The Canons

Council of Nicaea (AD 787) (AD 787)

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Canon I.

That the sacred Canons are in all things to be observed.

The pattern for those who have received the sacerdotal dignity is found in the testimonies and instructions laid down in the canonical constitutions, which we receiving with a glad mind, sing unto the Lord God in the words of the God-inspired David, saying: ”I have had as great delight in the way of thy testimonies as in all manner of riches. ”Thou hast commanded righteousness as thy testimonies for ever. ”Grant me understanding and I shall live. Now if the word of prophesy bids us keep the testimonies of God forever and to live by them, it is evident that they must abide unshaken and without change. Therefore Moses, the prophet of God, speaketh after this manner: ”To them nothing is to be added, and from them nothing is to be taken away. And the divine Apostle glorying in them cries out, ”which things the angels desire to look into,” and, ”if an angel preach to you anything besides that which ye have received, let him be anathema. Seeing these things are so, being thus well-testified unto us, we rejoice over them as he that hath found great spoil, and press to our bosom with gladness the divine canons, holding fast all the precepts of the same, complete and without change, whether they have been set forth by the holy trumpets of the Spirit, the renowned Apostles, or by the Six Ecumenical Councils, or by Councils locally assembled for promulgating the decrees of the said Ecumenical Councils, or by our holy Fathers.

For all these, being illumined by the same Spirit, defined such things as were expedient. Accordingly those whom they placed under anathema, we likewise anathematize; those whom they deposed, we also depose; those whom they excommunicated, we also excommunicate; and those whom they delivered over to punishment, we subject to the same penalty. And now ”let your conversation be without covetousness,” crieth out Paul the divine Apostle, who was caught up into the third heaven and heard unspeakable words.

Notes.
Ancient Epitome of Canon I. We gladly embrace the Divine Canons, viz.: those of the Holy Apostles, of the Six Ecumenical Synods, as also of the local synods and of our Holy Fathers, as inspired by one and the same Holy Spirit. Whom they anathematize we also anathematize; whom they depose, we depose; whom they cut off, we cut off ; and whom they subject to penalties, we also so subject.Harnack (Hist. of Dogma [Eng. Trans.], Vol. V., p. 327). Just as at Trent, in addition to the restoration of mediaeval doctrine, a series of reforming

decrees was published, so this Synod promulgated twenty-two canons which can be similarly described. The attack on monachism and the constitution of the Church had been of some use. They are the best canons drawn up by an Ecumenical Synod. The bishops were enjoined to study, to live simply, and be unselfish, and to attend to the cure of souls; the monks to observe order, decorum, and also to be unselfish. With the State and the Emperor no compromise was made; on the contrary, the demands of Maximus Confessor and John of Damascus are heard, though in muffled tones, from thecanons.

Van Espen. From the wording of this canon it is clearly seen that by the Fathers of this Council the canons commonly called ”Apostolical” are attributed to the Apostles themselves as to their true authors, conformably to the Trullan Synod and to the opinion then prevalent among the Greeks. For since the Fathers were well persuaded that the discipline and doctrine contained in these canons could be received and confirmed, they cared but little to enquire anxiously who were their true authors, being content in this question to follow and embrace the then commonly received opinion, and to ascribe these canons to them, just as, the other day, the Tridentine Synod (Sess. XXV., cap. j., De Reform) calls these, without any explanation, the ”Canons of the Apostles,” because then as now they were commonly called by that name.Beveridge (Annotat., p. 166, at end of Vol.II.). Here are recognized and confirmed the canons set forth by the Six Ecumenical Councils. And although all agree that the fifth and sixth Synods adopted no canons, unless that those of the Council in Trullo be attributed to them, yet when Tarasius the Patriarch of Constantinople claimed Canon 82 of the Trullan Canons as having been set forth by the sixth synod (as is evident from the annotations on that canon), all the canons of Trullo seem to be confirmed as having issued from the Sixth Synod. Or else, perchance, as is supposed by Balsamon and Zonaras, as also by this present synod, the Trullan was held to be Quinisext (penqekth), and the canons decreed by it to belong to both the fifth and the sixth council. Otherwise I do not see what meaning these words [”of the Six Ecumenical Synods”] can have, for it will be remembered that the reference is to the ecclesiastical canons of the Six Ecumenical Synods, and not to their dogmatic decrees.

Canon II.

That he who is to be ordained a Bishop must be steadfastly resolved to observe the canons, otherwise he shall not be ordained. When we recite the psalter, we promise God: "I will meditate upon thy statutes, and will not forget thy words." It is a salutary thing for all Christians to observe this, but it is especially incumbent upon those who have received the sacerdotal dignity. Therefore we decree, that every one who is raised to the rank of the episcopate shall know the psalter by heart, so that from it he may admonish and instruct all the clergy who are subject to him. And diligent examination shall be made by the metropolitan whether he be zealously inclined to read diligently, and not merely now and then, the sacred canons, the holy Gospel, and the book of the divine Apostle, and all other divine Scripture; and whether he lives according to God's commandments, and also teaches the same to his people. For the special treasure (ousia) of our high priesthood is the oracles which have been divinely delivered to us, that is the true science of the Divine Scriptures, as says Dionysius the Great. And if his mind be not set, and even glad, so to do and teach, let him not be ordained. For says God by the prophet, "Thou hast rejected knowledge, I will also reject thee, that thou shalt be no priest to me."

Notes.

Ancient Epitome of Canon II. Whoever is to be a bishop must know the Psalter by heart: he must thoroughly understand what he reads, and not merely superficially, but with diligent care, that is to say the Sacred Canons, the Holy Gospel, the book of the Apostle, and the whole of the Divine Scripture. And should he not have such knowledge, he is not to be ordained. Aristenus. Whoso is to be elevated to the grade of the episcopate should know... the book of the Apostle Paul, and the whole divine scripture and search out its meaning and understand the things that are written. For the very foundation and essence of the high priesthood is the true knowledge of holy Scripture, according to Dionysius the Great. And if he has this knowledge let him be ordained, but if not, not. For God hath said by the prophet: "Thou hast put away from thee knowledge, therefore I have also put thee away from me, that thou mayest not be my priest."

