The Canons

Synod of Antioch (AD 341) (AD 341)

SermonIndex.net / Church Fathers

Contents

Canon I. **1**

Canon II. **3**

Canon III. **5**

Canon IV. **6**

Canon V. **7**

Canon VI. **8**

Canon VII. **9**

Canon VIII. **10**

Canon IX. **12**

Canon X. **13**

Canon XI. **15**

Canon XLI. **16**

Canon XIII. **17**

Canon XIV. **18**

Canon XV. **19**

Canon XVI. **20**

Canon XVII. **21**

Canon XVIII. **22**

Canon XIX. **23**

Canon XX. **24**

Canon XXI. **25**

Canon XXII. **26**

Canon XXIII. **27**

Canon XXIV. **28**

Canon XXV. **29**

Canon I.

Whosoever, shall presume to set aside the decree of the holy and great Synod which was assembled at Nice in the presence of the pious Emperor Constantine, beloved of God, concerning the holy and salutary feast of Easter; if they shall obstinately persist in opposing what was [then] rightly ordained, let them be excommunicated and cast out of the Church; this is said concerning the laity. But if any one of those who preside in the Church, whether he be bishop, presbyter, or deacon, shall presume, after this decree, to exercise his own private judgment to the subversion of the people and to the disturbance of the churches, by observing Easter [at the same time] with the Jews, the holy Synod decrees that he shall thenceforth be an alien from the Church, as one who not only heaps sins upon himself, but who is also the cause of destruction and subversion to many; and it deposes not only such persons themselves from their ministry, but those also who after their deposition shall presume to communicate with them. And the deposed shall be deprived even of that external honour, of which the holy Canon and God's priesthood partake.

Notes.
Ancient Epitome of Canon I. Whoso endeavours to change the lawful tradition of Easter, if he be a layman let him be excommunicated, but if a cleric let him be cast out of the Church. The connexion between these canons of Antioch and the Apostolical Canons is so evident and so intimate that I shall note it, in each case, for the convenience of the student. Zonaras and Balsamon both point out that from this first canon it is evident that the Council of Nice did take action upon the Paschal question, and in a form well known to the Church. Van Espen. From this canon it appears that the fathers did not deem laymen deserving of excommunication who merely broke the decrees, but only those who "obstinately persist in opposing the decrees sanctioned and received by the Church; for by their refusal to obey they are attempting to overturn." And this being the case, why should such not be repelled or cast forth from the Church as rebels?

Finally this Canon proves that not only bishops and presbyters, but also deacons were reckoned among them who, "preside in the Church." An argument in favour of the opinion that the deacons of that time were entrusted with hierarchical functions. It is curious that as a matter of fact the entire clergy and people of the West fell under the anathema of this canon in 1825, when they observed Easter on the same day as the Jews. This was owing to the

adoption of the Gregorian calendar, and this misfortune while that calendar is followed it is almost impossible to prevent. Compare Apostolic Canons; Canon VII.

Canon II.

All who enter the church of God and hear the Holy Scriptures, but do not communicate with the people in prayers, or who turn away, by reason of some disorder, from the holy partaking of the Eucharist, are to be cast out of the Church, until, after they shall have made confession, and having brought forth the fruits of penance, and made earnest entreaty, they shall have obtained forgiveness; and it is unlawful to communicate with excommunicated persons, or to assemble in private houses and pray with those who do not pray in the Church; or to receive in one Church those who do not assemble with another Church. And, if any one of the bishops, presbyters, or deacons, or any one in the Canon shall be found communicating with excommunicated persons, let him also be excommunicated, as one who brings confusion on the order of the Church.

Notes.

Ancient Epitome of Canon II. Whoso comes to church, and attentively hears the holy Scriptures, and then despises, goes forth from, and turns his back upon the Communion, let him be cast out, until after having brought forth fruits of penance, he shall be indulged. And who-so communicates with one excommunicated, shall be excommunicated, and whoso prays with him who prays not with the Church is guilty, and even whoso receives him who does not attend the services of the Church is not without guilt. Balsamon. In the Eighth and Ninth canons of the Apostles it is set forth how those are to be punished who will not wait for the prayers, and the holy Communion: So, too, in the Tenth canon provision is made with respect to those who communicate with the excommunicated. In pursuance of this the present canon provides that they are to be cut off who come to church and do not wait for the prayer, and through disorder [a0taci/an will not receive the holy Communion; for such are to be cast out until with confession they shew forth worthy penance.

