

EPISCOPAL CELIBACY IN THE ORTHODOX TRADITION

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Celibacy for the whole clergy in major orders is a topic which has been widely investigated. This issue continues to generate works on both scholarly and popular levels. The authors dealing with this subject have shed light on the origin and development of clerical celibacy in the Church, describing the distinctive evolution of discipline in the West and East. However, with regard to the East, investigations do not usually go further than the Trullan Council in 591, on the assumption that at that point the Byzantine discipline was definitively settled. So, the process of linkage between monasticism and episcopacy is only casually mentioned. Furthermore, very little attention is paid to the possible reasons for the fact that in late Antiquity the discipline of clerical celibacy took different directions in the two halves of Christendom. This difference can hardly be considered as merely fortuitous. Several factors were at work, and in the present study I will try to bring them to the fore.

First, one must dismiss a simplistic view expressed in some Roman Catholic milieus: episcopal celibacy would result from a compromise based on the conclusion that imposing the law of continence upon the entire clergy was practically impossible. Therefore in the East, the Church Authorities eventually decided to implement this rule only for bishops.¹ This hypothesis does not bear up under critical scrutiny. In the East during late Antiquity, no law was enacted to alter the prevailing custom,

¹E.g., C. Cochini, *Origines apostoliques du célibat sacerdotal*, Paris-Namur, 1981 (Lethielleux), pp. 445-446.

and later on, canon 13 of the Trullan Council emphasizes the legitimacy of marriage for priests, deacons and subdeacons. This canon confirms and amplifies the previous enactment made by the Synod of Gangra in 343.² This does not mean that during the third and fourth centuries, both in the East and West, clerical continence was not advocated by some prominent Churchmen.

Given the scarcity of source materials, investigating the progressive spread of celibacy among the episcopate is not easy. Of course, a few sign posts in this evolution may possibly be found, although trying to delimit the beginning and end of the successive phases in this process is highly problematic. In any event, the development of the current favoring celibacy among bishops has to be studied within the framework of clerical celibacy. Nevertheless, the fact that on this point a disciplinary discrepancy surfaced in Christendom indicates that some factors were shared between the East and West while others specifically apply to only one part of the Christian world. Among the former factors, the most significant derive from the common heritage of primitive Christianity and reflect the attitude of the early Church toward marriage and sexuality.

On those issues New Testament evidence provides complex data, and this complexity is reflected in Christian Tradition throughout the ages. On the one hand, several scriptural statements, mostly ethical admonitions, seem to imply that in their overwhelming majority, believers are married.³ Taking a firm stand on strictures against repudiation, Jesus explicitly refers to the original intent of the Creator with respect to the unity of the couples.⁴ On the other hand, Jesus clearly affirms that marriage is not a reality belonging to the world to come.⁵ Matthew's Gospel attributes a logion to Jesus, praising "eunuchs who have made themselves eunuchs for the sake of the kingdom in heaven."⁶

²Can. 4. For the date of this synod see W. A. Jurgens, "The Date of the Council of Gangra," *The Jurist* 20, 1960, pp. 1-12.

³Pastoral Letters and I Peter.

⁴Mt 19:4-6; Isa 10:6-9.

⁵Mt 22:30; Isa 12:25; Isa 20; 35.

⁶XIX:12. Two interpretations of this are possible. It can refer either to perpetual virginity or to avoiding remarriage after divorce. In favor of the former see J. Dupont, *Mariage et divorce dans l'Evangile*, 1959 (Desclée de

According to the Lucan redaction of another saying of Jesus, true discipleship can imply a rupture of all family ties including marital community.⁷ St Paul recognizes the legitimacy of marriage and does not object to marital intercourse insofar as it implies restraint. However, the Apostle points out that marriage is only a concession (*kata singnomin*), and he expresses his feelings: "I wish that all were as I myself am."⁸ Acceptance of marriage, but emphasis on virginity and continence as a more perfect state of life, characterizes the position held by the mainstream Church. I would like to cite two patristic statements exemplifying this stand.

St Gregory Nazianzen states: "Marriage is something good; however, I would not go so far as to say that it is better than virginity. Yet, virginity would not be so excellent if actually it did not prevail over something which is good in itself."⁹ St Ambrose of Milan states: "... the Church proclaims praise for marital morality, but the glory goes to virginal integrity."¹⁰ Nevertheless, it is noteworthy that in primitive Christianity one cannot find any specific connection between Church ministry and celibacy or continence. The author of the Pastoral Epistles seems to suppose that marriage was the common state of life among the ministers including the "bishops."¹¹ To be sure, the phrase, "a bishop must (δεῖ) be the husband of one wife" does not mean that bishops must be married; it refers to the faithfulness required from those who are married. One must keep in mind that this admonition is inserted within the framework of a "Haustafel" (set of rules for ordering households). Throughout the second century, the differentiation between laity and clergy takes shape, and by the beginning of the third century this formative process reaches completion. The clergy,

Brouher), pp. 161-220; in favor of the latter see R. H. Gundry, *Matthew* (Grand Rapids: Eerdmans, 1982), 383f.

⁷Lk 14:26.

⁸I Cor 7:6-7.

⁹Oratio 37, PG 36, 293 BC.

¹⁰Peter Brown, *The Body and Society* (New York: Columbia University Press, 1988), p. 361.

¹¹About the functions of bishop/overseer in the Pastorals, see H. W. Kümmler, *Introduction to the New Testament*, 17th edition (Nashville: Abington Press, 1975), pp. 380-381.

then, constitute a very definite category in the Church.¹² Simultaneously, specific requirements applying to the members of the clergy are widely accepted as a part of customary law. For example, remarried persons are not admitted to the ranks of the clergy. Those who have married a widow or a divorcee are prevented from being ordained. But marriage is never mentioned as an irregularity for ordination. Furthermore, by that time, one cannot find traces of any customary law imposing the observance of permanent continence over the clergy. After the emergence of written canon law, during most of the fourth century, no rules were promulgated on this issue. Until recently, scholars used to be perplexed by a canon supposedly issued by the Spanish Council of Elvira in 309, ordering all clerics "to abstain from their wives."¹³ But now it is widely recognized that actually this canon was issued much later.¹⁴ Nor was the problem of clerical continence raised at the Council of Nicaea. The discussion on this issue reported first by Socrates and involving a certain Paphnutios, Bishop of Upper Egypt, did not actually take place but is a legend forged in Constantinople during the first half of the fifth century. This was done in order to justify the Eastern tradition that opposed the newly imposed discipline of clerical continence in the West, including Illyricum.¹⁵ It does not seem probable that legislative action in the West to enforce permanent continence for bishops, priests, and deacons was initiated prior to the pontificate of Siricius (384-399). The papal letter to Himerius of Tarragona doubtless constitutes a milestone.¹⁶ From that time onward the Papacy

¹²Alex. Faivre, *Les laïcs aux origines de l'Eglise*, Paris, 1984 (le Centurion), pp. 28-57.

¹³Canon 33: "Bishops, presbyters, and deacons and all other clerics having a position in the ministry are ordered to abstain completely from their wives and not to have children. Whoever, in fact, does this, shall be expelled from the dignity of the clerical state," English translation by S. Laeuchli, *Power and Sexuality. The Emergence of Canon Law at the Synod of Elvira* (Philadelphia: Temple University Press, 1972), p. 130. Latin text: *Enchir.* nr. 119.

¹⁴M. Migne, *Concile ou collection d'Elvira*, R.H.E., t. LXX, 1975, pp. 361-387. According to this author only the first 21 canons were enacted by the Synod of Elvira.

¹⁵R. Gryson, *Dix ans de recherches sur les origines du célibat ecclésiastique*, R.T.L. 11, 1980, pp. 157-185.

