A COMMENTARY ON CANON XXVIII OF THE COUNCIL OF CHALCEDON

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In strict accordance with the decrees of the holy fathers, and in full cognizance of the canon — whose perusal we have just heard — of the one hundred and fifty most God-beloved bishops gathered together in the reign of the great Theodosius of pious memory who ruled as king in the royal city of Constantinople, New Rome, we ourselves define and decree the very same things regarding the privileges of the most holy church of the aforesaid Constantinople, New Rome. Just as the fathers have quite rightly allotted privileges to the elder Rome on account of its being a royal city, so likewise were the most God-beloved one hundred and fifty bishops moved to accord the same privileges to the most holy throne of the younger Rome. In so doing they quite reasonably judged that the latter city, already enjoying the dignity of royalty and senatorial government and the same secular privileges as the elder royal Rome, should be raised to the same high status as she in religious matters also, being second after her. And the following episcopal consecrations shall be reserved to the aforesaid most holy throne of the most holy church of Constantinople: metropolitans only of the Pontic, Asian and Thracian dioceses, but all bishops of these dioceses whose work involves dealing with pagans. Of course each metropolitan of the abovementioned dioceses shall continue to consecrate, together with the bishops of that province, new bishops for his province, as laid down in the holy canons. But as stated the metropolitans themselves of the above-mentioned dioceses are to be consecrated by the Archbishop of Constantinople, after due process of election according to custom, and communication to him of the results.

The Council of 630 bishops at Chalcedon, just across the Bosporus from Constantinople, in the year 451, is the fourth of the seven councils recognised...
by East (but see below) and West as ecumenical, and is doctrinally perhaps
the most important of them all, establishing once and for ever the christology
of the catholic orthodox church. However it did not do so without causing an
enormous rift in christendom that its adherents would do well to keep in
mind, be they Catholic, Orthodox or indeed other ‘Chalcedonian’ Christians.
For the effect of Chalcedon was to separate most of the Christians of the
Patriarchate of Alexandria, and a majority also of those of the Patriarchate
of Antioch, from the ‘official’ (orthodox, catholic, imperial, ‘melkite’) church; and it is estimated that after 451 the total of non-Chalcedonian
Christians (Monophysites, or believers in the One Nature of Christ; plus
Nestorians, condemned in 431 at Ephesus) was considerably greater than
that of adherents of the ‘official’ church. Nestorianism, though it once
planted missions in China and Tibet, is today practically extinct; the
Monophysites on the other hand (sometimes known as ‘Oriental Orthodox’) number several millions in Egypt, and are the dominant group in Ethiopia.
Doctrinal rectitude aside, there can be little doubt that the decisions of the
630 bishops assembled at Chalcedon had a political motivation as well;
Dioscurus, successor to St. Cyril of Alexandria, had to be put in his place
just as the Dioscuran party had succeeded in getting Nestorius and his
followers put in their place twenty years before at Ephesus. Almost as if
anticipating the separation of the ‘Oriental Orthodox’ and the consequent
reduction of the ‘official church’ patriarchates of Alexandria and Antioch,
the 630 council fathers, as well as settling the outstanding doctrinal issues of
catholic orthodox christology (in a nutshell, in Christ there are two natures,
one divine and one human, but only one person, which is divine) passed a
number of disciplinary canons, 30 in all, several of which (most notably
nos. IX, XVII, XXVIII) tend to up-grade Constantinople at the (presumed)
expense of the historically more venerable patriarchal sees of Alexandria
and Antioch, and it is the twenty eighth of these that forms the subject of
study. As will be evident, this canon, which was not originally recognised by
Rome — it has never been officially recognised though long since afforded
de facto recognition — contained the seeds of the Great Schism that split
the Chalcedonian church temporarily in the ninth century and permanently
(with fleeting remissions) in the eleventh.

A commentary on the Greek text now follows: the accompanying English
version is that of the present writer, since the only printed version readily
available to him (dated 1867!) is wildly inaccurate.

