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## The Possibility of Married Bishops Today

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Our Orthodox Church, as is well known from its canonical tradition, governs, regulates, and settles the various issues and problems which arise from within its household in two ways: 1) in accordance to the precise, literal interpretation of the canons, and 2) in accordance to ecclesiastical economy. This is clearly emphasized by, among other canonists, the two great representatives of the Orthodox canonical tradition and order. The first representative, Patriarch Dositheos of Jerusalem states: "Ecclesiastical matters are viewed according to two ways: according to exactness (*akriveia*) and according to economy."<sup>1</sup> The second, Saint Nikodemos the Hagiorite, notes that: "Two types of government and correction are preserved in the church of Christ. The one type is called *akriveia* (exactness or preciseness) and the other *oikonomia* and *synkatavasis* (economy and condescension)."<sup>2</sup>

*Akriveia* is the faithful and exact observance of authentic ecclesiastical tradition, that is, Holy Scripture and the decisions of the ecumenical synods (dogmatic statements and canons).

*Oikonomia* is the temporary (whether for a shorter or longer period of time) and appropriate, from a Christian disposition of love, deviation from the exactness of the canons for the salvation of all those found within or outside the Church, without transforming its dogmatic statements.

Perhaps special amplification is not needed to explain that both of these measures have the same ultimate purpose: to benefit and bring salvation to the members of the Church.

<sup>1</sup> Cf. K. Delikanes, *Πατριαρχικά έγγραφα*, vol. 3 (Constantinople, 1905)3, p. 648.

<sup>2</sup> Hieromonk Agaprios and Monk Nikodemos, *Πηδάλιον, ἤτοι ἅπαντες οἱ ἱεροὶ καὶ θεῖοι κανόνες* (Athens, 1957) p. 53 note; *The Rudder*, trans. D. Cummings (Chicago, 1957) p. 70.

These two recognized and canonical ways and measures have been used from their inception and continue to be used today by the Church to respond to the topics of special interest for us: the marriage of the clergy in general, and whether or not marriage is permitted for Bishops.

On the issues of whether a Bishop should be permitted to marry and whether a clergyman who is married can become a bishop without obtaining a divorce, the *akriveia* of our Church is included and offered in 1 Tim 3.2: "Now a bishop must be above reproach, the husband of one wife, temperate, sensible..." (Cf. also Titus 1.5-7).

For a better understanding and interpretation of this scriptural passage, as canonists, we have recourse to related canons of the Church, and must first of all refer to the fifth Apostolic canon which commands: "No bishop, presbyter, or deacon shall put away his own wife under pretext of piety. If, however, he puts her away, let him be excommunicated; and if he persists in so doing; let him be deposed from office."<sup>3</sup>

The seventeenth Apostolic canon defines that: "Whoever has entered into two marriages after baptism ... cannot be a bishop, or a presbyter, or a deacon, or anything else in the sacerdotal life."<sup>4</sup> On the basis, therefore, of these canons, we conclude that the bishop is able to have a wife, or, that he should, or he *can*, be the husband of one wife. He cannot, however, be a bishop if he married twice after baptism. The same is presupposed, implied and indicated in the 40th and 41st Apostolic canons. The important fact here is that all these canons have been validated by the Quinisext Ecumenical Synod and that they have received ecumenical, i.e., universal ecclesiastical validity.

This means that the *akriveia* of the Apostolic canons is the rigid ecclesiastical position and standard, especially in the case of the Apostolic canons<sup>5</sup> dealing with the issue of married bishops.

Perhaps one may object and maintain that this is not a correct position. If one would want to strengthen this position, one could also consider the fact that we have, in addition to these canons, the 49th canon of the Quinisext Ecumenical Synod. The 12th canon of that council, which annuls all of the above for the reason that these canons are subsequent to the Apostolic canons and laws.

It must be noted, however, that this argument stating that the 12th canon of the Quinesext was instituted subsequent to the Apostolic canons, and therefore is more valid, does not stand. The Quinisext Synod itself recog-

<sup>3</sup> *The Rudder*, p. 7.

<sup>4</sup> *The Rudder*, p. 28.

