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THE INVOLVEMENT OF CLERGY IN SECULAR AFFAIRS BY

OIKONOMA ACCORDING TO THEODORE BALSAMON

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An issue that has strongly preoccupied canon law is whether and to what extent may clergies, along with their priestly ministry, practice a profession in order to improve their financial situation. Acts of the Apostles 20:33-35, where the Apostle Paul addressing elders of Ephesus mentions that he supported himself thanks to his personal job as a tentmaker, has the leading position in this debate.


2 See CLEMENT OF ROME, Επιστολαὶ πρὸς Κορινθίους Ἀ' [Epistles to the Corinthians I]: PG 1, 209A; BASIL THE GREAT, Ανακηρυκτικοί διατάξεις πρὸς τοὺς ἐν κοινωνία καὶ κοιμία καὶ ἀκοούσοντας, Κοράλ. Δ' [Monastic provisions, Chapter 4]: PG 31, 1349B; IDEM, Ἀρχὴ τῶν Ἱθῶν, Ὀρος ΜΗ', Κοράλ. Ζ' [Moralia, Rule 48, Chapter 7]: PG 31, 772D; IDEM, Ἀρχὴ τῶν Ἱθῶν, Ὀρος Ο' Κοράλ. Ι' [Moralia, Rule 70, Chapter 10]: PG 31, 825B; IDEM, Ὀροι κατὰ πλάτους καὶ ἀρωτομικοὺς τους, [Rules laid down extensively through questions and answers]: PG 31, 1020D; IDEM, Κατὰ τομέα τῶν ὄρων τῶν κατὰ ἑποκρίσιμον [Chapters of the rule laid briefly]: PG 31, 1220D, 1272A; IDEM, Ἀρχὴ τῶν Ἱθῶν, Ὀρος Ο', Κοράλ. ΚΗ' [Moralia, Rule 70, Chapter 28]: PG 31, 840C; EPIPHANIUS OF CYPRUS, Κατὰ αἱρέσιας ἀγαθοί οὐκ εἶναι οἱ ἑπικράτους, [The Panarion, Book III, vol. 1, On the schism of the Audians]: PG 42, 348C; IDEM, Κατὰ αἱρέσιας ἀγαθοί οὐκ εἶναι οἱ ἑπικράτους, τοίνυν τοῦ τρίτου βίβλου, Κατὰ τομέα τῶν ὄρων τῶν κατὰ ἑποκρίσιμον [The Panarion, Book III, vol. 1, On the schism of the Audians]: PG 42, 348C; IDEM, Κατὰ αἱρέσιας ἀγαθοί οὐκ εἶναι οἱ ἑπικράτους, τοίνυν τοῦ τρίτου βίβλου.
From Paul’s practice it may be concluded that, in principle, parallel professional activity does not clash with the clerics’ ministry.
However, the status of a cleric does not allow the practice of any profession. According to Apostolic Canon 6, the involvement of clergy in “worldly cares” (κοσμικῆς φροντίδος) is prohibited, under threat of defrocking. More specifically, the cleric is not allowed to get involved in businesses that require intense secular activity or have to do with controversies and recriminations. Apostolic Canon 81 is on the same wavelength, except that, instead of the term “worldly cares” (κοσμικῆς φροντίδος) it uses the term “public administrations” (δημοσίως διοικήσεις). The canon used that particular term in order to include in its scope the ban of undertaking secular offices as well. Both canons also appear to be different in regard to the penalties provided by them. C. 6 seems to be stricter imposing the penalty of defrocking, while c. 81 appears to be more conciliatory as it provides the imposition of this particular penalty only if the offender fails to comply with the canonical order. Given that the two canons are in a relation of unity, the penalty provided by the latter canon is proposed as applicable. Besides, this is indicated by the application of the principle of equity.

C. 3 of the 4th Ecumenical Council determines the main professions whose practice is incompatible with clergy. In particular, it prohibits hiring estates, wealth management and negotiation of secular affairs. Relevant to c. 3 of the 4th Ecumenical Council is canon 16 of the Council of Carthage. The peculiarity of this particular canon lies in the fact that it underlines the prohibition of clerics being engaged in shameful or dishonorable activities in order to earn their livelihood. According to Zonaras, the canon considers keeping a brothel as a shameful activity, and the management of a tavern or similar stores as dishonorable. Patriarch Loukas Chryssoverges added the management of public baths or perfumeries to the list of the above-mentioned prohibited activities.

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5 Ed. JOANNOU, CSP, 49.
6 In the same way is the Apostolic Canon 81 explained by Zonaras in RHALLES – POTLES, II, 104-105.
7 For the notes of Balsamon on this question see ibid., 105 and the relevant explanation that Balsamon cites on Apostolic Canon 6: ibid., 9.
9 Ed. JOANNOU, CSP, 230-231. This particular canon is earlier than c. 3 of the 4th Ecumenical Council, because the Council of Carthage was convened in 419, while the 4th Ecumenical Council in 451. However, c. 3 of the 4th Ecumenical Council was first mentioned due to methodological reasons, because it deals with the issue more fully and more systematically and its provisions served as a model for the latter, relevant to it, canons.
10 Cf. G. RHALLES – M. POTLES, Σύντομη τῶν θείων καὶ ἱερῶν κανόνων III, Athens 1853, 343. Pimping is provided as a canonical offense by the canon 96 of the Quinsexst Ecumenical Council. Cf. JOANNOU, CCO, 222; RHALLES – POTLES, II, 503-505 and notably the relevant definition cited by Zonaras therein. For a more extended analysis, see PANAGIOTAKOS, Τὸ Ποινικὸν Δίκαιον, 602-605 and RHALLES, Ποινικὸν Δίκαιον, 287-291.
11 RHALLES – POTLES, III, 343. The management of a tavern by clerics is declared a canonical offense in c. 9 of the Quinsexst Ecumenical Council. Cf. JOANNOU, CCO, 136-137. Cf. also Apostolic Canon 54, c. 24 of the Council of Laodicea and c. 40 of the Council of Carthage, which
C. 10 of the 7th Ecumenical Council also deals with the professions that clerics should not practice. The canon castigates some clerics’ habit of abandoning their parish and going to other places without a letter of release from the local Metropolitan or permission from the Patriarch. During their transition, they used to attach themselves to the lords of that time and they not rarely got to the point of undertaking an active role in the administration of their property. The canon points out the clerics’ obligation not to move on without the permission of the local Bishop and that their activity shall be restricted only to their duties as clerics. The education of the children or of the slaves living in the houses of the lords is proposed as a permissible profession. It is worth pointing out that this is the only case that the divine and sacred canons indicate a specific activity as appropriate for clerics.