¹⁶"Ad Himerium," February 385, 7;8-70, *Enchir.* nr. 185. The letter "Ad Gallos episcopos" once attributed to Pope Damasus (366-384) cannot have

sought to implement the law of clerical continence in its sphere of influence. However, Siricius' initiative ought to be placed in its historical context. We should keep in mind that from its emergence, the Christian movement has been marked by asceticism, and many Christians voluntarily kept permanent continence.¹⁷ Among them, of course, there were members of the clergy. As mentioned earlier, this practice was not a requirement of customary law. Yet, in the third century Tertullian and Origen do not conceal their preference for clerical continence.¹⁸ However, this view was not likely shared by a large segment in the mainstream Church at that time. Unquestionably, this stand comes from an increasing tendency to emphasize hieratic aspects of the ministry. This fact is reflected by the evolution of terminology.¹⁹

In any case, the advocacy of total continence for the clerics "who handle the holy mysteries" became larger and more powerful in the fourth century. This intensification can hardly be regarded as fortuitous. This results from the conjunction of several factors. The aforementioned emphasis on the hieratic aspects of Church ministry tended to suggest a comparison between this ministry and Old Testament priesthood.²⁰ The upholders of clerical continence used an *a fortiori* reasoning: the priests of the Old Covenant had to abstain from their wives during their time of service at the temple. Since the New Covenant is superior to the Old, the ministers of the Church must permanently keep continence.²¹ From the reign of Emperor Con-

been written before the pontificate of Siricius. See J. Gaudemet, *La formation du droit séculier et du droit de l'Eglise au iv^e et v^e siècles*, 2nd édit. Paris, 1979, pp. 161-162.

¹⁷H. Merklein, *Die Gottesherrschaft als Handlungsprinzip*, Würzburg, 1978 (Echter), pp. 93-94. P. Brown, *The Body and Society* (New York: Columbia University Press, 1988), pp. 33-64. A. Voöbus, *A History of Asceticism in the Syrian Orient, C.S.C.O.*, subsidia 14 & 17, Louvain, 1958 & 1960.

¹⁸Tertullian, *De exhort. cast.*, 23;4, C.C. 2, 1035. Origen, in *Levit.*, Hom. 6;6, G.C.S. 29, 369-370.

¹⁹P. van Beneden, *Aux origines d'une terminologie sacramentelle*, Louvain, 1974, S.S.L. 38.

²⁰This tendency starts to surface toward the end of the first century in the Letter of Clement of Rome. However, anachronistic inferences must be avoided. See Hans von Campenhausen, *Ecclesiastical Authority and Spiritual Power*, English trans. (Stanford: Stanford University Press, 1969), pp. 92-93.

²¹This argument is set forth in the decretal of Ps. Damascus in the

stantine the Great (324-337) many privileges were bestowed upon the clergy²² and this made still sharper the social distinction between clergy and people. Then, the clergy was expected to set an example for laity with respect to the Christian way of life, and, as already mentioned, in the early Church virginity and continence were considered the most praiseworthy state of life. It is sometimes argued that monasticism was an incentive for clerical celibacy. Philip Schaff states: "The clergy, as the model order, could not remain below the moral ideal of monasticism."²³ I do not think the importance of this fact should be exaggerated. It is in the West that toward the end of the fourth century the law of continence began to be imposed over all the members of the clergy in the sacred orders. Yet, by that time monasticism was not a widespread way of life in Western Christianity.²⁴

In the East from the fourth century on, those who intended to practice continence tended to join the ranks of the monastics. At all events, monasticism was an important factor in the process leading to link episcopacy and celibacy. It is precisely during the fourth century that one can detect the emergence of such a trend, although, by that time this practice remained in the province of customs and was far from gaining universal consensus. Moreover, the evidence does not provide any data about the percentages of continent-celibate and married bishops. Presumably, celibacy was more widespread among bishops of large cities than among those of small towns. This assumption can be based on the fact that in large communities the episcopal position included some functions more appropriate for an unmarried person. Since this evolution did not take place under canonical or legal constraints, one cannot find a great deal of testimony on this matter. Undoubtedly the number of married bishops constantly decreased. In fact, when

Letter "ad Himerium." On these texts, see R. Gryson, *Les origines du célibat ecclésiastique*, Gembloux 1970 (J. Duculot), pp. 127-131 & 136-142.

²²P.-P. Joannou, *La législation impériale et la christianisation de l'Empire romain*, O.C.A. 192, P. R. Coleman-Norton, *Roman State and Christian Church*, 3 vols. (London: S.P.C. K., 1966).

²³*History of the Christian Church*, Vol. 3, 5th Edition (Grand Rapids: Eerdmans, 1910), p. 242.

²⁴J. Gaudemet, *L'Eglise et l'Empire romain*, Paris, 1958, pp. 193-198. About the cautious stand of the Roman See, p. 198.

eventually, episcopal celibacy was made compulsory by the Justinianic legislation, it did not encounter opposition.

Before going further, a preliminary question should be answered: How can we explain the fact toward the end of the fourth century between the East and West, a difference arises with respect to the marital status of the clergy? This appears to be a puzzling question if we keep in mind that by that time in the mainstream of the whole Church it is hardly possible to detect significant ideological differences on the concept of priesthood. In the two halves of Christendom, however, the relationship between the fulfillment of sacred functions and marital life seem to have been differently conceived. Later, this became a marked point of disagreement spelled out by the Trullan Council. In the West, the rule of ritual purity for married clerics who handle the Holy Mysteries ("*qui sacra mysteria constrectant*") implies perpetual continence. Nevertheless, at this stage of history, marital cohabitation is not at all forbidden. Pope Leo I makes this very clear.²⁵ In the East this view was never accepted. It was deemed sufficient for the minister of the altar to strictly conform with the general rule indicated by St Paul: "Do not refuse each other except by mutual consent, and then only for an agreed time, to leave yourselves free for prayer."²⁶ As early as the third century, those directions are reflected in Church disciplinary tradition.²⁷ The moderate stand which prevailed in Eastern Christianity can probably be explained by an acute perception of the danger represented by the dualistic tendencies underpinning negative views on marriage among several sectarian groups. Furthermore, compulsory continence and cohabitation were not considered as realistically compatible. Notably, the Western Church eventually came to this conclusion and from the early Middle Ages, canonical legislation forbade the cohabitation of married clerics with their wives.²⁸

Since in the East neither written law nor custom with

²⁵Epist. *ad Rusticum*, PL 64, 1204 A.

²⁶I Cor 7:5. Several manuscripts add "and fasting." K. Aland, *The Greek New Testament*, 3rd edition 1975, United Bible Societies, p. 591.

²⁷Dionysius of Alex. (+264), can. 3, Fonti 9:2, p. 193.

²⁸This position begins to be expressed in canons enacted by local councils in the second half of the sixth century. Gryson, *Les origines* . . . , p. 196.

respect to perpetual continence were imposed on priests, deacons, and subdeacons, the trend toward episcopal celibacy did not derive from the concept of ritual purity. The fact that it was not really the issue at stake is evidenced by the evolution of customary law. Bishops were more and more selected from among the celibates, including the monastics. When married persons were elected, the candidates were expected to separate themselves from their wives. In the fourth century direct evidence is faint, since, as mentioned earlier, this trend did not develop suddenly. However, by that time celibacy was already a widespread state of life among the episcopate, as can be well substantiated. I do realize, of course, that the adduced pieces of evidence do not carry equal weight. Furthermore, considered separately none of those testimonies brings about unquestionable proof. Nevertheless, as a whole they are significant.

Canon 4 of the Council of Gangra anathematizes those who do not accept to partake of the oblation offered by a married priest.²⁹ The canon does allude to married bishops. This omission is not fortuitous. Hence, it suggests that in that part of the Pontic region (Paphlagonia, Helenopontus, Armenia prima) there were few bishops.