Zonaras. In this canon the Fathers refer to such as go to church but will not tarry to the prayer nor receive holy Communion, held back by some perversity or license, that is to say without any just cause, but petulantly, and by reason of some disorder a0taci/an; these are forbidden to be expelled from the Church, that is to say cut off from the congregation of the faithful. But the Fathers call it a turning away from, not a hatred of the divine Communion, which holds them back from communion; a certain kind of flight from it, brought about perchance by reverence and lowliness of mind. Those who object to communicate by reason

of hatred or disgust, such must be punished not with mere separation, but by an altogether absolute excommunication, and be cursed with anathema.It need hardly be remarked that this canon has no reference to such of the faithful as tarry to the end of the service and yet do not partake of the holy sacrament, being heldback by some good reason, recognized by the Church as such. It will be remembered that the highest grade of Penitents did this habitually, and that it was looked upon as a great privilege to be allowed to be present when the Divine Mysteries were performed, even though those assisting as spectators might not be partakers of them. What this canon condemns is leaving the Church before the service of the Holy Eucharist is done; this much is clear, the difficulty is to understand just why these particular people, against whom the canon is directed, did so. This canon should be compared with the Apostolic canons viii., ix., x., xj. xij. and xiij.

Canon III.

IF any presbyter or deacon, or any one whatever belonging to the priesthood, shall forsake his own parish, and shall depart, and, having wholly changed his residence, shall set himself to remain for a long time in another parish, let him no longer officiate; especially if his own bishop shall summon and urge him to return to his own parish and he shah disobey. And if he persist in his disorder, let him be wholly deposed from his ministry, so that no further room be left for his restoration. And if another bishop shall receive a man deposed for this cause, let him be punished by the Common Synod as one who nullifies the ecclesiastical laws.

Notes.

Ancient Epitome of Canon III. If any cleric leaves his own parish and goes off to another, travelling here and there, and stays for a long time in that other, let him not offer the sacrifice (leitourgei/tw), especially if he do not return when called by his own bishop. But if he perseveres in his insolence let him be deposed, neither afterwards let him have any flower to return. And if any bishop shall receive him thus deposed, he shall be punished by the Common Synod for breach of the ecclesiastical laws. Compare with Canons of the Apostles xv. and xvi. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa VII., Quaest. I., Can. xxiv.

Canon IV.

IF any bishop who has been deposed by a synod, or any presbyter or deacon who has been deposed by his bishop shall presume to execute any part of the ministry, whether it be a bishop according to his former custom, or a presbyter, or a deacon, he shall no longer have any prospect of restoration in another Synod; nor any opportunity of making his defence; but they who communicate with him shall all be cast out of the Church, and particularly if they have presumed to communicate with the persons aforementioned, knowing the sentence pronounced against them.

Notes.

Ancient Epitome of Canon IV. If a bishop deposed by a synod shall dare to celebrate the liturgy, let him have no chance of return. This canon derives its chief interest from the fact that it is usually considered to have been adopted at the instigation of the party opposed to St. Athanasius and that afterwards it was used against St. Chrysostom. But while such may have been the secret reason why some voted for it and others prized it, it must be remembered that its provision is identical with that of the Apostolic Canons, and that it was read at the Council of Chalcedon as Canon eighty-three. Remi Ceillier (Histoire GenHistoire Gnoeral des Autheurs, p. 659) tries to prove that this is not the canon which St. Chrysostom and his friends rejected, but Hefele thinks his position ”altogether untenable” (Hist. of the Councils, Vol. II., p. (62, n. 1), and refers to Tillemont (Memories, p. 329, Sur les Arians, and Fuchs’ Bib. der Kirchenversammlungen, P. II., p. 59.)

Compare Apostolic Canon xxviij. This canon is found twice in the Juris Corpus Canonici, Gratian’s Decretum, Pars II., Causa XI., Quaest. III., Can. vj., and Can. vij. in the version of Martin Bracarensis. This version is very interesting as expanding the phrase ”to execute any part of the ministry” into ”to make the oblation, or to perform the morning or evening sacrifice as though he were in office just as before, etc.”

Canon V.

IF any presbyter or deacon, despising this own bishop, has separated himself from the Church, and gathered a private assembly, and set up an altar; and if, when summoned by Iris bishop, he shall refuse to be persuaded and will not obey, even though he summon him a first and a second time, let such an one be wholly deposed and have no further remedy, neither be capable of regaining his rank. And if he persist in troubling and disturbing the Church, let him be corrected, as a seditious person, by the civil power.

Notes.

Ancient Epitome of Canon V. Any presbyter or deacon who spurns his bishop, and withdraws from him, and sets up another altar, if after being thrice called by the bishop, he shall persist in his arrogancy, let him be deposed and be deprived of all hope of restoration. It will be noted that the Ancient Epitome mentions three warnings, and the canon only two. The epitome in this evidently follows the Apostolical Canon, number thirty-one. It is somewhat curious that Aristenus in commenting on this canon does not note the discrepancy. Van Espen. This canon, together with the preceding was read from the Code of Canons at the Council of Chalcedon, at the Fourth Session in connexion with the ease of Carosus and Dorothoeus, and of other monks who adhered to them. And a sentence in accordance with them was conceived in these words against those who would not obey the Council in the condemnation of Eutyches, "Let them know that they together with the monks who are with them, are deprived of grade, and of all dignity, and of communion, as well as he, so that they cease to preside over their monasteries: and if they attempt to escape, this holy and universal great council decrees the same punishment shall attach to them, that is to say the external authority, according to the divine and holy laws of the Fathers, shall carry out the sentence passed against the contumacious."

