
THE PEDAGOGIC AND THERAPEUTIC CHARACTER OF SAINT JOHN THE FASTER'S CANONS FROM ACRIBIA TO CONDESCENSION

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Abstract

The penitential canons of Saint John the Faster are part of the canons called *supplementary canons*. The following three penitential works: *Kanonarion*, *DeuteroKANONARION* and *Kanonikon* are attributed to Saint John the Faster. Written by various authors, these three works are linked together by the unity of ideas and form, presenting an intrinsic homogeneity. The study is centred around the mission of the confessor, who is not regarded as a judge that prosecutes the penitent but, above all, as a doctor that heals the penitent, according to the nature of the disease. The rule which helps us better understand the method used by the author in applying the penance is canon 3, rightly called '*the key of Saint John the Faster's canons*'. In this canon, the author justifies the shortening of the penitential practice, by explaining that there are other penances that can replace the interdiction to take part in the communion, often recommended by Saint John's predecessors. In the event that the penitents did not accomplish all these, they would have to apply the severe penances of the Fathers. Through their content, by being a pastoral landmark for each confessor, the canonical norms attributed to Saint John have had a great influence on the formulation of the penitential discipline in the Orthodox Church.

Keywords: Saint John the Faster, canonical penance, the ecclesiastical canons, supplementary canons

1. Introduction

The present study adds to the research dedicated to the penitential work attributed to Saint John the Faster, patriarch of Constantinople. The most important studies dedicated to him are those of Emilio Herman [1] and Miguel Arranz [2], and the most recent is that of F. van de Pavard [3], all of these published in Rome. To these works I add my research on the supplementary canons of the patriarch of Constantinople, published in Alba Iulia [4]. These studies deal in general with the work attributed to Saint John the Faster. I would like to highlight the pedagogical and therapeutical character of the canonical norms attributed to Saint John the Faster, making a general analysis of his penitential work and insisting especially on the

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canons in the present Byzantine collections which have not been particularly studied.

2. Preliminaries

The penitential norms attributed to John IV patriarch of Constantinople (582-595), called the Faster (*Νηστευτής*) [5], belong to the category of canons called supplementary canons that close the present canonical collections of the Orthodox Byzantine Churches. These canons have a distinctive feature, because, despite being attributed to patriarch Saint John the Faster, they are not mentioned at the Trullan synod (691-692) or at any other local anterior or posterior synod, nor are they found in any manuscript before the IXth century. Starting with the IXth century, the number of canonical prescriptions attributed to Saint John the Faster increased so much that being given the various manuscripts in use carrying his name, one can already refer to a *Corpus Canonicum Ioannis Ieiunatoris* (Nomocanon), made of three writings: *Kanonarion*, *Deuterokanonarion* and *Kanonikon*.

Unlike other penitential canons, which were limited to enumerating the penances and the sins committed, these writings attributed to Saint John the Faster have something absolutely new: the confessor is not a simple administrator of confession, but, above all, he is “*the doctor that acts according to the nature and needs of the patient, using the right remedies, taking into account the circumstances of each particular case*” [1, p. 118]. Therefore, one takes into consideration the possibility of the total salvation of the penitent, without imposing on him burdens he might not be able to carry, and which might take him to perdition, neither treat him with too much condescension, but permanently following the way of discernment. In this sense, through their content, the three writings mentioned supplement each other.

The principle, according to which the confessor, often called *doctor* by the Fathers, must permanently take into account the human person and his nature, was certainly not a new thing – Saint Basil the Great being one of those who promoted and developed it in his works – but shortening the penances was, doubtlessly, something totally new in the penitential Byzantine works. Starting with the end of the IVth century, Saint Basil’s strict penitential practice entered a period of crisis, being gradually replaced by pastoral attempts to shorten epitimias, such as the ones attributed to Saint John the Faster. It was the beginning of a new period in penitential practice, characterised by pastoral attempts to shorten epitimias for certain sins and the preference for applying tolerance (*συνήθεια*) instead of strictness (*ἀκρίβεια*), unanimously expressed by the Fathers of the Trullan Synod (691-692) through canon 102. In this context, the canonical norms attributed to St. John the Faster were regarded as a bridge of balance between severe confession, which had characterised the golden age of the Oriental patristics and the condescension specific to the end of the millennium.

