' (Latin: *mystica dona gerens*) [Miller 1999, 180-81].

⁶ Hence the present-day name of Borgo, one of the twenty-two rioni of Rome, forming part of the Municipio Roma I, located on the right bank of the Tiber River, centering the area around the extensive second-century Castel Sant'Angelo.

⁷ See Grimmer 2007, 102-14.

⁸ On this subject, see William the Conqueror's decree: "Liber homo, qui habuerit in averiis campestribus triginta denarios, debet dare denarium S. Petri. Pro IV. denariis, quos dabit dominus, quieti erunt bordarii eius et eius bonnarii et eius servientes. Burgensis, qui dimidiam marcam habet in propriis catallis, debet dare denarium S. Petri. Qui in lege Danorum est liber homo et habet averia campestria valoris dimidiae marcae in argento, dare debet denarium S. Petri. Et per denarium, quem dominus donaverit, quieti erunt ii, qui manent in suo dominico. Qui denegaverit denarium S. Petri, reddet denarium per iustitiam sanctae Ecclesiae, et praeterea XXX. denarios pro foris factura. Et fide ea re implacitatus fuerit per iustitiam regis, foris factura episcopo erit XXX. denarios et regi XL. solidos", quoted by von Spittler 1797, 96.

In the Middle Ages, the perception of the analysed form of support for the Holy See should be seen through the prism of the so-called papal theocracy implementing the assumptions of the theory of the Church's direct authority in the temporal order (particularly in the 11th-13th centuries).⁹ The Pope, as supreme head of the Catholic Church, had the prerogative of taking individual countries and rulers under his protection, which to some extent replicated the feudal scheme. Rulers would place their territories under papal fiefs, thereby strengthening their own political independence, especially *vis-à-vis* their more powerful neighbours, while also receiving a moral and legal mandate from the authority of the Holy See. On the other hand, it provided the popes with an important material security for their own activities, in the form of annual and therefore stable and predictable revenues. As a regular tribute, this benefit persisted in England, Gaul, Denmark, Sweden, Norway and Poland [Dudziak 2013, 399].

With regard to Poland, already Bolesław Chrobry (967-1025) sent a specific tribute to Rome. This practice probably disappeared during the re-emission of paganism in Poland during the reign of Mieszko II (990-1034). In turn, it was restored under Casimir I the Restorer (1016-1058) [Fajęcki 1913a, 260].¹⁰

The practice of sending the tribute under consideration was abolished gradually, especially during the Reformation. It is considered to have been reactivated by Pope Pius IX in his encyclical *Saepe venerabiles* of 5 August 1871, published on the occasion of the 25th anniversary of his pontificate,¹¹ in which he thanked for the many expressions of spiritual and material support given by the faithful, particularly after the abolition of the Papal States in 1870. The economic situation of the Holy See improved after

⁹ The main principles of this system were: 1) the idea of a single Christian community, which was identified with the Church and the State; 2) religious-political dualism distinguishing between two supreme authorities in its order – the papacy in the clerical order and the empire in the temporal order; 3) the secular power has no authority to interfere in the internal affairs of the Church; 4) although the secular power cannot influence ecclesiastical affairs, it is nevertheless obliged to use its own coercive means to help the Church (Latin: *brachium saeculare*); 5) God's law and canon law is superior to any secular law [Krukowski 2013, 34-36].

¹⁰ This donation was referred to in Poland as *świętopietrze* [Fajęcki 1913b, 260].

¹¹ Pius PP. IX, Epistola encyclica *Saepe venerabiles* (05.08.1871), ASS 6 (1870-1871), pp. 337-40. "Hac vero occasione stips quoque Nobis solito largior affluxit, qua pauperes simul ac divites occurrere conati sunt factae Nobis inopiae, cui accessere munera multiplicia, varia, nobilissima, splendidumque christianarum artium et ingeniorum tributum relevandae praesertim accommodatum duplici Nobis a Deo concessae potestati spirituali ac regiae; et praeterea copiosa splendidaque supellex sacrarum vestium et utensilium, qua squalori et egestati tot Ecclesiarum undique occurrere possemus. Mirum certe spectaculum unitatis catholicae, quod evidenter ostendit, Ecclesiam universam, licet toto diffusam orbe, gentibusque compactam disparibus moribus, ingenio, studiis, uno informari Dei spiritu; et eo prodigiosius ab ipso confortari, quo furiosius illam insectatur et urget impietas, et quo callidius omni ipsam humano auxilio destituere conatur." Ibid, p. 338.