Fleury. The persecution of the Iconoclasts had driven all the best Christians into hiding, or into far distant exile; this had made them rustic, and had taken from them their taste for study. The council therefore is forced to be content with a knowledge of only what is

absolutely necessary, provided it was united with a willingness to learn. The examination with which the ceremony of the ordination of bishops begins seems to be a remains of this discipline. Van Espen. The Synod teaches in this canon that ”all Christians” will find it most profitable to meditate upon God’s justifyings and to keep his words in remembrance, and especially is this the ease with bishops. And it should be noted that formerly not only the clergy, but also the lay people, learned the Psalms, that is the whole Psalter, by heart, and made a most sweet sound by chanting them while about their work.

But as time went on, little by little this pious custom of reciting the Psalter and of imposing its recitation and a meditation thereon at certain intervals, slipped away to the clergy only and to monks and nuns, as to those specially consecrated to the service of God and to meditation upon the divine words, as Lupus points out. And from this discipline and practice the appointment of the Ecclesiastical or Canonical Office had its rise, which imposes the necessity of reciting the Psalms at certain intervals of time. This canon is found in the Corpus Juris Canonici, Gratian’s Decretum, Pars I., Dist. xxxviij., C. vj., in Anastasius’s translation.

Canon III.

That it does not pertain to princes to choose a Bishop. Let every election of a bishop, presbyter, or deacon, made by princes stand null, according to the canon which says: If any bishop making use of the secular powers shall by their means obtain jurisdiction over any church, he shall be deposed, and also excommunicated, together with all who remain in communion with him. For he who is raised to the episcopate must be chosen by bishops, as was decreed by the holy fathers of Nice in the canon which says: It is most fitting that a bishop be ordained by all the bishops in the province; but if this is difficult to arrange, either on account of urgent necessity, or because of the length of the journey, three bishops at least having met together and given their votes, those also who are absent having signified their assent by letters, the ordination shall take place. The confirmation of what is thus done, shall in each province be given by the metropolitan thereof.

Notes.
Ancient Epitome of Canon III. Every election made by a secular magistrate is null. This is a canon of a synod recognized by East and West as ecumenical! The reader can hardly resist the reflection that in this case there have been and are a great many intruding clergymen in the world, whose appointment to their several offices is "null." Van Espen, however, suggests an ingenious way out of the difficulty, which is followed with great approval by Hefele. Van Espen. Canon xxix. of those commonly called Apostolic, and canon iv. of Nice are renewed in this canon. From the words of this canon it is sufficiently clear that in this canon the synod is treating of the choice and intrusion of persons into ecclesiastical offices which the magistrates and Princes had arrogated to themselves under the title of Domination (Dominatio); and by no means of that choice or rather nomination which Catholic princes and kings have everywhere and always used.

This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars I., Dist. xciii., C. vij.

Canon IV.

That Bishops are to abstain from all receiving of gifts.

The Church's herald, Paul the divine Apostle, laying down a rule (kanona) not only for the presbyters of Ephesus but for the whole company of the priesthood, speaks thus explicitly, saying, "I have coveted no man's silver or gold, or apparel. I have shewed you all things, how that so labouring ye ought to support the weak;" for he accounted it more blessed to give. Therefore we being taught by him do decree, that under no circumstances, shall a Bishop for the sake of filthy lucre invent feigned excuses for sins, and exact gold or silver or other gifts from the bishops, clergy, or monks who are subject to him. For says the Apostle, "The unrighteous shall not possess the kingdom of God," and, "The children ought not to lay up for the parents, but the parents for the children." If then any is found, who for the sake of exacting gold or any other gift, or who from personal feeling, has suspended from the ministry, or even excommunicated, any of the clergy subject to his jurisdiction, or who has closed any of the venerable temples, so that the service of God may not be celebrated in it, pouring out his madness even upon things insensible, and thus shewing himself to be without understanding, he shall be subjected to the same punishment he devised for others, and his trouble shall return on his own head, as a transgressor of God's commandment and of the apostolic precepts. For Peter the supreme head (h kerufaia akrothj) of the Apostles commands, "Feed the flock of God which is among you, taking the oversight thereof, not by constraint, but willingly; not for filthy lucre but of a ready mind; neither as being lords over the clergy (twn klh-rwn [A. V. God's heritage]); but being ensamples to the flock. And when the chief shepherd shall appear, ye shall receive a crown of glory that fadeth not away."

Notes.
Ancient Epitome of Canon IV. We decree that no bishop shall extort gold or silver, or anything else from bishops, clerics, or monks subject to his jurisdiction. And if anyone through the power of gold or of any other thing or through his own whims, shall be found to have prevented any one of the clergy who are subject to him, from the celebration of the holy offices, or shall have shut up a venerable temple so that the sacred worship of God could not be performed in it, he shall be subject to the lex talionis. For Peter the Apostle says: Feed the flock of God, not of necessity but willingly, and according to God; not for filthy lucre's sake, but with a prompt mind; not exercising lordship over the clergy, but being an example

to the flock. Balsamon. Note the present canon, which punishes those bishops by the lex talionis, who for filthy lucre's sake, or out of private affection, separate any from themselves, or close temples. Wherefore he who cuts off others thus, let himbe cut off. But he who shuts off a temple shall be punished even more than by cutting off. But lest any one should say, by the argument a contrario, that a bishop should not be punished who neither for the sake of filthy lucre nor out of private spite, but lawfully cuts some off, or closes temples, I answer that this argument only holds good of the cutting off. For a bishop who for any reason, whether just or unjust, shuts up a temple, should be punished, so it seems to me, as I have said above.