πανταχοῦ .... .... ἐπόμενοι
i.e. in all their pronouncements, both doctrinal and disciplinary. Ecumenical
councils confirm their predecessors; they sometimes also expressly forbid alteration by their successors.
Τόν ἀρτίως ἀναγνωσθέντα κανόνα
i.e. canon III of the second ecumenical council, held at Constantinople in 381. Short and to the point, here it is — Τόν μέν τοι Κωνσταντινουπόλεως ἐπίσκοπον ἔχειν τὰ πρεσβεία τῆς τιμῆς μετὰ τὸν τῆς Ῥώμης ἐπίσκοπον, διὰ τὸ εἶναι αὐτὴν νέαν Ῥώμην. — The bishop of Constantinople is to have primacy of honour after the bishop of Rome, since that city [i.e. Constantinople] is New Rome.

τῶν εκατόν πεντήκοντα θεοφιλεστάτων ἐπισκόπων
Early councils were identified by the number of bishops attending, possibly in view of confusion over dating. Thus the first four councils were referred to as those of the 318, or 150, or 200, or 630 ‘most God-beloved’ bishops (cf. the Ten, the Thirty, the Four Hundred, the Five Thousand in Athenian political history).

τοῦ τῆς εὐσεβοῦς μνήμης μεγάλου Θεοδοσίου
Theodosius the Great, born in Spain in approximately 346, made Emperor of the East in 379 till his death in 395, in Milan. If he was ‘pious’ in 381, it would seem he became somewhat less so in his later years, if the testimony of Pope St. Zosimus (†418) can be trusted.

συναχθέντων ἐπὶ
The second council was convoked during the reign of (ἐπὶ plus genitive) Theodosius; as it happens it was also convoked by him (ὑπὸ plus genitive) without consultation or approval from Rome, causing the council not at first to be recognised by Rome. One can only speculate whether the distinction between the timing and the summoning of a council did not get somewhat blurred, all the more since the Emperor did in any case exercise the role of patron, and sometimes also of chairman; the jump from ἐπὶ to ὑπὸ (same consonant, same stress pattern, same case) is not a great one.

βασιλέως ... βασιλίδι
Given as ‘king’, ‘royal’ in the English version above. Of course in Latin the term was imperator not rex, hence the common English ‘Emperor’. But the term in Greek is the simple word for ‘king’ (βασιλεύς) even though other words had been coined in Greek for the notion of Roman Emperor: καίσαρ / αὐτοκράτωρ / σέβαστος / πρίγκηψ.

Κωνσταντινουπόλεως
Note the omega of the first syllable (suggesting our English short ‘o’ is wrong), and the connecting diphthong (albeit a ‘spurious’ one) ου. The name is half Latin, and thus less Greek than either its predecessor βυζάν-
τιον Byzantion or, oddly, its successor Istanbul; this name, supposedly Turkish, in fact derives from εἰς τὴν πόλιν and is thus more Greek than the name it supplanted. For the Byzantines, 'the City' was designation enough.

νέα Ῥώμη

'New Rome' has become an accepted expression, but it is well to recall that νέος also means 'young', and that the latter meaning seems more appropriate when νέα Ῥώμη is contrasted with πρεσβυτέρας Ῥώμης or 'elder Rome'. In fact, in koiné Greek it seems that νέος in the sense of 'new' rapidly loses to καινός: a quick check with the concordance shows that of 18 occurrences of 'new' in the English New Testament (= Καινή Διαθήκη!) fifteen are rendering καινός or a form thereof, while only three stand for νέος. What was meant then by νέα Ῥώμη? It is suggested that it was something like 'a second Rome', 'another Rome', 'the continuation of Rome in our present circumstances', thus going far beyond the modern use of 'New' in, e.g. New York, New Brunswick or indeed New Zealand. This was certainly the later interpretation, as borne out by the designation of Moscow as the 'Third Rome' after 1453, when the Second Rome — and the First Rome long before it — had fallen. That this was the meaning at the time is however likely conjecture rather than fact.

