

THE EXERCISE OF TEACHING POWER AND ITS CANONICAL BASES

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ABSTRACT

Since the participation of the two constituent elements of the Church, clergy and laity, in the administration of her teaching power, through acts of preaching, spreading, defending the Christian faith, formulating the truths of faith, etc., has both a scriptural and a canonical basis, in the pages of this canonical study we have examined both texts, to which we have given the necessary doctrinal clarifications. In order to show the canonical basis for the exercise of this teaching power, I have referred to the text of some canons (apostolic, ecumenical and local), which I have explained taking into account the canonical doctrine of the Eastern Church, which also confirms that the power of the Church comes from its Founder, that is, from our Lord Jesus Christ, and has been transmitted through His Holy Apostles and their successors, that is, through the bishops of the Ecumenical Orthodox Church (Universal/Catholic). According to this canonical doctrine, only the bishops of the Church are the "de jure" administrators of this power. Priests and laity can and do carry out acts of administration of ecclesiastical power, including teaching power, but only with the approval of the local hierarch, and within the limits of the power they have received through the Sacrament of Holy Baptism or through the Holy Sacrament of Ordination, as both the texts of the holy canons and the commentaries of some reputed canonists of ecumenical Orthodoxy show.

Keywords: *Christian faith; administration of ecclesiastical power; clergy; laity;*

INTRODUCTION

According to the teaching of the Eastern Church, the Church was "founded by Jesus Christ ... to save the world"¹, to whom he revealed "the teaching which everyone who wishes to be a member of the Church must receive"². As "Head" of the Church (*Ephesians* 5:23; *John* 10:11), Christ endowed all his Apostles "with equal power" to preach and spread the divine message. By virtue of the special mandate of our Lord Jesus Christ, the Holy Apostles had de jure divino the full exercise of the three branches of ecclesiastical power (teaching, sanctifying and ruling) (cf. *Matthew* 28:19; *Mark* 16:15).

Through the Holy Sacrament of Ordination, the Holy Apostles transmitted this power to their descendants, that is, to the bishops, but it does not have an infallible and universal character like that of the Apostles of Christ³.

A hermeneutical analysis of the text of some of the canons of the ecumenical and local synods of the first millennium, accompanied by research in the speciality literature has

¹ N. Mițaș, *Dreptul bisericesc oriental*, trans. I. Cornilescu / V. Radu, revis. by I. Mihălcescu, Bucharest, 1915, p. 170.

² N. Mițaș, *Dreptul bisericesc...*, p. 170.

³ L. Stan, *Mirenii în Biserică. Studiu canonic-istoric*, Sibiu, 1939, p. 103.

enabled us to see that the administration of the teaching activity was one of the main concerns of the priesthood, which had in the laity, since the apostolic age, reliable collaborators in their teaching activity.

By administering the teaching power, they thus gave expression to the following of the command of our Saviour Jesus Christ, according to which the Holy Apostles received the divine mandate to teach "all nations" (*Matthew* 28:19; *Mark* 16:15), and to spread the good news, that is, the Gospel of Christ, to the whole human race (cf. *Matthew* 10:2).

Throughout the centuries, the teaching activity of the members of the Church (clergy and laity) has been materialized through various acts, such as, for example, the instruction (catechesis) of those who are strangers to the Christian faith, both by sacramental ministers and lay people, with the aim of spreading, explaining and defending the right faith.

Those who administer the teaching power, however, must be "learned" and "skilled in the word"⁴, as the Constitutions of the Holy Apostles, written ad quem - post quem in the second half of the 3rd century and the first half of the 4th century, also stipulated.

1. EXERCISING THE TEACHING POWER OF THE CHURCH THROUGH THE MINISTRY OF PREACHING, SPREADING AND DEFENDING THE RIGHT CHRISTIAN FAITH

Teaching power, the first form of manifestation of the Church's power, has been exercised since the Church's foundation through the work of preaching and spreading the Christian faith.

In this work of exercising teaching power participated - along with the Holy Apostles - both clerics of divine establishment (bishops, priests and deacons) and lay believers⁵, men and women, as the texts of the ancient Canonical Collections of the Ancient Oriental Churches⁶ also show, such as, for example, those of the Egyptian (Coptic) Church and the Ethiopian Church, among "whose provisions are also those concerning the role of the laity"⁷ as "teachers, catechists"⁸, in spreading and defending the right faith.

