

Orthodoxy and Non-Orthodox Faith: A Pass to Unity

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Summary:

This article aims to investigate the conceptual underpinnings and contents of the Christian legal tradition. It also intends to provide a brief review of how Orthodox nomic thought functions in the age of fragmentation (i.e. denominationalism). How should an Orthodox Christian react to heterodox faith? How should s/he receive a non-Orthodox preaching and teaching? These questions have become focal in the context of the fractured Christendom. This is a key issue that by and large determines the future of the ecumenical movement. This article aims to shed light on the issue at hand and intends to offer a possible solution to it.

Keywords:

Orthodox Church today; orthodox perception of ecumenism; unity; nomic thought; oracles.

Preamble

The Early Church nomic (from νόμος – law) and ecumenically sealed promulgations represent the very core of Orthodoxy. Over the centuries, the best thinkers of Christendom struggled to formulate the canon that would embrace a universally approved set of sacred oracles, a coherent rule of faith (i.e. creed and doctrine), an ecumenically defined structure of leadership, a coherent system of rules of conduct for clergy and laity, and a unified schema of worship. This “legal” standard, a universally recognized arrangement of Christian theory and praxis, developed in the course of the first millennium of Christian history and ecumenically endorsed by the great synods of the church, constituted the very identity of the movement, i.e. defined in nomic terms what it is to have the “right opinion” and thus to be a Christian. Indeed, law in this context meant something

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different from a mere set of moral precepts or rules prescribed, recognized, and endorsed by state authorities, or from a punitive code aiming to regulate transactions between individuals, corporations and states. It was, rather, understood as a blueprint of the divinely established fabric of social universe reflective of the will of God towards His people. It assumed the existence of a divine legislator and of semi-divine and human beings, subject to law.

Classical and Biblical Legal Theories and the Christian Understanding of Law

Both classical and Biblical traits of legal thought had utility in the formation of the Christian nomic theory. At the time of Christ, the most significant nomic conceptions were linked to Cicero's philosophy of law and the Jewish theology of election. Let us take a brief look at both so that we may grasp the basic foundations of law as it was understood by the early Christian communities. Let us start with the "classical" exposition of law by Cicero. This great mind of Imperial philosophy clearly delineated the core conceptual elements of law. Cicero commenced his theory by drawing a clear demarcation line between natural or divinely instituted law and conventional legislations, thus clearly delineating various meanings of law. He argued that the primary meaning of "law" is "the law of nature" and conventional written legal promulgations is "law" only in the secondary sense. He argued that law in its primary sense:

was neither a thing contrived by the genius of man, nor established by any decree of the people, but a certain eternal principle, which governs the entire universe, wisely commanding what is right and prohibiting what is wrong.²

The law of nature appeal to the inner consciousness of individuals while the laws of the people set out external boundaries for their behaviors and regulate their contests so as to balance out that which is inequitable and unbalanced.

This nomic code associate with "nature" is divinely legislated. Its set of rules is immutable and everlasting. All conventional legislations, according to Cicero, are derivative and secondary. They ought to have the law of nature as their foundation. Cicero in his legal thought aimed to delineate an intelligible structure of the social universe, a commonwealth of divine and human beings. Cicero's legal framework set out the basic elements of doctrine and of the structure of authorities. Indeed, his doubts of whether law can be actually implemented within

² Cicero, *De Leg* II.IV.8. in C.W. Keyes, *Cicero: De Republica & De Legibus* (London: Harvard University Press, 1928; repr. 2006). English translation by C.D. Yonge.

terrestrial societies gave birth to the notion of the two cities, the ideal city of the divines and the actual city of human beings with all its limitations and flaws. This idea will be further developed by such great north-African theologians as Tyconius and St. Augustine.³ In general, certain foundational features of Cicero's legal thought in many ways prefigured Christian nomic theories.

Another type of legal thought, one deeply rooted in the Biblical mindset was also operative in the early Christian circles. According to this mindset, law is the will of God for His (chosen or elect) people. There is a certain legal agreement (or testament) between God and His flock. It controls all aspects of life and demands an absolute obedience in the form of submission of the human will to the will of God. This legal framework did not assume the being of God as simple and immutable. Neither did it understand God's will for the people as stable and everlasting, immutably frozen in eternal repose. God was, rather, understood as the Father of his children. By the time they mature He adjusts certain rules and, if they lapse and scandalize God, He openly expresses His anger and disapproval. Consequently, God's will towards the people may change followed by the introduction of a new covenant (i.e. a new legal agreement). This legal system had its holy oracles, doctrine, the structure of authority, the rules of conduct for clergy and laity, the rules of worship and ritual carefully tailored.

The Christian legal theories will synthesize classical and Jewish legal theories in order to create a unique nomic structure. The newly emerging Christian *phronema* assumed the immutable and ontologically stable supreme deity who is nevertheless a personal being, open to communion with people. This communication is made manifest in the person of Christ who is the law to the people and their way to salvation. However, before the synthesis was completed, various contentions about the place of the Jewish Law within the Christian religion broke out.

It should be noted that for the Jews, the chosen people, law meant both – the rules of social (and moral) conduct and a set of ritual proscriptions. Both were considered necessary for attaining divine favor. However, the newly emerging Christian religion, at first, was unsure whether it has to obey the Jewish ritual law. Some Christians, especially those in Palestine under the pastoral care of James, the brother of Jesus, thought that all or some elements of ritual law, for instance, circumcision and observation of Sabbath, among others, were necessary and sufficient conditions for salvation.⁴ However, there was an opposition from other groups in this respect, especially those affiliated with the Apostle Paul, who

³ See W. S. Babcock, *Tyconius: The Book of Rules* (Atlanta: Scholars Press, 1989).

⁴ See Josephus, *Antiq. Jud.* 20.9.1. in B. Niese, *Flavii Iosephi Opera*, Vols. 1-4 (Berlin: Weidmann, 1887-90; repr. 1955).

thought that the Jewish ritual promulgations became obsolete with the event of Christ. They persistently argued that all works of the law are abolished with the event of Christ, salvation coming from grace alone. As we learn from the Romans “now the righteousness of God without the law is manifested, being witnessed by the law and the prophets” [Rom. 3:28]. Paul argued that sin shall not have dominion over God’s people and they are no longer under the law, but under grace [Rom. 6:14]. For, he noted, “if righteousness come by the law, then Christ is dead in vain” [Gal. 2:21].