Another proof of the prevalence of celibacy among bishops can be drawn from a text of St Epiphanius (d. 403), an eager proponent of clerical celibacy. He has to acknowledge that in some places the "rule" (κανὼν) of perfect continence is not enforced for priests, deacons and subdeacons. According to his assertion, such a situation results from the lack of suitable candidates.³⁰ Roger Gryson rightly notes that the bishops are not included in this enumeration.³¹

Very relevant to the present inquiry is the often quoted statement made by Synesius of Cyrene. In 410 the clergy and people of the Ptolemais nominated him as metropolitan of the Pentapolis. He reluctantly agreed but set forth conditions. "God," he says, "the law and the hand of Theophilus have given me a wife. Therefore, I publicly proclaim and testify that I shall not be separated (ἀλλοτριώσομαι καθάπαξ) from her nor

²⁹Fonti, ix, 1,2, p. 91.

³⁰Haer. 59, 4, 1-7, G.C.S. 367, 7-368, 12.

³¹*Les origines* . . . , p. 63.

shall associate with her surreptitiously like an adulterer. The former alternative would be impious, the latter unlawful. I desire and pray to have several good children.”³² Whether or not this request was accepted is a question which cannot be answered, and in any event it is not relevant to the purpose of the present study. Undoubtedly, Synesius’ statement indicates that such a request ran counter to a well-established custom in the Patriarchate of Alexandria. Another testimony strongly suggests that by that time the same custom existed in the diocese of Asia. In 400, at a council presided over by St John Chrysostom, Antoninus, the unworthy bishop of Ephesus, was deposed. Among the accusations raised against him, it was stated that “having separated from his wife, later he resumed marital life with her and had children.”³³ This account suggests that in Asia toward the beginning of the fifth century, a married bishop-elect was expected to separate permanently from his wife. The fact that already in the second half of the fourth century many bishops practiced continence is also suggested by a passage from Oration 40 of St Gregory Nazianzen.³⁴

To be sure, the idea that celibacy is the most suitable state of life for bishops did not come out of the blue in Christian consciousness during the second half of the fourth century. However, by that time, under the influence of situational factors this idea gained ground.

— Exalting virginity was a part of the ethical teaching in early Christianity. The bishop, *par excellence* the teacher of his Church, was expected not only to praise this state of life, but also to set an example. From the fourth century on, especially in large cities, there were many female virgins organized as an order (in Greek, αἱ κανονικάι). The bishop himself received vows. He was their mentor and protector. Such a position was hardly compatible with marriage.

— From the emergence of the episcopacy, the bishop was considered as the manager of all Church goods and property. When the great persecution came to an end (ca. 311-313) all confiscated Church property was restored. In 321, Emperor

³²Epist. 105, PG 66, 1485 A.

³³Palladius, *Dial.* PG 47, 48 A.

³⁴PG 36, 396 B.

Constantine enacted a law allowing the catholic Church to receive donations and endowments.³⁵ Then the wealth of the bishoprics, especially those of the large cities, grew enormously. Under such circumstances, canon law had to specify that the bishop's personal property and that of the Church must be clearly distinguishable.³⁶ Yet implementing this rule was sometimes difficult, and the problem was radically solved by the legislation of Justinian forbidding the episcopal *chirotony* of married persons.³⁷ Avoiding this kind of situation is one of the reasons put forth in favor of episcopal celibacy. One can assume that the law only confirmed a widespread custom.

— The bishop has always been considered to be the father of his flock. This concept of universal fatherhood suggested that this position precludes family concerns. Still another idea is closely related to this one: the bishop is regarded as being united with his Church by a mystical bond. St Ephraim the Syrian writes: "Thou hast no wife, as Abraham has Sarah. Behold, thy flock is thy wife. Bring up her children in thy faithfulness."³⁸ This was a widespread idea throughout the Christian world.³⁹ Canonical terminology reflects this understanding. A local church without a bishop is called "a widowed church" (χήρεύουσα ἐκκλησία).⁴⁰ This vision does not fit in very well with marital life.

— In the beginning, monasticism preserved a loose relationship with the institutional Church. However, monks were soon involved in ecclesiastical controversies. At the Council of Chalcedon (451), therefore, it was deemed necessary to remind the monastics that they were to remain subject to their bishop.⁴¹

³⁵P. R. Coleman-Norton, *Roman State and Christian Church*, I (London: S.P.C.K., 1966), pp. 85-86.

³⁶Antioch, Can. 24, Fonti, ix;1,2, pp. 123-124. Apost. Can. 40, Fonti, *Ibid.*, pp. 27-28.

³⁷Codex Just. 1, 3, 41, C/J.C. 2, 25-26, *ibid.* 1, 2, 47, C.J.C. 2, 34, Nov. 5 C.J.C. 3, 33-34, Nov. 6 C.J.C. 3, 36-37, Nov. 123, C.J.C. 3, 594 and 604, Nov. 137, C.J.C. 3, 695-697.

³⁸C. Nis. 19,1, quoted by R. Murray, *Symbols of Church and Kingdom, A Study of Early Syria Tradition* (Cambridge: The University Press, 1975), p. 151.

³⁹J. Gaudemet, *Le symbolisme du mariage entre l'évêque et son église et ses conséquences juridiques*, Kanon VII, 1985, pp. 110-123.

⁴⁰Chalc. Can. 25, Fonti ix, 1, 2, pp. 88-89.

⁴¹Can. 4, *ibid.*, pp. 72-74, Can. 24, *ibid.*, p. 88.

The affirmation of episcopal authority in that area implies a spiritual relationship with the monastics, a sharing of their ideals. Thereby it strengthened the trend to select bishops from among monks or at least celibates.

— During the fourth century, as a consequence of the new status of Christianity, the social fabric of the Church changed. Many members of the Upper Middle Class became Christians, and, of course, attained high positions in the Church. Many of them had previously received a good classical education. They were influenced by the philosophical currents of that time, especially Neo-Platonism. A low regard for sexuality had always been part and parcel of Platonism. This view easily matched with the exaltation of ascetic values in early Christianity. Those who shared this vision conceived the bishop as a “master of continence” (ἐγκρατείας διδάσκαλον). Significantly enough, although a married bishop himself, St Gregory of Nyssa viewed sexual life with ill-disguised discomfort.⁴²

The process toward episcopal celibacy, therefore, started very early in the history of Christianity and intensified during the fourth century. Under the reign of Emperor Justinian (527-565), when celibacy became mandatory, married bishops constituted a minority. This can be inferred from the fact that there is no record of hostile reaction.

A large part of the Justinian legislation is devoted to Church matters. In this context, the process of selection and promotion to the episcopal rank is strictly determined. Married persons are not eligible for the office of bishop. Those who no longer have a wife, but have living children or grandchildren, are also barred from promotion to the episcopate. The reasons adduced for this comprehensive prohibition are both prudential and theological. The bishop must concentrate his attention on Church matters and not be diverted by family concerns. The temptation to embezzle Church patrimony to the advantage of his descendants should be avoided. The bishop cannot have a wife because he is personally united with his Church, and he must consider all the members of his flock as his own children.⁴³ Those rules had no retroactive effects. The

⁴²*De virg.* 8, PG 46, 353A-357A.

⁴³Cf. *supra* note 37. See especially Codex 1, 3, 41 and 47.

wording of Novella 6 makes this point clear. The requirement of celibacy does not apply to married bishops elected prior to the enactment of the new law. During Late Antiquity and the Middle Ages the right for the Christian emperors to legislate in disciplinary and administrative matters affecting the Church was never theoretically questioned. This reflects the understanding of the rule attributed to the monarch within Christian polity.⁴⁴ Thus, in the Byzantine East, especially from the time of Emperor Justinian, imperial legislation was held to be an integral part of Church Law.⁴⁵ The rule prohibiting any married person to be consecrated as bishop was fully received by the Church. However, under the reign of Leo VI (886-912), the requirements specifying that the candidate should not have children or grandchildren was repealed. Emperor Leo rightly noted that such a ruling was uncanonical and unrealistic, since to attain its aim the Justinianic Law would have to take account of the whole family, including brothers and other relatives.⁴⁶ The Justinianic law does not deal with another issue. It states that at the time of his promotion the candidate must not be married, but it does preclude the possibility that he has been previously married.