C. 15 of the 7th Ecumenical Council examines the issue of a cleric being attached to two or more churches for major profit. The canon castigates these tactics and notes that they are unknown to the ecclesiastical tradition. If the income from his service in a church is not sufficient to cover the cleric’s needs, the parallel practice of a permissible profession is proposed as an appropriate solution, following the example of the Apostle Paul and his helpers.

The First-and-Second Council addresses the matter with its c. 11 that is characterized by the perfection of its expression and the introduction of some new elements. For the first time the assumption of worldly cares and secular offices is prohibited in a single canon. The canon links these two cases and imposes the

ban the entrance and stay of clerics into rothouses. Cf. JOANNOU, CSP, 37, 140, 259. For a bibliography thereon see RHALLES, Ποινικόν Δίκαιον, 411-418; PANAGIOTAKOS, Τὸ Ποινικὸν Δίκαιον, 483-484; YIANGOU – POULES, Πηγές τῆς Ἑκκλησιαστικῆς Ποινικῆς Δικαίωσεως, 329-331; POULES, Εἰκοληματικὸν Ποινικὸν Δίκαιον, 110-114.

12 RHALLES – POUTES, III, 344.

13 Ed. JOANNOU, CCO, 264-265.

14 The practice of the edition of a letter of release, so that a cleric will be able to move legitimately from one province to another, is summed up in c. 6 of the 4th Ecumenical Council. This issue is examined at length in C. VAVOUSKOS, Ἐγκυροτήτης κανονικοῦ ἀπολατηρίου κληρικοῦ. Γνωμοδοτήσεις, in: Αρμανοποιος 35 (1981) 364-365.

15 See the explanations of Zonaras and Balsamon to that canon in RHALLES – POUTES, II, 588-590. On the matter of confrontation of clerics who violated the above-mentioned canonical injunctions, see POULES, Εἰκοληματικὸν Ποινικὸν Δίκαιον, 200-201.

16 Ibid., 197-198. According to the most accurate view, which can also be concluded from the commentaries of Zonaras and Balsamon (RHALLES – POUTES, II, 588-589) and Aristenos (ibid., 25; 590), the canon implies not only religious, but also general education. On the clerics’ duty to teach the holy scriptures, cf. MILASCH, Ἑκκλησιαστικῶν Δίκαιων, 303-317; 618 ff; P. PANAGIOTAKOS, Ἡ ἱκανότητα καὶ αἱ ἕξι ἀνθρώπων γενικοκαινοτική συνέπεια κατά τὸ δίκαιον τῆς Ἀνατολικῆς Ορθοδόξου Ἑκκλησίας καὶ τὰ ἐν ἐλλάδι κρατοῦμεν, Athens 1951, 19 ff; J. PILIDES, Ἡ Χριστιανικὴ Ἱκανότητα, Athens 1988, 370 ff; P. RODOROULOS, Ἐπιστήμη Κανονικοῦ Δίκαιου, Thessaloniki 2005, 155 ff.

17 Ed. JOANNOU, CCO, 271-272. On this subject, see the note of Zonaras in RHALLES – POUTES, II, 620 and PAPAGIANNI, Τὰ οἰκονομικὰ τοῦ ἐγγύου κλάδου, 67-69.

18 From this fact is to be distinguished the problem of the churches located in provinces, where the canons are not able to be exactly implemented due to the lack of clerics...For that reason, in case of need, clerics are allowed to serve in two churches. Cf. RHALLES – POUTES, II, 620-621.

19 Ed. JOANNOU, CSP, 467-468.
penalty of defrocking for both of them. Another peculiarity of this canon touches
the persons that are subject to its scope, as it extends its application also to
the clerics that have accepted a simple *chierothesia* (a lay of hands), namely the
readers, the chanters and the subdeacons.\(^{20}\)

In 1157, Patriarch Loukas Chrysoberges passed an act in which he affects
again the issue of the professions prohibited for clerics\(^ {21}\), without, however,
introducing anything new in comparison with the previous canonical *status quo*. It
is worth pointing out the disapproval of clerics being advocates that is indirectly
expressed in this particular act\(^ {22}\). Although, the advocacy connected with the
support of an ecclesiastical case and placed in the hands of the advocate by the
ecclesiastical authorities in charge is excluded.

An act of Patriarch Kallistos the 1\(^ {st}\) (1350)\(^ {23}\) reflects the negative position of
the Church on the development of commercial activity by the clerics\(^ {24}\). Given
that being engaged in trade is a widespread professional activity, it is a wonder the fact
that there is no reference to that particular issue in the divine and sacred canons of
the Ecumenical and Local Councils\(^ {25}\).

In our opinion, the Church was preoccupied with clerical commercial
activities long ago. The reason why the Church did not express its reservations
specifically and particularly is because it considered trade to be part of the general
concept of the involvement in “worldly cares”\(^ {26}\), to which, as mentioned above, it
had already been opposed since the composition of the apostolic canons.

The related issue of the clerics’ assumption of secular offices\(^ {27}\) is elaborated
in Apostolic Canon 83 and c. 7 of the 4\(^ {th}\) Ecumenical Council\(^ {28}\). Undertaking any
political office is considered as incompatible with the status of a priest.

\(^{20}\) On the division of clerics into each particular category, see MILASCH, *Έκκλησιαςτικόν Δίκαιον*, 339-340; 604-605; PILIDES, *Η Χριστιανική Ιεροσοφία*, 681-686; C. SCOUTERIS, Christian


\(^{24}\) RHALLES, *Ποινικὸν Δίκαιον*, 444-452; PANAGIOTAKOS, *Τὸ Ποινικὸν Δίκαιον*, 489.

\(^{25}\) This subject, see CHRISTOPHILPOULOS, *Θέματα βομβαστικού δικαστηρίου*, 73-101 and PAPAGIANNI, *Επιστολής καὶ δικαστηριακές κοινωνίες τόπων*, 152.