Paul moreover held both the Jewish Torah and the Roman civil (and penal) code as isomorphic and thought of them as “ordinary law.”⁵ He argued that the Law of the Torah is a good thing only in so far as it is considered similar to any civil code, “namely with the understanding that laws are not framed for good people, but on the contrary are for criminals and revolutionaries, for the irreligious and for the wicked, for the sacrilegious and the irreverent” [1 Tim. 1:9]. As such, it is juxtaposed to the Good News of the Gospel which does not have a penal force but makes an appeal to the inner life (or consciousness) with the help from divine grace.⁶

Indeed, the local council of Jerusalem (62) had sided with Paul and refused to acknowledge certain Jewish practices.⁷ However, some radical Pauline statements were later softened by various Christian thinkers who clearly stressed that it was only the ritual laws of the Jews that are being abolished; the moral code of the Torah (with some few exceptions, like in cases of equitable damage) – fully preserved. This perception of the Jewish Law was also made manifest by some authors of the Gospels, those who immediately followed the Apostles. Matthew illustrates this approach by recasting Jesus’ sayings about the Jewish Law in the following way: “think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfill.” Then, he continues, “for assuredly, I say to you, till heaven and earth pass away, one jot or tittle will by no means pass from the law till all is fulfilled” [Mat. 5:17-18]. Perhaps, one may interpret the phrase by assuming that “fulfill” (πληρώω) means abolish, remove its efficacy by satisfying (or fulfilling) its conditions; or – by perfecting it.⁸ However, there are

⁵ See John McGuckin, *The Ascent of Christian Law* (Crestwood, NY: St Vladimir’s Seminary Press, 2012), 18.

⁶ “Mark’s Gospel which is imbued with Pauline thought, takes every opportunity to present Jesus as someone who opposes the ‘rigidity’ of the Jewish Law, with the flexibility of a new law of the spirit, one which places the highest premium on the intentions of the heart.” Ibid., 13.

⁷ Acts 15.

⁸ As John McGuckin rightly noted, “One may speak of Christianity ‘fulfilling’ the Law, thus validating it; but in an equal measure the concept of fulfillment usually connotes

issues with such an interpretation since the efficacy of the Law is clearly substantiated by some Apostles. In this struggle of interpretations, one may note that there emerges in the Christian oracles a new interpretational thread concerning the Law. As McGuckin eloquently argued, the old Jewish Law with its emphasis on external observances is “here contrasted with a new spirit of seeking the inner intentionality of Law.”⁹ Hence, the Christian understanding of law makes a transition from the law as a codex of external proscriptions towards the law being the guide of spiritual and social ascent.

Some great thinkers of Christendom will soon place a stress mark on the new nomic nature of the teachings of Jesus. For instance, we learn from Lactantius (250-325) that Christ was perceived by the Jews as a destroyer of the Law.¹⁰ This, however, did not signify the abolition of the Law, but rather made manifest the new Law. Now Christ himself is the Law.¹¹ Lactantius thus gave the divine grace a very clear nomic rendering. It is not a mere inner drive that constitutes the communal life of the people. It is also a system of norms that should guide Christians in their ascent to truth and virtue. In general, a certain spiritualization of the notion of law took place in the early centuries of Christianity. Law, from now on, was thought of as a spiritual guide for the faithful along with it being a codex of social and moral conduct for the people.

Whereas the ritual law of the Jews was abrogated by the Christians, its moral maxims were preserved for the most part (with some few exceptions).¹² But what happens to the ritual laws? Do they completely disappear? No! According to the

a profound element of ‘abrogating’ the old. This deep ambivalence between affirmation and validation on the one side, and abrogation and supersession on the other side, is a tension that marks Christianity from the beginning, and is arguably still present today in Christianity’s dealings with Judaism.” McGuckin, *The Ascent*, 12.

⁹ Ibid., 14.

¹⁰ Lactantius tells us that: “He destroyed the obligation of the law given by Moses; that is, that He did not rest on the Sabbath, but labored for the good of men; that He abolished circumcision; that He took away the necessity of abstaining from the flesh of swine; — in which things the mysteries of the Jewish religion consist...He destroyed the obligation of the law of God, though He did this not by His own judgment, but according to the will of God, and after the predictions of the prophets.” Lactantius, *Div. Inst.* 4.17. in E.H. Blakeney, *Lactantius: Epitome Institutionum Divinarum* (London: S.P.C.K., 1950). English translation by A. Roberts in NPNF Vol. 7.

¹¹ “The Lord evidently announced by the law-giver himself that He was about to send His own Son— that is, a law alive, and present in person, and destroys that old law given by a mortal, that by Him who was eternal He might ratify afresh a law which was eternal.” Ibid.

¹² They gave priority to God’s mercy over God’s justice (e.g. Leviticus 24:19-20 being replaced with Matthew 5:38-42).

majority of Christian thinkers, nothing could be taken away from the holy oracles, the old Jewish legal tradition being part of the Christian Scriptural canon. These ritual laws, including the observation of Pesach, circumcision, most dietary restrictions, etc. were spiritualized and transferred from the ritual domain to the moral one.¹³ Therefore, the old law is preserved in a new form which is more sublime and moves things to the matter of heart:

Thus, all the precepts of the Jewish law have for their object the setting forth of righteousness, since they are given in a mysterious manner, that under the figure of carnal things those which are spiritual might be known.¹⁴

The entire tradition of Old and New Laws are authored and administered by the Word of God. What we see in the New Law is prefigured in the Old One. What is ritualistically proscribed in the Old Law from now on has a subtler significance, taken as a figure of speech that refers to the incarnate Word of God. As McGuckin argues, according to the best Christian minds the meaning of the Old Law was now on considered subordinate to the New Law.¹⁵ The Jewish community would make a similar move after the destruction of the temple. Some aspects of their ritual law would become obsolete with the creation of Rabbinic Judaism.

Now, what about the Christian perception of the civil law, of the legal Roman codices? Should they remain obedient or, rather, disregard them? What is their significance for the Christian life? These questions became especially pressing when the great persecution broke out. How then should Christians understand the civil legislations in the light of them being threatening for the very existence of Christianity? How the law of God (a sustaining pillar of the entire Christian life) can be reconciled with the civil imperial legislations that at times aim to exterminate the Christian movement at its root core? This tension will be resolved during the time of Constantine the Great when the idea of concordia between the church and state will find its full substantiation in the works of Eusebius of Caesarea. However, we also see this same train of thoughts manifest as early as during the apostolic times. A definitive quest to obey civil law and authorities is clearly present in the Scriptures. We can see this univocal message in Paul's writings:

¹³ Indeed, certain ritual laws controlling the rules of conduct for the clergy were also preserved by the Christians.

¹⁴ Lactantius, *Div. Inst.* 4.17.

¹⁵ McGuckin, *The Ascent*, 11.

Therefore, I exhort first of all that supplications, prayers, intercessions, and giving of thanks be made for all men, for kings and all who are in authority, that we may lead a quiet and peaceable life in all godliness and reverence [1 Tim. 2:1-2].¹⁶

A similar statement is also found in Titus:

Remind them that it is their duty to be obedient to the officials and representatives of the government; to be ready to do good at every opportunity; not to go slandering other people or picking quarrels, but to be courteous and always polite to all kinds of people [Tit. 3:1-2].

The leaders of Christian communities also urged their flock to pay taxes and comply with the law of cities and territories. Again, as McGuckin rightly pointed out, “it was an increasingly difficult *encomium* when the church soon began to look on those very officials as murderous pagans.”¹⁷ Even so, they tried to be obedient to the civil authorities. These communities organized around bishops followed the imperial Household Code and structured their activities accordingly. The major change came at the time of Constantine the Great (272-337) when the Edict of Milan (313) concerning religious toleration was signed by Constantine and Licinius. And soon after, when Christianity became the official religion of the Roman Empire, the message of obedience found a warm reception in all quarters of the Christian oecumene.

