

“The Limits Now Fixed”: Appealing to Authority in the Trullan Canons

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The Council in Trullo has shaped the canonical tradition of the Orthodox Church in powerful ways. It was summoned to bring discipline to many aspects of church life, and its canons therefore address liturgical, pastoral, administrative, and ethical issues. Perhaps even more significantly, its second canon confirmed the *corpus canonum* that we have come to know as authoritative in the Orthodox tradition.¹

For these and other reasons, a number of recent publications have focused on Trullo.² Few, however, have examined a particularly unusual characteristic of the Trullan canons: Unlike the majority of earlier canonical legislation, the canons promulgated at Trullo are full of quotations from Scripture, the Fathers, and previous canonical sources. This noticeable departure from previous models of canonical composition reflects a larger trend in theological writing and discourse—a trend with significant implications for the Orthodox understanding of authority.

For several generations, especially after the dominant example of St Cyril of Alexandria, Christian theologians had noticeably increased their dependence upon and quotation from patristic authorities in addition to Scripture itself. Charismatic authority or ecclesiastical office alone were not enough to establish orthodoxy. One also had to justify theological claims by appeal to a panoply of recognized authorities, specifically by direct quotation from well-known Church Fathers.

This paper traces the growth of that trend and its influence on Trullo’s canons, and it will examine some of the larger theological issues implicit therein. The Trullan fathers believed their canonical decisions were dependent upon a clearly defined, even “fixed,” body of textual

¹ For more on this see D. F. Wagschal, *The Nature of Law and Legality in the Byzantine Canonical Collections 381-883*. (Ph.D. diss., Durham University, 2010), 68-70. Also P. Menevisoglou, *Historike Eisagoge eis tous Kanonas tes Orthodoxou Ekklesias*. (Stockholm, 1990), 73-83.

² Only two examples out of many: G. Nedungatt, “The Council in Trullo Revisited: Ecumenism and the Canon of the Councils,” *Theological Studies* (September 2010): 651-676; D. Heith-Stade, “Marriage in the Canons of the Council in Trullo” *Studia Theologica*, (June 2010): 4-21.

authorities, which should be the source of adjudicating theological, ecclesiastical, and even pastoral matters. This understanding would have long-lasting influence on the Orthodox Church.

The Background

Texts play an important role in Christian theology and practice. The earliest Christians composed theological works, sent each other letters, compiled those letters into collections, and disseminated those collections throughout the known world. They read, copied, quoted, and shared these texts with a dedication quite unlike most other religious groups of the time. They were, in the words of Jan Bremmer, “a textual community.”³

It might be even better to say that they were an *intertextual* community. That is, early Christians continued to write new theological texts that were shaped by Scripture, littered with allusions to it, and filled with quotations from it—and, in the process, brought shape to the canon of Scripture itself. The New Testament quotes the Old with regularity, the author of Second Peter is a reader of Paul,⁴ and the Church Fathers of the first centuries rely heavily on Scripture from both Testaments throughout their works. Just a few examples from the second century: Polycarp’s *To the Philippians* is a veritable treasure trove of Scriptural quotation, especially from parts of the Pauline corpus;⁵ the *Epistle of Barnabas* with its focus on the Old Testament; and the works of Irenaeus of Lyons with their careful and Christocentric reading of both Old and New Testaments. It is impossible to list all in the space of this paper, but the trend continues throughout the patristic period.⁶

In the initial centuries this intertextual practice focused almost exclusively on what we now call Scripture. The earliest Christian writers make no mention of “Fathers” in the sense that we now employ the term and have no need to quote them. But with such a strong intertextual impulse engrained in Christian experience, this could not stand for long. In the fourth century, we find the *Philokalia* of Origen and, in the wake of the Nicene controversy, a growing use of the term “Fathers” for those

³ Jan Bremmer, *The Rise of Christianity through the Eyes of Gibbon, Harnack, and Rodney Stark* (Groningen: Barkhuis, 2010), 41.

⁴ See 2 Peter 3:16.

⁵ See C.M. Nielsen, “Polycarp, Paul and the Scriptures,” *Anglican Theological Review* (1965): 199-216.