κοί ήμείς όρίζομέν τε καί ψηφιζόμεθα

Formal, legal language: 'We the undersigned hereby declare and determine' would be a looser rendering.

περὶ τῶν πρεσβείων

Basically πρεσβεία are 'privileges', and the word is so rendered throughout the version above, but it shades into 'primacy' or 'priority' or 'seniority', deriving from πρέσβυς meaning 'elder'. The same root provides also presbyter, presbytery, Presbyterian, Prester (as in Prester John) and of course priest. Curiously however in the Greek church of today, the word for 'priest' is not πρέσβυς or πρεσβύτερος, but ιερέας or παπάς. A married priest’s wife is called πρεσβυτέρα, but this is purely honorific. As well as (τὰ) πρεσβεία, there is also (ἡ) πρεσβεία which basically means 'mission' or 'embassy'; in ecclesiastical Greek it has come to mean 'intercession', referring to the Mother of God or the Saints.

ἀγιωτάτης

Here, and again below, the church of Constantinople is described as 'most holy', whereas this attribute is never accorded to the church of Rome, on whose 'privileges' (πρεσβεία) those of Constantinople are based. The Council of Chalcedon was in fact chaired by the Roman legates, though
they were absent from the session that produced canon XXVIII; one cannot but suspect that 628 of the 630 ‘most God-beloved’ bishops were here engaged in some rather unedifying ecclesiastical point-scoring.

εκκλησίας
ή εκκλησία is the church as an institution; in particular, the local church community, gathered eucharistically around its bishop. Thus the word has a plural, αἱ εκκλησίαι, meaning the collectivity of such local churches, thus all the churches of a province (ἐπαρχία, eparchy), ultimately all the churches of christendom, ή εκκλησία τῆς οἰκουμένης γῆς, or the Universal Church. The word did not, and still today does not, carry the meaning of ‘churches of different denominations’ or ‘churches not in communion with one another’ as in English or (excepting Greek) in other modern languages.

Κωνσταντινούπολεως νέας Ρώμης
There is something very solemn, very majestic, about this long name, the more so when adorned with ‘New Rome’; furthermore, repetition of name and title is linguistically quite superfluous. Are not the council fathers rubbing it in a little?

tῷ θρόνῳ
The language is that of the principate, borrowed by the church. It is clearly the episcopal throne of Rome that is intended, not the imperial one.

τῆς πρεσβυτέρας Ρώμης
Rome is accorded seniority because of her apostolic foundation. Saints Peter and Paul both visited Rome, and St. Peter is further held to have established the episcopate there, though if the hypothesis of a ‘roving apostolate’ is maintained, it is misleading to maintain that he was the first bishop of Rome, tout court. Apostolicity was prized for the high status it brought a church in the East, and unlike all the other ancient Patriarchates, Constantinople could not claim apostolic beginnings, despite the utterly unsupported legend that St. Andrew went there.