Orthodox Nomic Thought and its Elements

The formation of Orthodoxy was a long process of trial and error to arrive at the “right opinion” or “right belief” (ὀρθοδοξία) and at a clear understanding of the structure of authority to guard the “right” belief and to assure its historical transmission. During the early centuries of Christian history, the grounds of Christian faith were tested many times by various Christian (or eclectic) dissident groups who had offered ostensibly cogent theories regarding the canon of Scripture, doctrine, exegesis, and ecclesiastical discipline. These theories had to be tested by the collective mindset of Christian ecclesiastical leadership in order to find out whether they correspond with the most foundational principles of faith. Indeed, it was not until the period of the ecumenical councils that the Christian canon of Scripture, doctrine, exegesis and rules of ecclesial conduct took their final shape, and ecumenical promulgations set out the limits for theological

¹⁶ Cf. 1 Pet. 2:13-17.

¹⁷ McGuckin, *The Ascent*, 19.

projections and standards for ecclesial conduct. This process stretched over four centuries. This is not to say that “Orthodoxy” did not exist until a certain period of time. Its seeds were indeed present in a nutshell since the beginning of the Christian era. We have various testimonies about this “right opinion” since the very inception of Christianity in the form of baptismal creeds and other confessional statements found in Scripture. It was also made manifest in the Epistles of the Apostles and pastoral letters of the apostolic fathers. In the following centuries various Christian thinkers would lift up these pillars of faith to a very subtle state by drawing implications from Scripture and the works of the fathers thus offering to both the Christian and pagan intelligentsia a coherent teaching on faith, ecclesial conduct, etc., one that allowed “right opinion” to shine out so as to light up all “corners of the universe.” The works of Irenaeus of Lyons, Clement of Alexandria, Origen of Alexandria, among others, set in motion the rules of faith, the principles of doctrine and exegesis, etc. In other words, even before the ecumenical conciliar process began, even before the nomic promulgations securing doctrinal and ecclesial unity were created (largely premised upon the existing Imperial unity), the core aspects of Orthodoxy were already present to Christendom in a seminal form. The development of Orthodoxy had three main aspects, namely: (1) the canonization of the holy texts, (2) doctrinal instantiations, and (3) the formation of an ecclesiastical authority and of the code of ecclesiastical discipline. The development of these aspects of Orthodoxy was not simultaneous.

The issue of Scriptural canon came about first. Indeed, the holy oracles of the Incarnate and Risen Lord, transmitted to his flock in the form of various gospels, letters, acts, etc. presented a great *aporia* to the minds of the early Christians thinkers. The task of picking and choosing the holy texts from the vast sea of literature was not an easy one since some of the oracles describing the life of Jesus and his teachings were clearly spurious, some – represented a simple conflation of heterogeneous materials within the scope of a single treatise, some – clearly indicated an attempt to alter the original teachings of Jesus. Marcion of Sinope (85-160) was the first Christian thinker who, in the beginning of the 2nd century, initiated a definitive quest for canon and became formative in the process of its formation. The canon was not formalized until the 4th century. However, since the time of its formalization, i.e. since the 4th century on, whoever did not confirm to the canon was considered heretic. The very word ἁρεσις then received its classical rendering no longer indicating a competing philosophical sect but pointing to a grave violation of doctrine and canon law.

The development of Christian doctrine mainly took part in the first five centuries when most of the key theories (i.e. of God and of the Incarnation) were introduced. Some doctrinal refinements that took place during the following

centuries helped the Church authorities to further nuance the theological foundations of Orthodoxy. However, all subsequent developments stayed within the paradigm of theology already laid out and ecumenically sealed. The formalization of the rules of ecclesiastical conduct also took place over the centuries, canon law being codified by the ecumenical councils. It should be noted in this context that ecclesiastical discipline proceeded in the middle way, staying equally distant from the extremes of innovation and zealous traditionalism. The church's economic attitude to ecclesial matters was made explicit and certain adjustments to ever-changing historical horizons in the applications of rules were confirmed by the ecumenical synods. Moreover, the ecclesial laws, endorsed by the councils, were also affirmed as part of the legal imperial code.

Already in the early second century Christian communities found in their possession multiple "oracles" or holy texts of various kinds. Their conception of Scripture or holy text at the time was loose. It included both Jewish and Christian texts that had certain relevance to the good news preached by Jesus. The agenda of the church leaders was to sort out these treatises by establishing classifications. This was particularly important in the light of the challenges posed by various dissident groups who used the person of Jesus and Christian oracles to propagate their own doctrines, and by pagan intelligentsia who received the message of Jesus with scorn, finding multiple inconsistencies in Christian sacred texts thus classifying Christian doctrine as incoherent. This latter group was also influential in the imperial court and carried out a definitive threat to Christian communities, constantly appealing to the emperors to stop the spread of Christianity, thinking of coercive power as instrumental in their combat of those "strange" and "non-traditional" (i.e. non-Hellenic) beliefs. In some cases, they had succeeded. For instance, the governor of Bithynia, Sossianus Hierocles, having been influenced by Porphyry's anti-Christian polemic, initiated a massive persecution of Christians, one supported by the Diocletian imperial policies during the first decade of the fourth century.¹⁸ Moreover, the imperial persecutions of the Jews who revolted against the Roman authorities were affecting Christian communities who, in the eyes of the Roman authorities, were classed with the Jews.

The canon of Scripture was indeed of utmost significance because the holy oracles, in the minds of the ancients, represented the means of transmitting the will of God to the people. Hence, the canon of sacred oracles is the source of law for the people. It also contained the holy doctrine in a nutshell. Finally, it exhibited the structure of authority and the rules of conduct for the clergy and the people. It was

¹⁸ See Eusebius, *Lib Heir*, PG 22. Cf. T.D. Barnes, "Sossianus Hierocles and the Antecedents of the Great Persecution." *Harvard Studies in Classical Philology* 80 (1976): 239–52.

indented to function as a guide to salvation. This soteriological orientation of Christian texts was a constitutive mark of the entire Christian movement, one that made it unique. More importantly, the canon of the holy oracles was meant to introduce Christian theology to the state authorities so as to explain the good nature of the Christian God. Moreover, it could have also been of great utility in demonstrating the prescripts to civil obedience and, in general, Christian good will towards the civil powers.

Moreover, the unforeseeable circumstance of the imperial persecutions attempting to destroy the Christian tradition necessitated written and well attested accounts of the life and kerugma of Jesus. For about a century that followed the death and resurrection of the Lord, all accounts of his teaching were in an oral form. At the time this was a preferred format of communicating the message of the Kingdom. Eusebius reports the words of Papias (120-140) that the living word is superior to the dead letter.¹⁹ This is an old classical trope extending all the way to Plato.²⁰ However, by the early 2nd century, most of the oral stories received their written form aiming to save Jesus' kerygma and to pass it to generations. The necessity of a canonical set of oracles then became explicit. What texts could do this intended job? What texts fully transmit the message and represent an authentic tradition?

