

The Spanish Orthodox Church and Ecumenical Apostolic Chaplains Service

Primary Canons of the Metropolitan Archdiocese

Canon Law of the Metropolitan Archdiocese of the Americas, Europe, Australia, Africa and In Partibus Infidelium, SOC and Allied Jurisdictions

*With Standing Dispensations by the Metropolitan Archbishop
+++David Leon Cooper, KTG, OCC, OMM*

Introduction

These are the canons of this church. The Dispensations and clarifications are in parentheses. If the canon is marked with "Dispensed." it has been entirely discarded. These are the Primary and Supreme Canons. No other canon shall contradict the Dispensations contained herein. No other canon shall contradict the canons contained herein that have been allowed to stand. **The Dispensation note is the current Canon Law.**

Primary Canons

Church Law from the Apostolic Canons

Note: The entry in bold print is the dominant regulation for members and clergy of this metropolitan archdiocese and affiliated entities worldwide unless they have been acknowledged as autocephalous for their rite.

1 A Bishop must be ordained by two or three other Bishops.

2 A Presbyter must be ordained by a single Bishop, and so must a Deacon.

3 If any Bishop or Presbyter, contrary to the Lord's ordinance relating to sacrifice, offers anything else at the sacrificial altar, whether it be honey, or milk, or artificial liquor instead of wine, chickens, or any kind of animals, or vegetables, contrary to the ordinance, let him be deposed from office: except ears of new wheat or bunches of grapes, in due season. let it not be permissible to bring anything else to the sacrificial altar but oil for the lamp, and incense at the time of the holy oblation.

4 Let all other fruit be sent home to the Bishop and Presbyters as first fruits, but not to the sacrificial altar. It is understood that the Bishop and Presbyters shall distribute a fair share to the Deacons and other Clergymen.

5 No Bishop, Presbyter, or Deacon shall put away his own wife under pretext of reverence. If, however, he put her away, let him be excommunicated; and if he persist in so doing, let him be deposed from office.

6 A Bishop, or Presbyter, or Deacon must not undertake worldly cares. If he does, let him be deposed from office. (He is able to hold a secular job and perform honorable work as did St. Paul.)

7 If any Bishop, or Presbyter, or Deacon celebrates the holy day of Easter before the vernal equinox with the Jews, let him be deposed. **(Dispensation: This church follows the modern calendar used by the Roman Catholic Church.)**

8 If any Bishop, or Presbyter, or Deacon, or anyone else in the sacerdotal list, fail to partake of communion when the oblation has been offered, he must tell the reason; and if it is good excuse, he shall receive a pardon. But if he refuses to tell it, he shall be excommunicated, on the ground that he has become a cause of harm to the laity and has instilled a suspicion as against the offerer of it that the latter has failed to present it in a sound manner.

9 All those faithful who enter and listen to the Scriptures, but do not stay for prayer and Holy Communion must be excommunicated, on the ground that they are causing the Church a breach of order. **(Dispensation: The matter is to be investigated by the archbishop. Excommunication is not automatic.)**

10 If anyone pray in company with one who has been excommunicated, he shall be excommunicated himself. **(This article is dispensed, it will not apply in this jurisdiction.)**

11 If any clergyman pray in company with a deposed clergyman, let him also be deposed. **(Dispensed, will not apply in this jurisdiction.)**

12 If any clergyman, or layman, who has been excommunicated, or who has not been admitted to penance, shall go away and be received in another city, without commendatory letters, both the receiver and the one received shall be excommunicated. **(Excommunication must have been from this see.)**

13 If he has been excommunicated, let his excommunication be augmented, on the ground that he has lied and that he has deceived the Church of God.

14 A Bishop shall not abandon his own parish and go outside of it to interlope to another one, even though urged by a number of persons to go there, unless there be a good reason for doing so, on the ground that he can be of greater help to the inhabitants there, by reason of his piety. And even then he must not do so of his own accord, but in obedience to the judgment of many Bishops and at their urgent request. **(Dispensation: Our bishops may travel anywhere in the world to preach the Gospel and recruit believers, clergy and administer the sacraments.)**

15 If any Presbyter, or Deacon, or anyone at all in the Sacerdotal List, abandoning his own province, departs to another, and after deserting it entirely, sojourns in another, contrary to the opinion of his own Bishop, we bid him to officiate no longer; especially if his Bishop summons him to return, and he has not obeyed and persists in his disorderliness, he may, however, commune there as a layman.

