

CAN A DIOCESAN BISHOP BE MOVED TO THE PATRIARCHATE?

- Can A diocesan bishop be moved to the Patriarchate?

Mr. Yassa Abdel Messih wrote an article about this question that His Holiness Pope Shenouda of the thrice blessed memory, described as a valuable article that does not represent a personal view but rather the view of the whole Church and the canons and the fathers and the history of the Church (see attachment #1 in the Arabic version).

- Was the resolution of 1873 due to very specific circumstances?

- (See attachment #2 in the Arabic version.)

- Did the synod of 1928 cancel the resolution of the synod of 1873?

- In the article of Mr. Yassa Abdel Messih (referred to above) which His Holiness Pope Shenouda of the thrice blessed memory, characterized as the view of the whole Church, near the end of the article, this expert says: “It is obvious from what has been presented that the Church has followed this tradition from the time of St. Mark until the Papacy of Pope Cyril V. **The canons were broken for the first time when Abba John 19th and those who followed him were chosen as Patriarchs (while being Metropolitans)**”
- His Holiness Pope Shenouda of the thrice blessed memory, wrote in Madares Al Ahad Magazine of April 1954, page 3: “For 19 centuries the church has kept this tradition, which is supported by canons and writings and warnings to those who transgress (these canons) by excommunication and penalties. Now they forget all of this, and **when in 1928 this tradition is broken**, they use this as a pretext (for further breaking the canons) even thou this breaking of the canons happened only 26 years ago! 26 years filled with darkness and corruption (1948-1954), something that convinced those who took part in breaking these canons and ecclesiastical traditions that we have sinned and that we should go back to our old tradition.”
- We notice also that the 1928 synod’s resolution did not mention the biblical, theological, dogmatic, ritualistic, historical, or patristic foundations of their resolution. Although that decree did not remove any previous excommunication, so we conclude that this resolution did not cancel the resolution of the synod of 1873, rather it is considered as a violation to the church canons. His Holiness Pope Shenouda of the thrice blessed memory said, in Madaress Alahad magazine September 1953 page 2 that “any resolution of the Holy Synod that violates in its spirit or text the church canons or the tradition of the fathers is considered a non canonical and an illegal resolution”
- Also when the members of the Holy Synod of 1928 ordained Pope Youannis the 19th, they laid the hands on him although he was a metropolitan and thus they laid the hand twice on him in the same rank which violates all the church canons. Late Archdeacon Habib Gerges explained this mistake in his magazine “Alkarma” (Attachment # 3 in the Arabic version p. 17 and p.18), so we ask can we consider

that the resolution of 1928 Holy Synod cancel the resolution of 1873 Holy synod while it is clear that the Holy Synod of 1928 ignored the basic principle of laying the hands only once in the same degree of priesthood.

- Also the same members of the Holy Synod of 1928 is the same Synod who put the 1938 by-laws organizing the rules of marriage and divorce in the Coptic Church, and it is well known that this by-laws if full of biblical mistakes and that is why we refuse to follow this 1938 by-laws till now. So, how can we follow their resolution about moving the diocesan bishops to be patriarchs?
- Was the synod of 1873 the only synod that forbade and excommunicated the moving of bishops to the Patriarchate? I shall only give the headings of these canons since they are listed in English on www.canon15.ca
 - Apostolic canon 14
 - Canon 15 of the council of Nicaea
 - Resolution of the synod of Alexandria (339AD)

“If it was said concerning a woman that the marital unity is not to be broken, how much more should this apply to the relationship between the church and the bishop? If one (bishop) has been joined to a church, he should not seek another, or else he becomes an adulterer.

- Canon 21 of the synod of Antioch:

A bishop may not be translated from one parish to another, either intruding himself of his own suggestion, or under compulsion by the people, or by constraint of the bishops; but he shall remain in the Church to which he was allotted by God from the beginning, and shall not be translated from it, according to the decree formerly passed on the subject.

- Canon 1 of the Council of Sardica (344AD)

Hosius, bishop of the city of Corduba, said: “A prevalent evil, or rather most mischievous corruption must be done away with from its very foundations. Let no bishop be allowed to remove from a small city to a different one: as there is an obvious reason for this fault, accounting for such attempts; since no bishop could ever yet be found who endeavoured to be translated from a larger city to a smaller one. It is therefore evident that such persons are inflamed with excessive covetousness and are only serving ambition in order to have the repute of possessing greater authority. Is it then the pleasure of all that so grave an abuse be punished with great severity? For I think that men of this sort should not be admitted even to lay communion.” All the bishops said: “It is the pleasure of all.”