The Fathers of the Council of Trullo (691) indicated the procedural rules of accession to the episcopal rank for a married man. It is noteworthy that the validity of the laws enacted by Emperor Justinian I is taken for granted. Thus, Canon 12 reminds the bishops who have been married that cohabiting with their former wives is strictly forbidden.⁴⁷ Since this ruling formally contradicts a decision allegedly made by the Holy Apostles,⁴⁸ the Fathers of the Trullan Council deemed it necessary to justify this requirement. They therefore pointed

⁴⁴Fr Dvornik, *Early Christian and Byzantine Political Philosophy*, Vol. 2 (Washington: Dumbarton Oaks, 1966).

⁴⁵Hans-Georg Beck, *Nomos, Kanon und Staatsraison in Byzanz*, Österreichische Akademie der Wissenschaften, Phil.-Hist. Kl. sitzungsberichte, 384, Wien, 1981.

⁴⁶Novella 2, P. Noailles-A. Dain, *Les Nouvelles de Léon VI le sage*, Paris, 1944 (Les Belles Lettres), pp. 16-19.

⁴⁷Fonti, ix, 1, pp. 138-139.

⁴⁸In all likelihood the Fathers of the Trullan Council had in mind the fifth canon of "the Holy Apostles," *ibid.*, ix, 1, 1, p. 10. Those canons came to the fore toward the end of the fourth century, as an appendix to the pseudepigraphical compilation called "Apostolic Constitutions."

out that such cohabitation gives "scandal and offense to the people." The Council had in mind the situation then existing in North Africa and other places. Obviously, in those regions the Western discipline established toward the end of the fourth century was still enforced. It requested complete continence but did not urge separation. As mentioned earlier, by that time in Western Christendom, legislation was in flux. Several canons issued by local synods demanded that the clerics in sacred orders separate from their wives.

Legislating more specifically on the wife of a bishop-elect, Canon 48 of the Trullan Council states: "The wife of him who is advanced to the episcopal dignity, shall divorce her husband by their mutual consent" (κατὰ κοινήν συμφωνίαν τοῦ οἰκείου ἀνδρὸς προδιαζευχθεῖσα). After his consecration to the episcopate, "she shall enter a convent situated at a distance from the residence of the bishop, and there let her be taken care of by the bishop. And if she is deemed worthy, she may be elevated to the dignity of a deaconess." This canon highlights the point that in such a case, divorce is a prerequisite to the consecration of the bishop. The wording suggests that such separation should be juridically formalized by a "divortium bona gratia," i.e., implying no guilt.⁴⁹ This can only happen if the two members of the couple fully agree to take this step. The agreement supposes that the wife accepts to stay permanently in a convent after the consecration of her former husband. The bishop must commit himself to material support of his former wife. Besides "if she is deemed worthy" she may become a deaconess. By that time, in convents, the female diaconate was mainly an honorary position.⁵⁰ Canon 48 does not specify that the former bishop's wife must take monastic vows. Thus, for centuries this remained merely optional. More and more, however, the opposite view gained ground. This was based on a cogent reasoning: having voluntarily accepted to

⁴⁹Text of Canon 48, *ibid.*, ix, 1, 1, p. 186. On the juridical concept of "Divortium bona gratia," see Jos. Zhishman, *Das Eherecht der orientalischen Kirche*, Wien, 1864 (W. Braumüller), pp. 758-783, more specifically for candidates to the episcopal rank, pp. 778-783.

⁵⁰A. G. Martimont, *Les diaconesses*, Rome, 1982 (Edizioni liturgiche), p. 127. The abbreviated text of that canon given by the "Synopsis of Symeon Magistros" (10th century), has no allusion to the position of deaconess. R. P. 2, p. 423.

live in a nunnery, she should adjust to the monastic rules. Eventually the question was settled by a synod gathered at Constantinople in 1186 which decided that the wife of a bishop-elect must become a nun.⁵¹ Notably, the legislation issued by the Trullan Council does not state that the bishop-elect has to take monastic vows. This idea was certainly alien to the mind of the lawgiver. Moreover, such a requirement had not been formulated by the Justinianic legislation either. According to Novella 6, 1, the candidate to the episcopacy must either have taken the monastic profession or have been a member of the clergy for at least six months.

Canon 12 of the Trullan Council does not really indicate the reasons for strictly implementing the rule of episcopal celibacy. In all likelihood the Fathers of that Council supposed that the underlying reasons behind the Justinianic legislation were well known. They only mentioned that the cohabitation of bishops with their wives occurring in some places scandalizes people. Nevertheless, the Council was aware of the fact that requiring divorce for the married candidates to the episcopacy was at variance with Apostolic Canon 5 forbidding a bishop, priest, or deacon to put away (ἐκβαλλέτω) his wife under pretence of piety. So the Council underscores that the alteration of the rule did not intend "to abolish and overthrow what things were established of old by Apostolic authority, but as caring for the health of the people and their advance to better things." Although showing consideration for the decision supposedly made by the Apostles, the Council in Trullo definitely confirmed the law enacted by Justinian. To be sure, Canon 12 does not make any reference to the Justinianic legislation. During Antiquity and the Middle Ages this was never the case. Since the authority of the canons was considered higher than the laws, the former could not derive their legitimacy from the latter.⁵² However, another question has to be answered: how was it canonically possible for a council to repeal a decision supposedly made by the Apostles? Undoubtedly the wording of Canon 12 shows that the lawgiver was aware of this problem. Nevertheless, the Fathers of the Trullan Coun-

⁵¹Regestes, 1171 (September 17, 1186), text: R. P. 5, 321-323.

⁵²Scholion on the Nomocanon, 1, 2, R. P. 1, p. 38. On this question see H. G. Beck, *Nomos, Kanon . . .*, pp. 9-20.

cil had to take into account the feelings of the People of God, and by and large the idea of married bishops had already ceased to be acceptable. In all likelihood, the lawgiver had in mind the case of bishops following the Western custom. According to this custom the bishops, priests, deacons and subdeacons continued to live with their wives but had to keep perpetual continence. In the East this kind of status was considered improper.⁵³ Furthermore, it did not fit in with the image of the bishops as accurately reflected by the Justinianic legislation. The Fathers of the Trullan Council were anxious to show that their decree did not betray the spirit of the New Testament, and to make this point clear they cite a passage from the First Epistle of Paul to Corinthians.⁵⁴ In order to justify the alteration of discipline, the Byzantine commentator John Zonaras (second half of the twelfth century) sets forth a debatable argument: The marriage of bishops in early Christianity should be viewed as a tolerance (συγκαταβάτικώτερον) linked to the sociological environment of that time. The subsequent strengthening of Christianity made this concession obsolete and led to implementing the rule of strict continence (πρὸς ἀκριβῇ σωφροσύνη).⁵⁵ A few decades later, Theodore Balsamon resorts to the same reasoning.⁵⁶ At the beginning of the nineteenth century, St Nicodemus the Hagiorite tried to prove that there is no real contradiction between the Apostolic ruling and Canon 12 of the Council of Trullo. The argument runs like this: The Apostolic Canon only prevents the bishops, priests, and deacons from *putting away* (ἐκβαλλέτω) their wives, while the latter envisions a separation based on mutual consent.⁵⁷ In any event, those explanations do not fully provide an adequate answer to the question. Actually, the idea that episcopacy and marriage were hardly compatible did not spring up suddenly in the Church. It took shape within the framework of an evolution of the bishop's function. Undoubtedly, the Fathers of the Council of Trullo and the later commentators

⁵³Canon 30 of the Trullan Council, *Fonti*, ix, 1, 1, pp. 160-161.

⁵⁴I Cor 10:31b-11:1. In the context of the Epistle, those exhortations are related to food sacrificed to idols and not to marital relations.

⁵⁵R. P. 2, pp. 331-332.

⁵⁶*Ibid.*, p. 332.