As D. Dungan rightly noted, the church leaders used traditional approaches to identify the authorship and to access the degree of authenticity of these documents. We can find such an approach already at work in late antique pagan tradition. Diogenes Laërtius (3rd century CE) in his *Lives and Opinions of Eminent Philosophers* offers to us an example of such an approach.²¹ Dungan suggested that it was based on the traditional three-fold structure:

the over-all control mechanism was the school's succession of heads, who, generation after generation, handed on the scrupulously correct text of genuine writings from the earliest days of the school, in order to remain true to the correct interpretation, i.e. the Truth as the school perceived it....each component – true succession, genuine writing (with accurate text), and

¹⁹ Eusebius, *Hist. Ecc.* 3.39.1,1ff. in G. Bardy, *Eusèbe de Césarée. Histoire Ecclésiastique*, 3 Vols. Sources Chrétiennes 31, 41, 55 (Paris: Éditions du Cerf, 1952-1958). Cf. Lee Martin McDonald, *The Formation of the Christian Canon* (Nashville: Abingdon Press, 1988), 91.

²⁰ See Plato's passages wherein Socrates contrasts the living word of knowledge which has a soul (ζῶντα καὶ ἐμψυχον) with the written word which is merely an image (εἰδωλον). Plato, *Phaedrus* 276a.8-9. in J. Burnet, *Platonis Opera*. Vol. 2 (Oxford: Clarendon Press, 1901; repr. 1967).

²¹ David L. Dungan, *Constantine's Bible* (Minneapolis: Fortress Press, 2007), 36-38.

accurate interpretation [i.e. doctrine] – became focal points of great stress and increasingly bitter disagreement in the Christian Church...²²

Hence, each text had to be classified based on the tradition initiated by the founder of each school, transmitted to his successors (heads of the school) who possessed genuine texts. The succession could assure that a particular (here philosophical) tradition is properly preserved and transmitted. Accordingly, Christian thinkers had to classify the holy oracles that they had inherited as either genuine or spurious. If an agreement could not be found, a particular treatise was then classified using a new stratum of disputed works. Christian thinkers, starting with Irenaeus, would soon apply this same procedure to their analysis of authenticity of Christian texts.

First of all, what Jewish texts should be included in the canon? In the third century the task of identifying a proper set of Jewish texts to be included in the Holy Scriptures (ἡ ἁγία γραφή) was undertaken by Origen of Alexandria (185-254). In this context he distinguished between the two Testaments, the Old (ἡ παλαιὰ διαθήκη) and the New (ἡ καινὴ διαθήκη), and aimed to complete a philological analysis of available texts so as to make a judgment about what texts should be in the canon. In the fourth century, Eusebius of Caesarea (265-340) in his *Ecclesiastical History* undertook great labors, assuming the traditional three-fold analysis of the text so as to identify genuine writings of the New Testament by tracing them back to true successors of Jesus (the apostles and apostolic churches), and classifying them as either accurately exhibiting the doctrine or as heretical. According to this same method he also distinguished between the writings that are (1) commonly accepted (ὁμολογούμενα), (2) disputed (ἀντιλεγόμενα) and rejected (ἀπόκρυφα).

Eusebius' philological analysis thus made use of the classical methods of stylistic and doctrinal analysis. In the second half of the fourth century, St. Athanasius of Alexandria (296-373) in his *Festal Letter* 39 (367) would introduce a new measuring schema and distinguish between the three categories of books: (1) canonical, (2) edifying (but non-canonical) and (3) apocryphal.

With Constantine commissioning of Eusebius fifty copies of the Bible, all distinctions (recognized, disputed, spurious, etc.) were abandoned. Now the talk was of either canonical or non-canonical texts, that is to say – legal and illegal, according to Dungan. The canon from now on was fully formalized, being approved by Constantine and various local councils (Laodicea 363, Hippo 390, Carthage 397, among others). Canon 24 of the Third Council of Carthage 397 states that “besides the Canonical Scriptures nothing [shall] be read in the Church

²² Ibid., 41.

under the title of divine Scriptures.”²³ Thus, they argued that the Canon of Scripture is closed. No more holy oracles could now on be introduced into the church’s lectionaries. However, certain dissident groups defended an open status of Christian Canon. Those groups were the Gnostics and especially the Montanists, i.e. members of the 2nd century prophetic movement, one that is perhaps isomorphic to modern Pentecostalism.

One key conception, developed during those formative centuries was the doctrine of apostolic succession. According to this doctrine, any legitimate representation of the (local) church, any valid local gathering representing church, any holder of an ecclesial office, etc. shall have origins extending all the way back to the Apostles. We learn from Matthew about Jesus’ command to the disciples to evangelize the nations:

Go ye therefore and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost, teaching them to observe all things whatsoever I have commanded you. And lo, I am with you always, even unto the end of the world. Amen [Mat. 28:18-20].

This command made the Apostles legitimate representatives of Christ on earth after his death and resurrection. The Apostles then transferred their duties to the bishops. A bishop (ἐπίσκοπος), i.e. one who oversees his people, was originally head of a local group of Christians. In the following centuries, the Episcopal duties were extended so as to make whoever holds this chair equal to civil magistrates and superior to all others who held ecclesial offices.²⁴ We learn from the First Epistle of Clement of Rome (35-101):

The Apostles received the Gospel for us from the Lord Jesus Christ; Jesus Christ was sent forth from God. So then Christ is from God, and the

²³ B.F. Westcott, *A General Survey of the History of the Canon of the New Testament* (Cambridge, London, Macmillan and Co., 1881), 541-2.

²⁴ As we learn from the *Codex Theodocianus*, “Iudex pro sua sollicitudine observare debet, ut, si ad episcopale iudicium provocetur, silentium accommodetur et, si quis ad legem christianam negotium transferre voluerit et illud iudicium observare, audiatur, etiamsi negotium apud iudicem sit inchoatum, et pro sanctis habeatur, quidquid ab his fuerit iudicatum: ita tamen, ne usurpetur in eo, ut unus ex litigantibus pergat ad supra dictum auditorium et arbitrium suum enuntiet. Iudex enim praesentis causae integre habere debet arbitrium, ut omnibus accepto latis pronuntiet.” 1.27.1. in T. Mommsen and D.M. Meyer, *Theodosiani Libri XVI cum Constitutionibus Sirmondianis et Leges Novellae ad Theodosianum Pertinentes* (Hildesheim : Weidmann, 1990). Thus, bishops now on could perform the function of civil judges.