dιὰ τὸ βασιλεύειν
This phrase is crucial. Explanations as to why the primacy should attach to Rome and not to any other See tend to divide on confessional lines: Roman Catholic theologians strongly present the argument of apostolic succession from St. Peter (the ‘Petrine’ argument), quoting in its defence Matthew XVI, 18–19. Greek Orthodox theologians prefer to point out the historical and administrative position of Rome (the ‘political’ argument), quoting this phrase of canon XXVIII in its favour; the utterances of an ecumenical
council are supremely authoritative in Orthodox eyes. Anglicans and other Western Christians often adopt a similar position, though not recognising the canon as definitive. A third argument, which however is not confessional, derives from Rome’s acknowledged purity of faith at this period (the ‘purity’ argument), not contested even by her rivals until later centuries. The well-known phraseology of St. Ignatius of Antioch (ἡ ἐκκλησία ἡ προκαθημένη ἐν τῇ ἀγάπῃ) and of St. Irenaeus of Lyons (in qua [ecclesia] semper ab his qui sunt undique conservata est ea quae est ab apostolis traditio) is often quoted here, though interpretations as to quite what is meant, differ.¹ In fact, all three arguments were at times put forward in the pre-schismatic church for Roman primacy;² what was not done, and what confessional allegiance today makes a sine qua non, is to establish exactly what that primacy entailed. This is a theological issue, or more precisely an ecclesiological one, but the following considerations may not be totally irrelevant: firstly, the Petrine and political arguments are not only compatible but also complementary: the reason why Peter went to Rome was precisely because of its imperial role: διὰ τὸ βασιλεύειν τὴν πόλιν έκείνην. Secondly, on the basis of the Petrine argument, primacy falls to Rome per accidens; had Peter stayed in Antioch, that See would presumably have held it. In fact the successors of Peter, though still nominally bishops of Rome, resided at Avignon for several decades. Thirdly, the political argument if rendered valid by the foundation of an Eastern Empire would surely seem to have been rendered obsolete by the events of 1453. Taken to logical extremes, the political argument alone would suggest that primacy today should belong to the bishop of Geneva, or of New York, with no way of knowing what the position might be within another half-century or so. Fourthly, the argument from purity of faith becomes superfluous on the ‘strong’ (=traditional Roman Catholic) interpretation of the Petrine argument, being a necessary concomitant of it; the purity argument however is supportive of less rigid interpretations of the Petrine position, including those by recent Roman Catholic theologians.³ It is a matter of record that in the pre-schismatic church, departures from orthodoxy of faith were far fewer and shorter-lived in Rome than in the other patriarchal or metropolitan Sees, a point readily attested by Orthodox theologians today as a matter of contingent but historical fact.⁴

1. See The Primacy of Peter in the Orthodox Church by J. Meyendorff, N. Afanassieff, A. Schmemann and N. Koulomzine (The Faith Press, 1963), pp.95ff. The whole collection, by four émigré Russian theologians, is a lucid presentation of an Orthodox view of Roman primacy.
3. Such as, for example, Yves Congar (France) and Francis Dvornik (U.S.A.).
4. Both Fouyas and Ware, opp.citt., attest to this.
It is legitimate to align Greek tense usage as between aorist and perfect with that of English as between past and perfect, we may read into the suggestion that the assignment of privileges of primacy to the elder Rome is still valid (‘have given’ and not ‘gave’), and is not undone by their extension to Rome’s junior partner. This for the metagrammatical reason that the (Greek or English) perfect describes a past event as it relates to the present, and is thus an extension of the present tense, a point reflected also morphologically in both languages. This of course contrasts with of the next sentence.

‘Accorded’, not ‘have accorded’. But this has a grammatical explanation in that the event is tied to a context of past chronology, in this case reference to the 150 most God-beloved bishops, it being assumed to be common knowledge when the 150 most God-beloved bishops convened. The English version above reflects this tense usage, coincident in this case in both English and Greek.

The former refers to Constantinople, the latter to Rome. The division of the empire amounted in all but name to a dual monarchy, of the Austro-Hungarian type. Each half of the empire was co-equal with the other. However — and here the Habsburg model is very different — the division was not primarily a linguistic or racial one, contrary to common opinion. The Western Empire included Greek speakers (in Magna Graecia), as did the Eastern Empire Latin speakers (in Dacia); further, Greek-speaking citizens continued to consider themselves as Romans (‘Romani’ and their literary culture as ‘Romania’.6

See above remarks on νέα ‘Ρωμη, on ἁγιωτάτῳ, and on θρόνῳ, and note the sonorous effect of the phrase as a whole, compared with the sparse mention of the original or elder Rome.
‘Principatus et senatus’ in Latin, referring to the dyarchy established by Augustus in the closing stages of the ‘Roman Revolution’ (vide Sir Ronald Syme).

The grammar of this sentence (ἀπολαύουσαν is a participle, μεγαλύνεσθαι an infinitive) makes it imperative that we read the former attributively, the latter predicatively, and that τῶν ἵσων πρεσβεῖων be understood as the already existing secular and civic ‘privileges’ going with being an imperial city. Hence the insertion of ‘secular’ in the version above.