<sup>5</sup> Cf. also canon 13 of the Quinisext Ecumenical Synod, which speaks of a canon of "apostolic *akriveia*," as well as canon 30, which refers to "apostolic canon" 5.

nized, adopted and validated the aforementioned Apostolic canons.

Also, we must note that the Fathers of the Quinesext Ecumenical Synod in the 12th canon state clearly (*expressis verbis*) that by instituting this canon, they do not invalidate the legislation of the holy Apostles. Furthermore, with these definitions they do not want to overturn<sup>6</sup> the apostolic injunctions: "We assert this, however, not with any intention of setting aside or overthrowing any legislation laid down by the Apostles, but by having due regard for the salvation and safety of the people and for their betterment, and with regard to avoiding any likelihood of causing blame to the priestly polity."<sup>7</sup> The *Rudder* interprets the reason for this as follows: "This canon was decreed, not with a view to overthrowing and setting aside so much the canon of the Apostles ... but to provide salvation, and for the advancement of Christians to a state of greater perfection and to prevent their causing any accusation against the hierarchy."<sup>8</sup>

Therefore, this is not a canon of an ecumenical synod which invalidates or overturns the Apostolic canons. This is because the Apostolic canons were actually confirmed by the Quinisext Ecumenical Synod and were universally adopted. If they had been overturned by this canon, the Quinisext itself could be accused of being self-contradictory, and therefore not infallible. Furthermore, this self-contradiction could set in doubt the possibility of enlightenment and guidance by the Holy Spirit, Who does not allow canons to contradict each other. The fathers of the Quinisext Ecumenical Synod, therefore, did not want to overturn the Apostolic legislation and to replace one authority with another authority and legislation. They did not want to replace one rigorous interpretation of the law with another rigorous law.

Therefore, we do not have a canon issued in accordance with *akriveia* "in force" (to be enforced) eternally and beyond time. However, we have "in force" the other standard of ecclesiastical consideration and measure of governing things: the standard and form of ecclesiastical economy. This standard of granting economy has been supported through numerous argu-

<sup>6</sup> This type of procedure can be conceived only in secular legal systems. Perhaps for this reason in the year 531, Emperor Justinian I issued a law which includes the following: "We decree that no one be ordained a bishop, unless he is virtuous and good (kind) and that he does not live with a wife and is not a father of children, but instead of a wife he preserves the Most Holy Church, and instead of children, he has all the Christian Orthodox people." *Corpus Juris Civilis*, vol. 2, 1, 3, 47/48, "De Episcopis et Clericis," Paul Krueger (Beroline, 1929) pp. 303-4.

<sup>7</sup> *The Rudder*, p. 302.

<sup>8</sup> *The Rudder*, pp. 303-4.

ments in another study.<sup>9</sup>

The fact is that an ecumenical synod is able to provide economy more than a local synod or a bishop is able to provide economy. It is without a doubt the latter who have recourse to the higher synodical forum, and ultimately to an ecumenical synod.<sup>10</sup> Since an ecumenical synod is able to issue a canon of economy, or a canon that seeks to guide the activities of the Church in accordance with economy, there should therefore be no doubt.<sup>11</sup>

When economy is provided or issued by an ecumenical synod, it does not mean that it established *akriveia*. Certainly the issuance of economy is a decision, the adoption of a canon, the definition of a specific type of canon issued by an ecumenical synod, that binds and compels local synods and in succession lower ecclesiastical authorities to submit to it. Otherwise, if the contrary occurs and they do not submit, we have disorder and disobedience. The Scripture commands: "Obey your leaders and submit to them; for they are keeping watch over your souls, as men who will have to give an account" (Heb 13.17). Furthermore, such disorder and disobedience disrupts the unity of the Church with the danger of creating schisms.

This canon, therefore, is not the standard form of *akriveia*. Nevertheless, it is a canon. And though this may not be the straight line which has validity and can be enforced forever, nevertheless, it is a line, even though it may be curved. Although the 12th canon of the Quinisext does not say "now and forever" or "from now and to the ages of ages," it certainly says "from now on" regardless of not determining when its validity terminates. That is, it includes a definite period of time, or better yet, one space-time interval.