The role of the catechists in the Old Church should not be confused with that of the didascals, who, although they "also fulfilled the role of catechists"⁹, nevertheless, they had "a wider circle of activity, and only of necessity were they also catechists"¹⁰, which made "from the fruit of the activity of the lay didascals"¹¹ develop over time "theological Schools"¹².

The Apostle Paul urged the Corinthians that "women should be silent in the church" (*I Corinthians* 14:34), reasoning - in the spirit of Jewish synagogue doctrine and practice - that "it is shameful for women to speak in the church" (*I Corinthians* 14:35). In their commentary on Canon 70 of the Sixth Ecumenical Council, the Byzantine canonists were

⁴ "Așezămintele Apostolice", lb. II, 1, in *Scrierile Părinților apostolici dimpreună cu Așezămintele și Canoanele apostolice*, trad. I. Mihălcescu et al., II, Chișinău, 1928, p. 15.

⁵ L. Stan, *Mirenii în Biserică...*, p. 64-109.

⁶ N. V. Dură, "Dialogul teologic între Biserica Ortodoxă și Bisericile Vechi Orientale. Rezultate și Perspective", in *Autocefalie și comuniune. Biserica Ortodoxă Română în dialog și cooperare externă (1885-2010)*, I.B.M.B.O.R. Publishing House, Bucharest, 2010, p. 272-297.

⁷ L. Stan, *Mirenii în Biserică...*, p. 97.

⁸ L. Stan, *Mirenii în Biserică...*, p. 97.

⁹ L. Stan, *Mirenii în Biserică...*, p. 97.

¹⁰ L. Stan, *Mirenii în Biserică...*, p. 97.

¹¹ L. Stan, *Mirenii în Biserică...*, p. 97.

¹² L. Stan, *Mirenii în Biserică...*, p. 97.

keen to add that "St. Paul commands women to be silent not only at Mass but in every assembly of the faithful"¹³.

This prohibition of women from teaching or speaking in the Church on matters concerning the Christian faith is indeed based on the Law of Moses, according to which "the woman" is ruled by "the man" (*Acts 3:16*).

The testimonies of the early Church, however, testify to the fact that "in the beginning", i.e., in the pre-Nicaean era, lay people (men and women) were allowed to read from the "Holy Scriptures", and "to preach in the Church"¹⁴, but "in time, however, they were prevented from doing so by synodal dispositions"¹⁵.

Such a ban was of course also due to the emergence of all kinds of heresies and dissident groups that no longer respected the apostolic and post-apostolic order of the early Church. This also explains why, from the 4th century, "it was forbidden for laymen to read from the Holy Books in the Church"¹⁶ unless they had "the clerical tonsure of anagnostics (readers or lectors), and who belonged to the lower clergy"¹⁷.

In the Old Church, on the occasion of the Holy Mass, the bishop or priest also prayed "for the priests, for the psalters, for the virgins, for the widows and orphans ..., for those who are married and giving birth to children, ..., for the eunuchs who live in holiness, ..., for those who live a humble and pious life"¹⁸.

From the same text of the Constitutions of the Holy Apostles we also note that the reader (anagnost) was ordained by an ordination from the hierarch, who was asked to seek "your servant", who is empowered to read the holy "Scriptures to your people"¹⁹ and give him "Holy Spirit, spirit of prophecy"²⁰.

The Fathers of the Sixth Ecumenical Council (Constantinople 691/692) noted that in their time, "in the land of the Armenians", there was still the practice of establishing "singers (*ἱεροψαλταὶ*) and readers (*ἀναγνώστα*) of the divine shrine"²¹, and that they were to have the "clerical pruning (*ἱερατικῆ κουρᾶ*)" (can. 33 Sin. VI ec.)²², without which - the Byzantine canonists specified - it was forbidden for anyone to read "the divine words (*τὰ θεῖα λόγια*) from the pulpit"²³.

But, as mentioned by the erudite canonist Rev. Prof. Liviu Stan, "the provision of canon 33 of Sin. VI ec. was not respected"²⁴, just as the provision of canon 14 of the Seventh Ecumenical Council was not respected, "because the laity have continued to read Scripture in the Church until today"²⁵.