Van Espen. It would seem that at that time among the Greeks the use of local interdict (interdicti localis) was not known. But very many theologians wish to find a vestige of this interdict in the IV century, in St. Basil's epistle cclxx. (otherwise ccxliv.), where the holy doctor teaches that the person who carries off by force a virgin, and those who are cognizant of this wickedness ought to be smitten with excommunication, and that the village or its inhabitants, to which the ravisher shall escape and where he shall be kept in safety, shall be shut out from the prayers. This canon, or rather the first part of it, is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa XVI., Q. I., Canon lxiv.; all the latter part is represented by the words "et infra."

Canon V.

That they who cast contumely upon clerics because they have been ordained in the church without bringing a gift with them, are to be published with a fine.

IT is a sin unto death when men incorrigibly continue in their sin, but they sin more deeply, who proudly lifting themselves up oppose piety and sincerity, accounting mammon of more worth than obedience to God, and caring nothing for his canonical precepts. The Lord God is not found among such, unless, perchance, having been humbled by their own fall, they return to a sober mind. It behoves them the rather to turn to God with a contrite heart and to pray for forgiveness and pardon of so grave a sin, and no longer to boast in an unholy gift. For the Lord is nigh unto them that are of a contrite heart. With regard, therefore, to those who pride themselves that because of their benefactions of gold they were ordained in the Church, and resting confidently in this evil custom (so alien from God and inconsistent with the whole priesthood), with a proud look and open mouth vilify with abusive words those who on account of the strictness of their life were chosen by the Holy Ghost and have been ordained without any gift of money, we decree in the first place that they take the lowest place in their order; but if they do not amend let them be subjected to a fine. But if it appear that any one has done this [i.e., given money], at any time as a price for ordination, let him be dealt with according to the Apostolic Canon which says:

"If a bishop has obtained possession of his dignity by means of money (the same rule applies also to a presbyter or deacon) let him be deposed and also the one who ordained him, and let him also be altogether cut off from communion, even as Simon Magus was by me Peter. To the same effect is the second canon of our holy fathers of Chalcedon, which says: If any bishop gives ordination in return for money, and puts up for sale that which cannot be sold, and ordains for money a bishop or chorepiscopus, or presbyter, or deacon, or any other of those who are reckoned among the clergy; or who for money shall appoint anyone to the office of oeconomus, advocate, or paramonarius; or, in a word, who hath done anything else contrary to the canon, for the sake of filthy lucre-he who hath undertaken to do anything of this sort, having been convicted, shall be in danger of losing his degree. And he who has been ordained shall derive no advantage from the ordination or promotion thus negotiated; but let him remain a stranger to the dignity and responsibility which he attained by means of money. And if any one shall appear to have acted as a go-between in so shameful and

godless a traffic, lie also, if he be a cleric, shall be removed from his degree; if he be a layman or a monk, let him be excommunicated.

Notes.

Ancient Epitome of Canon V. It seems that such as glory in the fact that they owe their position to their liberality in gold to the Church, and who contemn those who were chosen because of their virtue and were appointed without any largess, should receive the lowest place in their order. And should they continue in their ways, let them be punished. But those who made such gifts so as to get ordinations, let such be cast forth from communion, as Simon Magus was by Peter. Hefele. Zonaras and Balsamon in earlier times, and later Christian Lupus and Van Espen, remarked that the second part of this canon treats of simony, but not the first. This has in view rather those who, on account of their large expenditure on churches and the poor, have been raised, without simony, to the clerical estate as a reward and recognition of their beneficence; and being proud of this, now depreciate other clergymen who were unable or unwilling to make such foundations and the like.

Canon VI.

Concerning the homing of a local Synod at the time appointed. Since there is a canon which says, twice a year in each province, the canonical enquiries shall be made in the gatherings of the bishops; but because of the inconveniences which those who thus came together had to undergo in travelling, the holy fathers of the Sixth Council decreed that once each year, without regard to place or excuse which might be urged, a council should be held and the things which are amiss corrected. This canon we now renew. And if any prince be found hindering this being carried out, let him be excommunicated. But if any of the metropolitans shall take no care that this be done, he being free from constraint or fear or other reasonable excuse, let him be subjected to the canonical penalties. While the council is engaged in considering the canons or matters which have regard to the Gospel, it behoves the assembled Bishops, with all attention and grave thought to guard the divine and life-giving commandments of God, for in keeping of them there is great reward; because our lamp is the commandment, and our light is the law, and trial and discipline are the way of life, and the commandment of the Lord shining afar giveth light to the eyes. It is not permitted to a metropolitan to demand any of those things which the bishops bring with them, whether it be a horse or any other gift.If he be convicted of doing anything of this sort, he shall restore fourfold.

Notes.

Ancient Epitome of Canon VI. Whenever it is not possible for a synod to meet according to the decree formulated long ago, twice in each year, at least let it be held once, as seemed good to the Sixth Synod. Should any magistrate forbid such meeting, let him be cast out: and a bishop who shall take no pains to assemble it, shall be subject to punishment. And when the synod is held, should it appear that the Metropolitan has taken anything away from any bishop, let him restore four-fold. Hefele. Anastasius remarks on this, that this ordinance (whether the whole canon or only its last passage must remain undecided) was not accepted by the Latins. That this canon did not forbid the so-called Synodicum, which the metropolitans had lawfully to receive from the bishops, and the bishops from the priests, is remarked by Van Espen, 1. c. p. 464.

Compare with this (as Balsamon advises) the eighth canon of the Council in Trullo. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars I., Dist. XVIII., C. vij.

Canon VII.