In any event, the fact that this canon is not a canon of *akriveia* but a canon of economy, is linked to the conviction, sense and meaning of temporariness<sup>12</sup> (regardless of how long it will last), as well as to the closely

<sup>9</sup> P. Boumis, *Τό ἔγγαμον τῶν ἐπισκόπων. Συμφωνία Ἁγ. Γραφῆς καί ἱκανόνων* (Athens, 1981), p. 7 f. (P. Boumis, "Married Bishops - Agreement between Sacred Scripture and Holy Canons," trans. George C. Papademetriou, *The Greek Orthodox Theological Review* 29,1 (1984) pp. 81-93.)

<sup>10</sup> Cf. P. Boumis, *Κανονικόν δίκαιον* (Athens, 1990), p. 59.

<sup>11</sup> Cf. Archim. Hieronymos Kotsones, *Προβλήματα τῆς ἐκκλησιαστικῆς οἰκονομίας* (Athens, 1957) p. 130. "Only in one instance can an ecumenical synod issue canons that anticipate the Church's acts 'in accordance with economy.'"

<sup>12</sup> The element of the provisional and temporal is indicative of ecclesiastical economy.

related meaning of locality.<sup>13</sup> Consequently, it is possible that at some time the period of economy and deviation from *akriveia* may expire. It is at that time that the entire Church or at the very least, certain local churches will have to return to apostolic *akriveia*.

The question, therefore, is when and where will this time come? When and where shall we know the season which will compel us to return to *akriveia*? In order to give an answer to this question, we must investigate the reasons compelling the issuance of this canon to see if they are still present. To help answer this burning question, at least in its first phase, it is prudent to take refuge first and foremost in the very same 12th canon of the Quinisext Ecumenical Synod. This will permit us to see if it refers to the causes which compelled the Quinisext to deviate from *akriveia* and turn towards economy.

In fact, the fathers of the Quinisext Ecumenical Synod inform us that the bishops of different countries "as in Africa and Libya and other places" continued to cohabit with their wives even after their ordination to the office of bishop, their example causing obstacles and scandals to the people. The canon states that the cohabiting bishops are "thus becoming an object of offense and a scandal to others (to the people.)"

This confirmation, in order to be better appreciated, should be combined with the observations made by the Byzantine canonists, Zonaras and Balsamon: "Preaching having been recently expanded, the faithful having reached a higher state and order, and evangelical fervor having taken hold, it is said that hierarchs ought to lead their personal life in accordance with moderation."<sup>14</sup> Saint Nikodemos the Hagiorite upholds this reasoning in the following statement: "The present Synod, seeing that the Church was advancing by strides and that the lifestyle of Christians was flourishing in Theodore the Studite says that "according to time and word" economy is applied. (*Epistle 24*, PG 99.984B).

<sup>13</sup> Here we should take into consideration the reason that the meaning of time is conventional. Cf. also the passage in 2 Peter 3.8: "But do not ignore this one fact, beloved, that with the Lord one day is as a thousand years, and a thousand years as one day." Cf. also Ps. 90.4. In addition, we can say that "according to the season" does not mean only a period of short time, as "for a season," but that it also means for a longer period of time. Also on this, Theodore the Studite confirms when he invokes Eulogios, Archbishop of Alexandria, and says, "Some economies took place for a time by the Fathers, others have perpetuity." *Epistle 59*, PG 99 1085D Cf. Kotsones, *Προβλήματα*, p. 147ff., and P. Boumis, *Τό κῦρος καί ἡ ἰσχὺς τῶν ἱ κανόνων*, 4th ed. (Athens, 1989) p. 20.

<sup>14</sup> G. Ralles and M. Potles, *Σύνταγμα τῶν θείων καί ἱερῶν κανόνων* (Athens, 1852) 2, pp. 331-32.

virtue, regulated matters so that the lifestyle of the hierarchs might also flourish with celibacy and moderation.”<sup>15</sup>

Therefore, if we want to give the correct answer to the questions, when and where, or, whether today, and in which countries we should return to apostolic legislation and exactness, examination should precede decision. This should be done jointly with the prevailing Christian social views. The examination should consider whether the cohabitation of bishops with their wives might become an obstacle and a rock of offense to the faithful, or whether the reason that provoked the decree of the 12th canon any longer exists.