In the commentaries on some of the above-mentioned canons, Balsamon expresses the opinion that, despite the prohibitive clauses that are formulated, clerics or monks are allowed to be engaged in whichever professional activity or in whichever secular affair in general, if only the local Bishop or a fortiori the emperor himself allows it. In other words, the Bishop’s or the emperor’s concession justifies or better allows to bypass the above-mentioned canonical injunctions. Specifically, Balsamon, using the 3rd singular person in principle, notes in the interpretation of canon 16 of the Council of Carthage, where occurs the most extensive mention of this particular issue, that as argued by some, the relevant provisions of the divine and sacred canons are in force, provided there is no opposing imperial command. In other words, if a priest undertakes a prohibited secular affair “by imperial oikonomia” (κατ’ οἰκονομίαν βασιλείαν), it should not be assumed that his behavior clashes with the above-mentioned divine and sacred canons. It is also argued that the emperor is not subject to laws and canons, therefore he is not bound by them as well. The supporters of this position also


37 Ed. JOANNOU, CSP, 50. See also the related explanations of Zonaras and Balsamon in RHALLES – POTIÉS, II, 107 (bibliography in RHALLES, Πονηρὸν Δίκαιον, 408-410 and PANAGHOTAKOS, Τὸ Πονηρὸν Δίκαιον, 484).

38 It should be pointed out that the above-mentioned shameful or dishonorable activities are an exception.

39 Cf. BOUMIS, Η περί τοῦ ἀπομυθισμοῦ, 29 ff. and PAPAGIANNI, Ἐπικρατείσμοι και ἀπαγορευμένες κοσμικές ἑνστράτευσες, 153-154.

40 The text reads as follows: “Ἀλλὰ γὰρ τὰς ταύτας ἁγιάς ἑγεῖλεν ὦ μεγάς προστάτης βασιλεῖς ἐνεργῆ τις ἐργασίας δοσελίδων κοσμικής εἶ γὰρ κατ’ ὀικονομίαν βασιλείαν ἐνεργεῖ τις δοσελίδων ἀναθεματίζει τις, ὡς τῶν ἑρμήνευσι τῶν κανόνων σαφῶς καλωθήκει, οὐδὲ βλαβριοθετεί καὶ προστίθεσθαι, οἷον ἐν ἁθλίωσιν δεινοτάτα λειτουργεῖν, διὸ καὶ ἐπὶ ἀδίκως ἐξ ἐπισκόπου εἰς μηδέποτε ἑγεῖ, καὶ ἀποευθύνεται ἐκ τῶν οἰκείων μητροπολίων, διὰ τούτων καὶ ἐνορίας ἁρχηγείων διαπεριερχόμενος καὶ ἐν νόμῳ ἐπισκόπους καὶ μητροπολίτες καθαίρεσιν, καὶ διορίζεται ἐπισκόπως ἀρχηγείων ἀναμικρυμένος ἡ συνελθομένη παρὰ γνώμης τῶν ἑρμήνευσι τῆς ἑπισκόπους ἑπισκόπους, καὶ ἂν τὰ ἀναμικρυμένα ἀρχηγεία διὰ τὴν διά τοῦ διδασκαλοῦσας τις κανόνας τῆς ἑν ἐν Χαλκηδῶνι συνόδοις, καὶ τῇ λατρείᾳ τῆς ἑν τῷ ὸλυμπῷ συνόδῳ, τὰ ἀπαραλογηθέντα μετάρρηξεν. Ἐμοὶ δὲ δεικτῇς, ὡς ἀπὸ τοῦ δ’ κανόνος τῆς ἑν Χαλκηδῶνι συνόδοις καὶ μίλησε ἑνδοῦν τῇ ἑπισκόπῳ, ἀναπτύσσει κοσμικῶν δοσελίδων ἐνεργείας ὡρμονέας καὶ μνημόνες, κατὰ λόγον ἐργαζομένου δικοστείρας αὐτῆς. Ἐπὶ γὰρ ἐν κατὰ ἑρμήνευσιν δύναται τοῦτο ποιεῖν, πολλὰ πλούσιον ὁ βασιλεύς, ὁ μὴ ἀναγκαζόμενος ἀκουσθῆναι τοῖς κανόνας, τὰς διατυπώσεις τῆς κυρίας τῶν ἑπισκόπων ἡ ἐπισκόπων ἡ ἐπισκόπων γένεσιν, καὶ μὴ παρὰ ἀρχηγῶν κανόνες καὶ ψυφή μὲ γνωμής, καὶ παραξρίας καὶ ἐπισκόπους ἐπιβαλλόμενος. Καὶ ἄνεγκρηκα τοῦ ἑν τῷ αὐτῷ δ’ κανόνα τῆς ἑν Χαλκηδῶνι συνόδοις γραφεῖται, τό δὲ καὶ ἀλώτριμος κοσμικοῖς, ἢ στρατιάς κοσμικῆς γενεσίας πεπόλεμον ἑγγονός διὰ βασιλικοῦ ὁρίσμου, καὶ ἀναμικρυμένας τούς ή ἐπισκόπους, ή μέγας ἐπισκόπους, οὐ δεικτῇς καὶ ἄνεγκρηκα τοῦ τῶν ζ’ κανόνης τῆς τετράφης συνόδους” (RHALLES – POTIÉS, III, 349-350). “And some say that these (the provisions of the divine and sacred canons regarding the involvement of clergy in secular affairs) may take place when a
invoke the divine and sacred canons’ injunctions in support of their claims, and in particular cc. 12 and 17 of the 4th Ecumenical Council and c. 38 of the Quinisext Ecumenical Council.

Balsamon himself does not substantially differ on this, but he prefers c. 4 of the 4th Ecumenical Council to substantiate the above-mentioned decisions, arguing that if this particular canon gave the Bishop the right to allow on a case by case basis the non application of the relevant canonical injunctions, so all the more this would apply to the emperor. The paradox is that immediately below he seems to disagree with the delegation of secular offices from the emperor to clerics. Balsamon supports these positions elsewhere as well. So, in the commentaries on canon 3 of the 4th Ecumenical Council, he says that clerics and monks:

"With the Bishop’s permission, they will be involved without impediment not only in ecclesiastical affairs but also in secular; and in addition they will be allowed to become guardians and curators"[31].

If the responsible Bishop gives the relevant permission, then clerics are allowed to be engaged in whichever secular affair “without impediment” (ἀφορμηματιστός), even if this belongs to the prohibited activities for them.