the signing of the Lateran Pacts on 11 February 1929 by Prime Minister Benito Mussolini and Cardinal Pietro Gasparri, under which the Italian government paid the Holy See compensation for the confiscations carried out: 1 750 million lire in securities and 750 million lire in cash. These funds established assets partly used to ensure the proper functioning of the Roman Curia. The disposition of the remaining proceeds from Peter's Pence was left to the personal discretion of each pope to subsidise the religious and charitable activities of the Holy See [Velasio de Paolis 2016, 86].¹²

The return in the late '70s of the last century of the Holy See's financial problems, mainly due to: 1) the economic situation in Italy; 2) the reception of the teachings of the Fathers of the Second Vatican Council (the erection of new dicasteries, the increase of staff in the Roman Curia, the multiplication of visits to Rome by diocesan bishops who, as members of the various dicasteries, were obliged to attend numerous working meetings, the establishment of the institution of the Synod of Bishops and its frequent convening – required a multiplication of financial resources); 3) the expansion of the activities of the particular Churches in favour of the missions, including material subsidies, was reflected in the amount of offerings paid to the Holy See. For this reason, the funds generated from the property acquired by the indemnity received from the Italian government, described above, were almost entirely used to finance the current needs of the Holy See, which negatively affected the charitable activities carried out by Pope Paul VI. It was for this reason, among others, that he erected the Pontifical Council *Cor Unum* for the Promotion of Human and Christian Progress (*Pontificium Consilium Cor Unum de humana et christiana progressionem fovenda*) [ibid., 86-88].¹³ Today, Peter's Pence has the character of a voluntary offering given to the Holy See according to various forms used by individual particular Churches as well as private donors [Dudziak 2013, 399].

¹² For example, Pope Pius XII (1939-1958) authorised apostolic nuncios to donate funds from Peter's Pence to World War II victims [Velasio de Paolis 2016, 86].

¹³ Created on 15 July 1971 to coordinate the initiatives of various Catholic institutions and organisations in the field of economic and cultural development and scientific and technological progress. Its main task was to mediate between the bishops' conferences and various types of Catholic institutions in order to better distribute material resources. It also saw to the efficient and effective organisation of aid to those affected by natural disasters [Groblicki 1995, 606]. Transformed by Pope John Paul II into the Pontifical Council *Cor Unum* (Latin: *Pontificium Consilium Cor Unum*), it continued, among other things, to support and coordinate the activities of Catholic institutions providing aid to the needy and to strengthen contacts with international organisations providing charitable assistance. By the decision of Pope Francis on 1 January 2017, it was dissolved and its former competences were taken over by the Dicastery for Integral Human Development [Romanko 2019, 2035-2036]. On the Dicastery itself, see Lewandowski 2018, 447-56.

2. PETER'S PENCE ACCORDING TO CURRENT ECCLESIASTICAL LEGISLATION

The Codex legislator in Canon 1271 states that “By reason of the bond of unity and charity and according to the resources of their dioceses, bishops are to assist in procuring those means which the Apostolic See needs, according to the conditions of the times, so that it is able to offer service properly to the universal Church.” This disposition has no source in pre-Codex law,¹⁴ nor does it have an equivalent in the 1917 Code of Canon Law.¹⁵ The Pontifical Commission for the Authentic Interpretation of the Code of Canon Law (*Pontificia Commissio Codici Iuris Canonici Recognoscendo*) identified as the source of the canon: the Dogmatic Constitution on the Church *Lumen Gentium*¹⁶ and the Instruction *Ecclesiae imago* on the Pastoral Ministry of Bishops.¹⁷ Emphasising the unity of the College of Bishops made visible, among other things, in the mutual relations of individual bishops with the particular Churches and the universal Church, the Fathers of the Second Vatican Council recalled that individual bishops, by the command of Christ, are obliged to care for the whole Church, including in the area of their evangelising activity. “The task of proclaiming the Gospel everywhere on earth pertains to the body of pastors, to all of whom in common Christ gave His command, thereby imposing upon them a common duty, as Pope Celestine in his time recommended to the Fathers of the Council of Ephesus. From this it follows that the individual bishops, insofar as their own discharge of their duty permits, are obliged to enter into a community of work among themselves and with the successor of Peter, upon whom was imposed in a special way the great duty of spreading the Christian name. With all their energy, therefore, they must supply to the missions both workers for the harvest and also spiritual and material aid, both directly and on their own account, as well

¹⁴ Pontificia Commissio Codici Iuris Canonici Authentice Interpretando, *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus. Fontium annotatione et indice analytico-alphabetico auctus*, Libreria Editrice Vaticana, Città del Vaticano 1989.