16 If, on the other hand, the Bishop with whom they are associating, admits them as clergymen in defiance of the deprivation prescribed against them, he shall be excommunicated as a teacher of disorder.

17 Whoever has entered into two marriages after baptism, or has possessed himself of a concubine, cannot be a Bishop, or a Presbyter, or a Deacon, or anything else in the Sacerdotal List. **(Dispensation: The Metropolitan Archbishop may grant an annulment for the marriage(s) and they are not counted as real marriages. An annulment from another see may be accepted.)**

18 No one who has taken a widow, or a divorced woman, or a harlot, or a house maid, or any actress as his wife, may be a Bishop, or a Presbyter, or a Deacon, or hold any other position at all in the Sacerdotal List. **(Dispensation: Any decent woman may be taken as a wife.)**

19 Whoever marries two sisters, or a niece, may not be a clergyman. **(Dispensation: A man may marry his former sister in law if his wife dies.)**

20 Any Clergyman that gives surety shall be deposed from office. **(Dispensed)**

21 A Eunuch, whether he became such by influence of men, or was deprived of his virile parts under persecution, or was born thus, may, if he is worthy, become a Bishop.

22 Let no one who has mutilated himself become a clergyman; for he is a murderer of himself, and an enemy of God's creation

23 If anyone who is a clergyman should mutilate himself, let him be deposed from office. For he is a self-murderer.

24. Any layman who has mutilated himself shall be excommunicated for three years. For he is a plotter against his own life.

25 Any Bishop, or presbyter, or Deacon that is taken in the act of committing fornication, or perjury, or theft, shall be deposed from office, but shall not be excommunicated. For Scripture says: "Thou shalt not exact revenge twice for the same offense." The same rule applies also to the rest of the clergymen. **(Dispensation: May repent and continue in office.)**

26 As to bachelors who have entered the clergy, we allow only anagnosts and psalts to marry. if they wish to do so. **(Dispensation: Any man may marry at any time regardless of office with permission of one bishop in this jurisdiction.**

27 As for a Bishop, or Presbyter, or Deacon that strikes believers for sinning, or unbelievers for wrong-doing, with the idea of making them afraid, we command that he be deposed from office. For the Lord has nowhere taught that -- on the contrary, He Himself when struck did not strike back -- when reviled, He did not revile His revilers, - - when suffering, He did not threaten. **(Dispensation: Members may defend themselves, their families and anyone in the community. They may enter into military service and carry weapons. We also remember our Lord,s violent cleansing of the Temple with a whip.)**

28 If any Bishop, or Presbyter, or Deacon, who has been justly deposed from office for proven crimes, should dare to touch the liturgy which had once been put in his hands, let him be cut off from the Church altogether. **(Dispensation: He may repent and continue in office.)**

29 If any Bishop become the recipient of this office by means of money, or any Presbyter, or any Deacon, let him be deposed as well as the one who ordained him, and let him be cut off entirely even from communion, as was Simon the Sorcerer by Peter.

(Dispensation: We do not charge fees for ordinations. We may charge for travel to the location of the ordination plus expenses.) (If a man travels to us for ordination, it is free.)

30 If any Bishop comes into possession of a church by employing secular rulers, let him be deposed from office, and let him be excommunicated. And all those who communicate with him too. **(Note: this is historical; at the time it was written it meant that government officials helped take possession of the church building and property.)**

31 If any Presbyter, condemning his own bishop, draw people aside, and set up another altar, without finding anything wrong with the Bishop in point of piety and righteousness, **let him be deposed**, on the ground that he is an office-seeker. For he is a tyrant. Let the rest of clergymen be treated likewise, and all those who abet him. But let the laymen be excommunicated. Let these thieves be done after one, and a second and a third request of the Bishop.

32 If any Bishop excommunicates any Presbyter or Deacon, these men must not be incardinated by anyone else but the one who excommunicated them. Unless by a coincidence the Bishop who excommunicated them should de cease.