Moreover, his commentary on the next canon, canon 4 of the same Council,[32] begins with the following critical comment:

clergyman has a secular occupation, without imperial command; as, if someone undertakes a such occupation by imperial oikonomia, he will not be prevented by the above-mentioned canons, nor he will be damaged; and they add, that because the emperor is not subject to the laws and canons, therefore it is in his power to promote a diocese to a metropolis and to banish (someone) from his metropolises, as well as to divide the parishes of the high priests and to establish new Bishops and Metropolitanans, and to assign the clergy to perform priestly functions without impediment in other parishes against the consent and approval of the Bishops of the region, and to exercise some other high-priestly rights. And they use canons 12 and 17 of the Council of Chalcedon and canon 38 of the Council in Trullo that provide the same things. But it seems to me, that a fortiori the emperor was allowed to confide activities of secular duties to priests and monks, according to his judgement by canon 4 of the Council of Chalcedon. As, if the local Bishop can do this, so all the more can the emperor, who is obliged to follow the canons which provide that the election of the Bishops should be done by provincial Bishops and not by lords. And thus, and even without election, he appoints Patriarchs and Bishops. And read what it is written in the same canon 4 of the Council of Chalcedon. And it seems to me that no cleric neither had a secular office or a military service, nor he is nominated by chance eparchs (namely eparch) or megas domesticos (namely grand domestic). And read the canon 7 of the 4th Council”.

[31] κατ’ ἐπισκοπὴν μὲν ἐπισκοπεύεται, οὐ μόνον ἀκροκρηματικὰ πράγματα, ἀλλὰ καὶ πολιτικὰ ἔναρξησάτων ἀποκρηματικῶν· πρὸς δὲ, καὶ πᾶσαι ἐπετράπησι, καὶ κουρασματίζειν” (RHALLES – POTES, II, 224).

[32] According to this specific canon: “Οἱ ἀληθῶν καὶ εὐλογίας τῶν μνήμης μετάντων βίων, τῆς προσκυνήσεως ἄξωσθεναι τιμής. Ἑκάστη δὲ τινες τῷ μονετικῷ καθημένῳ προσκυνήσει, τὰ τοῦ ἀκροκρηματικῶν καὶ τῶν πολιτικῶν ταρασσούσιν πράγματα, περιεύοντες ἀδιαφόρους ἐν τῇ πόλις, οὐ μὴ ἀλλὰ καὶ μοναστηρία ἐκαύος, συνεταν ἐπιπρέποντες, ἐδόξα, μηδένα μηδομοῦ ὁκολοομένη μηδὲ συνοικίαν μοναστηρίων ἢ εὐκτοῖνον ὁκον παρὰ γνώμην τῆς πόλεως ἔποκτου. Τοῦ δὲ καθ’ ἐκαύος πόλις καὶ χώρον μοναζόν τῶν ἐπιπρέποντα τῆς ἐποίησι, καὶ τὴν ἐκκοσμίαν ἀποκτάρισθαι, καὶ προσάγειαν μόνη τῇ νυκτείᾳ, καὶ τῇ προσευχῇ, ἐν οἷς τούτοις ἐπανεξάντων προσκυνητήσεως, μήτε δὲ ἀκροκρηματικός, μήτε βιωτικός, παρακλήσεως πρᾶγμαν ἐπικοινωνεῖν, καταλαμβάνοντας τὰ ἄλλα μοναστηρία, εἰ μήπως ἄρα ἐπιτραπέτος διὰ χρείαν ἀναγκαίων ὑπὸ τοῦ τῆς πόλεως ἐπισκόπου. Μηδένα δὲ προσδέχεσθαι ἐν τοῖς
“Let us note that the Bishops are given the right to assign monks the management of secular affairs; and if this was allowed to bishops, so all the more it would have been delegated to emperors”33.

He adds in the same section:

“That, with the Bishop’s permission, monks can be involved not only in ecclesiastical affairs but also in affairs pertaining to life, namely civil; and if the Bishop’s permission can do this, so all the more the imperial power will do, the one that appoints Bishops as well”, and cites some relevant examples34.

33 “Σημείωσεν δὲ ἐκεῖνος τοῦ ἐπισκόπου τὸ ἐπιτρέπειν μοναχοὺς δικαίως πολιτικῶν πραγμάτων καὶ τὰν τῆς ἐπισκόπου τοῦτο ένεάθη, πολλὰ πλάνα τούτῳ βασιλείῳ ἀκομμάρισε” (RHALLES – POTILES, II, 228).

34 “Προσέθηκεν δὲ εἶναι τοιούτῳ καὶ ἀκομμάρισε τῆς κοινωνίας, καὶ δικαίως τῶν ἐκκλησιαστικῶν πραγμάτων, ἢ τῶν βιωτικῶν, ἢ τῶν πολιτικῶν, εἰ μέρους τῆς πόλεως ἐπίσκοπος διὰ χρήσεων ἔνεαθη τούτῳ τούτῳ. Τοις δεδομένοις δὲ, παρὰ γνώμης τῶν δικηγόρων, μὴ ἀποκκείμενοι ἔρισαν ἢ μὴ τὸν παραβαίνοντα τούτων τὸν όρον, ἀκομμάρισεν εἶναι. Τὸν μὲν τοῦ ἐπισκοπῶν τῆς πόλεως, χρή, ήπιον, προκύψασθαι τῶν μοναχισμῶν. Σημειώσας οὖν, ὅτι ἔκτις ὁ οἱκονομικὸς προκειμένου καὶ μοναχῶς ὄρισαμεν, ἔνθε δὲ καὶ ἀπεκτάνθη, ἠγούμησαν ἀποκρίσεις καὶ οὕτω ήπιον ἐπισκόπους ἀνείπως. Τῇ δὲ ἐπισκόπου καὶ ἀναπτύσσεται, ἐπισκόπους, ἐνυπόκτως, ὑπερήφανως, ἀνείπως, καὶ ἀποκρίσεις, καὶ ἐπισκόπους. Διὰ γὰρ τοῦτο, ὡς ἔνθε, καὶ ὁ κοινωνικός ἔκτις, ὁ Σίδων, ἀπεκτάνθη τὰ τῆς βασιλείας, ἀρχηγός, ἀναπτύσσεται τὸν οἱκονομούς, τὸν δικηγόρας τοῦ βασιλείας, τὸν ἐπισκόπου τῆς βασιλείας.” (RHALLES – POTILES, II, 228-229). “And it is added that these are not involved in the community and the management of the ecclesiastical affairs or those pertaining to life, namely the civil affairs, unless the Bishop of the city permits it on account of some exigency. It was stipulated that the slaves, against the owner’s consent and approval, should not be born; otherwise, anyone transgressing this rule, shall be excluded from the Communion. It is said, however, that the Bishop of the city is required to make provision for monasteries. Hence, let us note that monks should endure patiently and remain there, where they renounced the world, in other words where they were born; and that, with Bishop’s permission, monks can manage not only ecclesiastical affairs, but also affairs pertaining to life, namely civil; and if the Bishop’s permission can do this, so all the more can the imperial power, that even appoints Bishops. Therefore, as it seems, that Metropolitan, the Metropolitan of Side, managed the imperial affairs, without impediment, in the name of the Emperor, master Michael
The text of the canon refers only to the monks, but what Balsamon says, concerns also the clerics, as it is concluded from his commentary while explaining canon 16 of the Council of Carthage.