¹⁵ *Codex Iuris Canonici Pii X Pontificis Maximi iussu digestus Benedicti Papae XV auctoritate promulgatus* (27.05.1917), AAS 9 (1917), pars II, pp. 1-593. A. Domaszcz stresses that the disposition resulting from Canon 1271 is not an analogy to the disposition of Canon 1504, which regulated the *cathedraticum* on the grounds that it was a tribute paid by churches, benefices and confraternities, manifesting at the same time submission to the authority of the bishop, which was the implementation of the tradition of the monarchical system [Domaszcz 2016, 154-55].

¹⁶ Sacrosanctum Concilium Oecumenicum Vaticanum II, Constitutio dogmatica de Ecclesia *Lumen gentium* (21.11.1964), AAS 57 (1965), pp. 5-75 [hereinafter: LG].

¹⁷ Sacra Congregatio pro Episcopis, Directorium de pastorali ministerio Episcoporum *Ecclesiae imago* (22.03.1973), Typis Polyglottis Vaticanis, Romae 1973 [hereinafter: EI].

as by arousing the ardent cooperation of the faithful” (LG 23). Similar emphases were placed by the Congregation for Bishops, which obliged the bishops to cooperate zealously with the Holy See in the mission of evangelising the nations. For this reason, each bishop, insofar as the particular Church entrusted to his care has the capacity to do so, in agreement with the Holy See and the local bishops’ conference, should support the needs of the particular missionary Churches in a prominent way by providing people and means for evangelisation (EI 46). It is also his duty to assist the activity of the Holy See in providing assistance to persecuted Churches (EI 47). “Following in the footsteps of the Apostles, who were not only concerned with the proper stewardship of the goods of individual communities, but also with organising collections for the poorer [...] the bishop rushes to the aid, as far as the capacities of his diocese permit, of the poorer Churches and of works of piety, charity, culture, apostolate, of national or international scope, as well as of missionary communities and the Holy See” (EI 138).

Despite the above indications, the disposition contained in Canon 1271 was not envisaged by the Pontifical Commission for the Authentic Interpretation of the Code of Canon Law in the schema *De iure patrimoniali Ecclesiae*.¹⁸ At the consultation stage of the schema, during the meeting of the Commission on 23 June 1979, some consultors proposed that the moral obligation to make donations to the Holy See should be mentioned in the new codification.¹⁹ As this indication met with the approval of the whole Commission, three proposals were elaborated: 1) “Meminerint Episcopi, ratione vinculi unitatis et caritatis, iuxta propriae dioecesis facultates, ex oblationibus fidelium aliquid contribuere ad media quibus Sedes Apostolica, secundum temporum condiciones indiget, ut servitium erga Ecclesiam universam a Deo sibi concreditum, rite exercere valeat”; 2) “Singulae dioeceses ne praetermittant, modo propriae oeconomicae conditioni proportionato, necessitatibus Romani Pontificis pro gubernio universae Ecclesiae contribuere”; 3) “In votis est ut dioeceses, quantum fieri possit, stipe etiam speciali in hunc finem colligenda, subsidium quotannis afferant Apostolicae Sedi, ut sumptus, quos muneris adimpletio secumfert, suppeditare valeat.”²⁰ The first proposal, after a slight linguistic correction, was incorporated into the 1983 Code of Canon Law as Canon 1271.

¹⁸ Pontificia Commissio Codici Iuris Canonici Recognescendo, Schema canonum Libri V *De iure patrimoniali Ecclesiae* (15.11.1977), Typis Polyglottis Vaticanis, Civitas Vaticana 1977.

¹⁹ “Nonnulli suggesterunt ut habeatur in Codice norma aliqua de morali obligatione quam habent dioeceses contribuendi ad media quibus Sedes Apostolica indiget, ut sua munera exercere valeat.” *Adunatio diei 23 iunii 1979*, in: Pontificia Commissio Codici Iuris Canonici Recognescendo, Coetus studiorum *De bonis Ecclesiae temporalibus. Sessio I (diebus 17-23 iunii 1979 habita)*, Typis Polyglottis Vaticanis, Civitas Vaticana 1977, p. 411.