Apostles are from Christ. Both therefore came of the will of God in the appointed order. Having therefore received a charge, and having been fully assured through the resurrection of our Lord Jesus Christ and confirmed in the word of God with full assurance of the Holy Ghost, they went forth with the glad tidings that the kingdom of God should come. So preaching everywhere in country and town, they appointed their first fruits, when they had proved them by the Spirit, to be bishops and deacons unto them that should believe.²⁵

We also learn from St. Ignatius of Antioch (35-108) that nothing shall be done without the bishop:

See that you all follow the bishop, even as Jesus Christ does the Father, and the presbytery as you would the apostles; and reverence the deacons, as being the institution of God. Let no man do anything connected with the Church without the bishop.... Wherever the bishop shall appear, there let the multitude [of the people] also be; even as, wherever Jesus Christ is, there is the Catholic Church.²⁶

Thus, the presence of a bishop descending from an apostolic see grants legitimacy to any gatherings, any worship, any offerings and sacraments. Anywhere the Eucharist is celebrated by legitimately appointed bishops, there is the church and Christ is in its midst. The apostolic succession principle then constitutes and governs the structure of authority. Indeed, the task of identifying proper successors of the Apostles appeared very laborious. Irenaeus of Lyons (130-202) would soon note the difficulties associated with accomplishing this task. Even so, in the fourth century Eusebius of Caesarea in his grand opus would complete the task, painstakingly analyzing all apostolic sees and tracking the lineage of churches (contemporary to his time) to their origin.

What if the legitimate lineage is not assured? According to Irenaeus, “those who, in whatever manner, whether by an evil self-pleasing, by vainglory, or by

²⁵ Clement of Rome, *Ep. I* 42:1-5. in. A. Jaubert, *Clément de Rome. Épître aux Corinthiens*. Sources Chrétiennes 167 (Paris: Éditions du Cerf, 1971). English translation by J.B. Lightfoot.

²⁶ Ignatius of Antioch, *Ep. ad Smyr.* 8.1.1-8. in P.T. Camelot, *Ignace d'Antioche. Polycarpe de Smyrne. Lettres. Martyre de Polycarpe*. 4th edn. Sources Chrétiennes 10 (Paris: Éditions du Cerf, 1969). English translation by A. Roberts, NPNF Vol. 1.

blindness and perverse opinion, assemble in unauthorized meetings”²⁷ should be identified so as to keep the faithful away from them. They are heterodox on account of not having proper apostolic lineage. The principle of apostolic succession also assures the unity of the church. As we learn from the great African theologian Tertulian (155-240):

the churches, although they are so many and so great, comprise but the one primitive church, (founded) by the apostles, from which they all (spring). In this way all are primitive, and all are apostolic, while they are all proved to be one, in (unbroken) unity, by their peaceful communion, and title of brotherhood, and bond of hospitality—privileges which no other rule directs than the one tradition of the selfsame mystery.²⁸

Hence, the principle of unity of churches is not extrinsic. It consists in Christian tradition (παράδοσις) of handing down the holy oracles, teachings, and practices from generation to generation by legitimately appointed bishops. They are the guardians of Scripture, teaching (i.e. doctrine and exegesis) and practice (i.e. ecclesiastical conduct). It is also made manifest in them being in full communion, in their unitive mode of existence manifesting itself in sacraments and hospitality.

The rules of conduct for clergy and laity were another key aspect of Orthodoxy. The necessity of this legal code (canon law) became apparent during the first decades of Christian history. The Holy Oracles give us many precepts of ecclesial conduct. The same we learn from the apostolic fathers. However, it became urgent to codify the laws of ecclesial conduct during the time of and soon after the great persecution launched by Diocletian in 303 AD. As a result of the persecutions, many faithful had to loosen their commitments. The existence of multiple lapses, such as people who had to denounce their faith out of fear, those forced to worship pagan deities and emperors and partake in rituals, presented a great problem to the church’s collective *phronema*. After the time of persecution, they came back to church. What shall we do with them? How shall we accommodate them? Various rigorist groups, in this context, set themselves aside from the mainstream movement claiming their purity as the core value of faith and thus lifting up puritan conduct as a condition for being a Christian. The Donatist

²⁷ Irenaeus of Lyons, *Con. Haer.* 3.3.2. in W.W. Harvey, *Sancti Irenaei Libros Quinque Adversus Haereses*. Vol 2 (Cantabrigiae: Typis Academicis, 1857). English translation by A. Roberts, NPNF Vol. 1.

²⁸ Tertulian, *De Praesc.* 20. in Migne, *De Praesc De Praescriptione Haereticorum*. PL Vol.2. English translation by P. Holmes in NPNF Vol. 3.

crisis in North-Africa brought into existence a great number of schismatic clergies who, soon after, created its own parallel hierarchy.²⁹ This and other groups of Christians, being driven by the puritan-laden system of values, have presented a great threat to Christianity introducing the spirit of schisms and divisions.³⁰ Schism is one of the general infringements of church discipline. How did the church react to this threat?

The united church since the very early centuries had a practice of local synods, gatherings that aimed to resolve most pressing issues to restore harmony and peace and to decide on matters of its evangelical mission. These synods laid out the system of canon law. This same system was further developed during the time of the ecumenical councils. Various canons of the local synods, along with synodical letters of the most prominent Christian leaders (“apostolic” and patristic canons), and the canons of the ecumenical councils comprised the sources of canon law. They have included the rules of conduct for clergy and laity, setting out qualifications and behavioral models for ecclesial conduct. Some elements of canon law, especially those which pertain to the matters of faith, were always considered immutable, whereas some other elements became subject to change according to the economic needs of the church.

Christian faith is rooted in the baptismal formulas of faith, i.e. the most archaic layers of Christian confession. It finds its ultimate source in Scripture. The catechumens, at the time of their baptism, had to confess what they believed in, i.e. utter publicly a statement of belief. This was their public confession. As P. Ashwin-Siejkowski rightly noted, “the ancient tradition of a public, liturgical interview which emphasized the individual’s choice to become a Christian and to follow a particular religious model of life as set by Jesus of Nazareth and his followers”³¹ gave birth to the ancient baptismal formulas. They were at the core of all following and more elaborate creeds. A creed was uttered by a catechumen at the time of baptism so as to prove his membership in the community of the faithful. Patristic literature gives us multiple examples of creedal statements that

²⁹ See W. H. C. Frend, *The Donatist Church* (Oxford, Clarendon Press, 1952), 169-192.

³⁰ Indeed, the church even during the apostolic times had experience multiple schisms. Paul’s exhortations about keeping the spirit of unity perhaps best illustrate this matter. “Now I beseech you, brethren, by the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions among you, but that ye be perfectly joined together in the same mind and in the same judgment” [1 Cor. 1:10]. Later he also implores “that there should be no schism in the body, but that the members should have the same care one for another.” [1 Cor. 12:25].

³¹ P. Ashwin-Siejkowski, *The Apostle’s Creed* (New York: T&T Clark International, 2009), 8.

constitute the rule of faith. It is thus a basic expression of faith held by all believers (*regula fidei*).