However, his most characteristic commentary is found in canon 4 of the First-and-Second Council and reads as follows:

"Let us note, then, that with Bishop’s exhortation and examination, and so all the more with imperial permission, both monks and clerics will do these that they will be permitted, whatever these are." 36

Accordin to Balsamon then, the Bishop’s or the emperor’s encouragement is sufficient to justify the undertaking of whichever activity by clerics or monks.

Doukas. And that Metropolitan, the Metropolitan of Neokaisareia, registered the rights of the city over the sea; and many other high priests and monks had imperial and public occupations." 35

According to this specific canon: "Πολιτεύσοντας ὁ ποιητής τοῦ μοναστικοῦ σχήματος τὸ σβάσματον ἐποίησεν τὴν καταπαύσασθαι, καὶ πολλὴν εἰς ὑμᾶς τὸν καθαρόν τὴν ἀπαγόρευσιν τῆς ιησουσάνως ἡμῶν μοναχοίς κατατάξασθαι, καὶ μὲν εἰς τὸν ἢτος τῶν ὁμοίων και διαφόρους μεταποιήσασθαι, ἢ δὲ καὶ εἰς καθαρὸν ἄνθρωπον μεταποιήσασθαι. Αἶε γὰρ ὁ διά φόρμας τῶν συντεκμελεῖσθαι μετατρέπονται καὶ μετατρέφονται, μετατρέψεως τῆς ἡμῶν τῆς ἐκκλησίας οἰκονομίας, ἢδε οὖν τῇ ιησουσάνως ἡμῶν μοναστηρίων ἐποίησα, καὶ καθάπερ τὸ μέτα τῆς ἡμῶν ἐποίησαν ἡμῶν ἐντελείως, καὶ μετατρέψατες τῷ ἀνθρώπῳ τῷ ἄνθρωπῳ μετατρέψατε, καὶ τῇ ἑκκλησίᾳ τῇ ἡμῶν ἐποίησαν ἡμῶν ἐντελείως, καὶ ἐντελείως ἡμῶν ἐποίησαν ἡμῶν ἐντελείως. 

35 According to this specific canon: “Πολιτεύσοντας ὁ ποιητής τοῦ μοναστικοῦ σχήματος τὸ σβάσματον ἐποίησεν τὴν καταπαύσασθαι, καὶ πολλὴν εἰς ὑμᾶς τὸν καθαρόν τὴν ἀπαγόρευσιν τῆς ιησουσάνως ἡμῶν μοναχοίς κατατάξασθαι, καὶ μὲν εἰς τὸν ἢτος τῶν ὁμοίων και διαφόρους μεταποιήσασθαι, ἢ δὲ καὶ εἰς καθαρὸν ἄνθρωπον μεταποιήσασθαι. Αἶε γὰρ ὁ διά φόρμας τῶν συντεκμελεῖσθαι μετατρέπονται καὶ μετατρέφονται, μετατρέψεως τῆς ἡμῶν τῆς ἐκκλησίας οἰκονομίας, ἢδε οὖν τῇ ιησουσάνως ἡμῶν μοναστηρίων ἐποίησα, καὶ καθάπερ τὸ μέτα τῆς ἡμῶν ἐποίησαν ἡμῶν ἐντελείως, καὶ μετατρέψατες τῷ ἀνθρώπῳ τῷ ἄνθρωπῳ μετατρέψατε, καὶ τῇ ἑκκλησίᾳ τῇ ἡμῶν ἐποίησαν ἡμῶν ἐντελείως, καὶ ἐντελείως ἡμῶν ἐποίησαν ἡμῶν ἐντελείως. 

36 “Σημείωσε οὖν, ὅτι κατὰ προφοράν καὶ δοκίμαις ἔποιησαν, πολλὰ δὲ πλανά κατὰ βασιλείας, καὶ μοναχοί καὶ κληρικοί ἐπικρατισμάτως ἐνέργησαν τοῖς τότοις ἐπιπρατέρωμαι σὰ καὶ ἐν ὅσιον” (RHALLES – POTLES, II, 662).
As for the emperor, his broad ecclesiastical competences, as recognized by Balsamon, are impressive. The fact is that in Byzantium the emperor was surrounded by a form of sanctity and he had an ecclesiastical role incompatible with the form of state power as it has been formed nowadays. The emperor was considered to be “Bishop of those outside” (ἐπίσκοπος τῶν ἐκτός), as Constantine the Great was addressed. At this point it should be noted that Constantine held the religious title of Pontifex Maximus until his death37. Moreover, the competence of the convocation of the Ecumenical Councils, in which he or his representatives participated in order to observe the synodal procedure, belonged to him38. Even during the celebration of the Church Services, he did not act as a simple layman, as he was able to incense or to enter the Holy Altar without impediment39. However, the limits of this sanctity, or his position as ecclesiastical person in general, do not in any case get to the point, at least from a theological point of view, of being considered that he is not subject to the divine and sacred canons or that he is recognized the right to allow their circumvention at will. Moreover, this does not apply to any person, even to the Patriarch himself. It is common in orthodox theology that the decisions and the canons of the Councils apply to all.

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38 MILASCH, Εκκλησιαστικών Δίκαιων, 1008; P. PANAGIOTAKOS, Σειράτα και Πολιτεία ανά τούς σόμπους (33-1339 μ.Χ.), Athens 1939, 78-80; P. POULITAS, Σχέσεις Πολιτείας και Εκκλησίας δόξα εκ ολον έπατος, Athens 1946, 49 fn.; VI. FEIDAS, Ιστορικοκοσμικά προβλήματα πρί την λεπτομερεία του πολιτισμό της Πενταπλούς τον Ιστορικό, Athens 1970, 225-240; G. OSTROOGRORSKY, Ιστορία του Βασιλείου Κράτους, τ. Α’-Β’ (transl. in Greek Ι. Panagopoulos; scientific supervision E. Chrysos), Athens 1997, Ι, 160-107.