²⁰ *Ibid.*

E. Miragoli states that the consensus of the members of the Pontifical Commission on the matter under consideration was largely due to an awareness of the increasing financial difficulties of the Holy See and the growing needs in the material sphere. This awareness is to the credit of the Council of Resident Cardinals for the study of the organisational and economic problems of the Holy See (*Consiglio di Cardinali Arcivescovi residenziali per lo studio dei problemi organizzativi ed economici della Santa Sede*),²¹ established by Pope John Paul II on 31 March 1981,²² which from 1987 onwards sent to all bishops the economic report of the Holy See [Miragoli 1992, 68].

Although the legislator in the analyzed Canon 1271, indicating the entities obligated to provide material resources to the Holy See, uses the term bishop (Latin: *Episcopi*) without specifying 'diocesan', and although the bonds of unity and charity that were referred to in the text of the said canon bind all bishops, due to the indication *pro suae dioecesis facultatibus* [possibilities of one's own diocese] used by the legislator, it should be presumed that the moral and legal obligation in the analyzed matter rests exclusively with diocesan bishops, and not with titular bishops [Kennedy 2000, 1472-473].²³ P. Kaleta argues that, in addition to diocesan bishops, the subjects canonically obliged to implement the disposition arising from Canon 1271 are also those who, on the basis of Canon 381 § 2, are equal in law to the diocesan bishop, i.e. territorial prelate, territorial abbot, apostolic vicar, apostolic prefect and administrator of an apostolic administration erected in a stable manner [Kaleta 2019, 46]. It seems, however, that this statement should be supplemented by the addition that this is true insofar as the heads of the aforementioned particular Churches have received the episcopal sacrament, since the Codex legislator refers *expressis verbis* to the motivation *vinculi unitatis et caritatis* [bonds of unity and charity]. It should be added that the following are also equated in law with the diocesan bishop: the military ordinary,²⁴ the ordinary of the Personal Ordinariate

²¹ The operation of the Committee is regulated in Articles 25-26 of the Apostolic Constitution on the Roman Curia: Ioannes Paulus PP. II, *Constitutio apostolica Pastor bonus* (18.06.1988), AAS 80 (1988), s. 841-912 [hereinafter: PB]. The Committee consisted of 15 cardinals and 15 hierarchs at the head of particular Churches from different parts of the world, appointed by the Pope for a five-year term (PB 24). Convened by the Secretary of State, it convened customarily twice a year to consider economic and organisational matters concerning the administration of the Holy See. It also oversaw the activities of a special institution, governed by its own laws, established in the Vatican City State to maintain and manage the assets entrusted to finance religious and charitable works (PB 25).

²² *Giovanni Paolo II (Santi). Dati biografici - Parte prima*, <http://www.internetsv.info/Vatican.html> [accessed: 07.10.2024].

²³ Canon 376 CIC/83: "Episcopi vocantur dioecesani, quibus scilicet alicuius dioecesis cura commissa est; ceteri titulares appellantur."

²⁴ See Ioannes Paulus PP. II, *Constitutio Dogmatica qua nova canonica ordinatio pro spirituali militum curae datur Spirituali militum curae* (21.04.1986), AAS 78 (1986), pp. 481-86.

for Anglicans entering into full communion with the Catholic Church,²⁵ and the apostolic administrator of the Personal Apostolic Administration of St. John Mary Vianney,²⁶ who will have the same obligation, provided they are not presbyters [Lewandowski 2015, 17-18].

It should also be added that the implementation of the obligation under Canon 1271 – no longer *ex iure*, but rather *ex caritas* – can be seen much more broadly through a number of other dispositions of the Code legislator. First of all, it should be pointed out that the concern for safeguarding the needs of the universal Church as a whole is a serious obligation incumbent on all faithful Christians. The universal legislator states this responsibility twice: in Canon 222 § 1, obliging the faithful to take care of the needs of the Church, so that it has the necessary means for divine worship, for the works of the apostolate and of charity, as well as for the decent support of ministers, and in Canon 1261 § 1, recalling that the faithful are free to give temporal goods for the benefit of the Church. The obligation and right indicated above corresponds correlatively to the legislator's dispositions in Canon 1260, in which he proclaims the Church's innate right to require from the Christian faithful those things which are necessary for the purposes proper to it, and in Canon 1261 § 2, in which he obliges the diocesan bishop to admonish the faithful and enforce the obligation arising from the disposition of Canon 222 § 1. Bearing in mind the scope of the concept of the Christian faithful (cf. Canon 204 § 1; 207), it is also necessary to recall at this point Canon 282 § 2, in which the legislator calls upon the clergy to allocate what is left of the goods that accrue to them by virtue of their ecclesiastical office to the good of the Church and the works of charity, Canon 529 § 2 obliging the pastor to cooperate with the diocesan bishop and the diocesan presbytery, seeking also that the faithful care for the parish community, feel themselves members of both the diocese and the universal Church, and participate in or support activities for the development of that community; and Canon