From the text of Canon 14 of the Seventh Ecumenical Council we note that, in accordance with the "ancient custom", anagnostics were "ordained to the clergy in infancy,

¹³ Zonara, Commentary on can. 70 of Sin. VI ec., in G.A. Rhali and M. Potli, *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων* (*Syntagma of the Divine and Holy Canons*) (*Athenian Syntagma*), vol. II, Athens, 1852, p. 468.

¹⁴ L. Stan, *Mirenii în Biserică...*, p. 93.

¹⁵ L. Stan, *Mirenii în Biserică...*, p. 93.

¹⁶ L. Stan, *Mirenii în Biserică...*, p. 93.

¹⁷ L. Stan, *Mirenii în Biserică...*, p. 93.

¹⁸ *Așezămintele Apostolice*, ..., p. 232.

¹⁹ *Așezămintele Apostolice*, ..., p. 252.

²⁰ *Așezămintele Apostolice*, ..., p. 252.

²¹ *Athenian Syntagma*, vol. II, p. 379.

²² *Athenian Syntagma*, vol. II, p. 379.

²³ Balsamon, Commentary on can. 33 of Sin. VI ec., in *Athenian Syntagma*, vol. II, p. 380.

²⁴ L. Stan, *Mirenii în Biserică...*, p. 95.

²⁵ L. Stan, *Mirenii în Biserică...*, p. 95.

taking ordination (χειροθεσίαν) from the bishop"²⁶ to read "from the pulpit at Mass", but that at that time this ordinance was no longer observed, hence the obligation imposed by the Fathers of the Seventh Ecumenical Council that 'horebishops' also ordain readers, but only "with the bishops' permission"²⁷.

In their commentaries on Canon 14 of the Seventh Ecumenical Council, the Byzantine canonists also affirm that only the readers (anagnosts) could read "from the pulpit the Holy Scriptures (τὰς Βίβλους τὰς ἱεράς)"²⁸ because they had "the pruning in the clergy"²⁹. Some of the laymen were the illuminators and the christianizers of certain nations, such as, for example, the brothers Frumentius and Edesius of Syria, who christianized the Axumites³⁰, St. Nina, the christianizer of the Georgians (the Iberians, the Gruzinians)³¹, St. Gregory the illuminator³², the christianizer of the Armenians, etc.

The fact that women continued to carry out their teaching activity - which they also exercised through the mission of preaching the divine message - is attested by the paradigmatic example of Mother Teresa (1910-1997), originally from North Macedonia.

With regard to the missionary activity of women - materialized primarily in the preaching and defence of the faith of the apostolic Church - it should not be ignored that, in the Old Church, the woman "... was chosen to be a deaconess"³³, as it attested to us the prayer that the Church of that time addressed to "the eternal God, the Father of our Lord Jesus Christ" (2 *Corinthians* 1:3), "the Creator of man and woman, ..., and Who hast not thought it a shame that Thy Son, the only-begotten, should be born of a woman, Who also in the tabernacle of the testimony and in the temple hast chosen a woman to be the keeper of Thy holy gates, Thyself and now seek unto Thy handmaid, which hast been chosen to be a deaconess, and give her a Holy Spirit, and <purify> her (2 *Corinthians* 7, 1) from all filthiness of body and soul, that she may worthily perform the work entrusted to her, ..." ³⁴.

Being included in the category of divinely established clerics through the Holy Sacrament of Ordination, the woman therefore also had the duty to preach, defend and make explicit the right faith of the Church, especially in the midst of the female laity.

According to the canonical doctrine of the Eastern Church, "the office of the magisterium has its ordained ministers in the priesthood"³⁵, and, as such, the special teaching mission is by definition only carried out by divinely instituted clerics, but this ecclesiological-canonical reality has not eliminated the activity of the laity (men and women). Moreover, even the provisions of some canons of the ecumenical Synods, such as canon 64 of the Sixth Ecumenical Council, could not "eliminate the participation of the laity in preaching, since later it was observed that they were allowed to preach in the Church, with

²⁶ *Athenian Syntagma*, vol. II, p. 615; I. N. Floca, *Canoanele Bisericii Ortodoxe. Note și comentarii*, Sibiu, 1991, p. 163.