3. Kanonarion

Kanonarion (*Κανονάριον*), the first penitential treatise attributed to John the Faster was a theoretical-practical handbook destined to help the confessors in their mission of healing souls, referring almost exclusively to the sins against chastity. The content of this work and attributing its authorship to different persons called its authenticity into question. The evidence put forward by some researchers in favour of the authorship of patriarch John the Faster are not solidly grounded, as out of the *Kanonarion's* content there appears that it was written after the VIth century, more precisely in the first half of the IXth century, being attributed to a certain hierodeacon John, a “man full of fervour for the salvation of souls”, a great admirer of Saint Basil the Great, who, as a token of respect for his spiritual master, wished to leave confessors a theoretical-practical treatise in order to be used as manual for confession [6]. In the collection of cardinal Pitra the author of *Kanonarion* is “John, archbishop of Constantinople” [7]. The same mention is found in the Georgian text of the *Kanonarion*, where the author indicated is “John, archbishop of Constantinople” [1, p. 79].

The reasons for attributing this writing to patriarch John the Faster have to do rather with the Studite reform in the IX-Xth centuries, reform which caused a change in the strict monastic confession. This change could be done only by invoking the name of a person who became a model of monastic life through an ascetic life. This is the only way to explain the presence of the name of John the Faster, starting with the Xth century, on numerous penitential manuscripts, his image as a follower of Christ being very prominent in the Church's memory [2, p. 21].

As for content, the treatise opens with an ample prologue in which the Sacrament of Confession is explored from the beginning of mankind up to the times of the author [2, p. 40-49]. There follows the first part of the writing, having a historical character, including the description of the seven carnal sins and the difference between these and the sin of manslaughter. In the same part, after having established a correspondence between sins, according to their seriousness, there follow the penances established by Saint Basil the Great and other Fathers of the Church [2, p. 49-67].

In the second part (III-V) [2, p. 66-97], considered by some researchers as the original part [2, p. 16], the author highlights the penances established by himself – pointing out to their shortening – in comparison with the long penances for the same sins established by previous Fathers. The author presents the duration of the penances for each sin, as well as the way in which this must be applied in certain cases, emphasizing the importance of the diacritical spirit of the one who makes the confession. Great importance is attached to the way in which the confessor interrogates the penitent, the latter being invited to meditate deeply on the person and on the sins committed and apply the right epitimia, taking into consideration his repentance and the possibility of bearing it, without burdening him with tasks he cannot fulfil or that might lead him rather to perdition than to healing.

The third part (VI-VII) [2, p. 97-119] contains rules concerning the fasting periods that penitents must observe. Just like in the second part, the author underlines the fact that applying an epitimia that deprives the penitent of drinks and certain food must be made carefully, considering the statute of the persons to which it is applied: simple faithful, monks, slaves; in the case of the latter, because they are in the possession of someone else, the penances are shortened to half. That is why he suggests three rules, allowing the confessor to choose one, together with the penitent. The first one is the strictest – addressing especially monks – and it establishes ascetic fasting for Mondays, Wednesdays and Fridays; meat, dairy products and eggs are forbidden, but oil is allowed. On Tuesdays and Thursdays any food is allowed, except meat. The rest of the days, on Saturdays, Sundays and on feasts (great feasts, feasts of the Theotokos, of the twelve Apostles, of Saint John the Baptist), the period between Christmas and Theophany, the bright week, the two weeks before the Great Lent (except Wednesdays and Fridays), from Thomas Sunday to All Saints Sunday (except Wednesdays and Fridays) any food is allowed, except for those whose penance was to abstain from certain food during these days. The prescriptions referring to food were followed by the ones about wine, which was allowed only exceptionally on Mondays, Wednesdays and Fridays, in a limited quantity, up to a litre a day (a liter- *λίτρα*, was the equivalent of 320 ml) [3, p. 159]. In this case, the confessor was free to accept, according to the disposition, physical condition and habit of the penitent, exceeding the quantity of wine with more than a litre a day. The first rule ended with other norms referring to different fasting periods of the year, such as Saint Philip's Fast and the Apostles' Fast [8], during which, laymen had to abstain from meat and monks from dairy products and eggs, except the feast of the Presentation of the Theotokos (November 21) and the Nativity of Saint John the Baptist (June 24).