²⁵ See Benedictus PP. XVI, *Constitutio Apostolica Anglicanorum Coetibus* qua Personales Ordinariatus pro Anglicanis conduntur qui plenam communionem cum Catholica Ecclesia ineunt (04.11.2009), AAS 101 (2009), pp. 985-90; Congregation for the Doctrine of the Faith, *Complementary Norms for the Apostolic Constitution Anglicanorum Coetibus* (04.11.2009), AAS 101 (2009), pp. 991-96. At present, the Dicastery for the Doctrine of the Faith has erected three personal Ordinariates for Anglicans entering into full communion with the Catholic Church: The Personal Ordinariate of St. Mary of Walsingham in the territory of the Bishops' Conference of England and Wales, the Personal Ordinariate of St. Peter's Cathedral in the territory of the Bishops' Conference of the United States, and the Personal Ordinariate of St. Mary of the Southern Cross in the territory of the Bishops' Conference of Australia [Zajac 2013, 122; Lewandowski 2015, 18]. On the legal status of Personal Ordinariates for Anglicans entering into full communion with the Catholic Church, see also Zajac 2017.

²⁶ Zob. Congregatio pro Episcopis, *Decretum de administratione Apostolica Personali «Sancti Ioannis Mariae Vianney» condenda* (18.01.2002), AAS 94 (2002), pp. 305-308. For more on the Personal Apostolic Administration of St. John Mary Vianney, see Zajac 2015, 107-29.

640, according to which religious institutes are to strive to give, as it were, a collective witness of charity and poverty and are to contribute according to their ability something from their own goods to provide for the needs of the Church and the support of the poor [Idem 2019, 100-101].²⁷

The Codex legislature does not specify the amount of support to be given to the Holy See – it depends on the financial capacity of the individual diocese and the discretion of the diocesan bishop himself [Kaleta 2014, 110-11; Idem 2015, 98]. This support corresponds to voluntary support made by the faithful in response to requests addressed to them (Canon 1262) or a special collection for universal purposes (Canon 1266) [Idem 2019, 47]. According to Canon 1266, the diocesan bishop may order a special collection in all churches and chapels, even if they belong to religious institutes. However, he cannot, by virtue of Canon 1263, institute a tax for the Holy See, since a tax as such can only be ordered for diocesan needs [Idem 2014, 111]. On the other hand, it may donate to the Holy See the funds collected from binations and trinations in its particular Church (Canon 951 § 1), as well as from collective Masses²⁸ [Perlasca 2007, 315-16]. The occasion for these offerings is also the *ad limina* visit (Canon 400). It should also be noted that in addition to the offerings generally given to the Holy See, there are also specific offerings, such as for the support of the Church's missionary activity [Domaszko 2016, 155; Idem 2020, 98].

How much the Peter's Pence represents a vital help provided by the Holy See is shown by successive statements by the last three Popes. John Paul II, during his address to the members of Circolo San Pietro²⁹ on 28 February

²⁷ The aforementioned Canon 529 § 2 was cited by Cardinal Agostino Casaroli in his letter of 25 March 1987, in which the Secretary of State requested diocesan bishops to assist the Holy See in the face of a budget deficit. Similarly, Canon 640 was invoked by the Secretary of State in a letter of 29 June 1987 addressed to institutes of consecrated life and societies of apostolic life on the same issue. Subsequently, during the meeting of the presidents of the bishops' conferences from all over the world, which took place in the Vatican on 8-9 April 1991 on the financial crisis of the Holy See, Archbishop Angelo Sodano, as then Undersecretary of State (following the retirement of Cardinal Casaroli), made a strong plea to the assembled presidents of the bishops' conferences for the urgent economic support of the Holy See. On this basis, referring to the analysed Canon 1271, the presidents of the bishops' conferences sent an open letter to all the bishops of the world, asking for financial assistance [Renken 2009, 139].

²⁸ Congregatio pro Clericis, Decretum quoad stipendia a sacerdotibus pro Missis celebrandis accipienda, regulae quaedam dantur *Mos iugiter* (22.02.1991), AAS 83 (1991), pp. 443-46.