²⁷ *Athenian Syntagma*, vol. II, p. 615.

²⁸ Zonara, Commentary on can. 14 of Sin. VII ec., in *Athenian Syntagma*, vol. II, p. 468.

²⁹ *Athenian Syntagma*, vol. II, p. 468.

³⁰ N. V. Dură, *Organizarea Bisericii etiopiene și bazele ei canonice*, I.B.M.B.O.R. Publishing House, Bucharest, 1990, p. 17.

³¹ *Sfânta Nina cea întocmai cu Apostolii și luminătoarea Georgiei*, 2nd ed., Sofia Publishing House, Bucharest, 2012.

³² C. Toumanoff, *Les Dynasties de la Caucasic Chrétienne de l'Antiquité jusqu'au XIXe Siècle. Tables Généalogiques et Chronologiques*, Rome, 1990, p. 242.

³³ *Așezămintele Apostolice*, lb. VIII, XX, ..., p. 251.

³⁴ *Așezămintele Apostolice*, lb. VIII, XX, ..., p. 251.

³⁵ L. Stan, *Mireni în Biserică ...*, p. 85.

the will of the bishops"³⁶. Lay preaching continued to be practised in the Church, as it was in the Church of proconsular Africa (cf. canon 98 of the Synod of 398), but "under the control of the hierarchs"³⁷. That this was also the reality in the Constantinopolitan Church in the 12th century is also confirmed by the well-known Byzantine canonists in their commentary on canon 19 of the Sixth Ecumenical Council. For example, the canonist Balsamon makes express reference to the laity who preached and taught in the Great Church of the Imperial City during the time of Emperor Alexios I Comnenus (1081-1118)³⁸.

By Canon 64 of the Trullan Council, the Fathers of the Sixth Ecumenical Council forbade the laity only to preach the faith of dogmas (τὰ περὶ τῆς πίστεως δόγματα), and especially the preaching of it in public assemblies, i.e., outside the Church, which led to the disturbance of the "peace and good order in the Church"³⁹, and not the preaching and defence of the right (orthodox) faith.

In their commentary on this canon (64 Sin. VI ec.), the Byzantine canonists were also keen to reaffirm that, "if the laity are able to preach, <they also do not stop spreading and teaching in private (κατ' ἰδίαν) those who ask>"⁴⁰.

In fact, since the pre-nicene epoch, the laity were also allowed to teach catechumens during the "three years" of catechesis. Indeed, according to the testimony of the Constitutions of the Holy Apostles, "the catechumen for three years is to be catechized"⁴¹, and "he who teaches, even if he is a layman, but is clever in speech and of a chosen morality, let him teach"⁴², because, according to the word of our Lord Jesus Christ, "all will be taught of God" (*John* 6:45). Finally, we should also mention that, in principle, even the Basilicas⁴³, the collection of laws of Emperor Basil I Macedonian, published in 912 by his sons (Alexander and Leo VI the Wise) did not prohibit laymen from preaching, but only from discussing dogmatic or theological matters in public without the consent or blessing of the local bishop, or without their having the appropriate theological training. This is why, over the years, local Churches have provided in their canons for the obligation of bishops to have "doctores in ecclesiis"⁴⁴ (scholars in the Churches, i.e., theologians), to explain the doctrine of the Ecumenical Orthodox Church.

The work of preaching, spreading and defending Christian teaching was also carried out through the sermons delivered by the clergy of the Altar in the framework of the Holy Liturgy⁴⁵, on which occasion the truths of the Church's faith were explained in accordance with those "definitiones fidei" formulated by the ecumenical Church through the dogmatic decisions of the ecumenical synods, as was the case, for example, with the Niceno-Constantinopolitan Creed⁴⁶.

³⁶ L. Stan, *Mirenii în Biserică* ..., p. 86.

³⁷ L. Stan, *Mirenii în Biserică* ..., p. 87.

³⁸ Balsamon, Commentary on can. 19 of Sin. VI ec., in *Athenian Syntagma*, vol. II, p. 348.

³⁹ Balsamon, Commentary on can. 64 of Sin. VI ec., in *Athenian Syntagma*, vol. II, p. 455.