⁶ For an example of the influence of *catenae* of biblical passages, see Paul McGuckin, “The Non-Cyprianic Scripture Texts in Lactantius’ *Divine Institutes*,” *Vigiliae Christianae* 36 (1982): 145-163.

bishops who had promulgated the *homoousion* or were otherwise properly orthodox in their teaching and writing. St Basil the Great, for example, appeals to the “tradition of the Fathers” in defending the *homoousion* as well as the divinity of the Spirit.⁷ In *De Spiritu Sancto*, Basil castigates those who seek written proof of the “unwritten tradition of the Fathers.”⁸ The Fathers follow “the sense of Scripture,” and thus they are in agreement with his own understanding.⁹ Despite this protestation, Basil concludes his argument with a brief analysis of the specific patristic authorities who agree with his position, and even quotes their “very words.”¹⁰

This strategy reached new heights when St. Cyril of Alexandria, during his polemic against Nestorius, realized that he could very easily undermine Nestorius’ credibility through a little textual data mining. Many respected Fathers had used the term “theotokos” in preceding generations, so Nestorius’ refusal to do so was a demonstrable violation of tradition. All Cyril had to do was produce some quotations from the holy Fathers—an easy task since his great predecessor, Athanasius, used the term “theotokos” in *Contra Arianos*.¹¹ This simple act (a father quoting the Fathers to win a theological argument) started a pervasive practice with long-standing implications.¹² Eventually, bishops, theologians, and ecclesiastical partisans would compile numerous *florilegia*, special collections of quotes from various Scriptural and patristic sources, often focused on a particular subject. These documents became essential ammunition in all doctrinal disputes.¹³ They would be circulated, collated, referenced, and even, in some case, promulgated by Ecumenical Synods as part of their *Acta*.¹⁴ In fact, it seems there could

⁷ For an example of appealing to the authority of the Nicene Fathers in defense of the *homoousion*, see *Epistle 52.1*.

⁸ *De Spiritu Sancto* 10.25.

⁹ *De Spiritu Sancto* 7.16.

¹⁰ *De Spiritu Sancto* 29.72.

¹¹ See P.G. Migne, 77, 13b for Cyril’s use of the term “holy Fathers” and his appeal to Athanasius.

¹² The spread of this practice in a short time is remarkable. One particularly powerful example is Augustine. See E. Rebillard, “A New Style of Argument in Christian Polemic: Augustine and the Use of Patristic Citations,” *Journal of Early Christian Studies* (2000): 559-578.

¹³ See M. Richard, “Les florilèges diphysites du Ve et du VIe siècle,” in *Das Konzil von Chalkedon, Geschichte und Gegenwart*, ed. A. Grillmeier and H. Bacht (Würzburg: Echter-Verlag, 1951), 721-748.

¹⁴ For a detailed study of the relevant *florilegia* in this period see A. Grillmeier, *Jesus der Christus im Glauben der Kirche*, vol. II, 1 (Herder: Freiburg, 2004), 58-88. For their use in Ecumenical Synods see Alex Alexakis, *Codex Parisinus Graecus 1115 and Its*

hardly be a synod of bishops convened *without* a scroll or codex of patristic and biblical quotes near at hand.

Clearly, the nature of theological discourse had entered a new phase. By the time of Ephesus and Chalcedon, one could no longer merely quote Scripture. Nor was it sufficient to speak in abstract terms of a “canon of truth,” or appeal to the authority of apostolic tradition, the holy Fathers, or any other kind of tradition, be that oral or liturgical. Such things were necessary but not sufficient. One also had to go to the *written* patristic sources—at least those contained as excerpts and snippets in *florilegia*, *catenae*, or even *epitomai*.¹⁵

The Case of the Canons

Such is the context. Despite the development described above, one thing is constant: The intertextual impulse. Theological writing and even spoken theological dialogue (e.g. in conciliar debates) had to demonstrate its continuity with the received textual authorities of the past. This meant quotation and plenty of it. And, yet, when we look at the texts of the early canons, we find a startlingly different picture. In contrast to the other Christian literature produced before or during the fourth and fifth centuries, there are relatively few Scriptural quotations in the synodal canons—in many, none.¹⁶ There are even fewer quotes from the holy Fathers.