Here not only is Rome, unlike Constantinople, not ‘most holy’, but her ‘throne’ is not even explicitly mentioned, though it is obviously intended.

We should be wary of being content with ‘in ecclesiastical affairs’, as the word ‘ecclesiastical’, albeit lexically the same word, has undergone a subtle change of tone. ‘Church matters’ or (in a modern context) ‘religious’, ‘clerical’ or even ‘ecclesial’ would be closer. Literally, ‘relating to the (Christian) assembly’.

The active form means to exalt, to extol, to ‘magnify’ in the sense of ‘My soul doth magnify the Lord’ (Luke, I, 46), which is its best-known Christian use. Not obviously the most apposite word for ascribing honours to a church, however important.

The word can mean second in serial numbers, or in time (thus ‘another example of’), or in order of rank, this last-named being recognised as a sub-classification in its own right by Liddell & Scott. Clearly this sense is intended here, not without overtones of the second (see above on νέα Ῥώμη), while proponents of Moscow as the ‘Third Rome’ might prefer the first.

In spite of all that has been said to show how canon XXVIII promotes the See of Constantinople, it remains the case that Rome is still at the top of the list. Rome’s primacy (whatever that might be deemed to comprise) continues to be acknowledged by this canon. The rise in status of Constantinople comprises being next after Rome, but of Rome’s own position there is no doubt before
(at the earliest) the ninth century. However what is significant here is the displacement of Alexandria and Antioch as the second and third Sees of Christendom respectively. It is true that many of the bishops within these patriarchates were of monophysite tendency and were therefore to be severely compromised by the doctrinal pronouncements of the 630 Chalcedonian fathers (see initial remarks), but the simultaneous issue of dogmatic and administrative edicts suggests that in the latter the ecclesiastical law-makers could rightly be accused of begging the question. In any case it is from this time that the notion of a ‘pentarchy’ of patriarchal Sees becomes dominant, the five patriarchates being, in order, Rome, Constantinople, Alexandria, Antioch, Jerusalem.

The rest of canon XXVIII is uncontroversial, but comments follow on those parts of it which have some bearing, however indirect, on the above theme.

μητροπολίτας
Senior bishop of a province, later (in Greece) an honorary title for any bishop. A hierarchy is being established: bishop–metropolitan–patriarch. The extension of this chain to ‘pope’ is not supported by any conciliar document, though staunchly asserted by the more traditionalist Roman Catholic apologists.

χειροτονεῖσθαι
The ‘laying-on-of-hands’, which does duty both for the ordination of a deacon or a priest, and for the consecration of a bishop. In the Eastern Church the right (rather than the power) to consecrate has always been a matter of ecclesiastical politics, and Constantinople’s reservation to herself of this right in certain circumstances is closely bound up with her ‘primacy’ not only within her own patriarchate but all over the Christian East.

7. This is not intended as a statement of the Roman Catholic position. If Catholic theologians wish to assert that primacy contains elements of jurisdiction as well as of dignity or honour, the onus is on them to prove it.

8. Notably and energetically by Adrian Fortescue, *The Orthodox Eastern Church* (Catholic Truth Society, 1907), passim. Fortescue’s achievement in this volume and its companions *The Lesser Eastern Churches* (C.T.S., 1913) and the uncompleted, posthumously published *The Uniate Eastern Churches* (Burns Oates and Washbourne, 1923) is severely marred by an aggressively polemical tone and a cloying Roman triumphalism, but in itself is a masterpiece of detailed historical, linguistic and descriptive information, which is nothing if not thorough.
By analogy, the Patriarch of Constantinople today retains jurisdiction over most Orthodox 'exarchates' in the Western world, albeit not 'barbarian'.

Once again, note the florid terminology, in which both the See (θρόνος) and the ecclesial community (ἐκκλησία) of Constantinople are 'most holy'.

Strictly, 'divine canons'. But in sober language, a canon as such can hardly be called 'divine'. Hence 'holy' or 'sacred', or at most 'divinely inspired' (though there are those who dispute this).