33 None of the foreign Bishops, or Presbyters, or Deacons shall be received without letters commendatory. Even when they bear such, they shall be examined. And if they really are preachers of piety, they shall be received; but if they are not, after furnishing them what they have need of, they shall not be admitted to communion. For many things are done with a view to rapine. **(Bishops may be received from any jurisdiction. Priests and deacons must have excardinations from their bishop to this see.)**

34 It behooves the Bishops of every nation to know the one among them who is the premier or chief, and to recognize him as their head, and to refrain from doing anything superfluous without his advice and approval: but, instead, each of them should do only whatever is necessitated by his own parish and by the territories under him. But let not even such a one do anything without the advice and consent and approval of all. For thus will there be concord, and God will be glorified through the Lord in Holy Spirit -- the Father, the Son, and the Holy Spirit.

35 A Bishop shall not dare to confer ordinations outside of his own boundaries, in cities and territories not subject to him. If he be proved to have done so against the wishes of those having possession of those cities or territories, let him be deposed, as well as those whom he ordained. **(Dispensation: Our bishops may travel anywhere in the world to perform an ordination if it will promote the Holy Gospel of Jesus Christ.)**

36 In case any Bishop who has been ordained refuses the office and the care of the laity which has been entrusted to him, he shall be excommunicated and remain so until such time as he accepts it. Likewise as touching a Presbyter and a Deacon. But if, upon departing he fall to accept it, not contrary to his own inclination, but because of the spitefulness of the laity, let him be a bishop, but let the clergy of that city be excommunicated, since no one can correct such an insubordinate laity.

37 Twice a year let a council of bishops be held, and let them examine one another in regard to dogmas of piety, and let incidental ecclesiastical contradictions be eliminated: the first one, in the fourth week of Pentecost; the second one, on the twelfth of

Hyperberetaeus. **(Dispensation: Our bishops meet when it is convenient. We communicate by email and telephone.)**

38 Let the Bishop have the care of all ecclesiastical matters and let him manage them on the understanding that God is overseeing and supervising. Let him not be allowed to appropriate anything therefrom or to give God's things to his relatives. If they be indigent, let him provide for them as indigents, but let him not trade off things of the Church under this pretext. **(Addendum: And if the church does not have any money, let the bishop provide it. The bishop may charge professional fees for his services since "a servant is worthy of his wages.")**

39 **Let Presbyters and Deacons do nothing without the consent of the Bishop.** For he is the one entrusted with the Lord's people, and it is from him that an accounting will be demanded with respect to their souls.

40 Let the Bishop's own property (if, indeed, he has any) be publicly known, and let the Lord's be publicly known. In order that the Bishop may have authority to dispose of his own property when he dies, and leave it to whomsoever he wishes and as he wishes. And lest by reason of any pretext of ecclesiastical property that of the Bishop be submerged, be it that he has a wife and children, or relatives, or house servants. For it is only just with God and men that neither the church should suffer any loss owing to ignorance of the Bishop's property, nor the Bishop, or his relatives, should have their property confiscated on the pretext that it belonged to the church. Or even to have trouble with those who are quarreling over his property, and to have his death involved in aspersions.

41 We command that the Bishop have authority over the property of the church. For if the precious souls of human beings ought to be entrusted to him, there is little need of any special injunction concerning money, so that everything may be entrusted to be governed in accordance with his authority, and he may grant to those in need through the presbyters and deacons with fear of God and all reverence, while he himself may partake thereof whatever he needs (if he needs anything) for his necessary wants, and for brethren who are his guests, so as not to deprive them of anything, in any manner. **For God's law has enjoined that those who serve at the altar are to be maintained at the altar's expense.** The more so in view of the fact that not even a soldier ever bears arms against belligerents at his own expense. **(Note: This is the rationale for charging professional fees when the church can not pay the clergy because it is so poor.)**

42 If any Bishop, or Presbyter, or Deacon wastes his time by playing dice, or getting drunk, either let him desist therefrom or let him be deposed from office. **(Note: This means gambling not playing board games. "Getting drunk" does not mean moderate social drinking.)**

43 Let any Subdeacon, or Anagnost, or Psalt, who does like things either desist or be excommunicated. likewise any Layman. **(Note: The bishops rule the church--not the flock!)**

44 Let any Bishop or Presbyter or Deacon who demands interest on money lent to others either cease doing so or be deposed from office. **(Dispensation: We allow our clergy to work in the secular world. If it is their business, it is acceptable as long as it is lawful under the civil laws.)**