The second rule referring to fasting was destined to the less developed spiritually, who could not or did not want to accept the first rule. For these, the prescription was abstaining from drinking on Mondays, Wednesdays and Fridays. As for food, the laymen had to abstain from meat, dairy products and fish, being allowed to consume only oil, and the monks who were not invalids were forced not to use oil on these days.

The third rule suggested was a compromise (*ἐξ ἀπορίας*), destined to penitents who, because of their passions, vanity or disability could not respect one of the previous norms. For these, the author of the *Kanonarion* prescribed fasting for Mondays, Wednesdays and Fridays, days on which the laymen were allowed to eat fish and monks a little oil. At the same time, the author underlines that he is aware he will be judged for the way in which he treats penitents, but prefers to be condemned for too much condescension (*οἰκονομία*) than to be praised for insensitiveness (*ἀσυνπαθῶς*). The final of this last part (VII) is dedicated to prayers that penitents were obliged to say three times a day (in the morning, at noon, in the evening), accompanied by prostrations. The ones who were not so learned had to say the following: Psalm 50, Our Father, 'Lord have mercy'-100 times and the prayer 'Lord have mercy for me, the sinner [...] Lord I have sinned, forgive me' – 50 times accompanied by 50 prostrations. Again we find the same

spirit of clemency as in the case of fasting: the ones that were not capable of saying all the prayers prescribed could follow the second rule which meant only half of these, and those who considered even the second rule too difficult could use the third rule, being obliged thus to have only a third of the initial prayer canon. As a completion, in this final part we find a ritual of confession that ends with the absolution prayer and a practice that reminds of the *Kippur* [9] Judaic ritual: the confessor took the penitent's hand and put it on his shoulder, assuring him that from that moment on all his sins were on him. Then followed establishing with one accord one of the three penitence rules and encouraging the penitent to come to confession every time he fell into sin.

In the end, the author establishes the following ritual of kneeling: on Saturdays, on Sundays and feasts from Christmas to Theophany one could kneel and from Pascha to All Saints Sunday one kneeled only for prostrations. Some manuscripts also contain a series of five appendices after the three parts. In the two first appendices – considered conclusions of the *Kanonarion* – the author justifies his practice of shortening penances, quoting, in this respect, canons 74, 84 and 85 of Saint Basil the Great and inviting the faithful to be close to the ones hardened in sin and ends in an exhortation to prayer for the salvation of all men. The next two appendices include penances prescribed for various categories of persons: for those who cannot abstain from sins in fasting periods, for eunuchs, for adolescents (*βαρβάτος*). The last appendix makes reference to the dispositions of Saint Basil concerning women [1, p. 94].

4. Deuterokanonarion

Although conceived as a complete penitential handbook, the *Kanonarion* had many shortcomings (defective order of the treatise, superfluousness of psychological and historical explanations, simplicity of the confession ritual). This determined the appearance of another penitential work, known under its abbreviated title as *Didascalia Patrum* (*Διδασκαλία πατέρων*) and entitled *Deuterokanonarion* by Miguel Arranz, which was nothing but a rearrangement of the first penitential. As in the case of the *Kanonarion*, the authorship of the writing is controversial, the respective text having various titles: *Akoloutia* (*Ἀκολουθία καὶ τάξις*), *Logos* (*Λόγος*), *Diaforoi diaforai* (*Διάφοροι διαφοραί*), *Didaskalia pateron* (*Διδασκαλία πατέρων*). According to these titles, the author was a certain monk, Basil or even John the Faster. Just as in the case of the first penitential (*Kanonarion*), because of its content, the researchers excluded from the start John the Faster as its author, accepting rather the second alternative offered by *Didascalia Patrum*, that it is the monk Basil, 'the son of obedience', who, just like the author of the *Kanonarion*, claims to be a disciple of Saint Basil the Great [2, p. 9].