Creed or symbol of faith is a conceptual ruler against which all doctrinal statements are measured. It allows us to distinguish a genuine theology from a deceptive mockery of “Christian” sophists. It also measures the degree of faithfulness to Christian παράδοσις. Irenaeus describes the rule of faith in the following way:

The Church, though dispersed through the whole world, even to the ends of the earth, has received from the apostles and their disciples this faith: [She believes] in one God, the Father Almighty, Maker of heaven, and earth, and the sea, and all things that are in them. And in one Christ Jesus, the Son of God, who became incarnate for our salvation And in the Holy Spirit, who proclaimed through the prophets the dispensations of God, and the advents, and the birth from a virgin, and the passion, and the resurrection from the dead, and the ascension into heaven in the flesh of the beloved Christ Jesus, our Lord.³²

Another great early church authority, Tertulian of Carthage tells us that the rule of faith:

prescribes the belief that there is only one God, and that He is none other than the Creator of the world, who produced all things out of nothing through His own Word, first of all sent forth; that this Word is called His Son, and, under the name of God, was seen in diverse manners by the patriarchs, heard at all times in the prophets, at last brought down by the Spirit and Power of the Father into the Virgin Mary, was made flesh in her womb, and, being born of her, went forth as Jesus Christ...This rule, as it will be proved, was taught by Christ, and raises among ourselves no other questions than those which heresies introduce, and which make men heretics.³³

The significance of the rule of faith was thus instantiated. The rule of faith contains in the seminal form all basic doctrinal principles. The development of doctrine took place over the centuries. It was commenced by the search for an ecumenically approved statement of faith. As a result, the Nicene-Constantinopolitan Creed introduced in the 380s was a perfect expression of this ecumenical quest. All later councils can be properly understood as providing

³² Irenaeus, *Con. Haer.* 1.10.1-2.

³³ Tertulian, *De Praesc.* 13.

exegesis to this Creed and, consequently, signifying the milestones in doctrinal development.

Ecumenical promulgations of the unitive church, at first, necessitated an ostracism of all dissident groups. They were forced to move beyond the boundaries of the imperial domain. However, after Chalcedon, this same procedure would not work any longer since the increasing number of dissidents equipped with an overwhelming power of persuasion in the truth of their faith, made the implementation of the aforementioned policy impossible. They would no longer move away. The failure to implement the procedure will eventually cause the empire to lose some of its territories to the Arab invaders in the 7th century.

General ecclesiastical infringements are the most serious ecclesiastical offences. Among those apostasy, heresy and schism always stood out. Apostasy, according to P. Rodopoulos can be defined as “the denial of the Christian faith and the acceptance of another non-Christian confession.” Heresy, on the other hand, is “the deliberate and stubborn rejection of or deviation from the dogma of the Orthodox Church and the acceptance of a dogmatically misleading teaching. Finally, schism is “the organized rejection of obedience to and compliance with the canonical Church authority.”³⁴ In the scope of this article we are interested in the second infringement. It should be noted in this context that, whereas schism pertains to the matters of ecclesial discipline, thus constituting a serious ecclesiastical infringement, it, nevertheless, leaves the door open for reconciliation so as to restore ecclesial discipline. The case of heresy, on the other hand, is more detrimental as those who subvert doctrine, cannot be received back into the church.

The dictionary meaning of heresy (αἵρεσις) is choice, opinion or sect. In the late antique and patristic era, the word heresy signified a school of thought representing part of a larger (philosophical) movement, one that possesses some distinctive characteristics or doctrine. Later, this same word also connoted a minority that set itself aside from the mainstream movement, pursuing its own divisive agenda. Finally, the ultimate meaning that it acquired in history is a dissident set of beliefs marked off by its rejection of or deviation from the dogma of the united church. Indeed, the notion of heresy makes sense only within a particular movement or religion. For instance, Judaism and Paganism were not thought of as sects but as rival religious movements. Although the application of this term was flexible enough so as to include at times pagan philosophy and other religious movements (e.g. Islam) as parts of Christianity so as to classify them as heresies within Christianity (or vice versa). For instance, we would learn from

³⁴ P. Rodopoulos, *An Overview of Orthodox Canon Law* (Rollinsford, N.H.: Orthodox Research Institute, 2007), 173.

Damascius (459-540s), the last head of the Athenian Academy, about Cyril as the man overseeing the opposing heresy/sect.³⁵ In this view, Cyril was the head of a philosophical sect whose teaching was in opposition to that of Neo-Platonism of Hypathia. We would further see the same application in John of Damascus' classification of Islam as a Christian heresy. However, some other thinkers have objected to the validity of this approach.

Even at the time of the Apostles, various dissident groups of Christians diverged from the mainstream faith and split away from the larger Christian movement. Already by the early 2nd century the Gnostics and Marcion presented a great challenge to many Christian communities. The Gnostics taught that the Jewish God is an evil and ignorant demiurge of the material world, and classified the cosmos as an unfortunate miscarriage marked off by imperfection. Marcion, in turn, was concerned with various Judaizing influences of Scripture that his Pauline training could not sustain. However, some traces of heresies can be seen as early as in the apostolic age. For instance, John exhorts us to stay away from certain people who pretend to be Christians but in reality, represent the Satan.

Children, it is the last hour; and as you have heard that antichrist is coming, so now many antichrists have come; therefore, we know that it is the last hour. They went out from us, but they were not of us; for if they had been of us, they would have continued with us; but they went out, that it might be plain that they all are not of us. [1 John 2:19].

We further learn from 2 Peter 2:1 about the false prophets propagating heretical teachings. Who are the heretics? What are the distinctive marks of a heresy? Irenaeus has delineated some distinctive features of heresy. Firstly, he says that the heretics for certain reasons set the truth aside and offer us various deceitful schemas. Thus, they lie to the faithful in order to prevent their minds from making an assent to truth. They falsify the divine oracles and misinterpret them. They claim that they possess some superior knowledge whereas in truth they introduce an innovative teaching, one that does not correspond with tradition. Their erroneous opinions, however, appear attractive in their outward form. How so? By means of imitation, like a piece of glass that aims to substitute emerald to those who are incapable of detecting the counterfeit; or in a mixed form of truth and falsity like in “the presence of brass when it has been mixed up with silver.”³⁶

³⁵ “τὸν ἐπισκοποῦντα τὴν ἀντικειμένην αἵρεσιν Κύριλλον.” Damascius, *Life of Isidore/The Philosophic History*. in C. Zintzen, *Damascii Vitae Isidori Reliquiae* (Hildesheim: Olms, 1967), Frg. 102, 26-27.

³⁶ Irenaeus, *Con. Haer.* 1.Pro.1.25-26.

They are wolves covered with sheep's clothing, using the biblical analogy [Mat. 7:15]. In general, Irenaeus tells us that the heretics are actors who pretend to be something other than who they are. Various scholars have pointed out that Irenaeus and other early church heresiologists did not provide a definitive set of criteria that can be used in order to measure a particular movement against it so as to classify it either as orthodox or heretical. However, Irenaeus' description appears quite clear even if it is incapable of satisfying the philosophical sensitivities of analytically oriented minds. Irenaeus' arguments were largely biblical, making Scripture and the apostolic tradition the ultimate interpreters of theology.