⁵⁷*Pedalion*, Athens, 1957 (Aster), p. 228.

would have been less apologetic if they had known that the "Canons of the Holy Apostles" were a pseudepigraphic writing.⁵⁸ Furthermore, the authors of Canon 12 and its commentators were not aware of the fact that in all likelihood there were differences between the position of the "Episkopos" described in the Pastoral Epistles and that of the bishop in late stages of Church History.⁵⁹

During the twenties of the fourth century, monasticism began to blossom in the eastern part of the Empire. At first, it was a spontaneous movement. As noted by Fr John Meyendorff, "neither the leadership of the Church, nor the imperial administration was initially sure of its real place in the Church and society."⁶⁰ Thus, at this early stage of development, the canonical relationship between the monastic movement and the institution of the Church was not clearly determined. Yet, the monks did not stand aside in the doctrinal controversies of that time. Especially the Egyptian monks strongly supported St Athanasius in his fight against Arianism. Since the monks exemplified the ideal shared by many Christians, it is not surprising that early on they were sought to become bishops.

Toward the middle of the fourth century the tendency to select bishops from among the monks is clearly attested. In 353/4 St Athanasius sent a letter to Dracontius, a bishop who, having been a monk, was reluctant to accept his new position. In this letter St Athanasius names no less than seven other bishops who had been monks.⁶¹ We should bear in mind that by that time in Egypt there were at least sixty-five bishops. Accordingly, the proportion was comparatively small. Nevertheless, it indicates the starting point of a current which slowly tended to grow. More significant was the impact of asceticism in the way of life of several Church Fathers who, after having

⁵⁸Possibly, however, the Fathers of the Trullan Council had some doubts about the authorship of those canons. They use a cautious phrasing: "... the eighty-five canons handed down to us under the name (ὀνόματι) of the holy and glorious Apostles," Fonti, ix, 1, 1, p. 121. The anonymous author of the first Preface of the "Nomocanon of the XIV Titles" is even more cautious in his wording. V. N. Benesovic, *Syntagma XIV Titulorum*, St Petersburg, 1906 (Akadimija Nauk), p. 2.

⁵⁹See note 11.

⁶⁰*Imperial Unity and Christian Divisions* (Crestwood: SVS Press, 1989), p. 81.

⁶¹PG 25, 532 A.

been monks, were elevated to the episcopal rank. Among the most prominent of them are St Basil the Great, St Gregory Nazianzen, St Epiphanius of Constantia, and St John Chrysostom. After assuming the episcopacy, they tried to keep, as far as possible, a monastic style of life. This was not always easy, and we know of the difficulties encountered by St John Chrysostom in Constantinople.⁶² Although in Eastern Christendom monastic ideals deeply influenced the traditional image of the bishop, they never achieved a complete success. Patriarch Theophylact of Constantinople (933-956) provides a perfect example of a mundane prelate.⁶³

Canon 12 of the Trullan Council does not make any allusion suggesting that candidates to the episcopacy coming from the secular clergy should take monastic vows. Note also that neither Aristene, nor Zonaras, nor Balsamon dealt with the issue.

Regarding the state of life of the candidates to the episcopacy in the Byzantine Patriarchate during the early Middle Ages, evidence is so scant that it is almost impossible to reach any definite conclusion. At most, one may reasonably assume that in their overwhelming majority, the bishops were selected either from among celibate clerics or from among monastics. The provision of the Justinianic legislation excluding candidates with living children, contributed to reduce the number of formerly married persons (either widows or separated from their wives) eligible to assume the episcopacy. In any event, we have no available evidence indicating that at that time candidates separated from their wives by mutual consent used to take the monastic habit prior to their consecration.

According to some authors, a dramatic change occurred toward the beginning of the ninth century. Supposedly by that time monks were, by and large, preferred for the episcopacy.⁶⁴ This opinion is probably true, although it rests on partial investigation. The analysts sharing this view have focused their

⁶²P. Brown, *op. cit.*, pp. 317-322.

⁶³G. Ostragorsky rightly states, "... he was more at home in the stables than in Church." *History of the Byzantine State*, Revised Edition (New Brunswick: Rutgers University Press, 1969), p. 272.

⁶⁴Bp Nikodim (Milasch), *Pravila Pravoslavnoj Cerkvi s tolkovanijami*, T. 1 (St Petersburg: SPb. Dukh. Akad. 1911), p. 469.

research almost exclusively on the incumbent of the Patriarchal See of Constantinople. In that specific case, the proportion of patriarchs chosen among the monastics was small prior to the ninth century. For example, from the beginning of the seventh century up to the end of the eighth, Constantinople had twenty patriarchs. Only four of them were selected from among monastics.⁶⁵ If we take a look at the previous period, namely between the fourth and seventh centuries, we come to the same conclusion.⁶⁶ During Late Antiquity and the early Middle Ages the Great Church of Constantinople and the most important sees of the Empire used to fulfill vacancies with their own ecclesiastical dignitaries. This was the standard practice with few exceptions. Toward the beginning of the seventh century, 424 bishoprics were under the jurisdiction of Constantinople. Many of them were situated in very small towns.⁶⁷ Such bishoprics had only a minimal staff. Very likely, in this occupancy bishops frequently were selected from among the monks of neighboring monasteries. This hypothesis is substantiated by the well known fact that, by that time, it was a widespread custom among the Monophysites in Syria.⁶⁸

We must also keep in mind the rule of the Justinianic legislation on bishop's recruitment. The alternative was either to have been in the clergy for at least six months or to be a monk. Notice that in the latter case there is no requirement of time.⁶⁹ In any case, during the early Middle Ages, when a layman was selected for the episcopacy, taking the monastic habit prior to consecration was not customary. Beyond any doubt, the Iconoclast crisis had a decisive effect in the process leading to the conviction that recruiting bishops almost exclusively from among the monastics was the most appropriate way. To be sure, this view was primarily shared by the monastics themselves, who in the majority had upheld Iconophiles,

⁶⁵Chr. Knetes, "Ordination and Matrimony in the Eastern Orthodox Church," *The Journal of Theological Studies*, 11 (1910), pp. 509-510.

⁶⁶L. Bréhier, *Les institutions de l'Empire byzantin*, Paris, 1949 (A. Michel), p. 483.

⁶⁷*Ibid.*, p. 463. On the "Notitiae Episcopatum," see J. M. Hussey, *The Orthodox Church in the Byzantine Empire* (Oxford: Clarendon Press, 1986), p. 311.

⁶⁸L. Bréhier, *Les institutions . . .*, p. 454.

⁶⁹No. 6, 1, C.J.C. 3, 36-37.

and had contempt for the secular clergy who either had taken a stance in favor of Iconoclasm or had been lukewarm in their opposition to that heresy. The monks enjoyed great prestige among the Orthodox and intended to be influential in Church polity; that implied control over the episcopate from within. The Orthodox monarchs tended, as far as possible, to favor moderation, and more than once they selected patriarchs from among pious laymen in public service. Such was the case of Tarasius (784-806), Nicephorus (806-815) and Photius (858-867 and 877-886). Tarasius did not take the monastic habit, but Nicephorus expressed a wish for it. Actually, this is the first recorded instance of a layman taking such a step before promotion to the episcopacy.⁷⁰ It is noteworthy that his iconoclast successor Theodotus Kassiteras (815-821) did the same.⁷¹ As shown by those examples, at that time the idea that candidates for the episcopacy be preferably monks had become widespread in Byzantine Christendom. During the third session of the Council of Hagia Sophia (879), the metropolitan of Chalcedon, Zacharias, stated that it was a universal custom in the East.⁷² Although this statement reflected the general situation, it was not totally accurate. Otherwise a ruling adopted by the same council would have been purposeless. Dealing with the case of bishops who take the monastic habit, Canon 2 states that in this case, the bishop must cease to fulfill his episcopal functions.⁷³ A few years earlier (969-970), a council had been held in Constantinople. Its decisions were regarded as null and void by the aforementioned Council of Hagia Sophia. Therefore, the canons issued by that assembly cannot be found in the canonical collection of the Eastern Orthodox Church. Nevertheless, Canon 27⁷⁴ provides interesting information for the present investigation. This canon states that the bishops who have been selected from among the monks must continue to wear the monastic dress (Τὸ σχῆμα καὶ τὴν στολὴν τῶν μοναχικῶν ἀμφιασμάτων). This ruling shows

⁷⁰*De Patriarch. Const. Catalogis* Ed. F. Fisher, *Commentationes Philologiae Jenensis* III, 1884, p. 291.