There are, however, signs of intertextuality within the nascent canonical corpus. Among the canons of Nicaea, for example, there are several that appeal to “the ecclesiastical canon,” sometimes considered to be an oblique reference to earlier disciplinary legislation.¹⁷ Whether or

Archetype (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 1996), 1-41 and 227-233.

¹⁵ Even those in late antiquity recognized the danger of editorial corruption in *epitomai* or *florilegia*. See M. Mülke, *Der Autor und sein Text: Die Verfälschung des Originals im Urteil antiker Autoren*. (Berlin and New York: Walter de Gruyter, 2007), 95-108. This confusion between author, text, and editor’s hand became even more pronounced in later *catenae*, which would mix patristic commentary with biblical passages. See R. Devreesse, “Chaines exégétiques grecques,” in *Dictionnaire de la Bible*, vol. 1. (Paris: Letouzey, 1928).

¹⁶ For a discussion of those canons that do quote scripture, see D. F. Wagschal, *The Nature of Law*, 188-89.

¹⁷ Nicaea 2 refers to practices that “have been done contrary to the ecclesiastical canon;” Nicaea 9 speaks of a person “acting contrary to the canon;” Nicaea 10 speaks of lapsed or immoral clergy who will not “be admitted under the ecclesiastical canon.” It is not entirely clear that these are actually references to specific canons, as the later Byzantine commentators assume. See D. Salachas, *Il Diritto Canonico delle Chiese orientali nel primo millennio* (Rome: Edizioni Dehoniane, 1997), 27. The word “canon” did not

not these references invoke specific texts is a matter of some debate, but the Nicene canons' comparative lack of quotation in general is still intriguing. Did the Nicene fathers feel there was no need in most cases to specify their source or quote its words because the texts in question were known and accessible to all? Or does "canon" mean something entirely different to the Nicene fathers than it does to us today?¹⁸ Answering these questions is beyond the scope of this paper, but one thing is clear: The Nicene fathers understood their present-day authority as something called to reconfirm and uphold that which had been received, not a license for arbitrary innovation.

This was the basic understanding of teaching authority in the Church, which meant that calling an assembly of Bishops an "Ecumenical Synod" did not always convince everyone that the assembly in question was, in fact, representative of the tradition. More effort had to be expended on proving legitimacy and demonstrating continuity with the past, and, sometimes, more emphasis had to be placed on the authority of the duly constituted synod. By the fifth century, for example, the fathers at Ephesus were so emphatically convinced of their own synodal authority that Ephesus 6 condemns "any person who should wish to alter in any way whatsoever anything that has been enacted."¹⁹ It is hard to be more emphatic than that!

In the context of the exegetical and textual arguments between Cyril and Nestorius, this indicates an important realization. The fathers at Ephesus are not only concerned about their synodal authority in the present; they are equally concerned about their *textually-represented* authority in the future. They want obedience now and continued deference in the years to come. This desire reflects what was by that time an obvious reality: Canonical and synodal texts themselves, just like Scripture and the Fathers, were authorities worthy of quotation and necessary for determining truth. Tampering with statements of faith from Ecumenical Synods would be tantamount to tampering with Scripture. We see evidence of this growing awareness in other Ephesian canons:

necessarily refer to specific legislation from a council until later in the fourth century, and the phrase "ecclesiastical canon" is even less likely to refer to a specific canonical text. See M. Lalmant, "Canon," in *Dictionnaire de Droit Canonique*, vol. II, ed. R. Naz (Paris: Letouzey et Ané, Paris, 1937).

¹⁸ For a masterful examination of this see H. Ohme, *Kanon ekklesiastikos: Die Bedeutung des Altkirchlichen Kanonbegriffs* (Berlin and New York: De Gruyter, 1998). Ohme says the Nicene fathers use "canon" to mean the "embodiment of all that is authoritative and normative in the Church," (576).

¹⁹ D. Cummings, trans., *The Rudder* (Chicago: The Orthodox Christian Educational Society, 1957), 229.

Ephesus 7 forbids anyone to “write” a faith other than the Nicene one, and Ephesus 8 includes a procedure for how its own text should be promulgated and used: Copies of the canon will be issued to the bishops that need textual assistance in securing their rights at home.