45 Let any Bishop, or Presbyter, or Deacon that merely joins in prayer with heretics be suspended, but if he has permitted them to perform any service as Clergymen, let him be deposed. **(Dispensation: We allow our clergy to pray with anyone at any time.)**

46 We order any Bishop, or Presbyter, that has accepted any heretic's Baptism or sacrifice, to be deposed; for "what consonancy hath Christ with Belial? or what part hath the believer with an infidel?" **(Dispensation: A priest or bishop may accept any baptism done in the Trinitarian formula: "I baptize you in the name of the Father, and of the Son and of the Holy Spirit" with pouring or immersion of any major part of the body. Normally, unless an emergency, this will be the head.)**

47 If a Bishop or Presbyter baptize anew anyone that has had a true baptism, or fail to baptize anyone that has been polluted by the impious, let him be deposed, on the ground that he is mocking the Cross and death of the Lord and railing to distinguish priests from pseudo priests.
(Dispensation: If there is any doubt about the validity "subconicione" baptism may be performed at the discretion of the priest or deacon.)

48 If any layman who has divorced his wife takes another, or one divorced by another man let him be excommunicated. **(Dispensation: He must apply for a church annulment to the Metropolitan Archdiocese. If his case is justified he will not be excommunicated.)**

49 If any Bishop or Presbyter baptize anyone not into the Father and the Son and the Holy Spirit in accordance with the Lord's ordinance, but into three beginningless beings or into three sons or into three comforters, let him be excommunicated.

50 TRINE IMMERSION IS REQUISITE FOR BAPTISM

If any Bishop or Presbyter does not perform three immersions (literally "three baptisms") in making one baptism (literally "one initiation"), but (only) a single immersion (literally, "a single baptism"), that given into the death of the Lord, let him be deposed (from office). For the Lord did not say, "Baptize ye into my death," but, "Go ye and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit" (Matt.. 28:19).

51 If any Bishop, or Presbyter, or Deacon, or anyone at all on the sacerdotal list, abstains from marriage, or meat, or wine, not as a matter of mortification, but out of an abhorrence thereof, forgetting that all things are exceedingly good, and that God made man male and female, and blasphemously misrepresenting God's work of creation, either let him mend his ways or let him be deposed from office and expelled from the Church. Let a layman be treated similarly.

52 If any Bishop or Presbyter shall refuse to welcome back anyone returning from sin, but, on the contrary, rejects him, let him be deposed from office, since he grieves Christ, who said: "There is joy in heaven over a single sinner who repents."

53 If any Bishop, or Presbyter, or Deacon, on the days of feasts will not partake of meat and wine, because he loathes these things, and **not on account of asceticism**, let him be deposed from office, on the ground that he has his own conscience seared and has become a cause of scandal to many.

54 If any clergyman be caught eating in a tavern or any restaurant where intoxicating beverages are served, let him be excommunicated, except only in case it happens to be

at a wayside inn where he has put up for the night by necessity. **(Dispensation: Our members and clergy may eat anywhere that they want.)**

55 If any Clergyman should insult the Bishop, let him be deposed from office. For "thou shalt not speak ill of thy people's ruler."

56 If any Clergyman should insult a Presbyter or a Deacon, let him be excommunicated.

57 If any Bishop or Presbyter neglects the Clergy or the laity, and fails to instruct them in piety, let him be excommunicated: but if he persists in his negligence and indolence, let him be deposed from office.

58 If any Bishop or Presbyter fails to supply necessities when any of the clergy is in want, let him be excommunicated. If he persists, let him be deposed, as having murdered his brother.

(Dispensation: Our clergy are expected to work at a secular job to support themselves, their families and their ministry. If they can not do this they should request to return to the state of a layman. Our church has no funds to support clergy.)

59 If a charge of fornication, or of adultery, or of any other forbidden act be brought against a faithful one, and be proved, let him not be promoted to the clergy.

(Dispensation: He may become clergy if he has repented.)

60 If any Clergyman, for fear of any human being, whether the latter be a Jew or a Greek or a heretic, should deny the name of Christ, let him be cast out and rejected; or if he deny the name of clergyman, let him be deposed; and if he repent, let him be accepted as a layman.