This canon shews that monks and clerics who were rebellious were sometimes coerced by the Secular Power, when the ecclesiastical power was not sufficient to coerce them, and hence it was that the secular arm was called in.Compare with this Apostolic Canon XXXI. The last clause of this canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II. Causa XI., Quaest VIII. Can. vii. (The Latin however for "by the civil power" is, as is pointed out by the Roman Correctors, per forasticam potestatem or per forasticam potestatem.

Canon VI.

IF any one has been excommunicated by his own bishop, let him not be received by others until he has either been restored by his own bishop, or until, when a synod is held, he shall have appeared and made his defence, and, having convinced the synod, shall have received a different sentence. And let this decree apply to the laity, and to presbyters and deacons, and all who are enrolled in the clergy-list.

Notes.

Ancient Epitome of Canon VI. The sentence of the greater synod upon a clerk excommunicated by his bishop, whether of acquittal or condemnation, shall stand. Compare Apostolic Canons numbers XII.and XXXII. This canon is found in the Corpus Jurisor Canonici, Gratian's Decretum, Pars II., Causa XI., Quaest. III, Can. ij.

Canon VII.

No stranger shall be received without letters pacifical.

Notes.
Ancient Epitome of Canon VII. A traveller having no letter pacific with him is not to be received. Comapare the Apostolic Canon number XXXIII For a discussion of the Letters styled pacifici, see notes on next canon. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars I., Dist. lxxi., c. ix. in Isidore's version. The Roman Corectors the Apostolic note that Dionysius must have had a different reading from the Greek we know.

Canon VIII.

Let not country presbyters give letters canonical, or let them send such letters only to the neighbouring bishops. But the chorepiscopi of good report may give letters pacifical.

Notes.
Ancient Epitome of Canon VIII. A country presbyter is not to give canonical letters, or [at most] only to a neighbouring bishop. These ”letters canonical” were called in the West letters ”formatoe,” and no greater proof of the great influence they had in the early days of the Church in binding the faithful together can be found than the fact that Julian the Apostate made an attempt to introduce something similar among the pagans of his empire. ”Commendatory letters” (e0pistolai\ sustatikai;) are spoken of by St. Paul in 2 Cor. iii. 1, and the reader will find some interesting remarks on this and cognate subjects in J. J. Blunt’s, The Christian Church during the first three Centuries (Chapter II). By means of these letters even the lay people found hospitality and care in every part of the world, and it was thrown up against the Donatists as a mark of their being schismatics that their canonical letters were good only among themselves.

Pseudo-Isidore informs us that it was stated at the Council of Chalcedon by Atticus, bishop of Constantinople, that it was agreed at the Council of Nice that all such letters should be marked II. Y. A. II. (i.e. Father, Son, Holy Spirit), and it is asserted (Herzog, Real-Encyk., s. v. Literae Format, Real-Encyk., s. v. Literae Formatae) that this form is found in German documents of the sixth century. As will be seen among the Canons of Chalcedon, the old name, Letters Commendatory, is continued, but in this canon and in the 41st of Laodicea the expression ”Canonical Letters” is used. In the West, at least, these letters received the episcopal seal of the diocese to avoid all possibility of imposture. Dean Plumptre (whom I am following very closely in this note) believes the earliest evidence of this use of the diocesan seal is in Augustine (Epist. lix. al. ccxvij.) He also refers to Ducange, s. v. Formatae.

As these letters admitted their bearers to communion they were sometimes called ”Communion letters” (koinwnikai;), and are so described by St. Cyril of Alexandria; and by the Council of Elvira (canon xxv.), and by St. Augustine (Epist. xliii. al. clxii). The ”Letters Pacifical” appear to have been of an eleemosynary character, so that the bearers of them obtained bodily help. Chalcedon in its eleventh canon ordains these ”Letters pacifical” shall be given to the poor, whether they be clerics or laics. The same expression is used in the

preceding canon of the synod. A later form of ecclesiastical letter is that with which we are so familiar, the ”letter dimissory.” This expression first occurs in Carom XVII. of the Council in Trullo. On this expression Suicer (Thesaurus, s. v. a0polutikh;) draws from the context the conclusion that ”letters dimissory” were given only for permanent change of ecclesiastical residence, while, ”letters commendatory” were given to those whose absence from their diocese was. only temporary.

Canon IX.

IT behoves the bishops in every province to acknowledge the bishop who presides in the metropolis, and who has to take thought for the whole province; because all men of business come together from every quarter to the metropolis. Wherefore it is decreed that he have precedence in rank, and that the other bishops do nothing extraordinary without him, (according to the ancient canon which prevailed from [the times of] our Fathers) or such things only as pertain to their own particular parishes and the districts subject to them. For each bishop has authority over his own parish, both to manage it with the piety which is incumbent on every one, and to make provision for the whole district which is dependent on his city; to ordain prebysters and deacons; and to settle everything with judgment. But let him undertake nothing further without the bishop of the metropolis; neither the latter without the consent of the others.

Notes.