- Canon 3 of the Council of Sardica (344AD) “that no bishop pass from his own province to another province”
- Excommunication of Abba Khaeel (46th Patriarch of Alexandria) www.canon15.ca

- Saint Gregory and the Ecumenical Council of Constantinople www.canon15.ca
- The excommunication of the synod of 1873 following the departure of Pope Demetrius:

We do not ordain or permit at all the priests or the laity in all the See of Saint Marc to revoke or break these fatherly limits. All who desire this rank (the Patriarchate) from among the bishops or the metropolitans who have sees (literally thrones) or campaigns for it, or accepts it, and all those who campaign for him (to receive it) whether he be a priest or an archpriest lay person shall be excommunicated. We have taken the initiative to write this epistle and its conclusion based on the canon laws and the instructions of the Fathers to be in effect in the holy Church of God (in the see of) Saint Marc, to be observed from now and forever. It is the duty of whoever is chosen by God to the Patriarchate to preserve this rule, him and his successors until the end of time, in obedience to the canonical saying addressing the bishops:

“These canons we have decreed for you, O bishops, if you are confirmed in them you shall be saved and shall have peace until the end of time. But if you do not accept or obey what is in them, then you will be scorned and will encounter war amongst yourselves, and after that you shall receive a punishment that you will deserve because of your rebellion.”

- Another portion of the (lengthy) resolution of the synod of 1873:

If it were lawful in our church to move bishops from their chairs (dioceses) to the Patriarchate, then, during times when no suitable monk or a celibate was to be found from among the Copts, the Church wouldn't have had to ordain Syrians to the Patriarchate, like Pope Simeon the 42nd Patriarch and Pope Abraham the 62nd Patriarch, but rather had chosen the best among her bishops and shepherds to sit on her throne, since these would have been more eligible than the foreigners in race and country. But the fact that the Church has never allowed the transfer of any of the bishops or metropolitans from their chairs to the Patriarchate but ordained non Copts in spite of the presence of great and famous Coptic bishops and metropolitans, makes it improper now to break that rule which has been in effect for 19 centuries, especially that the bible tells us: “Remember the days of old, Consider the years of many generations. Ask your father, and he will show you; Your elders, and they will tell you.” (Deut 32:7)

We notice from this that our Coptic Orthodox Church preferred to ordain a foreigner as a Patriarch rather than promote a diocesan bishop to the Patriarchate, in spite of the presence of great bishops like Severus of Ashmunein during the time of the Patriarch Abraam Ben Zaraa who was Syrian.

We also note that Patriarchs were chosen from a variety of classes of people, for example, Patriarchs were chosen from among monks, lay persons, married persons, tradesmen, foreigners, theologians etc.. , but never from among diocesan bishops for over 19 centuries, in spite of the presence of giants among the bishops like Abba Severus of Ashmunein, Abba Sarbamon the veiled (Abu Tarha) and Abba Abraam bishop of Fayium and others. We can find

no reason for this other than the adherence of the fathers and their strict observance of the ecclesiastical canons and the Apostolic admonitions.

Objections:

We will now address some of the objections that are raised in defence of the canonicity of the moving of a diocesan bishop to the Patriarchate:

First: The regulations of 1957 allow the moving of bishops and metropolitans to the Patriarchate, and if we strictly enforce the canons, this will be disputed.

- The regulations allow but they do not necessitate, and we should strictly adhere to the ecclesiastical canons and the apostolic traditions that we made a vow before the altar of God to preserve.
- The regulations state that the candidate for the Patriarchate should be “a celibate, whether a monk, a bishop or metropolitans, who meets all the conditions of the ecclesiastical canons, rules and traditions” Therefore, any candidate who does not meet all the conditions of the ecclesiastical canons, rules and traditions, then his candidacy will contravene the regulations of 1957.
- Some are of the view that the committee should accept all applications but at the time of choosing the short list, the committee is bound to adhere to all the conditions of the ecclesiastical canons, rules and traditions.

Second: To say that moving of bishops and metropolitans to the Patriarchate is un-canonical will make the current priesthood in the Church un-canonical.

We have a precedent in the case of Meletius who started a schism by ordaining bishops priests and deacons in areas not under his jurisdiction. The council of Nicaea ordered him to cease and desist without defrocking him. All the ordinations that he performed were recognized. In the same manner, all the ordinations performed by the 3 metropolitans who became Patriarchs are canonical according the ruling of the council of Nicaea.

Further, if someone contravenes a canon of the church he becomes liable to excommunication but is not excommunicated except he undergoes an ecclesiastical tribunal and is condemned.