All of the above are examples of the in-breaking power of text, allusion, and quotation in the canons, as well as the growing emphasis on the authority of the Ecumenical Synod, but, in general, it is striking how little the canons from the early Ecumenical Synods reflect the larger literary trends of their time.²⁰ The Trullan canons, however, are *filled* with appeals to textually received authorities: quotes from Scripture, from the Fathers, and quite a few quotes from other canonical sources.²¹ This latter feature is particularly striking. Some canons have three or four quotes, and some seem to be intentionally structured to include at least one quotation from both scriptural and patristic sources (and, occasionally, also a canonical text for good measure).

Based on what came before Trullo, this seems to be an innovation. Why the change? Several reasons: The general explosion of *florilegia* and *catenae* in popular use and theological debate; the intentional manufacture and use of these documents in synodal settings, including during the monothelete debates at Constantinople III just a few years prior; and, as far as the quotation of canonical sources, documents like the *Syntagma* of St John Scholastikos, which made canonical texts more readily available for several generations leading up to Trullo, and also created a greater sense of an identifiable canonical corpus that was not limited to only those Ecumenical Synods approved by Justinian I. Some of these ingredients were present already at Ephesus and Chalcedon, but the intervening centuries had allowed the spices to penetrate to the bone, and we cannot overestimate the influence of canonical *syntagma* in advancing that process. The Trullan fathers had never known a Church that met regularly in synod and then issued canons. They knew a Church in which clergy consulted collections of canons, many of which contained a variety of sources, including secular laws and letters written by Church Fathers. In short, they experienced

²⁰ This implies that the canons are, indeed, a distinct genre (or set of genres).

²¹ The texts of Trullo have several good editions. Iouannou included a critical edition in his *Les canons des conciles oecumeniques*, but the standard source in Orthodox circles is G.A. Rhalles, and M. Potles, eds., *Syntagmaton Theon kai hieran Kanonon* (Athens: Kassandra M. Girgori, 1966), 2:295-554. This includes the commentaries of Zonaras, Balsamon, and Aristenos. The most recent critical edition is G. Alberigo, ed., *Conciliorum oecumenicorum generaliumque decreta: Editio critica*, vol. 1. (Turnhout: Brepols, 2006).

canons as texts of varying genres from the distant past, promulgated by ancient authorities, and the documents that contained those authorities' texts could sometimes blur the distinction between synodal canon and patristic writing.²²

One further reason deserves mention: The Fathers at Trullo had no opportunity to speak on dogmatic matters. Bishops had used *florilegia* at all the most recent Ecumenical Synods, so the bishops at Trullo must have brought along the tools of the trade. Once there, however, canonical matters were all there was to discuss, so with the debate engaged and the texts ready at hand, a modified kind of canonical composition was born, one just as rife with quotation and just as concerned with the textual reception of recognized authorities as all other Christian genres had been for some time.

Some Trullan Examples

Turning to Trullo's canons, we can see the results of this approach. Trullo 16, 29, and 32 all examine actual, specific disputes over the interpretation of recognized textual authorities. In other words, they exist solely because of a dispute over a text. Trullo 16 addresses why there is an apparent contradiction between words in the Acts of the Apostles and a canonical text from the synod of Neocaesarea. The Trullan Fathers' solution is to quote the entire relevant passage in Acts, and then to append an interpretative paragraph by St John Chrysostom. Quotation solves the matter. Trullo 32 responds to the Armenians, who had put forward a passage from St John Chrysostom as justification for their using wine only in the chalice, not wine mixed with water. The canon quotes this supposed Chrysostomic proof-text in full, then puts forth an alternative interpretation, then reinforces its argument by referencing the teachings of St James and St Basil, who "delivered to us directions for the mystical sacrifice *in writing*" in the received text of the Liturgy, and, finally, just in case that is not enough, Trullo 32 ends with a relevant quote from the canons of Carthage.²³ The problem begins in textual quotation and ends there as well, having examined and appealed to several different types of textual authorities. This emphasis on both Scripture and patristic writings continues in Trullo 68, which forbids the

²² For an overview see B. H. Stolte, "The challenge of change: Notes on the legal history of the reign of Heraclius" in *The Reign of Heraclius, 610-641*, ed. J. Gerrit J., G.J. Reinink, and B. H. Stolte (Leuven: Peeters, 2002), 191-204.