That to churches consecrated without any deposit of the reliques of the Saints, the defect should be made good. Paul the divine Apostle says: "The sins of some are open beforehand, and some they follow after." These are their primary sins, and other sins follow these. Accordingly upon the heels of the heresy of the traducers of the Christians, there followed close other ungodliness. For as they took out of the churches the presence of the venerable images, so likewise they cast aside other customs which we must now revive and maintain in accordance with the written and unwritten law. We decree therefore that relics shall be placed with the accustomed service in as many of the sacred temples as have been consecrated without the relics of the Martyrs. And if any bishop from this time forward is found consecrating a temple without holy relics, he shall be deposed, as a transgressor of the ecclesiastical traditions.

Notes.

Ancient Epitome of Canon VII. Let reliques of the Holy Martyrs be placed in such churches as have been consecrated without them, and this with the accustomed prayers. But whoever shall consecrate a church without these shall be deposed as a transgressor of the traditions of the Church.Balsamon, But someone may be surprised that oratories to-day are consecrated without any deposition of reliques. And they may ask why the Divine Liturgy is not celebrated in them by bishops and not by priests only. The answer is that the superaltars (antimensia) which are made by the bishops when a church is consecrated, suffice oratories in lieu of consecration or enthronement when they are sent to them, on the occasion of their dedication or opening. They are called antimensia because they are in place of, and are antitypes of those many like tables which furnish thoroughly the holy Lord's table. On the rite of consecrating churches with reliques see Cardinal Bona. (De Rebus Lit., Lib. I., cap. xix.)

The Antimensia are consecrated at the same time as the church; a full account of the ceremony is found in the Euchologion (Goar's ed., p. 648). A piece of cloth is placed on the altar and blessed, and then subsequently, as need requires, pieces are cut off from it and sent to the various oratories, etc.The main outline of the ceremony of consecration is as follows. J. M. Neale. (Int. Hist. East. Ch. p. 187.) Relics being pounded up with fragrant gum, oil is poured over them by the bishop, and, distilling out to the corporals, is supposed to convey

to them the mysterious virtues of the relics themselves. The holy Eucharist must then be celebrated on them for seven days, after which they are sent forth as they are wanted.

Canon VIII.

That Hebrews ought not to be received unless they have been converted in sincerity of heart. Since certain, erring in the superstitions of the Hebrews, have thought to mock at Christ our God, and feigning to be converted to the religion of Christ do deny him, and in private and secretly keep the Sabbath and observe other Jewish customs, we decree that such persons be not received to communion, nor to prayers, nor into the Church; but let them be openly Hebrews according to their religion, and let them not bring their children to baptism, nor purchase or possess a slave. But if any of them, out of a sincere heart and in faith, is converted and makes profession with his whole heart, setting at naught their customs and observances, and so that others may be convinced and converted, such an one is to be received and baptized, and his children likewise; and let them be taught to take care to hold aloof from the ordinances of the Hebrews. But if they will not do this, let them in no wise be received.

Notes.

Ancient Epitome of Canon VIII. Hebrews must not be received unless they are manifestly converted with sincerity of heart. Hefele. The Greek commentators Balsamon and Zonaras understood the words ”nor to baptize their children” to mean, ”these seeming Christians may not ‘baptize their own children,’” because they only seem to be Christians. But parents were never allowed to baptize their own children, and the true sense of the words in question comes out clearlyfrom the second half of the canon.

Canon IX.

That none of the books containing the heresy of the traducers of the Christians are to be hid. All the childish devices and mad ravings which have been falsely written against the venerable images, must be delivered up to the Episcopium of Constantinople, that they may be locked away with other heretical books. And if anyone is found hiding such books, if he be a bishop or presbyter or deacon, let him be deposed; but if he be a monk or layman, let him be anathema.

Notes.

Ancient Epitome of Canon IX. If any one is found to have concealed a book written against the venerable images, if he is on the clergy list let him be deposed; if a layman or monk let him be cut off. Van Espen. What here is styled Episcopium was the palace of the Patriarch. In this palace were the archives, and this was called the "Cartophylacium," in which the charts and episcopal laws were laid up. To this there was a prefect, the grand Chartophylax, one of the principal officials and of most exalted dignity of the Church of Constantinople, whose office Codinus explains as follows: "The Ghartophylax has in his keeping all the charts which pertain to ecclesiastical law (that is to say the letters in which privileges and other rights of the Church are contained) and is the judge of all ecclesiastical causes, and presides over marriage controversies which are taken cognizance of, and proceedings for dissolution of the marriage bond; moreover, he is judge in other clerical strifes, as the right hand of the Patriarch."

In this Cartophylaceum or Archives, therefore, under the faithful guardianship of the Chartophylax, the fathers willed that the writings of the Iconoclasts should be laid up, lest in their perusal simple Catholics might be led astray.

Canon X.

That no cleric ought to leave his diocese and go into another without the knowledge of the Bishop. Since certain of the clergy, misinterpreting the canonical constitutions, leave their own diocese and run into other dioceses, especially into this God-protected royal city, and take up their abode with princes, celebrating liturgies in their oratories, it is not permitted to receive such persons into any house or church without the license of their own Bishop and also that of the Bishop of Constantinople. And if any clerk shall do this without such license, and shah so continue, let him be deposed. With regard to those who have done this with the knowledge of the aforesaid Bishops, it is not lawful for them to undertake mundane and secular responsibilities, since this is forbidden by the sacred canons. And if anyone is discovered holding the office of those who are called Meizoteroi; let him either lay it down, or be deposed from the priesthood. Let him rather be the instructor of the children and others of the household, reading to them the Divine Scriptures, for to this end he received the priesthood.

Notes.