61 If any accusation be brought against a believer of fornication or adultery, or any forbidden action, and he be convicted, let him not be promoted to the clergy.

(Dispensation: He may go to the ranks of the clergy if he has repented.)

62 If any of the clergy, through fear of men, whether Jew, heathen, or heretic, shall deny the name of Christ, let him be cast out. If he deny the name of a clergyman, let him be deposed. If he repent, let him be received as a layman.

63 If any Bishop, or Presbyter, or Deacon, or anyone else on the sacerdotal list at all, eat meat in the blood of its soul, or that has been killed by a wild beast, or that has died a natural death, let him be deposed. For the Lord has forbidden this. But if any layman do the same, let him be excommunicated. **(Dispensation: Our members and clergy may eat anything that is generally approved for human consumption.)**

64 If any Clergyman be found fasting on Sunday, or on Saturday with the exception of one only, let him be deposed from office. If, however, he is a layman, let him be excommunicated.

(Dispensation: Our members and clergy may fast on Saturday.)

65 If any Clergyman, or Layman, enter a synagogue of Jews, or of heretics, to pray, let him be both deposed and excommunicated. **(Dispensation: Our members and clergy may pray anywhere, at any time.)**

66 If any Clergyman strikes anyone in a fight, and kills by a single blow, let him be deposed from office for his insolence. But if he be a layman, let him be excommunicated.

(Dispensation: Members and clergy may defend the self, family, community and country.)

67 If anyone is keeping a virgin whom he has forcibly raped, though she be not engaged to another man, let him be excommunicated. And let it not be permissible for him to take another, but let him be obliged to keep her whom he has made his choice even though she happen to be indigent. **(Dispensation: Men who have sex with a woman must marry her and take care of her.)**

68 If any Bishop, or Presbyter, or Deacon accepts a second ordination from anyone, let him and the one who ordained him be deposed. Unless it be established that his ordination has been performed by heretics. For those who have been baptized or ordained by such persons cannot possibly be either faithful Christians or clergymen. **(Dispensation: If there is any doubt about the validity of the ordination, a subconditione ordination must be performed. We reserve the right to declare any ordination that was not Orthodox heretical and choose to perform a subconditione ordination. The determination is made by the Metropolitan see.)**

69 If any Bishop, or Presbyter, or Deacon, or Subdeacon, or Anagnost, or Psalt fails to fast throughout the forty days of Holy Lent, or on Wednesday, or on Friday, let him be deposed from office. Unless he has been prevented from doing so by reason of bodily illness. If, on the other hand, a layman fail to do so. Let him be excommunicated. **(Dispensation: Fasting is left to the conscious of the individual. It is better to eat moderately all year than to fast for brief times and be a glutton for the rest of the year.)**

70 If any Bishop, or Presbyter, or Deacon, or anyone at all who is on the list of clergymen, fasts together with Jews, or celebrates a holiday together with them, or accepts from them holiday gifts or favors such as unleavened wafers, or anything of the like, let him be deposed from office. If a layman do likewise, however, let him be excommunicated. **(Dispensation: Members and clergy may celebrate with anyone with a good heart and good intentions.)**

71 If any Christian conveys oil to a temple of heathen, or to a synagogue of Jews their festivals, or lights lamps for them, let him be excommunicated. **(Dispensed.)**

72 If any Clergyman, or Layman, takes a wax candle or any oil from the holy church, let him be excommunicated and be compelled to give back what he took, together with a fifth part of its value to boot. **(Dispensation: This does not exclude taking them so as to provide Mass elsewhere.)**

73 Let no one appropriate any longer for his own use any golden or silver vessel that has been sanctified, or any cloth: for it is unlawful to do so. If anyone be caught in the act, let him be punished with excommunication.

74 When a Bishop has been accused of something by trustworthy men, he must be summoned by Bishops; and if he answers and confesses, or is found guilty, let the penalty be fixed. But if when summoned he refuses to obey, let him be summoned a second time by sending two Bishops to him. If even then he refuses to obey, let him be summoned a third time, two Bishops again being sent to him; but if even then he shows contempt and fails to answer, let the synod decide the matter against him in whatever way seems best, so that it may not seem that he is getting the benefit by evading a trial.