39 According to s. 69 of the Quinisext Ecumenical Council: “Μὴ δέχοντες τοις ἄπαντος ἐν λαταικῷ τελούντον, ἐνδόν ἀρατινείναι δικαιουσφυών μῆνας ἕως τοῦ τοῦ βασιλικοῦ εὐρυγούς εἴσοδους καὶ ἀσθένεις, φύλακας διευθέτησα διάρκεια τῇ πλήρωσιν, κατὰ τοὺς ἀρχαιοτάτην παρασατοῦ’’ (RHALLIS – POTLES, II, 466, with the commentaries of Zionas, Balsamon and Aristenos). “Let it not be permitted to anyone among all the laity to enter within the Holy Altar, with the exception that the Imperial power and authority is in no way or manner excluded therefrom, whenever it wishes to offer gifts to the Creator, in accordance with a certain most ancient tradition”. See also KOTSONIS, Η θέσης τοῦ αυτοκράτορος, 113-120.
believers regardless of the position or the office they hold. No one is excluded from their scope no matter how high he stands in state or in ecclesiastical hierarchy.

The invocation of cc. 1250 and 1731 of the 4th Ecumenical Council or of c. 38 of the Quinisext Ecumenical Council is totally inappropriate, since it cannot be concluded from any part of the text that the emperor is recognized with such rights. C. 12 castigates a particular practice followed by some Bishops. They used to turn to the emperor in order to achieve the issue of a specific command. According to this, one province would be divided into two parts, so as to two sees of Metropolitans to be created. Indeed, it seems from the text of the canon that the emperor’s will was determining the administrative structure of the ecclesiastical provinces to some extent. The provisions of c. 17 of the 4th Ecumenical Council and c. 38 of the Quinisext are more important to this particular issue as according

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40 C. 12 of the 4th Ecumenical Council: “Ἡλθεν εἰς ἡμᾶς, δις τοις παρὰ τοῖς ἐκκλησιαστικοῖς θεμασίως προοδέουμεν τοῖς πραγματικοῖς τὴν μίαν ἐπέρχετο εἰς δύο κατεύθυνον, ὡς ἐκ τούτοις δύο μητροπολίται εἶναι ἐν τῇ αὐτῇ ἐπάρχῃ. Ἡμεῖς τούτον ἢ ἡγῆ σύνοδος τοῦ λοιποῦ μηδὲν τοιοῦτο τιμᾶσθαι παρὰ ἐπίσκοπον, ἐπεὶ τὸν τούτο ἐπιχειροῦντα ἐκπέμπετο τὸν ικετεύον βαβυλόν. Όσοι δὲ δὲν διὰ τριακοσίων τῆς παντοκράτορος ἐπίσκοπον ἐπικέκτησαν ἡμῶν ὀρθόνομην, μὴν ἀποκτήσετον τῆς τιμῆς καὶ τῆς ἐκκλησίας αὐτῶν δικαιοσύνης. Ἰδοὺ γὰρ ἐντὸς τῆς τιμῆς καὶ τῆς δικαιοσύνης τῶν ἐκκλησίων αὐτῶν ἥνωσεν.” (JOANNOU, CCO, 79-80). "It has come to our knowledge that some persons, contrary to the ecclesiastical Canons, by resorting to the civil authorities, have obtained paradigmata (namely imperial edicts) whereby they have contrived to divide one province into two, and as a result there are two Metropolitans in one and the same province. The holy Council has therefore made it a rule that no Bishop shall hereafter be allowed to do such a thing. For, if anyone shall attempt to do so, he shall forfeit his own rank. As for all those cities which have already been honored with the name of Metropolis by letters of the emperor, let them enjoy the honor, and likewise the Bishop who is administering its church; it being left plain that the rights properly belonging to the real Metropolis are to be preserved to this metropolis (alone)."

41 C. 17 of the 4th Ecumenical Council: “Τὰς καθ’ ἑκάστην ἐκκλησίαν ἀρχιερείας παροικοίς ἢ ἐπισκόποις μένεσιν ἐπικατάλειπτος παρὰ τοῖς κατέχοντον αὐτῆς ἐπισκόποις, καὶ μάλιστα ἐξ ἐπικατάλειπτον χρόνον τοῖς ἄθαντοις διακατάλειπτος ὁμοίωμα. Εἰ δὲ εὐτέρους τῶν τριακοσίων τῶν ἐπικατάλειπτος τοῖς κατέχοντον αὐτῆς ἐπισκόποις, καὶ μάλιστα ἐξ ἐπικατάλειπτον χρόνον τοῖς ἄθαντοις διακατάλειπτος ὁμοίωμα. Εἰ δὲ εὐτέρους τῶν τριακοσίων γενέναι τις ἢ γένσαι περὶ συνόδου ἀμφιβολίας, ἡμῖν τοῖς ἑκάστην ἐπισκόποις ἀκούσται περὶ τούτων καθέναν τοῖς κατέχοντον αὐτῆς ἐπισκόποις, καὶ μάλιστα ἐξ ἐπικατάλειπτον χρόνον τοῖς ἄθαντοις διακατάλειπτος ὁμοίωμα.” (JOANNOU, CCO, 82-83). "As touching rural parishes, or country parishes, in any province, they shall remain in the undisputed possession of the Bishops now holding them, and especially if they have held them in their possession and have managed them without coercion for thirty years or more. But if during a period of thirty years there has arisen or should arise some dispute concerning them, those claiming to have been unjustly treated shall be permitted to complain to the Synod of the province. But if anyone has been unjustly treated by his own Metropolitan, let him complain to the Exarch of the diocese, or let him have his case tried before the throne of Constantinople, according as he may choose. If, on the other hand, any city has been rebuilt by imperial authority, or will be built anew again, pursuant to civil and public formalities, let the order of the ecclesiastical parishes be followed."