Ancient Epitome of Canon IX. Bishops should bebound to opinion of the metropolitan, and nothing should they do without his knowledge except only such things as have reference to the diocese of each, and let them ordain men free from blame. Van Espen. From this canon we see that causes of more importance and greater moment are to be considered in the Provincial Synod which consisted of the metropolitan and the other bishops of the province. By the ”ancient canon” of which mention is here made, there can scarcely be a doubt is intended the xxxiv. of the Canons of the Apostles, since in it are read the same provisions (and almost in the same words) as here are set forth somewhat more at length; nor is there any other canon in which these, provisions are found earlier in date than this synod, wherefore from this is deduced a strong argument for the integrity of the Canons of the Apostles.

The wording of this canon should be compared with the famous sentence so often quoted of St. Irenseus. ”Ad hanc enim ecclesiam [i.e. of Rome] propter potentiorem principalitatem necesse eat omnem convenire ecclesiam, hoc est, cos qui aunt undique fideles, in qua sempter ab his, qui aunt undique, conservata eat eaque est ab Apestolis traditio.” Is it not likely that in the lost Greek original the words translated convenire ad were (suntre/kein e0n? Vide on the meaning of cone venire ad, F. W. Puller, The Primitive Saints and the See of Rome, pp. 32 et seqq. Compare Apostolic Canon XXXIV.

Canon X.

The Holy Synod decrees that persons in villages and districts, or those who are called chorepiscopi, even though they may have received ordination to the Episcopate, shall regard their own limits and manage the churches subject to them, and be content with the care and administration of these; but they may ordain readers, sub-deacons and exorcists, and shall be content with promoting these, but shall not presume to ordain either a presbyter or a deacon, without the consent of bishop of the city to which he and his district are subject. And if he shall dare to transgress [these] decrees, he shall be deposed from tile rank which he enjoys. And a chorepiscopus is to be appointed by the bishop of the city to which he is subject.

Notes.
Ancient Epitome of Canon X A chorepiscopus makes Exorcists, Lectors, Sub-deacons and Singers, but not a presbyter or a deacon without the bishop of the city. Who dares to transgress this law let him be deposed.The bishop of the city makes the chorpiscopus. For the Minor Orders in the Early Church see the Excursus on the subject appended to Canon XXIV. of Laodicea.”Ordination to the episcopate.” In translating thus I have followed both Dionysius and Isidore. the former of whom translates ”although they had received the impositionof tim hand of the bishop and had been consecreted bishops;” and the latter ”althoughthey had received from bishops the imposition of the hand, and had been consecrated bishops.”: Van Espen. There can be no doubt that the Chorepiscopi, the authority of whom is limited by tiffs canon, are supposed to be endowed with the episcopal character. Among the learned there is a controversy as to whether Chorepiscopi were true bishops by virtue of the ordination to that office, and endowed with the episcopal character or were only bishops when accidentally so. But whatever may be the merits of this controversy, there can be no doubt from the context of this canon that the Fathers of Antioch took it for granted that the chorepiscopi were time bishops by virtue of their ordination, but it is also evident that they were subject to the bishop of the greater city. It must also be noted that these chorepiscopi were not instituted by the canons of the Councils of Ancyra. NeoCaesarea, or even of Nice, for these speak of them and make their decrees as concerning something already existing.

And from the very limitations of this canon it is by no means obscure that the fathers of Antioch supposed these chorepiscopi to be real bishops, for otherwise even with the license of the bishop of the city they could not ordain presbyters or deacons.

Canon XI.

IF any bishop, or presbyter, or any one whatever of the canon shall presume to betake himself to the Emperor without the consent and letters of the bishop of the province, and particularly of the bishop of the metropolis, such a one shall be publicly deposed and cast out, not only from communion, but also from the rank which he happens to have; inasmuch as he dares to trouble the ears of our Emperor beloved of God, contrary to the law of the Church. But, if necessary business shall. require any one to go to the Emperor, let him do it with the advice and consent of the metropolitan and other bishops in the province, and let him undertake his journey with letters from them.

Notes.

Ancient Epitome of Canon XI. A bishop or presbyter who (of his own motion and not at the bidding of the Metropolitan of the province goes to the Emperor shall be deprived both of communion and dignity. This canon is one of those magnificent efforts which the early church made to check the already growing inclination to what we have in later times learned to call Erastianism. Not only did the State, as soon as it became Christian, interfere in spiritual matters at its own motion, but there were found bishops and others of the clergy who not being able to attain their ends otherwise, appealed to the civil power, usually to the Emperor himself, and thus the whole discipline of the Church was threatened, and the authority of spiritual synods set aside. How unsuccessful the Church often was in this struggle is only too evident from the remarks of the Greek commentator Balsamon on thisvery canon.

Hefele. Kellner (Das Buss, und Strafversahren, p. 61) remarks with reference to this, that deposition is here treated as a heavier punishment than exclusion from communion, and therefore the latter cannot mean actual excommunication but only suspension.

Canon XLI.