A rare word, or office, at this time. Liddell & Scott instance a single use by Justinian, roughly a century later. The word later became one of the many titles of the Ecumenical Patriarch. Its use in the West approximates to that of μητροπολίτης in the East.

It is unnecessary to assume (with Fortescue) that this means that the election must produce a unanimous result, or that the Ecumenical Patriarch must himself approve of it. It is enough to interpret it in the sense that the ψηφίσματα must be correctly carried out. The adjunct κατά τὸ θὸς supports this contention.

Clearly the Patriarch, but the text contains no suggestion of directing the election or doctoring the results. Subsequent developments (in East and West) in episcopal appointments are another story.

What conclusions can then be drawn from this short study? Two seem to stand out very clearly. The first is the clear pre-eminence of the See of Rome, as already illustrated from the text. We are told that this pre-eminence, or priority, or primacy (πρεσβεία) has rightly been allotted (εἰκότως ἀποδεδώκασι) by 'the fathers' — though we are not told by which fathers. Indeed upholders of the Petrine argument, at least in its strong form, would query the veracity of this, maintaining that Rome's position is not owed to any act of any church fathers, conciliar or otherwise, but is intrinsic to the structure of the Church as laid down by its Founder,

Jesus Christ.\(^\text{10}\) However, the vagueness and non-specificity of ‘the fathers’ and the slightly strange but semantically significant contrast of tenses in ἀποδεδώκασι / ἀπένειμαν are indications that the text of canon XXVIII cannot by itself be taken as evidence against the Petrine argument, even though it is clearly evidence in favour of the political one. In any case it has been shown that the two arguments are complementary, and therefore compatible \textit{a fortiori}. The purity argument too is perfectly consistent with ἀποδεδώκασι: there is no reason why an intrinsic and/or administrative priority should not also be seen to be merited on the basis of a proven record. In short, primacy is not only exercised but is seen to be exercised by the purity of the faith of Rome. It must be kept in mind that we are here concerned with the pre-schismatic church only, and that the actual \textit{character} of this privileged position of Rome is deliberately not being examined, being outside the scope of this paper, but the \textit{fact} of an unshakeable pre-eminence for the Roman See is unmistakeable from this document of Chalcedon and its predecessor from the second council (canon III).

That is the first conclusion. The second is technically complementary to it, but psychologically comes across more as a contrast, which in later centuries came to open conflict. The whole gist of canon XXVIII is to proclaim that whereas Rome’s position is unassailable, every possible honour compatible with this \textit{a priori} premise is to be accorded to the See of Constantinople. Further, though this is nowhere said in the canon, this is inevitably at the expense of the more ancient and presumably more venerable patriarchates of Alexandria and Antioch. But as well as that, by means of the laudatory language used in referring to Constantinople while that used for the Roman See is sparse and tastes of damning with faint praise, the canon is also to be construed as evidence of dissatisfaction with the unquestioned (because unquestionable) position of Rome, almost as a challenge if not a downright snub. Rome at first refused to acknowledge the canon, since her two legates (who otherwise presided over the conciliar sessions) were absent when it was formulated, but it clearly remained on the books and gradually earned \textit{de facto} recognition from Rome in later times. A brief footnote to an anonymous collection of canonical texts in Greek and English\(^\text{11}\) remarks laconically that ‘the fact however of the opposition made to it by the Roman Legates proves its authenticity’. The outcome is a paradox: the first See of christendom is indisputably in the West, but one gets the impression — as


throughout the preceding and following centuries as well — that the most significant movements in ecclesial growth and development are played out in the East. It is possible that even in the fifth century Eastern churchmen saw Rome as a kind of *éminence grise*, a psychological attitude as yet without doctrinal overtones that was however later to underlie the Great Schism, when ecclesiopolitical and dogmatic divergences came to the fore, thus compromising further the 'one faith'¹² that all Christians, of whatever denomination, are committed to professing.

¹². Ephesians, IV, 5.