42 C. 38 of the Quinisext Ecumenical Council: “Τὸν ἐκ τῶν πατέρων ἡμῶν τεθάνατα καὶ ἱμαῖρας παραστατεύοντο, τόν οὕτω διαγερείοντο ἡμῖν τοίς ἑκάστην ἐκκλησίαν ἀκούσθαι τις ἢ γένσαι περὶ τούτων καθέναν τοῖς κατέχοντον αὐτῆς ἐπισκόποις, καὶ μάλιστα ἐξ ἐπικατάλειπτον χρόνον τοῖς ἄθαντοις διακατάλειπτος ὁμοίωμα.” (JOANNOU, CCO, 173). "We too retain the Canon which was laid down by our Fathers and which reads as follows: If any city has been rebuilt by imperial authority, or will be built anew again, pursuant to civil and public formalities, let the order of the ecclesiastical affairs be followed."
to them if a city was renovated or will be renovated again by order of the emperor, the order of the ecclesiastical provinces shall follow the political and public standards. The canons accept that the administrative division of the metropolises and of the dioceses shall correspond with the political geography of the Empire, in other words that the Church shall take into account the structure of the state administration before taking action. However, there is nowhere any allusion to increased authorities of the emperor over the internal affairs of the Church. Let alone get to the point to bypass the application of the divine and sacred canons. It is indeed a wonder how it is possible the above-mentioned canons to be invoked in order to advance such powerful rights, while the slightest relevant reference is not found in their text. The truly decisive role of the emperor in the election of the Bishops, the Metropolitans and the Patriarchs, namely the fact that the emperor “appoints” Bishops, as Balsamon notes, cannot be an argument. As, this fact by itself does not render the emperor superior to the divine and sacred canons. However, such a consideration has no place in the orthodox theology.

At this point, we must also note that Balsamon, in his commentaries, perceives the emperor as superior authority to the bishop, in ecclesiastical level; he mentions in his commentaries on c. 16 of the Council of Carthage

“as, if the Bishop of the region can do this, so all the more can the emperor.”

In addition, he notes while construing c. 4 of the 4th Ecumenical Council that

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45 On that subject, see MILASCH, Έκκλησιαστικοί Δίκαιοι, 499 ff.

46 “Εἰ γὰρ ὁ καθ’ αὐτὸν ἐπίκοπος δύναται τότε ποιεῖν, πολλὰ πάντων ὁ βασιλεὺς” (RHALLES – POTLES, III, 349-350).
“if this was allowed to bishops, so all the more it would have been delegated to emperors”\[^{46}\].

whilst similarly he notices in his commentaries on c. 4 of the First-and-Second Council

“that with Bishop’s exhortation and examination, and so all the more with imperial permission”\[^{47}\].

However, no matter how high the emperor stands, he cannot be considered superior to the ecclesiastical hierarchy. The emperor has some competences that are peculiar to ecclesiastical persons. He nevertheless carries political administration and not ecclesiastical ministry. It is a fact that, during the Byzantine period, the distinction between these two institutions is quite relaxed,\[^{38}\] but it does not get to the point of confusion:

“The priesthood and the Empire are the two greatest gifts which God, in His infinite clemency, has bestowed upon mortals; the former has reference to Divine matters, the latter presides over and directs human affairs, and both, proceeding from the same principle, adorn the life of mankind”\[^{49}\].

These lines that come from a Novella of Justinian I reflected the view on Church and State relations that prevailed in Byzantium. According to this, it is about two institutions that have their beginning in God, and in collaboration with each other they move on in harmony, maintaining their independence\[^{50}\].

In addition, the issue of the competence of the application of ecclesiastical oikonomia is placed in the same context\[^{34}\]. Balsamon points out in his commentaries on c. 16 of the Council of Carthage:


\[^{46}\] ὁδόν τῶν ἐπισκόπων τοῦτο ἐνέδηδα, πολλά πλάνα τῶν βασιλέων ἐκκρατείτην (RHALLES – POTLES, II, 228).

\[^{47}\] νοοῦ αρχιμαχίαν καὶ δοκιμασίαν ἐπικοπηκήν (RHALLES – POTLES, II, 662).


\[^{50}\] For bibliography on the institution of ecclesiastical oikonomia see Am. ALIVIZATOS, Ἡ ὀικονομία κατά τὸ καινονικὸν δίκαιον τῆς ὀρθοδόξου ἐκκλησίας, Athens 1949; I. KOTSONIS,
“A fortiori the emperor was allowed to confide activities of secular duties to priests and monks, according to his judgement by the canon 4 of the Council of Chalcedon”\textsuperscript{52}.

The emperor is recognized by him the right to apply oikonomia, and particularly at his absolute and uncontrolled judgement, without the participation of any ecclesiastical authority. He bases this right on the fact that c. 4 allows the Bishop to apply oikonomia. Therefore, according to Balsamon, a fortiori this will also apply to the emperor. However, according to the theology of the Church, the ecclesiastical authorities, and specifically the Bishop or the Council, are competent to decide with regard to this, in view of the degree of importance\textsuperscript{53}. The emperor, as the representative of the political power, cannot have such competences. He is not recognized as having the right to apply oikonomia to ecclesiastical matters by any divine and sacred canon. It is about a jurisdiction of the shepherds of the Church, with purely ecclesiastical character, that is exercised in accordance with the procedure laid down by the divine and sacred canons. Hence, the views expressed by Balsamon with regard to this issue cannot be accepted as well.

The hot air that was expounded upon this particular issue is also affected by Patriarch Loukas Chryssoberges, in his above-mentioned act. The Patriarch castigates the practice of some clerics who despise the Church’s canonical order and practice professions incompatible with their capacity. While he is explaining the issue, he informs us that cleric-offenders invoke the “imperial economies” (βασιλικάς … οἰκονομίας) and the “long custom” (μακρῆς συνήθειας), namely the permission given by the emperor by oikonomia and the fact that this particular


\textsuperscript{53} According to the definition provided by AEJVIZATOS at his above-mentioned study, p. 21, “Oikonomia is the suspension, in some cases only, of the absolute and strict imposition of the canonical and ecclesiastical provisions in regard to the ecclesiastical administration and orderliness, by extreme condescension and leniency in terms of christian spirit and therefore in terms of the initiative of those who administer the Church, without departing from the doctrine, and the arrangement of the conditions for the salvation of the members of the Church interested in it, by the complete or partial deviation of the canonical provisions that condition the ecclesiastical life”. As he mentions at the beginning of his introduction, p. 11, “The term oikonomia […] is almost synonymous with the terms condescension and leniency (the extreme condescension and the extreme leniency are used either alongside either in place of the term oikonomia. The use of these terms in the sense of oikonomia does not indicate any laxity of the ecclesiastical order but a more positive retention than this, either through the genuine quasi legalisation of the disturbed order either through the deviation, also genuine, from this. And this is not in order to rescue the ecclesiastical prestige but, on the one hand, in order to avoid the despair of the interested parties which has been provoked by both of the cases, and on the other hand, in order to prevent, in that case, any action for the arbitrary dissolution of the ecclesiastical order that already exists”.