Ancient Epitome of Canon X. A clergyman who after leaving his own parish has settled in another far off from his own bishop and from the bishop of Constantinople, shall be received neither into house nor church. And if he shall persevere in his course, he shall be deposed. But if they shall do this with a knowledgeof what we have said, they shall not receive a secular position; or should they have received them, they shall cease from them. And if they refuse they shall be deposed. Hefele. On the office of the meizoteroi, the Greek commentators Zonaras and Balsamon give us more exact information. We give the substance of it, viz.: they were majores domus stewards of the estates of high personages. Balsamon. On account of this canon it seems to me that the most holy Patriarch at the time and his Chartophylax allow alien clergymen to celebrate the liturgy. in this royal city, even without letters dimissory of the local bishop of each one.

Canon XI.

That Oeconomi ought to be in the Episcopal palaces and in the Monasteries. Since we are under obligation to guard all the divine canons, we ought by all means to maintain in its integrity that one which says oeconomi are to be in each church. If the metropolitan appoints in his Church an oeconomus, he does well; but if he does not, it is permitted to the Bishop of Constantinople by his own (idiaj) authority to choose an oeconomus for the Church of the Metropolitan. A like authority belongs to the metropolitans, if the Bishops who are subject to them do not wish to appoint oeconomi in their churches. The same rule is also to be observed with respect to monasteries.

Notes.

Ancient Epitome of Canon XI. If the Metropolitan does not elect an oeconomus of the metropolis, the patriarch shall do so. If the bishop shall not do so, the Metropolitan shall; for so it seemed good to the fathers assembled at Chalcedon.The same law shall hold in monasteries. Hefele. The Synod of Chalcedon required the appointment of special oeonomi only for all bishops' churches; but our synod extended this prescription also to monasteries. Van Espen. Bishops at their ordination among other things promise that they will observe the canons, and the bishops of the Synod say that among these canons they are bound to keep the one that orders them to appoint an Oeconomus. Among the officials of the Constantinopolitan Church, Codinus names first The Grand (Economus, "who" (he says) "holds in his oxen power all the faculties of the Church, and all their returns; and is the dispenser in this matter as well to the Patriarch as to the Church."

Balsamon and Aristenus refer to Canon xxvj. of Chalcedon; and point out how here the power of Constantinople was added to. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars. II., Causa IX., Quaest. III., Canon iij.

Canon XII.

That a Bishop or Hegumenos ought not to alienate any part of the suburban estate of the church. IF bishop or hegumenos is found alienating any part of the farm lands of the bishoprick or monastery into the hands of secular princes, or surrendering them to any other person, such act is null according to the canon of the holy Apostles, which says: "Let the bishop take care of all the Church's goods, and let him administer the same according as in the sight of God." It is not lawful for him to appropriate any part himself, or to confer upon his relations the things which belong to God. If they are poor let them be helped among the poor; but let them not be used as a pretext for smuggling away the Church's property. And if it be urged that the land is only a loss and yields no profit, the place is not on that account to be given to the secular rulers, who are in the neighbourhood; but let it be given to clergymen or husbandmen. And if they have resorted to dishonest craft, so that the ruler has bought the land from the husbandman or cleric, such transaction shall likewise be null, and the land shall be restored to the bishoprick or monastery. And the bishop or hegumenos doing this shall be turned out, the bishop from his bishoprick and the hegumenos from his monastery, as those who wasted what they did not gather.

Notes.

Ancient Epitome of Canon XII. According to what seemed good to the Holy Apostles, any act of alienation of the goods of a diocese or of a monastery made by the bishop, or by the superior of the monastery, shall be null. And the Bishop or Superior who shall have done this shall be expelled. Van Espen. As at the time of this Synod by the favour of kings and princes the way was frequently open to ecclesiastical dignities, clergymen might easily be induced through ambition tomake over to princes some part of the Church's possessions, if only by so doing they might arrive at the coveted preferment through their patronage, and then desiring to make good this simoniacal promise, they studied to transfer the church's goods to their patrons; with regard to these the present decree of the synod was made. But because human ambition is cunning, and solicitously seeks a way of attaining its ends, ambitious clerics tried by various colouring to give a tone to and to palliate thesetranslations of church-goods to princes and magistrates, so that they might attain to that they aimed at by the favour of said princes and magistrates.

Two such pretexts the synod exposes and rejects in the present canon. This canon is found in the Corpus Juris Canonici, Pars II., Causa XII., Quaest. II., canon xix.

Canon XIII.

That they are worthy of special condemnation who turn the monasteries into public houses.During the calamity which was brought to pass in the Churches, because of our sins, some of the sacred houses, for example, bishops' palaces and monasteries, were seized by certain men and became public inns. If those who now hold them choose to give them back, so that they may be restored to their original use, well and good; but if not, and these persons are on the sacerdotal list, we command that they be deposed; if they be monks or laymen, that they be excommunicated, as those who have been condemned from the Father, and the Son, and the Holy Ghost, and assigned their place where the worm dieth not and the fire is not quenched, because they set themselves against the voice of the Lord, which says:"Make not my Father's house an house of merchandise."

Notes.
Ancient Epitome of Canon XIII. Those who make common diocesan or monastic goods, unless they restore to the bishop or superior the things belonging to the diocese or monastery, the whole proceeding shall be null. If theyare persons in Holy Orders they shall be deposed, but if laymen or monks they shall be cast out. Van Espen. No doubt by "the calamity" here is intended a reference to the troubles occasioned by the Iconoclasts, during whose time of domination many nefarious things were perpetrated against the orthodox, and most bitter of all was the persecution of the monks and priests by Leo the Isaurian and by his son Constantine Copronymus, both of them supporters of the Iconoclasts. And so it came to pass that by this persecution and through the nefarious vexations of the Iconoclasts, many monks and clerics fled from their monasteries and left vacant the Episcopia or holy houses, and so it becameeasy for people to come in and occupy the empty monasteries and religious houses, and to turn them to common and profane uses, especially when the anger of the Emperors and of the Iconoclasts was known to be fierce against the monks, and such bishops and priests as were worshippers of images.