⁷¹*Vita Leonis Arm.*, PG 108, 1036 A.

⁷²Mansi, 17 A-18 A, 457.

⁷³Fonti, ix, 1, 2, pp. 484-485.

⁷⁴*Ibid.*, ix, 1, 1, pp. 340-341.

that by that time there were bishops who did not come from the monastic order, and those bishops were not required to take the monastic habit prior to their consecration. However, this datum should not be misinterpreted. In fact, from the ninth century onward, the overwhelming majority of the candidates to the episcopacy either were chosen from among the monks or took the monastic habit before their *chirotony*. As mentioned earlier, in order for one to be eligible for the episcopal dignity, the Justinianic legislation prescribes that a candidate must either have been in the clergy for at least six months, or that he be a monastic. Thus, whatever the original intent of the lawgiver was, this stipulation was understood as opening the possibility to promote laymen to the episcopacy, provided that the candidates take the monastic habit prior to their consecration. The idea, however, that a member of the secular clergy or a layman should preferably become a monk prior to his episcopal consecration, did not take shape until the ninth century. Although such an idea was deeply entrenched in Church consciousness, it was never formalized in written law. This fact is clearly attested by the canons issued by the Constantinopolitan Councils of 869-870 and 879-880. This position remained unchanged during the late Middle Ages. In 1391 a synodal decision issued under the patriarchate of Anthony IV incidentally dealt with the case of non-monastic bishops (κοσμικῶν ἀρχιερέων).⁷⁵ This does not mean that such cases were frequent. They were certainly considered as exceptional and therefore worthy of note. For example, in 1319 John Glykys, a layman chosen for the patriarchal see of Constantinople intended to take the monastic habit prior to his consecration. But Emperor Andronicus II dissuaded him to do so on account of his ill-health.⁷⁶ In all likelihood, Nicephorus Gregoras relates this event because it was highly unusual. John XIV (1334-1347), a strong opponent of Gregory Palamas, was the last patriarch of the Byzantine era whom we are sure did not take the monastic habit before his consecration.⁷⁷ After the vindication of the Hesychast doctrine in 1351, monas-

⁷⁵J. Oudot, *Patriarchatus Constantinopolitani Acta Selecta*, Fonti, II, III, n. xxii, pp. 108-111.

⁷⁶Nic. Gregoras, Lib. vii, PG 148, 444 AB.

⁷⁷Joannis Cant., Hist. III, 36, PG 153, 909 B.

ticism strengthened its leadership over Orthodox Christendom. Symeon of Thessalonica (d. 1429) notes that almost all the candidates to the episcopacy are selected from among the monks. When it rarely happens that the candidates are not monks, they pronounce monastic vows before their consecration.⁷⁸ One can see that by that time the process of linkage between monasticism and episcopacy had reached a new stage: what had been for centuries an almost universal practice then became a compelling custom tantamount to a written law. Let us bear in mind that the custom mentioned by Symeon of Thessalonica applied to the entire Orthodox World. In the Eastern Patriarchates (Alexandria, Antioch, and Jerusalem) this custom had been enforced long before its implementation in the Patriarchate of Constantinople.⁷⁹ In the Balkan Peninsula the Bulgarian and Serbian Churches followed the Byzantine custom.⁸⁰ Those two churches had been deeply marked by the influences of the Hesychast movement. From the end of the tenth century the Church of Russia was part of the Constantinopolitan Patriarchate, and with a few exceptions the metropolitans of All-Russia originally came from the Byzantine Empire.⁸¹ Those prelates were usually anxious to implement Byzantine Canon Law and customs. Although in 1448 the Russian Metropolitane became *de facto* autocephalous, this event had no impact on the laws and customs inherited from Byzantium.

In 1625 Metrophanes Critopoulos published his "Confession of Faith." The primary purpose of this work was to present the doctrines and customs of the Eastern Orthodox Church to the scholarly Lutheran milieus of Germany. Dealing with the election of the bishops, Metrophanes Critopoulos states that "the Church always selects the bishops from the rank of the monks." There are two categories of monks, namely, those who have always kept virginity and those who, after hav-

⁷⁸*De poenitentia*, 266, PG 155, 489 CD.

⁷⁹L. Bréhier, *Les institutions*, p. 454.

⁸⁰D. Obolensky, *The Byzantine Commonwealth* (Crestwood: SVS Press, 1982), pp. 404-415.

⁸¹P. Sokolov, *Russkii Arkhierei iz Vizantii*, Kiev, 1913. Reprint, Gregg International Publishers, Lim, England, 1970. See also J. Meyendorff, *Byzantium and the Rise of Russia* (Cambridge: The University Press, 1981).

ing been lawfully married (either widowers or men legitimately separated from their wives by mutual consent), decided to take the monastic habit. Monks of both categories are eligible for the episcopacy. Yet, for those falling into the latter category, the author specifies that they must have remained in a monastery for at least a few years.⁸² Compared with the practice of the Eastern Church before the fall of Constantinople, this requirement constituted a novelty which, in all likelihood, was a consequence of the difficult situation of the Christians living under the Ottoman yoke. The educational level of the secular clergy was very low. Monasteries were practically the only places where candidates for the episcopacy had the possibility of receiving indispensable training. In any event, by that time the custom of promoting to the episcopacy only monastics had already been enforced in the entire Orthodox Church for centuries and was not regarded as open to question. This custom is taken for granted in the "Pedalion," published on the threshold of the nineteenth century.⁸³ Toward the end of the same century, Nikodim Milasch states that this custom is universally observed in the Orthodox Church.⁸⁴

Having described the historical process which eventually led to the general implementation of such a custom in Eastern Christendom, we have tried to discover the reasons underlying this development. In the beginning, monks were often reluctant to accept Holy Orders and especially promotion to the episcopacy because they were aware of the manifold differences between monastic life and the constraints of episcopal functions. This contrast is highlighted in Canon 2 of the Council of Hagia Sophia: "... The monks' commitments imply obedience and discipleship and not teachership or leadership. The monks promise not to act as pastors of the others but as members of the flock."⁸⁵ This statement should not be misinterpreted. As mentioned earlier, by that time the bishops were mostly recruited

⁸² J. Karmaris, *Τὰ δογματικά καὶ συμβολικά μνημεῖα τῆς Ὁρθοδόξου Καθολικῆς Ἐκκλησίας*, Vol. 2, Athens, 1953, p. 541.

⁸³*Op. cit.*, p. 66, n. 1.

⁸⁴*Op. cit.*, p. 473. I use the phrase, "Toward the end of the same century" because this work of Nikodim Milasch had been published in Serbian in 1895.

⁸⁵Fonti, ix, 1, 2, pp. 484-485.

from among the monks, and when a member of the secular clergy or a layman was elected to the episcopal rank, he usually took the monastic habit before his consecration. The Fathers of the Council intended to prevent those who did not follow this path from taking the monastic habit *after their consecration*. This was considered tantamount to refusing to fulfill his duties as leader and teacher. Although the intent of the law-giver is clearly set forth, a specific problem is laid aside that afterward arose as a controversial issue.