⁴⁰ Zonara, Commentary on can. 64 of Sin. VI ec., in *Athenian Syntagma*, vol. II, p. 454-455.

⁴¹ *Așezămintele Apostolice*, lb. VIII, XXXII, ..., p. 257.

⁴² *Așezămintele Apostolice*, lb. VIII, XXXII, ..., p. 257.

⁴³ See L. Stan, *Mirenii în Biserică* ..., p. 88.

⁴⁴ A Synod of the Armenian Church, meeting in Partav in 771, also expressed this view (*Fonti*, vol. VII, p. 243; L. Stan, *Mirenii în Biserică* ..., p. 89, n. 3).

⁴⁵ N. V. Dură, "Rânduiești și norme canonice privind administrarea Sfintei Euharistii", in *Spovedania și Euharistia izvoare ale vieții creștine*, II, Basilica Publishing House, București, 2014, p. 465-484.

⁴⁶ N. V. Dură, "Canoanele Sinodului II ecumenic și obligativitatea de a mărturisi și păstra cu credincioșie Crezul niceo-constantinopolitan", in *Ortodoxia*, XXXIII, 2 (1981), p. 442-459.

2. CANONICAL ORDINANCES AND NORMS CONCERNING THE EXERCISE OF TEACHING POWER BY CLERGY AND LAITY

The obligation of divinely instituted clerics⁴⁷ to preach and defend the right faith, specified and formulated by the decisions of the Synods, is also attested to by the provisions of certain canons of the Eastern Church⁴⁸, according to which clerics who do not fulfil this canonical duty are subject to the punishment of "suspension from the ministry"⁴⁹.

In this regard, Apostolic Canon 58 provides that a bishop or presbyter who shows "carelessness" and does not teach "the clergy or people ... the right faith, shall be afflicted, and if he continues in carelessness and sloth, he shall be unfrocked"⁵⁰.

With regard to the punishment of damnation, it should be pointed out that both in Apostolic Canon 58 and in other Apostolic Canons (5, 29, 57), it "does not have the meaning of excommunication, but only that of suspension from the ministry"⁵¹, but, in case of carelessness and laziness of the clerics concerned, they were punished by defrocking.

To the text of Apostolic Canon 58, reiterated in its principle provision by the Fathers of the Sixth Ecumenical Council, they also added the obligation of the bishop and priest not to be "overcome by the passion of ignorance" (can. 19 Sin. VI ec.), since this no longer enables them "to teach every day ... the words of the right faith" (can. 19 Sin. VI ec.).

The same Holy Fathers forbade the bishop "to teach publicly in another city" not under his canonical jurisdiction. He who has done so, must "cease from the episcopate; he is to perform only those of the presbyter" (can. 20 Sin. VI ec.). In this state, the bishop in question "can only perform the office of presbyter, i.e., he is not permitted, although he has the grace capacity, to ordain, to consecrate the holy sacrament, etc."⁵².

According to the canons of the Orthodox Church, clerics also have the duty to instruct and teach the heterodox⁵³ who are to be received into the Church (cf. can. 7 Sin. II ec.; 96 Sin. VI ec.).

Among other things, the Fathers of the Second Ecumenical Council (Constantinople 381-382)⁵⁴ had noted with bitterness that in the Church "much was done either out of necessity or at the insistence of men against the canon of the Church"⁵⁵, as had been the case with those who had "recently come from the pagan life to the faith"⁵⁶, that is, to the Orthodox faith, who were "baptized" or "promoted to the episcopate or the presbyterate"⁵⁷ without having been sufficiently catechized, hence the provision of principle set forth in Canon 2 of the First Ecumenical Council, according to which they were to be catechized "even after baptism"⁵⁸.

⁴⁷ C. Mititelu, "Clericii de instituire divină și îndatoririle lor după Pravila de la Govora", in *Revista de Teologie Sfântul Apostol Andrei*, 1 (2013), p. 245-255.

⁴⁸ N. V. Dură, "Învățătura credinței ortodoxe după canoanele Bisericii Ortodoxe", in *Biserica Ortodoxă Română*, XCVIII, 5-6 (1980), p. 663-670.

⁴⁹ I. N. Floca, *Canoanele Bisericii Ortodoxe...*, p. 36.