This canon is found in the Corpus Juris Canonici, Pars. II., Causa xix., Quasar. III., canon v., in Anastasius's version but lacking the opening words which are supplied by the Roman Correctors.

Canon XIV.

That no one without ordination ought to read in the ambo during the synaxis. That there is a certain order established in the priesthood is very evident to all, and to guard diligently the promotions of the priesthood is well pleasing to God. Since therefore we see certain youths who have received the clerical tonsure, but who have not yet received ordination from the bishop, reading in the ambo during the Synaxis, and in doing this violating the canons, we forbid this to be done (from henceforth,) and let this prohibition be observed also amongst the monks. It is permitted to each hegumenos in his own monastery to ordain a reader, if he himself had received the laying on of hands by a bishop to the dignity of hegumenos, and is known to be a presbyter. Chorepiscopi may likewise, according to ancient custom and with the bishop's authorization, appoint readers.

Notes.
Ancient Epitome of Canon XIV. No one shall read from the ambon unless he has been ordained by the bishop. And this shall be in force also among monks. The superior of a monastery, if he has been ordained by the bishop, may ordain a lector but only in his own monastery. A chorepiscopus also can make a lector. Balsamon. I say therefore from this present canon and from canon xix. that they may properly be made superiors, who have never received holy orders; since women may be placed in such positions in our monasteries. And as these women do not hear confessions, nor make readers, so neither do superiors do this who are neither monks nor priests, nor could they do this even with the license of the bishop. Hefele. Van Espen (1. c. p. 469 sqq., and Jus Canon., t.i. pt. xxxi. tit. 31, c. 6), professes to show (a) that at that time there was no special benediction of abbots (different from their ordination as priests), and that therefore the words, "if he (the superior of the monastery) himself is consecrated by the bishop to the office of hegumenus," and "evidently is a priest," mean the same; (b) that at the time of our Synod every superior of a monastery, a prior as well as an abbot, had the power of conferring upon the monks of his monastery the order of lector; but (c) that the way in which Anastasius translated the canon (si dumtaxat Abbati manus impositio facta noscatur ab episcopo secundum morem prceficiendorum abbatum), and the reception of this translation into the Corpus juris canonici, c.l., Dist. lxix., gave occasion to concede the right in question, of ordaining lectors, only to the solemnly consecrated (and insulated) abbots.

This canon is found (as just noted) in the Corpus Juris Canonici, Pars I., Dist. LXIX, c.j.

Canon XV.

That a clerk ought not to be set over two churches. From henceforth no clergyman shall be appointed over two churches, for this savours of merchandise and filthy lucre, and is altogether alien from ecclesiastical custom. We have heard by the very voice of the Lord that, "No man can serve two masters, for either he will hate the one and love the other, or else he will hold to the one and despise the other." Each one, therefore, as says the Apostle, in the calling wherein he was called, in the same he ought to abide, and in one only church to give attendance. For in the affairs of the Church, what is gained through filthy lucre is altogether separate from God. To meet the necessities of this life, there are various occupations, by means of which, if one so desire, let him procure the things needful for the body. For says the Apostle, "These hands have ministered unto my necessities, and to them that were with me." Occupations of this sort may be obtained in the God-protected city. But in the country places outside, because of the small number of people, let a dispensation be granted.

Notes.

Ancient Epitome of Canon XV. Hereafter at Constantinople a cleric may not serve two churches. But in the outskirts this may be permitted on account of the scarcitymen. Van Espen. This means that in the country or where men are so scarce that each parish cannot have its own presbyter, one presbyter should be allowed to serve two churches, not that so he may supply his own need. (as to-day is allowed by the combination of benefices), but that so the necessities of the parishioners may be provided for. It should be noted that the synod deems it "filthy lucre" and "separate from God" if ecclesiastical ministries are performed "for the necessaries of life," and is of opinion that the clergy should seek their support from some honest employment or work by the example of Paul, rather than to turnecclesiastical ministrations to the attaining of temporal things, and to use these as an art by which to gain bread.

This canon is found in the Corpus Juris Canonical Pars. II., Causa XXI., Quaest. L, canon j. where the gloss is "because there the clergy are few."

Canon XVI.

That it does not become one in holy orders to be clad in costly apparel. All buffoonery and decking of the body ill becomes the priestly rank. Therefore those bishops and clerics who array themselves in gay and showy clothing ought to correct themselves, and if they do not amend they ought to be subjected to punishment. So likewise they who anoint themselves with perfumes. When the root of bitterness sprang up, there was poured into the Catholic Church the pollution of the heresy of the traducers of the Christians. And such as were defiled by it, not only detested the pictured images, but also set at naught all decorum, being exceedingly mad against those who lived gravely and religiously; so that in them was fulfilled that which is written, "The service of God is abominable to the sinner." If therefore, any are found deriding those who are clad in poor and grave raiment, let them be corrected by punishment. For from early times every man in holy orders wore modest and grave clothing; and verily whatever is worn, not so much because of necessity, as for the sake of outward show, savours of dandyism, as says Basil the Great. Nor did anyone array himself in raiment embroidered with silk, nor put many coloured ornaments on the border of his garments; for they had heard from the lips of God that "They that wear soft clothing are in kings' houses."

Notes.

Ancient Epitome of Canon XVI. Bishops and clergymen arraying themselves in splendid clothes and anointed with perfumes must be corrected. Should they persist, they must be punished. Balsamon and Zonaras tell of the magnificence in dress assumed by some of the superior clergy among the Iconoclasts, wearing stuffs woven with threads of gold, and theirloins girt with golden girdles, and sentences embroidered in gold on the edge of theirraiment. It is curious to note how often heretics fall into extremes. We have seen how Eustathius wore a conspicuous garb and was not willing to appear in the ordinary dress of a clergyman of his day. His was the one extreme of ultra clerical or, I should say, ascetic clothing. These Iconoclasts went to the other extreme and dressed themselves like men of the world, giving themselves the dandy airs of the fops of the day, thus, as always, making themselves ridiculous in the eyes of the wise, and their office contemptible in the eyes of the common people.