The rule of faith or creed is the conceptual ruler against which all movements are measured. He notes that they "exchange their creed for heresy."³⁷ Even so, they may accept the creed, under certain conditions, but misinterpret its meaning. More importantly, Tertulian tells us, heresies along with schisms and dissensions sever us from unity. Their divisive quality is thus emphasized. At times he identifies heresy with false doctrine. He also notes that:

the heretic is self-condemned, because he has himself chosen that for which he is condemned. We, however, are not permitted to cherish any object after our own will, nor yet to make choice of that which another has introduced as his private fancy. In the Lord's apostles we possess our authority; for even they did not of themselves choose to introduce anything, but faithfully delivered to the nations (of mankind) the doctrine which they had received from Christ."³⁸

What is even worse, they start inventing their own pseudo-scriptures, thus polluting the very idea of holy oracles. However, they have no rights to possess scripture and to be its interpreters since their real jurisdiction lies beyond the limits of Christian faith. He refers to Paul's First Epistle to Timothy to prove his argument.³⁹ He, following Titus 3:10, suggests to warn a heretic twice and then to admonish him and not to dispute with him. Now, whenever the heretics receive Scripture they pervert it, introducing multiple additions and diminutions in order to match its content with their own fanciful theories. However, even if they receive

³⁷ Ibid., *De Praesc.* 4.

³⁸ Ibid., *De Praesc.* 6

³⁹ "If any man teach otherwise and consent not to wholesome words, even the words of our Lord Jesus Christ, and to the doctrine which is according to godliness, he is proud, knowing nothing, but doting about questions and strifes over words, from which cometh envy, strife, railings, evil suspicions" [1 Tim. 6:3-4].

the whole of Scripture their perverse exegesis entirely subverts its true meaning. Thus, the corruption of the text and the adulteration of its meaning mark off the heretical approach to the holy texts. If any true Christian is to argue with them, it would be a waste of time.

However, the council of Chalcedon brought into existence the major split in the church. The post-Chalcedonian legacy of the now divided Christendom was marked off by the introduction of, at times very traditional and, at times, innovative teachings. An immediate reaction of the larger, mainstream church was to classify these teachings as heresies. The “heresy” of monophysitism (i.e. one nature of Christ theology) was the main example of it. However, this approach soon failed. These “schismatic” groups in Egypt, Syria, Armenia, etc. founded their own ecclesiastical hierarchies. Some of them became known after their founders (e.g. Jacobites). Thus, parallel hierarchies have been created, these “schismatic groups” being in a strong opposition to the imperial power and thus presenting a great threat to its very existence. Indeed, it was of no surprise that these groups would soon submit themselves to the Arab invaders in the 7th century, thinking of the Arab rule as a liberating power. In general, the Christian church by the 8th century would find itself in a tribalized state, one that it would not manage to overcome in the next millennium. Instead, it will proceed towards further divisions, splitting away the East from the West and then fracturing more during the time of the Reformation.

This is the starting point of “denominational” Christianity where different Christian movements became self-named and separated from other movements, the entire church being torn into pieces. The ascent of “denominational” Christianity thus signified the final blow to united Christendom. It also meant that Christian nomic thought had exhausted its vital force which opened up the road to conventional understanding of doctrine, canon law, Scripture, etc. They were, in many instances, no longer conceived of as reflecting the blue-print of reality, divinely instituted and ecumenically endorsed. A non-creedal and otherwise non-committed (to law) Christianity then came into being, manifesting its spirit in an ultimate quest for innovation. Such is the Christianity of our age. What used to be the united body of Christ is now broken into parts. It consists of various independent autocephalous bodies of Christ overseeing various regional domains (i.e. Orthodox churches), the church of Rome, various non-Chalcedonian Orthodox churches, “Reformed” or “Protestant” churches and various non-denominational groups. The Orthodox nomic thought is no longer present in their polity. However, Eastern Orthodox churches still submit themselves to the early Christian nomic tradition. Our repositioning within fractured and tribalized Christianity is very peculiar. On the one hand we confess one church and undivided. This perhaps eschatological ideal is deeply engrained in our mindset.

On the other hand, we need to have a meaningful conversation with the groups that are no longer subject to law or whose membership in the law is imparted in some ways because of various innovations alien to the spirit of Orthodox nomos.

An Orthodox Response to the Nomic Challenges in the Age of Fragmentation

Dogma is that which does not allow for any alterations. It is the law of reason that demands an absolute and unconditional obedience. Dogma also sets out the limits for theological speculations thus controlling theoretical projections and linguistic norms applied to the subject matter. However, certain theological projections do not fall under dogma's dominion. History tells us that within the Christian intellectual domain there was at times space to accommodate regional and varying viewpoints as far as they do not violate dogma. Those viewpoints differ according to the authority of their authors. The ancients did not have a proper categorical taxonomy to describe the relationship between dogma and regional opinion. The early church thus did not possess such an instrument to accommodate varying regional theological projections. The quest for right terminology lasted almost for a millennium and a half. In our day and age dogma is contrasted with theologoumenon. The term "theologoumenon" (θεολογούμενον) is of late origins. It became popular in the 19th century and was extensively used during modern ecumenical debates. In the early 20th century V.V. Bolotov in his «Thèses sur le *Filioque*» gave this taxonomy its proper rendering, one that is used until today. He defined theologoumenon as a theological opinion introduced by the holy fathers of the united church (i.e. doctors of the church), by the "ecumenical teachers" (οἱ διδάσκαλοι τῆς οἰκουμένης). He argued that whereas the content of dogma is the absolute truth, the content of theologoumenon – the possible; whereas the scope of dogma is the necessary, the scope of theologoumenon – the doubtful.⁴⁰ Hence, he concluded, "in necessariis unitas, in dubiis libertas!"⁴¹ Theologoumenon is an opinion reflecting that which is possible in a high degree. A mere theological opinion, on the other hand, one not supported by the ecumenical authority, is a private opinion. Any theologian can choose between diverging theologoumena so as to form his/her own opinion. However, this opinion, if not established on the solid grounds of dogma or patristic theologoumena, will possess no authority whatsoever. The sole ground of

⁴⁰ В.В. Болотов, "К вопросу о *Filioque*." *Христианское чтение* № 5 (1913): 575. Cf. Georges Florovsky, "The Orthodox Churches and the Ecumenical Movement Prior to 1910." in R. Rouse & S. C. Neill, *A History of the Ecumenical Movement: 1517-1948*. 3rd ed. (London: S.P.C.K., 1954), 208-209.

⁴¹ Болотов, "К вопросу о *Filioque*," 575.

theological opinions is their rootedness in dogma and theologoumenon.⁴² Bolotov's taxonomy was of utmost significance in the process of ecumenical dialogue aiming to reconcile seemingly irreconcilable theologoumena of the western and eastern churches (mainly associated with the issue of *Filioque*). Various applications of the notion also considered diverging theories of ecclesiastical government so as to resolve the issues associated with the notion of papal supremacy over conciliar authorities and over the authority of other patriarchates.

It should be noted in this context that Bolotov's rendering of theologoumenon aimed to facilitate the dialogue among the churches of apostolic origins. It embraced the issues of doctrine, exegesis and ecclesiastical structure, considering the fact that there was no explicit disagreement on the Canon of Scripture among the churches of apostolic origins, at least as far as "Chalcedonian Orthodoxy" is concerned.⁴³ However, this notion was also applied to the opinions of non-apostolic groups. Adolf von Harnack in the late 19th - early 20th centuries championed in this endeavor. This attempt to extend the applicability of this notion makes sense in the context of modern Christendom which, despite its fractured mode of subsistence, has, nevertheless, preserved a very unitive *phronema*. It is an upshot of the mindset of the great ecumenical church which existed before all splits and divisions.