Saint Cyril the Great always addressed Nestorius as Patriarch of Constantinople in spite of his heresy, and only after he was condemned and excommunicated did he treat him as a heretic.

In the same manner, those 3 metropolitans who became Patriarchs were not subjected to a tribunal, nor were they excommunicated, and so all their sacramental practices are valid.

We all know that during the papacy of these metropolitans many ordinations were performed by simony, but the church accepted these ordinations. And since none of these people were actually excommunicated, the church accepted all the ordinations that they performed.

However, does the fact that those who broke the canons in the afore mentioned examples were not put to trial and condemned, mean that the Church accepts simony? Of course not, but the sacramental practices they performed are canonical even though they were canon breakers.

Third: The diocesan bishops who had dealings with the state and other organizations have an experience that should be utilized.

Saint Paul tells us in 1 Corinthians 1:27-29: “But God hath chosen the foolish things of the world to confound the wise; and God hath chosen the weak things of the world to confound the things which are mighty; And base things of the world, and things which are despised, hath God chosen, yea, and things which are not, to bring to nought things that are: That no flesh should glory in his presence.”

Those who have these kinds of experience should cooperate with the new Patriarch if needed.

Fourth: These decrees (especially those of the synod of 1873) were taken in a time of weakness in education and lack of knowledge of the Greek language.

- To accuse our holy fathers of ignorance is baseless and without any proof.
- This tradition survived for 19 centuries, were all of our fathers in those centuries ignorant?
- Our history tells us that breaking this tradition happened only in the beginning of the 20th century, a period characterized by the late triple blessed Pope Shenouda, in a speech about Archdeacon Habib Girgis as “A period of darkness in knowledge, which was illuminated by the late Archdeacon Habib Girgis”

Fifth: The decree of Pope Khaeel was a “personal view”

Let us go back to the text and see whether this was a personal opinion or a decree accompanied by an excommunication:

Sword or fire or casting to lions or exile or captivity, ---- these are things that trouble me not; but I will not enter into what is not lawful, nor incur my own excommunication, which I subscribed with my own hand and initiated, to the effect that no bishop shall become patriarch..... How can I declare lawful to day what I anathematized yesterday, and to approve to-day what I condemned yesterday, and the holy fathers condemned before me?

Sixth: Canon 15 of the council of Nicaea is only a disciplinary canon and not a dogmatic one, and so it can be changed!

We will answer this by another question: why did the Church not change other “disciplinary” matters as the date of Christmas and Easter, and will the Church from now on give itself this right?

And is the ban on promoting diocesan bishops to the Patriarchate a “disciplinary” matter, or does it not have a dogmatic basis in the fact that the relation of the bishop to his diocese is like the relation of the husband to his wife? (as Saint Athanasius tells us)

And why did Pope Shenouda not agree to transferring the bishops that were incarcerated (as per the request of the state) on the basis that this is un-canonical?

And why there were no bishops ordained for the dioceses of El Beheira, Assiut and Gerga after their metropolitans became Patriarchs?

Now we have our own questions:

First and foremost the Pope is the bishop of the diocese of Alexandria. Second he is the Patriarch which means the foremost among the bishops of the See of Alexandria. Now, here is the question: what will happen to the diocese of Alexandria if a bishop from another diocese become Patriarch?

- Will the diocese of Alexandria be appended to the other diocese that belongs to the Patriarch? Is this becoming of the dignity of the diocese of Alexandria?
- What will be the title of the new Patriarch who will have two dioceses, his own and that of Alexandria: Bishop of (name of his diocese) and Pope of Alexandria and Patriarch of the See of Saint Mark?
- Or shall the diocese on which he was originally ordained be appended to the diocese of Alexandria throughout his life, and is it canonical for a bishop to have two dioceses? All the canons of the church clearly forbid a bishop to have two dioceses.

It is worth mentioning here that Dr. Mina Badee Abdel Malek, who was a regular contributor to El Keraza during the papacy of pope Shenouda III published in *Al Ahrām* newspaper dated May 28, 2012, a historical letter that Hegumen Mina the solitary (later Pope Kyrillos 6) sent to Pope Yousab II after his enthroning as Patriarch, reminding his holiness that he broke the canons of the Church. Hegumen Mina the solitary started his letter by addressing the new Patriarch as “Metropolitan of Gerga and not Pope of Alexandria and Patriarch of the See of Saint Mark”

From the vow that a bishop makes before the altar on the day of his ordination:

I make a vow to have respect for the canons of the holy Church and to uphold its traditions, rites, and precepts