This canon is found in the Corpus Juris Canonici, Gratian's Decretum,Pars. II., Causa XXI., Qusest. IV., canon j.

Canon XVII.

That he shall not be allowed to begin the building of an oratory, who has not the means wherewith to finish it. Certain monks having left their monasteries because they desired to rule, and, unwilling to obey, are undertaking to build oratories, but have not the means to finish them. Now whoever shall undertake to do anything of this sort, let him be forbidden by the bishop of the place. But if he have the means wherewith to finish, let what he has designed be carried on to completion. The same rule is to be observed with regard to laymen and clerics.

Notes.

Ancient Epitome of Canon XVII. Whoever wishes to build a monastery, if he has the wherewithal to finish it, let him beginthe work, and let him bring it to a conclusion.But if not, let him be prohibited by the bishop of the place. The same law shall apply to laymenand monks. Van Espen refers to Gratian's Decretum, Pars. III., De Consecrat., Dist. I., canon ix., et seqq. Balsamon also refers his readers to the Fourth Book of the Basilica, title I., chapter I, which is part of Justinian's cxxiij. Novel, also to the first canon of the so-called First-and-Second Council held at Constantinople in the Church of the Holy Apostles.

Canon XVIII.

That women ought not to live in bishops' houses, nor in monasteries of men. "BE ye without offence to those who are without," says the divine Apostle. Now for women to live in Bishops' houses or in monasteries is ground for grave offence. Whoever therefore is known to have a female slave or freewoman in the episcopal palace or in a monastery for the discharge of some service, let him be rebuked. And if he still continue to retain her, let him be deposed. If it happens that women are on the suburban estates, and the bishop or hegumenos desires to go thither, so long as the bishop or hegumenos is present, let no woman at that time continue her work, but let her betake herself to some other place until the bishop lot hegumenos] has departed, so that there be no occasion of complaint.

Notes.

Ancient Epitome of Canon XVIII. It is not fitting that womenshould be kept in episcopal houses or in monasteries. If anyone shall dare to do so, he shall be reproved ; but if he persists, he shall be deposed. No woman is allowed to serve or even to appear where a bishop or a superior of a monastery is present, but let her keep herself apart until he be gone. Van Espen. Every woman the present canon expels from the Episcopium or bishop's house, agreeably to Novel CXXIII, chapter 29, of the Emperor Justinian, which, (although the Nicene canon on the subject makes a mother, sister, daughter and other persons free from all suspicions, exceptions), admits no exceptions in the case of a bishop, but says, "We allow no bishop to have any woman or to live with one." For as bishops are set in a higher grade above the rest. of the clergy, and ought to be like lights set on a candlestick to give light, rightly they are ordered more than others to take care to avoid all appearance of evil, and to remove all from them that might cause suspicion.

With regard to monks and their houses see Justinian's Novel CXXXIII., Cap. IV.

Canon XIX.

That the vows of those in holy orders and of monks, and of nuns are to be made without the exaction of gifts. The abomination of filthy lucre has made such inroads among the rulers of the churches, that certain of those who call themselves religious men and women, forgetting the commandments of the Lord have been altogether led astray, and for the sake of money have received those presenting themselves for the sacerdotal order and the monastic life. And hence the first step of those so received being unlawful, the whole proceeding is rendered null, as says Basil the Great. For it is not possible that God should be served by means of mammon. If therefore, anyone is found doing anything of this kind, if he be a bishop or hegumenos, or one of the priesthood, either let him cease to do so any longer or else let him be deposed, according to the second canon of the Holy Council of Chalcedon. If the offender be an abbess, let her be sent away from her monastery, and placed in another in a subordinate position. In like manner is a hegumenos to be dealt with, who has not the ordination of a presbyter. With regard to what has been given by parents as a dowry for their children, or which persons themselves have contributed out of their own property, with the declaration that such gifts were made to God, we have decreed, that whether the persons in whose behalf the gifts were made, continue to live in the monastery or not, the gifts are to remain with the monastery in accordance with their first determination; unless indeed there be ground for complaint against the superior.

Notes.

Ancient Epitome of Canon XIX. Whoever for money admits those coming to Holy Orders or to the monastic life, if he be bishop, or superior of a monastery or any other in sacred orders, shall either cease or be deposed. And the Superior of a monastery of women shall be expelled [if she have done sol and shall be given over to subjection. The same shall be the ease with a superior of monks, if he be not a priest. But the possessions brought by those who come in, let them remain, whether the persons remain or not, provided the superior be not to blame. Balsamon. But someone may ask how it is that canon V., orders that he that performs an ordination for money is eo ipso to be deposed, whereas this canon provides that he who receives a cleric or monk on account of a pecuniary gift is to cease or else to be deposed. The answer is, that whenever anyone performs an ordination for money, according to canon V., he is to be deposed; but when it was only a reception of a person which took place, whether into the list of the clergy or into a monastery by reason of money, who did

this is only to be deposed, if after being denounced he persists in this evil. The canons therefore are diverse in their scope. The fifth treats of unlawful ordination, but this one of improper receptions.

Canon XX.

That from henceforth, no double monastery shall be erected; and concerning the double monasteries already in existence. WE decree that from henceforth, no double monastery shall be erected; because this has become an offence and cause of complaint to many. In the case of those persons who with the members of their family propose to leave the world and follow the monastic life, let the men go into a monastery for men, and the women into a monastery for women; for this is well-pleasing to God. The double monasteries which are already in existence, shall observe the rule of our holy Father Basil, and shall be ordered by his precepts, monks and nuns shall not dwell together in the same monastery, for in thus living together adultery finds its occasion. No monk shall have access to a nunnery; nor shall a nun be permitted to enter a monastery for the sake of conversing with anyone therein. No monk shall sleep in a monastery for women, nor eat alone with a nun. When food is brought by men to the canonesses, let the abbess accompanied by some one of the aged nuns, receive it outside the gates of the women's monastery. When a monk desires to see one of his kinswomen, who may be in the nunnery, let him converse with her in the presence of the abbess, and that in a very few words, and then let him speedily take his departure.