IF any presbyter or deacon deposed by his own bishop, or any bishop deposed by a synod, shall dare to trouble the ears of the Emperor, when it is his duty to submit his case to a greater synod of bishops, and to refer to more bishops the things which he thinks right, and to abide by the examination and decision made by them; if, despising these, he shall trouble the Emperor, he shall be entitled to no pardon, neither shall he have an opportunity of defence, nor any hope of future restoration.

Notes.

Ancient Epitome of Canon XII. One deposed, if he shall have troubled the Emperor, shall seek the greater synod, and submit to its decree. But if he again misbehave himself, he shall not have any chance of restoration. It is usually supposed that this canon, as well as the fourth, and the fourteenth and fifteenth, was directed against St. Athanasius, and it was used against St. Chrysostom by his enemies. Vide Socrates, Ecclesiastical History, Book II., Chapter viii., and Sozomen's Ecclesiastical History, Book III., chapter v.; also ibid. Book VII., chapter xx. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa XXI., Quest. V., Can. ij., in Isidore's Version.

Canon XIII.

No bishop shall presume to pass from one province to another, and ordain persons to the dignity of the ministry in the Church, not even should he have others with him, unless he should go at the written invitation of the metropolitan and bishops into whose country he goes. But if he should, without invitation, proceed irregularly to the ordination of any, or to the regulation of ecclesiastical affairs which do not concern him, the things done by him are null, and he himself shall suffer the due punishment of his irregularity and his unreasonable undertaking, by being forthwith deposed by the holy Synod.

Notes.

Ancient Epitome of Canon XIII. If without invitation a bishop shall go into another province, and shall ordain, and administer affairs, what he does shall be void and he himself The Roman Correctors are not satisfied withshall be deposed. Compare with this Apostolic Canon xxxv.; also canon xxii. of this same synod. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa ix., Quaest. II., Can. vj. in the Versio Prisca. The Roman Correctors are not satisfied with it, however, nor with any version and give the Greek text, to which they add an accurate translation.

Canon XIV.

IF a bishop shall be tried on any accusations, and it should then happen that the bishops of the province disagree concerning him, some pronouncing the accused innocent, and others guilty; for the settlement of all disputes, the holy Synod decrees that the metropolitan call on some others belonging to the neighbouring province, who shall add their judgment and resolve the dispute, and thus, with those of the province, confirm what is determined.

Notes.
Ancient Epitome of Canon XIV. If the bishops of the province disagree among themselves as to an accused bishop, that the controversy may be certainly settled, let other neighbouring bishops be called in. Zonaras. When any bishop shall have been condemned with unanimous consent by all the bishops of the province, the condemnation cannot be called into doubt, as this synod has set forth in its fourth canon. But if all the bishops are not of the same mind, but some contend that he should be condemned and others the contrary, then other bishops may by called in by the metropolitan from the neighbouring provinces, and when their votes are added to one or other of the parties among the bishops, then controversy should be brought to a close. This also is the law of the Synod of Sardica, canons iii. and v. Aristenus. Every bishop accused of crimes should be judged by his own synod, but if the bishops of the province differ, some saying that he is innocent and some that he is guilty, the metropolitan can call other bishops from a neighbouring province that they may solve the controversy agitated by the bishops.

This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa vi., Quaest. iv., can. j. The Roman Correctors note that the Latin translation implies that the neighbouring metropolitan is to be invited and say, "But, in truth, it hardly seems fitting that one metropolitan should come at the call of another, and that there should be two metropolitans in one synod."

Canon XV.

IF any bishop, lying under any accusation, shall be judged by all the bishops in the province, and all shall unanimously deliver the same verdict concerning him, he shah not be again judged by others, but the unanimous sentence of the bishops of the province shall stand firm.

Notes.
Ancient Epitome of Canon XV. If all the bishops of a province agree with regard to a bishop already sentenced, a new trial shall not be granted him. Van Espen. By the phrase "by others" must be understood bishops called from a neighbouring province, of which mention is made in the previous canon, where in the case of an agreement among the bishops, the synod did not wish to be called in, even if it were demanded by the condemned bishop. This canon, therefore, is a supplement as it were to the preceding. And for this reason in the Breviarium and in Cresconius's Collection of Canons they are placed under a common title, cap. 144, "Concerning the difference of opinion which happens in the judgment of bishops, or when a bishop is cut off by all the bishops of his province." From these canons it is manifest that at first the causes of bishops were agitated and decided in provincial synods, and this discipline continued for many centuries, and was little by little departed from in the VIII and IX centuries.

This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa VI., Quaest. IV., Can. v. Gratian adds a note which Van Espen remarks smacks of his own date rather than of that of the Synod of Antioch.

Canon XVI.

IF any bishop without a see shall throw himself upon a vacant church and seize its throne, without a full synod, he shall be cast out, even if all the people over whom he has usurped jurisdiction should choose him. And that shall be [accounted] a full synod, in which the metropolitan is present.

Notes.

Ancient Epitome of Canon XVI. Whoever without the full synod and without theMetropolitan Council, shall go over to a vacant church, even if he has no position, he shall be ejected. Beveridge. This, together with the following canon, was recited by Bishop Leontius in the Council of Chalcedon, from the book of the canons,in which this is called the 95th and the following the 96th, according to the order observed in that book of the canons. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars I., Dist. XCII., Can. viii. in Isidore's version, and the Roman Correctors note its departure from the original.