²³ H. R. Percival, trans., *The Seven Ecumenical Councils, Nicene and Post-Nicene Fathers*, 2nd ser., vol. 14. (Oxford: 1900), 379-80.

vandalism of books containing either Scripture or “holy and approved preachers and teachers.”²⁴ And Trullo 66 makes it clear that *all*, not just the elite or clergy, should read the Scriptures. These are the decrees of a Christian culture steeped in sacred texts and writings.

For our purposes, however, Trullo 19 is one of the most important. It reveals that attention to the recognized corpus of orthodox texts is not a matter merely for gatherings of bishops; it is to be *the* focus of all in positions of authority.

It behooves those who preside over the churches, every day but especially on Lord’s days, to teach all the clergy and people words of piety and of right religion, gathering out of holy Scripture meditations and determinations of the truth, and not going beyond the limits (*horous*) now fixed, nor varying from the tradition of the God-bearing fathers. And if any controversy in regard to Scripture shall have been raised, let them not interpret it otherwise than as the lights and doctors of the church in their writings have expounded it, and in those let them glory rather than in composing things out of their own heads, lest through their lack of skill they may have departed from what was fitting.²⁵

This is the heart of the matter, clearly and explicitly stated: All those with authority in the Church must interpret Scripture from within the tradition of the holy Fathers, a tradition whose “limits” are now fixed. Of course, this assumes that the canon of Scripture is determined, the “limits” of orthodoxy are clearly known, and the means of explaining any theological or moral quandary is to be readily found in the received authorities from the past. Practically speaking, this also assumes that an average bishop or priest will have access to a Bible and at least some kind of collection of recognizably authoritative patristic texts, perhaps in the form of a *florilegium*.

In spirit, this is quite similar to the previous sources we have examined, from Nicaea to Basil to Ephesus. But Trullo 19 is a fuller expression of the principle, founded upon a stronger sense of the limits of the received corpus that constitutes the tradition. In fact, Trullo 19’s language is rich with meaning. Its wonderful phrase, “not going beyond the limits now fixed” (*me parekbainontas tous ede tethentas horous*), conjures up several images. Originally, an *horos* was a kind of boundary

²⁴ Percival, *The Seven Ecumenical Councils*, 396.

²⁵ Percival, *The Seven Ecumenical Councils*, 374.

stone, a marker that a land owner would place at the edge of his property. Taken this way, Trullo 19's imagery is quite clear: Those in authority should not travel into the land of foreign doctrine. They must stay within the sheepfold of the Church, not straying beyond its fence, a fence that is clear for all to see. *Horos* also has many other meanings, all pregnant with implications. It could mean a rule, standard, or even a canon. This might suggest a very indirect appeal to the canonical tradition itself. Most significantly, an *horos* could refer to a definition or statement of faith issued by a council. Of all the more inventive options, this seems the most likely, although the multiplicity of meanings adds to the power of the phrase: Those in authority should not transgress any of these signposts. Taken this way, Trullo 19 calls for a unity of Scripture, tradition, patristic writings, canonical discipline, and dogma as promulgated by Ecumenical Synods. All of these elements, received from the past, have the ability to answer the questions of the present. All of these elements constitute the one tradition. And all in authority today should be steeped in and appeal to this one corpus of authorities instead of "composing things out of their own head."

That which Trullo preached, it had practiced. Trullo 1 and 2 both seek to establish the legitimacy of the Trullan fathers themselves as true inheritors of the tradition. Trullo 1 is a magisterial summary and impassioned affirmation of the doctrinal decisions of the previous six Ecumenical Synods. It is no accident that this canon is first. Likewise, it is no accident that the Trullan fathers use a particularly strong verb in their affirmation of the tradition. Having offered the doctrinal summaries, Trullo 1 reaches the moment of legislative action:

In a word, we decree (*thespizomen*) that the faith of all the men who have distinguished themselves in the Church, having become shining lights in the world, holding forth the word of life, should firmly prevail and remain unshaken until the end of time, together with their God-imparted writings and teachings.²⁶

As D. Wagschal observes, the verb *thespizomen* is "the most common legislative term in the Justinianic material, and not uncommon in Leo" and, yet, it only appears in the canonical corpus four times.²⁷ This is a

²⁶ G. Nedungatt, and M. Featherstone, eds., *The Council in Trullo Revisited* (Rome: Pontificio Istituto Orientale, 1995), 63.