²⁹ Circolo San Pietro was founded in Rome in 1869 by a group of young people on the impulse of Blessed Pius IX, who entrusted them with their first charitable task: to provide meals for the poor of Rome. For 155 years, the Association has carried out voluntary work for the poor and needy with such dedication that it is sometimes referred to as 'la minestra del Papa' [the Pope's soup]. Circolo S. Pietro is part of Rome's history, and continues to strive to provide assistance to the poorest and excluded by alleviating their state of material and

2003, stressed: "Many expect the Apostolic See to give them the support they often fail to find elsewhere. In this perspective the Peter's Pence Collection is a true and proper participation in the work of evangelization, especially if one considers the meaning and importance of concretely sharing in the concerns of the universal Church."³⁰ Similarly, Benedict XVI speaking to the same Society on 7 July 2005 raised: "You have come here today, as you do each year, to present the Peter's Pence offering to the Pope, yet another sign of your generous openness to the brothers and sisters in difficulty. At the same time, it is a significant participation in the efforts of the Apostolic See to respond to the increasing number of emergencies in the Church, especially in the poorest nations."³¹ Whereas, Francis, in his address to the staff of the Holy See and the Vatican City State on the occasion of Christmas on 21 December 2017, noted: "Without the work that you do, the work of the Church would not go well, one would not be able to do so much work for the preaching of the Gospel, to help so many people, the sick, schools, so many things. You are a part of this 'chain' that carries forward the work of the Church."³²

CONCLUSION

The analysis carried out in this article allows concrete conclusions to be drawn, which can be articulated in the form of *de lege lata* and *de lege ferenda* postulates:

- 1) The sending of offerings to the Holy See was initiated in England in the seventh century.
- 2) In the Middle Ages, these offerings were part of the idea of the so-called papal theocracy.
- 3) In Poland, Bolesław Chrobry was already sending a special tribute to Rome.
- 4) After the practice was gradually abolished, especially during the Reformation, it was reactivated by Pope Pius IX.

spiritual need. Unconditional loyalty to the Church and the Bishop of Rome is the hallmark of the Association, which reflects its motto: 'Prayer, action, sacrifice.' *Il Circolo S. Pietro*, <https://www.circolosanpietro.org/storia> [accessed: 14.10.2024].

³⁰ *Many expect the Apostolic See to give them the support they often fail to find elsewhere*, <https://www.obolodisanpietro.va/en/cos-e-l-obolo/parole-dei-papi/giovanni-paolo-ii.html> [accessed: 14.10.2024].

³¹ *Address of His Holiness Benedict XVI to the Members of the "Circolo San Pietro"*, https://www.vatican.va/content/benedict-xvi/en/speeches/2005/july/documents/hf_ben-xvi_spe_20050707_circolo-san-pietro.html [accessed: 14.10.2024].

³² *You are a part of this 'chain' that carries forward the work of the Church*, <https://www.obolodisanpietro.va/en/cos-e-l-obolo/parole-dei-papi/francesco.2.html#paginationinit> [accessed: 14.10.2024].

- 5) The practice now takes on the character of a voluntary offering given to the Holy See by individual particular Churches and people of good will.
- 6) The legislator regulates the institution of the Peter's Pence in Canon 1271 of the 1983 Code of Canon Law, according to which: "By reason of the bond of unity and charity and according to the resources of their dioceses, bishops are to assist in procuring those means which the Apostolic See needs, according to the conditions of the times, so that it is able to offer service properly to the universal Church."
- 7) The subjects morally and legally bound to carry out the disposition of the legislator arising from Canon 1271 are the diocesan bishops and those who are equal in law to them: the territorial prelate, the territorial abbot, the apostolic vicar, the apostolic prefect, the administrator of an apostolic administration erected in a stable manner, the military ordinariate, the ordinariate of the Personal Ordinariate for Anglicans entering into full communion with the Catholic Church and the apostolic administrator of the Personal Apostolic Administration of St. John Mary Vianney, if they have received the episcopal consecration. In view of the possible doubts of interpretation of the obligation analysed, the universal legislator should define precisely the catalogue of subjects obliged by the said canon.
- 8) It should be borne in mind, however, that concern for providing the needs of the universal Church as a whole constitutes a serious obligation incumbent on all Christian faithful.
- 9) The amount of support to be provided by the Peter's Pence has not been determined by the legislator and depends on the financial capacity of the particular Churches and the discretion of their heads.
- 10) The Peter's Pence is an expression of the unity and charity of the faithful with the Holy See.

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