Canon XVII.

IF any one having received the ordination of a bishop, and having been appointed to preside over a people, shall not accept his ministry, and will not be persuaded to proceed to the Church entrusted to him, he shall be excommunicated until he, being constrained, accept it, or until a full synod of the bishops of the province shall have determined concerning. him.

Notes.

Ancient Epitome of Canon XVII. Whoso has received orders and abandoned them let him be excommunicated, until he shall have repented and been received. Zonaras. If any one called to the rule of the people refuse to undertake that office and ministry, let him be removed from communion, that is separated, until he accept the position. But should he persist in his refusal, he can by no means be absolved from his separation, unless perchance the full synod shall take some action in his case. For it is possible that he may assign reasonable causes why he should be excused from accepting the prelature of- fered him, reasons which would meet with the approbation of the synod. Balsamon explains the canon in the same sense and adds that by ”ordination” here is intended ordination proper, not merely election, as some have held. Compare with this Apostolic Canon XXXVI. This canon is found in the Corpus Juris Canonici, Gratian’s Decretum, Pars I., Dist. XCII., C. vii. The Roman Correctors note that Dionysius’s version is nearer the Greek.

Canon XVIII.

IF any bishop ordained to a parish shall not proceed to the parish to which he has been ordained, not through any fault of his own, but either because of the rejection of the people, or for any other reason not arising from himself, let him enjoy his rank and ministry; only he shall not disturb the affairs of the Church which he joins; and he shall abide by whatever the full synod of the province shall determine, after judging the ease.

Notes.

Ancient Epitome of Canon XVIII. Let a bishop ordained but not received by his city have his part of the honour, and offer the liturgy only, waiting for the synod of the province to give judgment. Balsamon. In canon xvij. the fathers punished him who when ordained could not be persuaded to go to the church to which he was assigned. In the present canon they grant pardon to him who is willing to take the charge of the diocese, for which he was consecrated, but is prevented from doing so by the impudence of the people or else by the incursions of the infidel; and therefore they allow him to enjoy, in whatever province he may happen to be, the honour due his rank, viz., his throne, his title, and the exercise of the episcopal office, with the knowledge and consent of the bishop of the diocese. He must not, however, meddle will, the affairs of the church of which he is a guest, that is to say he must not teach, nor ordain, nor perform any episcopal act without the consent of the bishop of the diocese; but he must observe quiet, until he learns what he ought to do by the determination of the full Synod.

Aristenus explains that by keeping quiet is intended that he should not ”use any military help or other power.” This canon is found twice in the Corpus Juris Canonici, Gratian’s Decretum, Pars I., Dist. xcii., c. iv. and v.; in the versions of Martin Bracarensis and of Dionysius.

Canon XIX.

A Bishop shall not be ordained without a synod and the presence of the metropolitan of the province. And when he is present, it is by all means better that all his brethren in the ministry of the Province should assemble together with him; and these the metropolitan ought to invite by letter. And it were better that all should meet; but if this be difficult, it is indispensable that a majority should either be present or take part by letter in the election, and that thus the appointment should be made in the presence, or with the consent, of the majority; but if it should be done contrary to these decrees, the ordination shall be of no force. And if the appointment shall be made according to the prescribed canon, and any should object through natural love of contradiction, the decision of the majority shall prevail.

Notes.

Ancient Epitome of Canon XIX. If there be no synod and metropolitan, let there be no bishop. If on account of some difficulty all do not meet together, at least let the greater number, or let them give their assent by letter. But if after the affair is all settled a few are contentious, let the vote of the majority stand firm. Zonaras. In the first place it must be noted that by "ordination" in this place is meant election, and the laying on of the bishop's hand. Balsamon. The method of choosing a bishop is laid down in the canons of Nice, number iv., but the present canon adds the provision that an election which takes place in violation of the provisions of this decree is null and invalid: and that when those who are electing are divided in opinion as to whom to choose, the votes of the majority shall prevail. But when you hear this canon saying that there should be no election without the presence of the Metropolitan, you must not say that he ought to be present at an election (for this was prohibited, as is found written in other canons) but rather say that his presence here is a permission or persuasion, without which no election could take place.

Compare Apostolic Canon number j. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars I., Dist. LXV., can. iij. Gratian has chosen Isidore's version, and the Roman Correctors point out that Dionysius' is preferable.

Canon XX.

With a view to the good of the Church and the settlement of disputes, it is decreed to be well that synods of the bishops, (of which the metropolitan shall give notice to the provincials), should be held in every province twice a year, one after the third week of the feast of Easter, so that the synod may be ended in the fourth week of the Pentecost; and the second on the ides of October which is the tenth [or fifteenth] day of the month Hyperberetaeus; so that presbyters and deacons, and all who think themselves unjustly dealt with, may resort to these synods and obtain the judgment of the synod. But it shall be unlawful for any to hold synods by themselves without those who are entrusted with the Metropolitan Sees.