(Dispensation: Only bishops of the Metropolitan Archdiocese of the SOC EACS my judge another bishop of this jurisdiction.)

75 As a witness against a bishop no heretic shall be accepted, but neither shall one faithful alone: for "every charge shall be established by the mouth of two or three witnesses" (Deut. 17:6; Matt.. 18:16).

76 It is decreed that no Bishop shall be allowed to ordain whomsoever he wishes to the office of the Episcopate as a matter of concession to a brother, or to a son, or to a relative. For it is not right for heirs to the Episcopate to be created, by subjecting God's things to human passion; for God's Church ought not to be entrusted to heirs. If anyone shall do this, let the ordination remain invalid and void, and let the bishop himself be penanced with excommunication.

77 If any cripple, or anyone with a defect in an eye or in a leg, is worthy of the episcopate, let him be made a bishop. For it is not an injury to the body that defiles one but a pollution of the soul.

78 Let no one that is deaf nor anyone that is blind be made a Bishop, not on the ground that he is deficient morally, but lest he should be embarrassed in the exercise of ecclesiastical functions.

79 If anyone is possessed of a demon, let him not be made a Clergyman, nor even be allowed to pray in company with the faithful. But after he has been cleansed thereof, let him be received, and if worthy be made one. **(Dispensation: Only the Council of Bishops of the Metropolitan can declare a person demon possessed. An evaluation by a licensed psychologist or psychiatrist will be required.)**

80 It is not right to ordain a man a bishop immediately after he has joined the Church and been baptized if he has hitherto been leading a heathenish life, or has been converted from wicked behavior. For it is wrong to let one without experience become the teacher of others, unless in some special case this be allowed as a matter of divine favor and grace.

81 We have said that a Bishop, or a Presbyter, must not descend himself into public offices, but must attend to ecclesiastical needs. Either let him be persuaded, therefore, not to do so, or let him be deposed. For no one can serve two masters, according to the Lord's injunction.

(Dispensation: Our clergy may serve in public, civil, military or government office. They must not neglect their ministry in doing so.)

82 We do not permit house servants to be ordained to the clergy without the consent of their masters, to the sorrow of the masters owning them. For such a tiling causes an upheaval in the households. But if any house servant should appear to be worthy to be ordained to any rank, as our own Onesimus did, and their masters are willing to permit it, and grant them their freedom and allow them to leave home, let him be so ordained. **(Dispensed.)**

83 If any Bishop, or Presbyter, or Deacon is engaged in military matters, and wishes to hold both a Roman (i.e., civil) and a sacerdotal office, let him be deposed. For "render unto Caesar the things which are Caesar's; and unto God the things that are God's" (Matt.. 22:21). **(Dispensation: Our clergy may serve in public, civil, military or government office. They must not neglect their ministry in doing so.)**

84 If anyone insults an emperor or king, or any other ruler, contrary to what is right and just, let him pay the penalty. Accordingly, if he is a clergyman, let him be deposed; But if he is a layman, let him be excommunicated. **(Note: Insults need to be justified by the truth.)**

85 To all you Clergymen and Laymen let the following books be venerable and sacred: Of the Old Testament, the five of Moses, namely, Genesis, Exodus, Leviticus, Numbers, and Deuteronomy; the one of Jesus of Nave (Joshua); the one of Judges; the one of Ruth; the four of the Kingdoms; two Paralipomena or the Book of Days; two of Esdras; one of Esther; three of the Maccabees; one of Job; one Psalter ; three of Solomon, namely, Proverbs, Ecclesiastes, and the Song of Songs; twelve of the Prophets; one of Isaiah; one of Jeremiah; one of Ezekiel; one of Daniel; outside of these it is permissible for you to recount in addition thereto also the Wisdom of very learned Sirach by way of teaching your younger folks. Our own books, that is to say. those of the New Testament, comprising four Gospels, namely, that of Matthew, of Mark. of Luke, and of John; fourteen Epistles of Paul; two Epistles of Peter, three Epistles of John; one of James; one of Jude; two Epistles of Clement; and the Injunctions addressed to you Bishops through me, Clement, in eight books, which ought not to be divulged to all on account of the secret matters they contain) and the Acts of us Apostles.
(Dispensation: The letters of Clement and the other bishops may be examined in detail and used for the edification of the faithful.)

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