

**Canon 16 of the First Ecumenical Council:
The Bonds Among Clergy,
Their Flocks, and Their Bishops**

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A. The Text of the Canon

Priests and deacons or, in general, any member of the clergy who have the audacity, not considering the fear of God and not knowing the Church's rule, to abandon their churches must not under any circumstances be received in another church but by all means must be forced to return to their proper communities, and if they refuse, they are to be properly excommunicated.

In addition, if anyone dares to take someone who is under the authority of another bishop and to ordain him in his own church without the consent of the bishop in whose clergy he was enrolled, let the ordination be regarded as null.¹

B. Interpretation

This canon gives two guidelines. **First**, if any member of the clergy leaves his church (his local faith community, such as a parish or monastery) without being properly dismissed by his bishop, he must not be received into another church: he must return to his original church or be *excommunicated*. (In this context the term has been understood to mean excommunication *from the clergy brotherhood*: suspension of liturgical functions.^{2,3}) **Second**, a bishop may not ordain any member of the clergy to a new post without the permission of that person's bishop.

C. Historical Background

The canon under discussion was issued by the First Ecumenical Council, which was summoned by Emperor Constantine and held in Nicea in 325. The text of canon 15 of the First Ecumenical council gives us insight into the historical situation that prompted both canons 15 and 16. Canon 15 begins with the statement that in certain places it had become common, “contrary to the rule,” for clergy “to go from one city to another.” (The term “rule” or *kanón* here refers simply to a normative traditional practice.⁴) Indeed, for Christianity during the first centuries, stability, structure, and community were strong

1 L'Hullier, *The Church of the First Four Ecumenical Councils*, p. 74. (The optiome of this canon does not quite convey its full meaning.)

2 L'Hullier, pp. 74-75, citing Balsamon, Zonaras, and *The Rudder*; see also Apostles 15.

3 Percival, *Nicene and Post-Nicene Fathers*, Second Series, v. 14, p. 35.

4 L'Hullier, p. 70.

features of the local church. During this period the movement of a cleric from one church to another would have been very exceptional. Around the time of the First Ecumenical Council, changes in the church (such as the multiplication of local churches and the increasing frequency of councils) were leading some clergy to see themselves more as members of the larger clerical community and less as members of their local churches; hence the abusive practices against which both canons 15 and 16 were issued.⁵ However, it is clear that there had also been some disputed cases of clergy transfer well prior to the First Ecumenical Council: Apostles 15 had previously been written prohibiting clergy from leaving their posts without the consent of their bishops.⁶

D. Issues

Fortunately the text of canon 16 makes it very clear what issues it was meant to address. The first issue concerns the relationship (and loyalty) of a cleric to his church – and in a broader sense, the meaning of ordained ministry. The second issue concerns the authority of bishops: specifically, their authority of a bishop with regard to clerics in his diocese and clerics of other diocese. In the Application section we will discuss how the canon applies to these issues.

We can also briefly address two issues regarding the scope of this canon. **First**, it is not intended to exclude the possibility of traveling clergy, in the tradition of, for example, St. Kosmas Aitolos. The canon was written *specifically* to address the case of a cleric leaving the church to which he had belonged. **Second**, it does not apply to clerics who come to the Orthodox Church from other Christian denominations: “church” in our canonical tradition refers only to Orthodox churches.

5 L'Hullier, pp. 71-75.

6 *Pedalion*, p. 27.

E. Contemporary Application

There is no reason why this canon should not apply, as written, today. However, the application of this canon goes well beyond its letter: it is part of the unified witness of a number of canons to important theological principles regarding ordained ministry—principles that are too often overlooked or under-emphasized today. This canon especially reflects two theological principles.

The first theological principle is that a cleric is ordained *as a servant to a particular community* (cf. IV 6, regarding ordination “at large”) and that *permanence* in this relationship is normative and healthy. “Priest⁷” does not denote a rank or an honor; it denotes a ministry—a pastoral ministry in which the priest must enter deeply into the lives of his flock. His ministry must accord with the Lord's parable of the Good Shepherd both in *knowing* his sheep and in loyalty—even laying down his life for his flock—in the face of tribulations. We must not let the American principles of individualism and hired service (with its lack of commitment) infect our understanding of a priest's role.

The second theological principle is the relationship of obedience to a bishop. We are called to humility in our relationships with our bishops, and to understand our obedience to them as obedience to Christ (as the bishop uniquely represents Christ). The bishop is human and subject to human frailty, but God's grace works through the relationship of obedience, so that it becomes an instrument of salvation. This canon shows that an ordained minister is held to a higher standard of obedience to his bishop than a lay person (yet there is an element of *oikonomia* for the cleric who leaves a church without the blessing of his bishop: he can be received as a lay person in another community).

⁷ For simplicity and clarity, our comments will focus on the ministry of the priesthood, although the canon also applies to the episcopacy and to the so-called “lower orders”.

Finally, both of the theological principles underpinning this canon bear witness to the mystery of the Church. Our salvation is a communal work; we are not saved as individuals, but rather saved through being joined together into the body of Christ. In upholding the sanctity and value of a cleric's bonds with his flock and with his bishop, our canonical tradition helps us move from our age's philosophy of individualism to the communal ethos taught by our Lord and the Holy Spirit working in the Church.

References

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