Notes.

Ancient Epitome of Canon XX. On account of ecclesiastical necessities the synod in every province shall meet twice a year, in the fourth week of Pentecost and on the tenth day of Hyperbereoeus. Schelestratius (Cit. Van Espen). The time fixed by the Council of Nice before Lent for the meeting of the synod was not received in the East, and the bishops kept on in the old custom of celebrating the council in the fourth week after Easter, for the time before Lent often presented the greatest difficulties for those in the far separated cities to come to the provincial metropolis. Van Espen. In this canon the decree of Nice in canon v. is renewed, but with this difference that the Nicene synod orders one synod to be held before Lent, but this synod that it should be held the fourth week after Easter. It will be remembered that the whole period of the great fifty days from Easter to Whitsunday was known as ”Pentecost.”

Compare with this Apostolic Canon number XXXVII. This canon is found in the Corpus Juris Canonici, Gratian’s Decretum, Pars I., Dist. XVIII., c. xv., attributed to a council held by Pope Martin. The Roman Correctors point out that this ”Pope Martin” was a bishop of Braga (Bracarensis) from whose collection of the decrees of the Greek synods Gratian often quotes; the Correctors also note, ”For bishops in old times were usually called Popes” (Antiquitus enim episcopi Papoe dicebantur).

Canon XXI.

A Bishop may not be translated from one parish to another, either intruding himself of his own suggestion, or under compulsion by the people, or by constraint of the bishops; but he shall remain in the Church to which he was allotted by God from the beginning, and shall not be translated from it, according to the decree formerly passed on the subject.

Notes.

Ancient Epitome of Canon XXI. A bishop even if compelled by the people, and compelled by the bishops, must not be translated to another diocese. See the treatment of the translation of bishops in the Excursus to canon xv. of Nice. Compare this canon with Apostolical Canon number xiv. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa VII., Quaest. I., can. xxv., from Isidore's version.

Canon XXII.

Let not a bishop go to a strange city, which is not subject to himself, nor into a district which does not belong to him, either to ordain any one, or to appoint presbyters or deacons to places within the jurisdiction of another bishop, unless with the consent of the proper bishop of the place. And if any one shall presume to do any such thing, the ordination shall be void, and he himself shall be punished by the synod.

Notes.

Ancient Epitome of Canon XXII. A bishop shall not go from city to city ordaining people, except by the will of the bishop of the city: otherwise the ordination shall be without force, and he himself exposed to censure. If we do not draw a rash conclusion, we should say that the interference of bishops in dioceses not their own, must have been very frequent in early days. This one synod enacted two canons (number XIII. and this present canon) on the subject. The same prohibition is found in canons XIV. and XXXV. of the Apostolic canons, in canon XV. of Nice, canon ij. of I. Constantinople and in many others. On account of the similarity of this canon to canon xiii. some have supposed it to be spurious, the enactment of some other synod, and this was the opinion of Godefrides Hermantius (Vita S. Athanasii, Lib. IV., cap. xij.) as well as of Alexander Natalis (Hist. Sec., IV., Dissert. xxv.). Van Espen, however, is of opinion that the two canons do not cover exactly the same ground, for he says Canon XIII. requires letters both from the Metropolitan and from the other bishops of the province, while this canon XXII. requires only the consent of the diocesan. He concludes that Canon XIII. refers to a diocese sede vacante, when the Metropolitan with the other bishops took care of the widowed church, but that Canon XXII. refers to a diocese with its own bishop, whose will is all that is needed for the performance of episcopal acts by another bishop. And this distinction Schelestratius makes still more evident by his discussion of the matter in his scholion on Canon XIII.

Compare with this canon of the Apostolic Canons number XXXV. also number XIV. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa IX., Quaest. II., can. vij., but in a form differing far from the Greek original, as the Roman Correctors point out; and even Gratian's present text is not as he wrote it, but amended.

Canon XXIII.

IT shall not be lawful for a bishop, even at the close of life, to appoint another as successor to himself; and if any such thing should be done, the appointment shall be void. But the ecclesiastical law must be observed, that a bishop must not be appointed otherwise than by a synod and with tile judgment of the bishops, who have the authority to promote tile man who is worthy, after the falling asleep of him who has ceased from his labours.

Notes.
Ancient Epitome of Canon XXIII. A dying bishop shall not appoint another bishop. But when he is dead a worthy successor shall be provided by a synod ofthose who have this power.