⁵⁰ I. N. Floca, *Canoanele Bisericii Ortodoxe...*, p. 36.

⁵¹ I. N. Floca, *Canoanele Bisericii Ortodoxe...*, p. 36.

⁵² I. N. Floca, *Canoanele Bisericii Ortodoxe...*, p. 112.

⁵³ C. Mititelu, "Norme și rânduiri canonice privind modalitățile primirii eterodocșilor în Biserica Ortodoxă", in *Revista de Teologie Sfântul Apostol Andrei*, 1 (2008), p. 322-336.

⁵⁴ N. V. Dură, "Legislația canonică a Sinodului II ecumenic și importanța sa pentru organizarea și disciplina Bisericii", in *Glasul Bisericii*, XL, 6-8 (1981), p. 630-671.

⁵⁵ *Athenian Syntagma*, vol. II, p. 116.

⁵⁶ *Athenian Syntagma*, vol. II, p. 116.

⁵⁷ *Athenian Syntagma*, vol. II, p. 117.

⁵⁸ *Athenian Syntagma*, vol. II, p. 117.

In their commentary on Canon 2 of the First Ecumenical Council, the twelfth century Byzantine canonists also reaffirmed the canon's basic provision that the divinely instituted clergy have a duty to continue the catechetical process both of the faithful after receiving the Holy Sacrament of Baptism and of clerics after their promotion to the rank of bishop and presbyter⁵⁹.

In the field of the provision of principle set forth in Apostolic Canon 58, reaffirmed by Canon 2 of the First Ecumenical Council, the Fathers of the Sixth Ecumenical Council laid down the obligation of all "the primates of the Church ... to teach the clergy and the people every day, and especially on Sundays"⁶⁰, but not to depart in their preaching from what was "taught by God the Father-bearers (τὴν ἐκ τῶν Θεοφόρων Πατέρων παράδοσιν)" (can. 19 Sin VI ec.)⁶¹.

Therefore, the sources and inspiration for preaching must be Holy Scripture and the teaching of the Fathers of the Ecumenical Church, who were indeed "the enlighteners and teachers of the Churches through their writings" (can. 19 Sin. VI ec.)⁶².

According to the canonical teaching of the Orthodox Church, heterodox who were to be "attached to Orthodoxy and to the part of those who are saved"⁶³ had first of all to renounce and anathematize "all heresy" and to confess and teach "as Holy Catholic (universal/ecumenical n.n.) and apostolic Church of God" (can. 95 Sin. VI ec.)⁶⁴, i.e., one Holy, Ecumenical and Apostolic Church.

According to the "ordinance and custom" of the Apostolic and Ecumenical Church (cf. can. 7 Sin. II ec. and can. 95 Sin. VI ec.), heretics were received into "those of Orthodoxy" (can. 1, Sin. III ec.), i.e., to the Orthodox Church, through three procedures.

The first procedure involved the confession of the Orthodox faith in writing; the second involved anointing with the Holy Chrism, and finally, the third involved rebaptism (cf. can. 18 and 19 Sin. I ec.; can. 1 and 7, Sin. II ec. and can. 95 Sin VI ec.).

As regards the confession of the Orthodox faith, this involved the spread, defence and explanation of the faith established and formulated - through their dogmatic decisions - by the Holy Fathers of the Ecumenical Synods.

This teaching of faith of the Ecumenical Orthodox Church was transmitted not only through catechesis and catechetical teaching, proper to the didactic activity of the pre-Nicaean Church, but also through its transmission through the schools of theological education, which were not lacking neither in the Romanian Orthodox Church.

According to God's command and the apostolic ordinance of the Church, the lay believers (laity) were "obliged to confess Christ and the truths of the faith to which he has called us" (*Matthew* 10:32)⁶⁵, which proves that they too received the teaching ministry from Christ.

The fact that towards the end of the 7th century the Sixth Ecumenical Council prohibited - by Canon 64⁶⁶ - "public discussion of the faith and teaching as a teacher"⁶⁷, i.e.,

⁵⁹ See the Commentaries of Zonara, Balsamon, and Aristens on Canon 2 of the First Ecumenical Council, in *Athenian Syntagma*, vol. II, p. 117-120.

⁶⁰ *Athenian Syntagma*, vol. II, p. 346.