Many scholars have indeed argued that the idea of unity and ecumenicity (i.e., a world-wide and unitive church) has never been perfectly instantiated in reality. This may be the case. Important, however, is the fact that historically the idea of unity was focal, at least, in the scope of Christian confession. Even in our day and age Orthodox and many non-Orthodox Christians confess One Holy Catholic and Apostolic Church. Considering this circumstance, some scholars extended the validity of "regional opinion" (i.e. theologoumenon) to all theological projections, including those of non-apostolic origins, thinking of them as reflecting existential conditions and cultural/historical horizons typical to certain localities. Schleiermacher's hermeneutics was at the service of ecumenical theology substantiating differences found in the products of reflective consciousness (including doctrine) as necessarily arising from diverging existential conditions and negating the possibility of "truth" and doctrine of an absolute kind.

For centuries Orthodoxy remained fully committed to its law and considered any dialogue with the movements that altered the law as "useless" at least or

⁴² Ibid., 578-579.

⁴³ Indeed, we may note that the Gospel of Thomas and the Shepherd of Hermas, among others, were used by some non-Chalcedonian groups, including Jacobite Orthodox and Ethiopians.

“childish” at most, denying the possibility of any meaningful dialogue with the groups that are not subject to the law. It found the source of unity precisely in its nomic foundations. Consequently, the idea of unity of the church established upon the unity of law, allowed the Orthodox to preserve their unitive mindset without compromising nomic foundations of its existence. It seemed that the unity of the “visible” body of Christ was thus deemphasized and an eschatological unity given priority. We still confess unity but as an eschatological reality experienced liturgically but not phenomenally. As a result, the Orthodox confession of and commitment to the One Holy Catholic and Apostolic Visible Church had not actualized itself in any sensible form until the twentieth century.

The situation has changed quite radically when Orthodox churches joined the WCC in 1919. This event apparently ruled out the chasm between the visible and the eschatological and moved the Orthodox collective mind to focus on the visible aspects of Christendom. Even more so, the document entitled *Baptism, Eucharist and Ministry*,⁴⁴ issued by the WCC and provisionally “received” by some Orthodox theologians (without giving a full assent to it so as not to commit to sacramental validity of all churches members of the WCC)⁴⁵ had an immense impact on global Orthodoxy. This document, among others (especially the ecumenical documents issued by in Accra 1974 and Lima 1982), has dramatically changed the general direction of the Orthodox perception of the ecumenical movement.⁴⁶ It clearly testified a quest for unity in the visible realm.

It is important, however, to note that some of the members of the WCC are “churches” or Christian groups of non-apostolic origins. Hence, their preaching

⁴⁴ See *Baptism, Eucharist and Ministry*. Faith and Order Paper NO. 111. World Council of Churches, Geneva, 1982.

⁴⁵ As Metropolitan Plamadeala rightly concluded, “as it stands now, as a text on which convergence is to be reached—since it is not yet a text of convergence the BEM document cannot be forwarded for reception by the churches in the sense in which the items of faith have been received in history.” Gennadios Limouris and Nomikos Michael Vaporis, *Orthodox Perspectives on Baptism, Eucharist, and Ministry* (Brookline, Mass.: Holy Cross Orthodox Press, 1985), 99.

⁴⁶ As we learn from Archbishop (now Patriarch) Kirill, “the agreed theological document on Baptism, Eucharist and Ministry ... is a substantial step forward along the way to the common expression of the apostolic Tradition and the faith of the early undivided Church.” Limouris, *Orthodox Perspectives*, 79. However, he also noted that “in spite of all the importance of the BEM document it is quite clear that it is not a ‘consensus’ on Baptism, Eucharist and Ministry, i.e., it does not reflect full doctrinal agreement. The text is a declaration with an exposition of convergence reached by a group of theologians, but not a declaration of the churches. The agreement does not embrace all problems which exist among the churches on questions of Baptism, Eucharist and Ministry.” *Ibid.*, 81.

and teaching does not correspond with the Orthodox understanding of “regional opinion” due to doctrinal and exegetical innovations. More important is the fact of them not being subject to the law. What can we do about this? How should we understand their teachings? On the one hand, there appears to be a sort of communication between Orthodoxy and non-orthodox groups. They communicate by opening up the possibility of the mutual recognition of the validity of certain sacraments (perhaps in some distant future). Does this ongoing dialogue mean that Orthodoxy in some ways endorses their teachings? Perhaps, partially? What about other groups’ teachings with whose vital force sets them far apart for the spirit of Orthodoxy? Do they utter blasphemies? Can their utterance be considered a legitimate extension of Christian thought? Does their preaching mean something of a definitive statement on Christian faith?

It is the matter of fact that there exist major impediments in any ecumenical dialogue where Orthodoxy plays a role. They are the following: the presence of an alien scripture or revelatory accounts (chiliasm), doctrinal deviations (broadly defined), deviant exegeses and an improper ecclesiastical structure (one that defies the idea of apostolicity). However, certain minor impediments, associated with minor variations in theologoumena and exegesis, those that can be reclassified as reflective of regional opinions, and minor variations in ecclesiastical structure, can be gradually resolved by opening up the pass to dialogue. In general, in the age of denominational Christianity marked off by an ever-increasing number of groups committing themselves to Christ and pleading allegiance to Christianity, Orthodoxy seems to have a definitive attitude to non-Orthodox nomic thought. This allows the Orthodox to structure an ecumenical dialogue accordingly.

It is my conjecture that Christian groups who remain faithful to the Canon of Scripture, doctrine, exegesis, and ecclesiastical discipline in more general terms (permitting a kind of structure of ecclesiastical authority and the legitimacy of succession) can be considered subject to the law with qualifications. For instance, any non-Orthodox groups committed to the Orthodox *nomos* or deviating from it only in the form of regional opinion, one that does not compromise the entire integrity of faith, can be considered legitimate members of Christendom thus having a legal voice in an ongoing ecumenical dialogue. I understand the *telos* of this ongoing ecumenical work on behalf of Orthodoxy as aiming to bring back various fractions of Christendom under the Orthodox nomic umbrella so as to foster divine *paideia* in different parts of the globe. This primarily concerns non-Chalcedonian Orthodoxy and secondarily all “split-away” but apostolically originated traditions. What about other groups? The possibility of their subjecting to the law and adjusting their, at times very flexible doctrinal foundations and polity, to the law may pave ways to a greater degree of unity and cohesion among churches even within the visible realm. To conclude: a gradual transition of

modern Orthodoxy from a narrow regional to a broader ecumenical (i.e. world-wide) domain, along with the transition from an eschatological understanding of unity to the phenomenal one, premised on the agenda of bringing back various “split-away” groups back to the nomic understanding of Christianity, may perhaps in the future lay out foundations for the unity among churches without negating an existing diversity within the visible but fractured body of Christ. Hence, a new unity in diversity, cemented by the Orthodox nomic thought, is the goal towards which all Orthodox should aspire.

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