Let us consider the following:

a) If this cohabitation continues to create scandal among Christians, then the standard of economy should not be suspended.

b) If the cohabitation of bishops with their wives does not create scandal, but leaves Christians indifferent, then a change can take place, depending of course upon the temptations that the clergy face, as well as upon the spiritual condition of the clergy themselves. At any rate, the fact is that in this circumstance one may say that this is not urgent.

c) If, on the contrary, the non-cohabitation of the bishop with his legal wife causes scandal to Christians of today, then we are obligated to make corrections. Maybe it is time that this issue be placed on the agenda to be examined and we return to the apostolic legislation.

More precisely, we are obliged to ask ourselves: Perhaps after much study, that is, after much meditation, concern, prudence, and discernment, (which is, of course, presupposed in our church leaders), can this issue actually be confronted? This “study” is necessary so as “to do anything possible for the benefit of the flocks under hand,” as dictated by the 12th canon. Perhaps the hierarchs, “having due regard for the salvation and safety of peoples and for their better advancement with a view to avoiding any likelihood of giving anyone cause to blame the priestly polity” (*The Rudder*, p. 303), should undertake this examination in due time and at the opportune moment, as the canon states.

Another concrete question: By what means will this change be realized? are the reasons confirmed that support the return to the “apostolic legislation,” which is the evangelical and canonical *akribeia*?

<sup>15</sup> *Πηδάλιον*, p. 228, note. The author of *The Rudder* says that the celibacy of bishops was imposed—decreed, due to the fact that “those hierarchs having wife and children, bequeathed the episcopate to their children at their death as a legacy, and many of the things belonging to the Church would be plundered wrongfully,” *The Rudder*, p. 304, n. 2. *Πηδάλιον*, p. 228, note 2.

The answer is obvious and simple: Synodically, as our Church's polity requires, and progressively. Here only, we should add the following according to our opinion:

1. If it is possible without the convocation of an ecumenical synod<sup>16</sup> to return from economy to apostolic *akribeia*, much more so it is possible to abandon economy and return to *akribeia*.

2. Certainly for reasons of order and unity among the Orthodox Churches, it is preferable for them to communicate among themselves and to reach an agreement before any action is taken. This is especially so in this case, because the 12th canon is not a simple act of economy, issued once by a local church, but was decreed by an ecumenical synod.

3. The implementation of the apostolic and canonical *akriveia* can take place initially in what we today call missionary lands, where it would be difficult for the natives to follow the celibate life. For the priority of applying the apostolic legislation in missionary lands, we are able to base ourselves on the opinion of Zonaras, Balsamon, and *The Rudder*.<sup>17</sup>

4. It follows that this practice could be applied in the event, for example, that there were large bodies of Protestants and Anglicans, together with their leaders, wishing to join the Orthodox Church.<sup>18</sup>

5. Finally, as for the Orthodox world, as long as great need due to particular circumstances of the day is confirmed, and provided that the reasons that led the Quinisext Ecumenical Synod to the decision of compulsory celibacy are no longer present, then it is possible to introduce the ordination of bishops from the ranks of the married clergy.

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<sup>16</sup> Many hierarchs and theologians up to now considered necessary the convocation of an ecumenical synod, evidently because they did not consider, or because they were not consciously aware, that the 12th canon was issued in accordance with economy, either as a canon, or as a form granting economy.

<sup>17</sup> See Ralles and Potles, 2, pp. 331-2 and *Πηδάλιον*, p. 228, note (*The Rudder*, p. 304, note).

<sup>18</sup> Cf. also the fact that "Protestant clergy, who entered Roman Catholicism, were allowed to maintain their families." Jean Daniélou in the periodical *Ἐνορία*, 17 (1962) 115. This is especially true of the Anglican priests who entered the Roman Catholic Church in America; they were allowed to keep their wives. See *Ἡ Καθημερινή* (October 7, 1980).