Tracing the origin of the distinction between the two degrees of monasticism is difficult. It is clear that this difference encountered the disapproval of Theodore the Studite (759-826).⁸⁶ Nevertheless, this custom took strong roots in the Eastern Tradition during the High Middle Ages. Grounding his opinion on the fact that the small habit is considered as a commitment to take "the great and angelic habit," Balsamon deemed that a bishop who takes the great habit after his consecration must step down and give up his office.⁸⁷ This view is shared by Matthew Blastares (ca. 1280-1350).⁸⁸ However, this opinion was not regarded as self-evident. Dealing with the case of Anthimos, Metropolitan of Ungrovlachia, a Constantinopolitan Synod held in 1391 decided differently.⁸⁹ This synodal decision shows that relationships between monasticism and the episcopacy have always constituted a complex problem. Actually, accession to the episcopal rank does not imply a complete rejection of all the components of monastic life. Should it be otherwise, the custom of taking the monastic habit, in the case of secular clerics or laymen promoted to the episcopate, would be nothing but a mere formality devoid of spiritual significance. To be sure, as underscored in the aforementioned canon of the Council of Hagia Sophia, there are functional points of incompatibility between the episcopacy and monasticism. (1) The bishop exercises leadership; (2) he is the pastor of the clergy and laity entrusted to his care; (3) he must be the teacher of his church, rightly defining the word of truth. On the other hand, a monk is expected to be obedient and submissive; he

⁸⁶*Testamentum*, PG 99, 1820 C.

⁸⁷R. P. 2, pp. 709-710.

⁸⁸*Alphabetical Syntagma*, E, 29, R. P. 6, pp. 284-285.

⁸⁹See note 75.

is not to teach but to be taught. Yet, one should keep in mind the precise purpose of the canon: to prevent bishops from taking monastic vows *after* their consecration.

If the custom of promoting only monastics to the episcopacy has eventually prevailed throughout the entire Christian East, this can hardly be regarded as a mere accident of history. Several factors were at work, and some of them are closely related to the reasons which had led to the predominance of episcopal celibacy. One can even observe a chronological parallelism between the monastic movement and the increasing tendency of considering celibacy as the most suitable state for bishops. Undoubtedly, the monastic vow of perfect continence was viewed as a guarantee of perseverance in that way. Furthermore, the stern requirements formulated by the Trullan Council for married candidates to the episcopacy had dissuasive effects. By that time, the overwhelming majority of the clergy were married. Moreover, the same council unequivocally proclaimed that, except for the bishops, the "*usus matrimonii*" is fully lawful.⁹⁰ Some widower clerics did not rule out the possibility of remarriage. This option was officially recognized by a law enacted by Emperor Leo VI (886-912).⁹¹ According to canonical *akribeia*, laymen were not immediately eligible for the episcopal rank.⁹² This situation favored the practice of selecting bishops mostly among the monks.⁹³ However, it would be wrong to consider this trend as mainly based on practical reasons. From Late Antiquity onward the monastic way of life was regarded as expressing the highest Christian ideal, and therefore it appeared to be the best training for Church leadership. Very early, in the mind of the people, the image of the

⁹⁰Can. 13, Fonti, ix, 1, 1, pp. 140-143.

⁹¹Novella 79, *op. cit.*, pp. 270-273. This position is shared by M. Blastares, G, 4, *op. cit.*, p. 156, and Met. Critopoulos, *op. cit.*, p. 541. It was accepted by the Russian Church at the Moscow Council in 1667, *Dejannia Moskovskikh Soborov*, 1666 i 1667, 2nd Edition, Moscow, 1883 (republished in 1969 by Gregg Inter. Publishers Limited Westmead, Farnborough, Hants, England). Second Part, pp. 80-81.

⁹²Serdica, can. 10, Fonti, ix, 1, 1, pp. 173-174.

⁹³See especially Justinian, No. 6, 1, C.J.C. 3, 36-37. In contrast with the Justinianic legislation, canon 17 of the "First and Second Council" (861), put on the same level laymen and monks with respect to the prohibition of hasty elevation to the episcopal rank, Fonti, ix, 1, 2, pp. 468-479. Actually, this ruling was never strictly enforced in the Byzantine Church.

bishop became closely associated with characteristics of monastic behavior. This perception probably explains why, since the ninth century, candidates to the episcopacy who were not coming from the ranks of the monks used to take the monastic habit prior to their consecration, although there were neither canons nor laws prescribing such a course. Despite the change of status involved in the promotion to the episcopate, it would be incorrect to speak of a complete alteration of identity. Actually, a bishop is supposed to keep those features of monasticism which are not in glaring opposition to episcopal activities. This assertion can be easily substantiated by historical evidence. First of all, according to the universal custom of the Eastern Church, the monk who accedes to the episcopal dignity continues to wear the monastic garb, especially the veil (ἐπιρριπτάριον). As a matter of fact, we know that in the Middle Ages when, very exceptionally, a bishop had not been a monk, he did not wear the veil.⁹⁴ Needless to say, wearing monastic garb has a symbolic meaning: it indicates that bishops must keep a monastic lifestyle, as far as possible, while exercising their episcopal duties. In the Byzantine tradition, the closest assistants of the bishops were the σύγκελλοι. They were monks living in the bishop's house as helpers.⁹⁵ Under such circumstances it was taken for granted that bishops coming from the ranks of the monks should follow the dietary rules of the monastics. This custom usually was well observed in Byzantine times and even later on.⁹⁶ Sometimes the assumption that a monk promoted to the episcopal rank basically keeps his monastic identity, has led to extreme and highly questionable conclusions. For example, even today in the Russian Church, presiding over the marriage ceremony is considered unfitting for bishops. Historically, this position is at variance with the custom which prevailed during Late Antiquity and the Byzantine period.⁹⁷ Besides, this practice is inconsistent with a basic prin-

⁹⁴Cf. supra, n. 77. Description of the patriarchal "kalyptra."

⁹⁵L. Bréhier, *op. cit.*, pp. 499-500.

⁹⁶*Pedalion*, Note on Apostolic Can. 51, pp. 66-67. Besides, in the late Russian tradition, bishops are often superiors of a monastery located in their diocese. The patriarch is the head of the "Trinity-St Sergius Lavra." Elsewhere, for example in Bulgaria, hegumens of stavropigiac monasteries frequently have the rank of bishop.

⁹⁷Korbinian Ritzer, *Formen, Riten und religiöses Brauchtum der*

ciple of theology, namely that the Bishop is the regular minister of all the sacraments.⁹⁸

The custom of choosing bishops exclusively from among persons having taken the monastic habit remained strictly enforced in the whole Orthodox world until the last century. Toward the end of that century, this customary requirement was softened in the Patriarchates of Constantinople, Alexandria and Antioch. This trend has partly affected the Church of Greece.⁹⁹ From that time onward candidates to the episcopate have been mostly selected from among celibates and "rasophors." However, this alteration does not result from a new vision of the episcopacy. Actually, the aforementioned Churches, rightly or wrongly, have a tendency to consider clerical celibacy as a form of monasticism.¹⁰⁰ This is evident from the fact that, in the East celibate priests are often elevated to the dignity of "Archimandrite" and never 'Archpriest." On the other hand, elsewhere the practice of electing bishops exclusively from among persons having taken the monastic habit has not been altered. It is noteworthy that such a prerequisite is even spelled out in the new statute of the Russian Orthodox Church.¹⁰¹

As mentioned earlier, episcopal celibacy became legally compulsory in the sixth century. By that time, however, it was already a widespread custom rooted in a holistic vision of the episcopal ministry, and until recently this rule has never been challenged in the Orthodox world. Toward the beginning of our century, some individuals started to question the mandatory character of episcopal celibacy. In 1923, going a step further, the schismatic group known as "Renovators" (*Obnovlentsy*) decided to abolish the requirement of episcopal celibacy.¹⁰² Needless to say, such an arbitrary action was held

Eheschliessung in den christlichen Kirchen des ersten Jahrtausends, Munster, 1962 (Aschendorff), pp. 76-77.

⁹⁸With regard to marriage, this principle is strongly emphasized by Symeon of Thessalonica: "De honesto et legitimo conjugio," c. 281, *PG* 155, 509 D-511C.