²⁷ Wagschal, *The Nature of Law*, 157. One of the other four times occurs in Trullo 8, but here it is a passive participle whose agent is the holy fathers themselves. In other words, in Trullo 8 the Trullan fathers ascribe supreme legislative authority to the holy fathers of

verb that carries with it an implicit sense of unshakeable authority. It is the verb of imperial decree. Of course, the Trullan fathers may have used *thespizomen* because they had already cycled through all of the more typical options. But the decision to place so powerful a verb in this location, at the point of their own decree, is significant. Their sweeping summary reaches a point of crescendo, and, having recapitulated the breadth of the dogmatic tradition, they are inspired to proclaim—or perhaps witness to—the indisputable authority of that which they have received. But what they have received is not actually limited to the Ecumenical Synods previously described and upheld. Trullo 1 goes a step further and decrees that the teachings and writings of *all* who have shown forth in the Church should remain unshaken. The Trullan fathers receive the tradition, but they do not believe its boundaries are limited to the Ecumenical Synods alone. The ecclesiastical heritage is more than *horoi* and conciliar decrees. It is composed of all of the orthodox teachings and all of the writings in the Trullan fathers’ possession, including the various writings of the Church Fathers, and they feel this expansive understanding of tradition is so important that it should be decreed as binding in the strongest terms possible. The dogmatic teaching of the Church, especially but not exclusively as promulgated by the Ecumenical Synods, is paramount and permanent. It is, in the language of Trullo 19, a limit now fixed.

Having established this, Trullo 2, on the other hand, allows for some tension between continuity and change in the canonical tradition itself. Writings and teachings of patristic luminaries are “decreed” in no uncertain terms, but the canonical corpus is merely given a seal of confirmation, using the verb *episphragizomen*. This is most appropriate. Although many interpreters have assumed that Trullo 2 created or substantially reshaped the canonical corpus, in reality it confirms a list of sources found in canonical collections for some time.²⁸ So, Trullo 2’s main purpose is to demonstrate continuity in canonical matters, as a parallel to the dogmatic faithfulness emphasized in Trullo 1.²⁹ And, yet, we see that this continuity is not absolute. Several later Trullan canons modify the rulings of the very canonical legislation they had previously received. How is this possible? How can something be sealed and confirmed and then seemingly contradicted? The answer provides

the past, not themselves. This is also true of Serdica 11, leaving only one other instance, Hagia Sophia 3, to join Trullo 1 in this particular use of *thespizo*.

²⁸ See Wagschal, *The Nature of Law*, 69-72.

²⁹ In particular, Trullo 2 strives to exclude the Apostolic Constitutions, a forgery it emphasizes is not part of the traditional corpus.

profound insight into the late antique understanding of tradition and authority.

Let us consider Trullo's prologue and its first two canons. Upon close examination, it is clear that they are an extended and unified apology, demonstrating intense awareness of the received textual authorities of the past. Many of the manuscripts treat the prologue and first two canons as a distinct section by separating them from canons 3-39 with a rubric. As Wagschal explains:

This gap breaks the introductory complex off from the main body of canons, and reveals the true structure of Trullo as a whole: a century of "proper" canons (3-102) prefaced by the *logos* and two introductory canons.³⁰