Nothing could be more important than the provision of this canon. It is evidently intended to prevent nepotism in every form, and to leave the appointment to the vacant see absolutely to the free choice of the Metropolitan and his synod. The history of the Church, and its present practice, is a curious commentary upon the ancient legislation, and the appointment of coadjutor bishops cure jure successionis, so common in later days, seems to be a somewhat ingenious way of escaping the force of the canon. Van Espen, however, reminds his readers of the most interesting case of St. Augustine of Hippo (which he himself narrates in his Epistle CCXIII.) of how he was chosen by his predecessor as bishop of Hippo, both he and the then bishop being ignorant of the fact that it was prohibited by the canons. And how when in his old age the people wished him to have one chosen bishop to help him till his death and to succeed him afterwards, he declined saying: "What was worthy of blame in my own case, shall not be a blot likewise upon my son." He did not hesitate to say who he thought most worthy to succeed him, but he added, "he shall be a presbyter, as he is, and when God so wills he shall be a bishop." Van Espen adds; "All this should be read carefully that thence may be learned how St. Augustine set an example to bishops and pastors of taking all the pains possible that after their deaths true pastors, and not thieves and wolves, should enter into their flocks, who in a short time would destroy all they had accomplished by so much labour in so long a time." (Cf. Eusebius. H. E., Lib. VI., cap. xj. and car. xxxij.)

Compare Apostolic Canon number LXXVI. This canon is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa VIII., Quaest. I., can. III., in Dionysius's version, and again Canon IV. in that of Martin Bracarensis.

Canon XXIV.

IT is right that what belongs to the Church be preserved with all care to the Church, with a good conscience and faith in God, the inspector and judge of all. And these things ought to be administered under the judgment and authority of the bishop, who is entrusted with the whole people and with the souls of the congregation. But it should be manifest what is church property, with the knowledge of the presbyters and deacons about him; so that these may know assuredly what things belong to the Church, and that nothing be concealed from them, in order that, when the bishop may happen to depart this life, the property belonging to the Church being well known, may not be embezzled nor lost, and in order that the private property of the bishop may not be disturbed on a pretence that it is part of the ecclesiastical goods. For it is just and well-pleasing to God and man that the private property of the bishop be bequeathed to whomsoever he will, but that for the Church be kept whatever belongs to the Church; so that neither the Church may suffer loss, nor the bishop be injured under pretext of the Church's interest, nor those who belong to him fall into lawsuits, and himself, after his death, be brought under reproach.

Notes.
Ancient Epitome of Canon XXIV. All the clergy should be cognizant of ecclesiastical matters; so that when the bishop dies the Church may preserve her own goods; but what belongs to the bishop shall be disposed of according to his directions. Van Espen. This canon shews the early discipline according to which the presbyters and deacons of the episcopal city, who were said to be "about him" or to pertain to his chair, represented the senate of the church, who together with the bishop administered the church affairs, and, when the see was vacant, had the charge of it. All this Martin of Braga sets forth more clearly in his version, and I have treated of the matter at large in my work on Ecclesiastical Law, Pars I., Tit. viii., cap. i., where I have shewn that the Cathedral chapter succeeded to this senate of presbyters and deacons. Compare with this canon Apostolical Canon XL.

This canon in a somewhat changed form is found in the Corpus Juris Canonici, Gratian's Decretum, Pars II., Causa XII., Quaest. I., can. xx., and attributed to "Pope Martin's Council"; also compare with this the ensuing canon, number XXI.

Canon XXV.

Let the bishop have power over the funds of the Church, so as to dispense them with all piety and in the fear of God to all who need. And if there be occasion, let him take what he requires for his own necessary uses and those of his brethren sojourning with him, so that they may in no way lack, according to the divine Apostle, who says, ”Having food and raiment, let us therewith be content.” And if he shall not be content with these, but shall apply the funds to his own private uses, and not manage the revenues of the Church, or the rent of the farms, with the consent of the presbyters and deacons, but shall give the authority to his own domestics and kinsmen, or brothers, or sons, so that the accounts of the Church are secretly injured, he himself shall submit to an investigation by the synod of the province. But if, on the other hand, the bishop or his presbyters shall be defamed as appropriating to themselves what belongs to the Church, (whether from lands or any other ecclesiastical resources), so that the poor are oppressed, and accusation and infamy are brought upon the account and on those who so administer it, let them also be subject to correction, the holy synod determining what is right.

Notes.

Ancient Epitome of Canon XXV. The bishop shall have power over ecclesiastical goods. But should he not be content with those things which are sufficient for him but shall alienate the goods and revenues of the church, without the advice of the clergy, penalties shall be I exacted from him in the presence of the synod. But if he has converted to his own uses what was given for the poor, of this also let him give an explanation to the synod. Compare with this canon Apostolic Canon number XLI. This Canon is found in the Corpus Juris Canonici, Gratian’s Decretum, Pars II., Causa XII., Quaest I., can. XXIII. and with this should be compared canon XXII. immediately preceding. At the end of this canon in Labbe’s version of Dionysius we find these words added. ”And thirty bishops signed who were gathered together at this Synod.” Isidore Mercator has a still fuller text, viz.: ”I, Eusebius, being present subscribe to all things constituted by this holy Synod. Theodore, Nicetas, Macedonius, Anatolius, Tarcodimantus, Aethe-reus, Narcissus, Eustachius, Hesychius, Mauricius, Paulus, and the rest, thirty bishops agreed and signed.” Van Espen after noting that this addition is not found in the Greek, nor in Martin Bracarensis, adds ”there is little probability that this clause is of the same antiquity as the canons.”

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.