⁶¹ *Athenian Syntagma*, vol. II, p. 346.

⁶² *Athenian Syntagma*, vol. II, p. 346.

⁶³ *Athenian Syntagma*, vol. II, p. 529.

⁶⁴ *Athenian Syntagma*, vol. II, p. 530.

⁶⁵ I. N. Floca, *Canoanele Bisericii Ortodoxe...*, p. 136.

⁶⁶ *Athenian Syntagma*, vol. II, p. 453.

⁶⁷ Zonara, Commentary on can. 64 of Sin. VI ec., in *Athenian Syntagma*, vol. II, p. 454.

that the laity teach in public, does not mean that they were forbidden to spread and teach the right faith. On the contrary, according to the ordinance and ancient Church practice the laity could continue to exercise teaching power, but with the express approval of the hierarchy. Indeed, Canon 64 of the Sixth Ecumenical Council only forbade the discussion of the dogmas of the faith in a public place (δημοσία) without the approval of the local bishop, must be understood in this sense.

In their commentary on Canon 64 of the Sixth Ecumenical Council, the classical Byzantine canonists also reaffirmed the principle provision of this canon, namely "that the laity should not make discourses on the faith or teach as teachers (διδάσκολον) in public ..."⁶⁸. But they were keen to point out that the Fathers of the Sixth Ecumenical Council did not forbid the right of the layman to preach and teach the faith of the Church if he has the approval of the local hierarch.

The text of Canon 70 of the Sixth Ecumenical Council, which forbids "women to speak during the Divine Liturgy"⁶⁹, has been interpreted and understood in the same sense, to which Byzantine and modern-day canonists have added the prohibition of women to engage in "public discussions of a religious-dogmatic character"⁷⁰.

The Fathers of the Ecumenical Synods foresaw the duty of divinely established clerics to teach and catechize the faithful of all ages and of both sexes. For example, the Fathers of the Seventh Ecumenical Council (Nicaea 787) made a point of providing for the obligation of clerics to teach "children" and "married couples" to read "with perseverance the Holy Scriptures, because - the Holy Fathers reasoned - for this they received the priesthood" (can. 10 Sin VII ec.)⁷¹.

In their commentary on this canon, the Byzantine canonists stated that the graceful state of divinely instituted clerics implies their duty to "teach" both the "children" of their masters and those of their servants, namely "slaves"⁷², which reveals the humanist spirit of Christian doctrine towards slaves⁷³, which is in fact anchored in the natural moral law.

According to another reputed Byzantine canonist of the 12th century, the cleric who does not fulfil this duty, i.e., to instruct, teach and catechise the "children" and "housewives" of the slave owners, was "to be catechised"⁷⁴.

The teaching activity of the Church, which has materialized in particular through the preaching of the Church's priests, must be in the spirit of the teaching formulated by the Fathers of the Orthodox Church, expressed in the decisions of faith of the ecumenical synods, and which, indeed, are nothing other than acts of preaching and defending "the right faith", expressed "in an official and authentic form"⁷⁵.

These acts of preaching the right faith, which also imply the prohibition of saying prayers "against the faith", or others than those which were "once gathered by the most wise" (can. 103 Carthage), i.e., by the Fathers of the Ecumenical Church, and ordained by synodal decisions.

⁶⁸ *Athenian Syntagma*, vol. II, p. 454.

⁶⁹ *Athenian Syntagma*, vol. II, p. 467-468.

⁷⁰ I. N. Floca, *Canoanele Bisericii Ortodoxe...*, p. 138.

⁷¹ *Athenian Syntagma*, vol. II, p. 588.

⁷² Zonara, Commentary on can. 10 of Sin. VII ec., in *Athenian Syntagma*, vol. II, p. 588.

⁷³ C. Mititelu, "Dreptul natural, ca temelie al libertății sclavilor, în concepția lui Epifanie din Moirans (1644-1689)", in *Revista de Teologie Sfântul Apostol Andrei*, 1 (2012), p. 282-293.

⁷⁴ Aristen, Commentary on can. 10 of Sin. VII ec., in *Athenian Syntagma*, vol. II, p. 590.