¹⁰⁰This viewpoint is opposed by Archim. Epiphanius Theodoropoulos, *Μοναχικὸς καὶ ἀγαμος κοσμικὸς κληρὸς*, Athens, 1963 (Aster).

¹⁰¹The Statute on the government of the Russian Orthodox Church, June, 1988, vii, 9.

¹⁰²Dimitry Rospielovskyy, *The Russian Church Under the Soviet Regime, 1917-1982*, Vol. I (Crestwood: SVS Press, 1984), pp. 56-58.

as uncanonical by legitimate Church authorities, and consequently all *chirotonies* performed in that group were considered null and void. The fact that such a current sprang up in Russia can hardly be viewed as accidental. In that country, dioceses are huge units, and before the Bolshevik Revolution, they included a large number of parishes and institutions. Bishops were not elected according to the procedure established by the nomocanonial legislation. They were mainly administrators, remote from the bulk of the clergy and laity. Furthermore, from the middle of the nineteenth century they were frequently transferred from one diocese to another. Under such circumstances it is not surprising that bishops were not perceived as the common father of their flock. Thus the specific reasons which in Late Antiquity had led to the concept of episcopal celibacy had become blurred. Nevertheless, this bold innovation, together with other factors, contributed to bring discredit to this schismatic group.¹⁰³

Although only among Russian and Ukrainian schismatics such a "reform" was actually carried out, such a disciplinary alteration has found supporters elsewhere in Orthodox Christendom. In the Greek world, arguments in favor of married bishops are set forth in a booklet published by Archpriest Evangelos Skordas.¹⁰⁴ In order to justify alteration of the existing discipline, the author presents the following reasons:

- the requirement of episcopal celibacy has no dogmatic significance;

- the permanent validity of the rule enforced by the Council in Trullo is questioned because this assembly cannot be regarded as really ecumenical. Furthermore, Canon 12 is viewed as a temporary measure since it is at variance with the discipline of the early Church attested in the New Testament and in the life of primitive Christianity;

- celibacy is deemed anti-natural;

- the requirement of celibacy automatically eliminates the candidacy of many worthy married priests;

¹⁰³The Renovationist Council convened in 1925 "resolved to restrict to a minimum the ordination of married bishops and the permission for priests to marry a second time," *The Russian Orthodox Church* (Moscow: Progress Publishers, 1988), ch. ix N.S. Gordienko, p. 304.

¹⁰⁴Ο γάμος τῶν κληρικῶν, Athens, 1978.

— nowadays monasticism is in full decay. Hence, it cannot provide enough adequate candidates for the episcopate.

That episcopal celibacy does not constitute a dogmatic issue is not objectionable. Nevertheless, this does not mean that rules concerning Church Order, which have no dogmatic significance, can be repealed or altered at will, provided that procedural norms are observed. Furthermore, it is worth reminding that episcopal celibacy is not merely a matter of discipline, since some of the reasons which were brought forward in favor of its implementation are based on ecclesiastical considerations.

No one, certainly, denies the fact that during the first centuries of Christianity there were married bishops. However, given the very strong ascetic spirit characterizing the early Church, one may assume that by that time there were also many celibates in the episcopate. Therefore, the intensification of this tendency toward the end of the fourth century was not perceived as a dramatic reversal, and it did not raise significant reaction.¹⁰⁵ Questioning the ecumenicity of the Trullan Council is a completely irrelevant approach, since in the Byzantine East the enactments of that assembly, and especially Canon 12, were not viewed as a controversial issue. Moreover, by that time this same custom already prevailed in the non-Chalcedonian Churches. A general council may rescind the law of episcopal celibacy by virtue of the juridical principle: "*lex posterior derogat priori*" (a later law abrogates a former law). To be sure, historical evidence provides examples of canonical enactments superseding previous ones.¹⁰⁶ However, with regard to Church order, the application of this juridical principle is limited. Canon Law is usually characterized by continuity and consistency, and not by sudden changes. In any event, neither the Justinianic legislation nor Canon 12 of the Trullan Council represent decisive factors in the process of establishing episcopal celibacy. This assumption is confirmed by the fact of a parallel develop-

¹⁰⁵This point is rightly underscored by Meletios Sakellariopoulos Ἐκκλησιαστικὸν Δίκαιον, Athens, 1818, p. 159.

¹⁰⁶E.g., can. 14 of Chalcedon implicitly abrogates canon 10 of Ancyra about marriage of deacons. Can 28 of Chalcedon supersedes can. 2 of Constantinople about jurisdictional boundaries. the Justinianic legislation, canon 17 of the "first and Second Council"

ment in the non-Chalcedonian churches (Coptic, Syrian, and Armenian). With respect to consistency, one may object that the enactment of the Council of Trullo formally contradicts a previous canon, to wit canon 5 of the "Holy Apostles." Be that as it may, the factual discrepancy should not be exaggerated. Actually, the part of canon 5 dealing with the marital status of bishops does not accurately reflect the prevailing custom toward the end of the fourth century. Moreover, the "Canons of the Holy Apostles" did not achieve official recognition in the Byzantine East until the sixth century, and by that time the Justinianic legislation started to confirm episcopal celibacy.

Allegedly, celibacy is an abnormal state of life. According to the New Testament and the mainstream of Christian Tradition, the two ways of life, marriage and celibacy, are both legitimate, and St Paul intimates that the latter cannot be expected from all believers. Nevertheless, soon enough a tacit consensus was reached in the Eastern Church that the marital state and episcopal functions are hardly compatible. There is no indication that today this feeling has ceased to prevail among the overwhelming majority of the clergy and the people in the Orthodox Church.

That the requirement of celibacy eliminates many worthy married clerics from the episcopate is certainly true. Yet such an argument is not as peremptory as it may at first seem. Analogous reasoning would lead to similar conclusions about other issues bearing on the marital status of the clergy. This assertion can be exemplified by the case of the "Renovators" in the Soviet Union.

The last argument about the decadent state of monasticism betrays the anti-monastic bias which characterized the "Renovationist movement." Undoubtedly the underlying idea is expressed in the aforementioned assumption on the abnormal nature of celibacy. For at least fourteen centuries, celibacy has belonged to the fabric of archpastoral ministry in the Eastern Church. Thus, altering such a status would entail a dramatic modification of this paradigm. The reasons which have led to the generalization of episcopal celibacy and have been spelled out in the Justinianic legislation maintain their cogency. Further-

more, needless to say, raising officially such an issue would create trouble and confusion in the body of the Church. Our Orthodox Church faces many urgent problems crying for canonical answers. There is no need to bring to the fore a question which was peacefully solved long ago.

ABBREVIATIONS

- C. J. C. *Corpus Juris Civilis: Codex Justiniani repetitae praelectionis*; Th. Mommsen, P. Krueger, R. Schoell and G. Kroll, Berlin, 1908-1912.
- C. S. C. O. *Corpus Scriptorum Christiorum Orientalium*, Louvain.
- Fonti *Pontificia Commissione per la redazione del Codice di Diritto Canonico Orientale*, Rome.
- G. S. C. *Griechische christliche Schriftsteller*, Berlin.
- Mansi *Sacrorum Conciliorum nova et amplissima Collectio*, Florence and Venice, 1759-1798.
- O. C. A. *Orientalia Christiana Analecta*, Rome.
- P. G. Migne, *Patrologia*, series graeca, Paris.
- P. L. Migne, *Patrologia*, series latina, Paris.
- Regestes *Les Regestes des Actes du Patriarcat de Constantinople* (V. Grumel), Paris, 1932, in progress.
- R. H. E. *Revue d'Histoire ecclésiastique*, Louvain.
- R. P. Rhallis-Potlis: Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων, Athens, 1852-1859.
- R. T. L. *Revue théologique de Louvain*, Louvain-la-Neuve.
- S. P. C. K. Society for Promoting Christian Knowledge, London.

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