Notes.
Ancient Epitome of Canon XX. Monasteries shall not be double, neither shall monks and nuns live in the same building, nor shall they talk together apart. Moreover if a man takes anything to a canoness, let him wait without and hand it to her, and let him see his relative in the presence of her superior. Van Espen. It is evident, as Zonaras remarks, that the double monasteries here referred to are not those in which men and women live together, in one house, which in this canon is not tolerated at all, but those which were situated so close together that it was evident there could easily be an entrance from one to the other, these are allowed under certain cautions by this canon. But not only the Greeks but the Latins also often disapproved of such monasteries. See decree in Gratian, Pars. II., Causa XVIII., Q. II., canon xxviij., and Pope Paschal's letter (Epis. X) to Didacus, Abp. of Compostella.

Despite all this St. Bridget of Sweden again instituted double monasteries in the XV century, concerning which Thomas Walsingham, a monk of St. Alban's Abbey, in England, writes that in 1414, King Henry founded three monasteries, of which the third was a Brigit-

tine, professing the rule of St. Augustine, with the additions called by them the Rule of the Saviour. "These two convents had one church in common, the nuns lived in the upper part under the roof, the brothers on the ground-floor, and each convent had a separate inclosure; and after profession no one went forth, except by special licence of the Lord Pope." With regard to the chaplains of nuns, provision is found in Justinian's Code. (Lib. xliv., De Epis. et clericis.) This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars. II., Causa XVIII., Q. II., canon xxj.

Canon XXI.

That monks are not to leave their monasteries and go into others. A Monk or nun ought not to leave the monastery to which he or she is attached, and betake themselves to others. But if one do this, he ought to be received as a guest. It is not however proper that he be made a member of the monastery, without the consent of his hegumenos.

Notes.

Ancient Epitome of Canon XXI. It is not allowed to a monk or a nun to leave her own house and enter another ; but if he (or she) enters let (him or her) be received as a guest; but let him (or her) not be admitted at all nor given hospitality contrary to the will of the superior.Aristenus, The present canon does not allow a monk or a nun who goes to another house to be received into, nor even to be admitted as a guest, lest by force of necessity he be led astray to worldly things and so remain. Moreover it does not permit a woman to be admitted and received and reckoned in the number of the sisters without the consent of the superior. It seems to me that in Aristenus an ouk must have crept into the text and that thefirst sentence should read as now but omitting the ”not.” This makes him agree with Zonaras who says ”the man must be receivedas a guest lest he go to a profane tavern and be forced to associate with those who have never learned how to live decently.” It is clear that the ”superior” referred to is that of the house whence the monk or nun went forth.

Canon XXII.

That when it happens that monies have to eat with women they ought to observe giving of thanks, and abstemiousness, and discretion.

To surrender all things to God, and not to serve our own wills, is great gain. For says the divine Apostle, ”whether ye eat or drink, do all to the glory of God. And Christ our God has bidden us in his Gospels, to cut off the beginning of sins; for not only is adultery rebuked by him, but even the movement of the mind towards the act of adultery when he says, ”Whosoever looketh on a woman to lust after her, hath committed adultery with her already in his heart. We who have been thus taught ought therefore to purify our minds. Now although all things are lawful, all things are not expedient, as we have been taught by the mouth of the Apostle. It is needful that all men should eat in order that they may live. And for those to whom life consists of marrying, and bringing forth children, and of the condition of the lay state, there is nothing unbecoming in men and women eating together, only let them give thanks to the giver of the food; but if there be the entertainments of the theatre, that is, Satanic songs accompanied with the meretricious inflections of harps, there come upon them, through these things, the curse of the prophet, who thus speaks: ”Woe to them who drink wine with harp and psaltery, but they regard not the works of the Lord, and consider not the works of his hands. Whenever persons of this sort are found among Christians, let them amend their ways;

but if they will not do so, let there overtake them the penalties which have been enacted in the canons by our predecessors. With regard to those whose life is free from care and apart from men, that is, those who have resolved before the Lord God to carry the solitary yoke, they should sit down alone and in silence. Moreover it is also altogether unlawful for those who have chosen the priestly life to eat in private with women, unless it be with God-fearing and discreet men and women, so that even their feast may be turned to spiritual edification. The same rule is to be observed with relatives. Again, if it happen that a monk or priest while on a journey does not have with him what is absolutely necessary for him, and, because of his pressing needs, thinks well to turn aside into an inn or into someone’s house, this he is permitted to do, seeing that need compels.

Notes.
Ancient Epitome of Canon XXII. There is no objection to laywomen eating with men: it

is not right however for men who have chosen the lonely life, to eat privately with women; unless perchance together with them that fear God and with religious men and women. But when travelling, a monk or anyone in sacred orders, not carrying necessary provisions with him, may enter a public house. Balsamon refers in connexion with this canon to Apostolic Canons xlij. and xliij.; lx. of the Synod of Carthage, and lxij. of the Synod in Trullo.

Source. English translation: an older public-domain translation as collected in the Writings-Database (HistoricalChristianFaith), mostly from the Ante-Nicene, Nicene and Post-Nicene Fathers and similar nineteenth-century editions. SermonIndex has only divided it into chapters and short sections; the wording is the translator's own. Square brackets, Greek or Latin words and footnote-free text are as the source file prints them, and a transcription error may remain. No Greek or Latin text is shown beside it yet, and no modern English version has been made.