\textsuperscript{53} "ἱπτὸν τοῦ ψηφίν τῶν ἐν Χαλκηδόνῃ συνόδου καὶ μᾶλλα ἐνδοθή τῇ βασιλείᾳ, ἀναπτύξα τοὺς κοσμικοὺς ὀπλάζου ἀπεργείας ἑρμηνεύοντες καὶ μοναρχοῦς, κατὰ λόγον οἰκονομίας δοκοῦσις αὐτῇ" (RHALLES – POTLES, III, 349-350).

\textsuperscript{54} See also BOUMIS, Η περί τοῦ ἀσημίβλεπτου, 29ff.
phenomenon exists already for a long time, to justify their actions. He replies to
these arguments that, since the divine and sacred canons regulating the non-
permitted occupations of the clerics are in force and have not been replaced or
modified:

“Such oikonomia and the custom that has not yet been tested generally do
not violate the written canons.”

In other words, he challenges both the right of the emperor to apply
oikonomia, and specifically that the “imperial oikonomia” (βασιλική οἰκονομία)
has the power to bypass divine and sacred canons, and the possibility of a custom
that has not been tried out, namely that it obviously has not assumed the healthy
characteristics of an ecclesiastical custom, to replace the canons that have been put
down in writing by the Church and with all solemnity. As yet he mentions
vividly:

“Instead these will be broken in the end much more than them, just like the
kettle, according to Solomon, if this strikes against a boiler.”

What Balsamon says upon the Bishop’s rights is also without basis. His
interpretation in his commentary on c. 3 of the 4th Ecumenical Council, according
to which clerics may exercise whichever professional activity “with the Bishop’s
permission” (κατὰ ἐπιτροπὴν ἐπισκοπῆς), even if this activity belongs to the
incompatible with their capacity ones, is not based on any part of the canon. The
only thing that the latter leaves to the Bishop’s judgement is the entrustment of the
care of ecclesiastical affairs or, more specifically, of people in need of help and
support to the clerics. There is nowhere any mention about getting involved in
“civil affairs” (πολιτικά πράγματα) or prohibited professional activities.

The same applies to his commentaries while interpreting c. 4 of the same
Ecumenical Council. This canon concerns the monks but Balsamon arbitrarily
extends its application to the clerics too. Other than that, just as he does in the
preceding c. 3, he considers that the Bishop has the right to allow at will the
exercise of whichever activity to clerics and monks. However, the text of the
canon does not provide any basis to support the above point of view. Its references
to the need of Bishop’s approval or permission concern monastic issues and are
totally irrelevant to our subject. Initially, it provides that nobody is permitted to
establish a monastery or an oratory nowhere without the Bishop’s of the city
agreement. Subsequently, he calls the monks to obey the Bishop and not to get

54 ΚΗΑΛΛΕΣ – ΠΟΤΛΕΟΣ, Στάσεις III, 346-347.
55 τοῦ τούς γεγραμμένος κανόνας αἱ τοιαῦται οἰκονομία, καὶ ἢ μὴ δικαίωσθαι συνήθεια
όλας καταστάλωσον” (ΚΗΑΛΛΕΣ – ΠΟΤΛΕΟΣ, III, 347).
56 For a bibliography on this matter and in general on the conditions for the power of a custom or
of “synhéitha” (practice, custom) in ecclesiastical law order, see A. CHRISTOFILOPOULOS, Τό
ἐκκλησιαστικὸν ἔθιμον, in: Theologia 24 (1953) 204-217; I. KΟΤΖΟΝΙΣ, Ἡ συνήθεια ἐν τῷ νεωτέρῳ
κανονικῷ δικαίῳ, Athens 1961; C. POLYZOIDES, Τό ἔθιμον ἐπὶ τοῦ πλαίσιον τῆς Ὑποδιδόξου
Ἑκκλησίας, Thessaloniki 1986.
57 “αιτεῖ δὲ μᾶλλον ὑπὸ τούτων τοινύντων τέλος συνεργήσονται, ὡς χήρε, κατὰ τὸν
Σολομόντα, προσκρούσεσα λέβητε” (ΚΗΑΛΛΕΣ – ΠΟΤΛΕΟΣ, III, 346-347).
involved in ecclesiastical or secular affairs, unless they are necessarily allowed by the Bishop of the city. In the latter provision, the canon does not refer vaguely to the exercise of secular activities, but to getting involved in issues of the monastery, for the resolution of which the monks’ getting out into the world is necessary. In this case, the canon, with the Bishops’ agreement, reasonably allows monks to stop the practice for a while, in order to settle the monastery’s unsettled affairs, but there can be no relation between this case and with giving the permission to exercise professional activities prohibited by the canons.

The note that he cites in his interpretation of c. 4 of the First-and-Second Council is also unjustified in the same way. This particular canon refers to the Bishop’s right to approve of the monks’ moving from one monastery to another or in a house of a layman or wherever else it will be thought advisable for spiritual reasons. Balsamon, although there is no reference to the controversial issues, declares in an axiomatic way that the observance of the the divine and sacred canons is left in the Bishop’s judgement. No divine and sacred canon grants the bishop the right to allow, at will, the clerics to get involved in secular affairs or to participate in professional activities described by canon law as incompatible with their capacity. This does not mean of course that the possibility of applying oikonomia in marginal cases does not exist any more. The possibility of applying oikonomia covers most administrative matters of the Church. The departure from the canonical accuracy is allowed in special occasions and under special circumstances, on condition that the provided theological provisions will be upheld. However, whatever applies to the conditions for implementation of the institution of oikonomia in general, applies to the clerics’ professional occupations as well. In other words, if there are some particular and very serious reasons, the Bishop, in his estimation, can for once allow the parallel practice of a profession, in principle prohibited to the clerics. However, it is about an isolated case that can in no way set a precedent or be an example for other clerics. It is also evident that these special occasions of ecclesiastical oikonomia have nothing to do with the Bishop being recognized the right to allow at will the divine and sacred canons’ circumvention.

In conclusion, the Bishop cannot act without any restriction, as Balsamon says in the issue that preoccupies us; he is not superior to the divine and sacred canons. This particular view is not verified by the examination of the sources or of the theology of canon law and it can certainly be argued that it is an interpretive structure of his, without basis and, therefore, excessive.

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38 See also BOUMIS, Η περί του δημημέλιστου, 30-36.