Thus, the three parts of the introductory complex are one interrelated apology for the Trullan fathers' orthodoxy, as well as a demonstration of their legitimacy through comprehensive appeal to the received textual authorities of the past. The prologue itself is uncharacteristically full of quotations from Scripture, underlining the fathers' adherence to holy writ; Trullo 1 leaves no doubt that they stand in the line of the Ecumenical Synods and are the inheritors of *all* orthodox teachers and writings on dogmatic matters; and then Trullo 2 confirms their acceptance of the established canonical corpus. Taken as a whole, then, the introductory complex allows us to reconstruct the Trullan fathers' understanding of tradition: Scripture, the Ecumenical Synods, the writings of the Church Fathers, and the canonical tradition. All of these they receive, and they dare not overrule or do away with any of these elements of divine tradition. In fact, they wholeheartedly reaffirm them. Why? So that they may then dare to add to this deposit, having subtracted nothing, even if what they do add (certain canons) may seem to modify that which they had received. In short, the tradition itself is immutable in their mind. Even the canonical tradition, which is not decreed in the same emphatic terms as the dogmatic, cannot be codified or harmonized by an editor's hand. The tradition can only be confirmed and then added to.

Having established this, the Trullan fathers may then legislate anew, offering the Church one hundred canons (3-102). And, yes, some of these canons may seem to modify the rulings contained in Trullo 2's corpus, but the Trullan fathers intentionally allow the received legislation to stand side by side with their modifications. Mere consistency is unimportant, especially since actual authority over the tradition itself is

³⁰ Wagschal, *The Nature of Law*, 103.

too much for anyone to claim—even an Ecumenical Synod! Thus, the Trullan fathers cannot and will not do away with, harmonize, or amend anything from the tradition, even if the modern situation calls for a different approach.

The most famous examples of this are Trullo 12, which requires bishops to put away their wives, despite the admonition of both Scripture and Apostolic 5, and Trullo 13, which insists that married men may be ordained to the other ranks of the clergy, contrary to the Carthaginian legislation accepted as binding by Trullo 2. While it is certainly possible to explain how Trullo 12 is actually a proper use of economy,³¹ the modern person might still ask about these and other examples in the Trullan legislation: If something is outdated or contradictory, why not omit it from the corpus? Why accept Carthage only to overrule it? Shouldn't law reflect the reality of the present time and only that? What is the value of preserving vestigial or contradictory parts? This sort of thinking is simply foreign to the sensibilities of the Trullan fathers. As J. Haldon has observed about the generations before Trullo, even secular legal activity was “not directed at emending laws to conform to reality, but rather at emending reality to conform to the inherited legal-moral apparatus.”³² The textual authorities of the past reign supreme.

Conclusion

The Trullan canons have much to tell us about the patristic understanding of text, authority, and tradition. They receive, enact, and, in some cases, modify many aspects of Christian culture in late antiquity. As texts, they are the product of a centuries-long impulse to demonstrate orthodoxy and justify legitimacy through direct quotation of a full range of recognized authorities: Scripture, the Church Fathers, the Ecumenical Synods, and, ultimately, the canons themselves. In general, the Trullan fathers are concerned with the unflinching recapitulation of tradition. And, yet, while the boundaries are fixed, there is room for growth. Trullo is beholden to the past, not bound by it. But being “beholden” entails a scribal-like impulse to preserve, a reverence for past authorities that values compilation over codification, and a deep-seated conviction that one should seek to conform the present to the standards of the past before allowing new approaches in a changed context.

³¹ See P. Boumis, P., “Married Bishops (Agreement Between Sacred Scripture and Holy Canons),” *Greek Orthodox Theological Review* (1984): 81-93.

³² J. F. Haldon, *Byzantium in the Seventh Century* (Cambridge: Cambridge University Press, 1990), 259.

In many ways, this understanding has been the dominant Orthodox approach even up to the present day. No medieval or modern effort in the Orthodox world has successfully codified the canonical tradition, and, in general, Orthodox today often judge the present-day exercise of ecclesiastical authority against a textualized past. We look to the same set of sources, even though our collections are expanded by time and greater access. When in need of guidance, we often search out ancient authorities: Nicaea or even Trullo itself. But the living pastoral authority is not, in fact, fully circumscribed by these texts. Said another way: Every text requires interpretation and application to the present day, lest we fall into disorderliness “through ignorance and neglect.”³³ The process of interpretation and application, guided by the Holy Spirit, is the present and tangible locus of authority. Nevertheless, it is indeed an authority that, like Trullo’s, is fundamentally beholden to confirm the tradition it has received.

³³ From Trullo’s prologue, addressed to the Emperor, which explains why the bishops have been gathered to issue new legislation.