⁷⁵ I. N. Floca, *Drept canonic ortodox. Legislație și administrație bisericească*, vol. II, I.B.M.B.O.R. Publishing House, Bucharest, 1990, p. 28.

The laity participate in the exercise of the teaching power of the Church by virtue of the grace received through the Sacrament of Holy Baptism⁷⁶, by which the one who is endowed with this Sacrament is enrolled in the category of "holy priesthood", hence the obligation of those baptized "according to the ordinance of the Lord, in the Father and in the Son and in the Holy Spirit" (cf. can. 49 ap.)⁷⁷, that is, in the name of the Holy Trinity, to offer "spiritual sacrifices acceptable to God through Jesus Christ" (1 *Peter* 2:5).

The members of this "holy priesthood", i.e. the laity, can exercise teaching power (potestas magisterii) only with the approval of the divinely instituted clergy, and in particular the bishop and the priest, but it should not be ignored that in the Church, both clerics and faithful are "a royal priesthood, a holy nation, a people of God's own making", from which follows their right to proclaim "to the world the goodness of him who called them out of darkness, into his marvellous light" (1 *Peter* 2:9).

Thus, according to both the scriptural and canonical texts, "all the lay faithful in union with the hierarchy form a priesthood"⁷⁸, whose principal duty is also to participate in the exercise of teaching power.

CONCLUSIONS

From the examination of the text of the canonical legislation of the Eastern Church, in conjunction with her canonical doctrine, it was seen that the teaching power is exercised by bishops, and that, by their empowerment, also by priests and deacons according to the degree of their grace. Therefore, the power held and exercised by the bishop is not an exclusive and absolutist one, so that "it does not remain for deacons and lay people to participate in the exercise of this power"⁷⁹.

The legislation and canonical doctrine of the Orthodox Church also attest to the fact that "the right of the ruling Church to teach does not exclude that of the laity"⁸⁰, even if later there were periods in which they "were forbidden to preach before the bishop and then only with the permission of the ecclesiastical authority where they allowed to preach"⁸¹.

By these ephemeral prohibitions, it was intended that no one should be able to take upon himself the "teaching office", but that he should obey "the ordinance preached by the Lord"⁸², according to which they can only be taught with the consent of the ecclesiastical authority, because only "those who have received the gift of the word of teaching" are entitled "to teach the divine things" (can. 64 Sin VI ec.)⁸³.

The Church has forbidden the laity who have not received teaching power from those who hold it, i.e., the bishops, to preach from the pulpit or to speak publicly on matters of Christian doctrine. But the laity may also "teach the things of the faith ..., if they know them, if they have the approval of a bishop or priest"⁸⁴, since "all the faithfuls are obliged to confess Christ and the truths of the faith, to which he has called us (*Matthew* 10:32)"⁸⁵.

⁷⁶ N. V. Dură, *Rânduiești și norme canonice privind administrarea Sfintei Euharistii ...*, p. 465-484.

⁷⁷ I. N. Floca, *Canoanele Bisericii Ortodoxe ...*, p. 32.

⁷⁸ N. Mihaș, *Dreptul bisericesc...*, p. 182.

⁷⁹ L. Stan, *Mirenii în Biserică...*, p. 105.

⁸⁰ L. Stan, *Mirenii în Biserică...*, p. 108.

⁸¹ L. Stan, *Mirenii în Biserică...*, p. 108.

⁸² I. N. Floca, *Canoanele Bisericii Ortodoxe ...*, p. 135.

⁸³ I. N. Floca, *Canoanele Bisericii Ortodoxe ...*, p. 135.

⁸⁴ I. N. Floca, *Canoanele Bisericii Ortodoxe ...*, p. 136.

⁸⁵ I. N. Floca, *Canoanele Bisericii Ortodoxe ...*, p. 136.

Finally, from this brief presentation it can be seen that in the Eastern Orthodox Church the teaching power was exercised according to the ordinances established by the Lord and his Apostles, and the canonical norms laid down by the ecumenical canonical legislation of the first millennium, which have the force of *jus cogens* for the whole Orthodox Church.

Hence the obligation to know and apply both the ordinances established by the Founder of the Church and conveyed by His Apostles, and the canonical norms concerning the way in which the Church's teaching power (*potestas magisterii Ecclesiae*) is administered by all its members (clergy and laity).

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