As for the time of its elaboration, most of the researchers agree in establishing the appearance of the *Deuterokanonarion* in the second half of the IXth century. Frans van de Paverd extends this period, placing the elaboration of the *Deuterokanonarion* between 730 and 1028 [3, p. 200-201].

The *Deuterokanonarion* was a canonical-liturgical treatise made of two parts, preceded by an introduction and succeeded by a series of appendices, dealing especially with the ritual of confession [2, p. 152-207]. The treatise opens with a prologue addressed to the confessor and the penitent. The confessor is warned to be very careful about his mission and think rather of God's mercy than of the multitude and seriousness of the penitent's sins. At the same time, the penitent is admonished against the importance of the act of confession in liberating oneself from the sins committed.

The first part of the treatise presents the practice of the confession, indicating the place where it should unfold and the moment, according to the penitents, the prayers used, the behaviour of the confessor towards the penitent, the questions addressed to penitents and the absolution formula, considered not as a simple prayer, but rather as a formula of invoking divine forgiveness, a formula that could be uttered even by a confessor who had not been ordained [2, p. 135].

As concerns the way of examining penitents, the author presents a classical questionnaire – inspired from the first chapter of the *Kanonarion* – with detailed questions on the sins committed, starting with the ones about lust and adultery, continuing with the ones concerning serious carnal sins, such as sodomy and zoophilia and other sins (offenses, gossiping, withcraft, false oaths, stealing, lying). In the version of the *Deuterokanonarion* entitled *Logos*, the questionnaire is different from the other manuscripts, being made up of 94 topics which the confessor had to approach when interrogating the penitent [10]. What follows is a chapter dedicated to imposing epitimias, in which the confessor invites the penitent to sit next to him, establishing with one accord the penance for the sins committed. Again, the confessor is warned not to assign the epitimia he considers, neither the one the penitent deserves, but the one that the latter chooses.

In the second part, the author mentions the duration of the penance, making the distinction between epitimias applied for sins committed before and after reaching the age of 30. Thus, for sins committed – both by men and women – before reaching the age of 30, one applied less clemency; if the sins were committed after this age, the penitents could receive more severe epitimias. The last lines of this part are a warning addressed to those who take communion without worthiness, this being considered the greatest sin of all.

5. *Kanonikon* – the confessor's guide

Both the *Kanonarion* and the *Deuterokanonarion* certainly contained useful teachings for confessors and penitents. However, despite the authors' endeavor, both works were more theoretical than practical treatises, making it impossible for confessors to use them in the Sacrament of Confession for each particular case. The pastoral necessities called for a practical work, more accessible from a pastoral point of view, which to contain the epitimias in a shorter form, without too many explanations and which to facilitate their use and memorisation by confessors. This led to the appearance of a third penitential writing called *Kanonikon* and included in the Nomocanon attributed to Saint John the Faster.

Called "handbook for confessors" by Nicodemus Milas [11], actually, the *Kanonikon*, this last work of Saint John the Faster's *Nomocanon*, was not a treatise, such as *Kanonarion* and *Deuterokanonarion*, but was a schematic writing, made up of a list of short rules (canons), which dealt with wrongs and the corresponding epitimias, and which, from the point of view of form, was similar to the synodal and patristic canons (ecumenical and local).

Without any doubt, the purpose of this writing was to supply the deficiencies of the two previous writings and to offer a useful penitential code both for the confessor in assigning penance and for the penitent in evaluating his behaviour. Permanently considering the penitent's progress, the author does not intend to offer a lesson of penitential canonical law, but rather to instruct the confessors as to the way in which they must act towards those who commit certain sins [1]. His interest was to highlight the benignity of the norm he suggested, that is why, before stating the new norm, he paraphrased from the patristic canons in order to bring into the focus of the readers the severe epitimias applied for the same sins by the Fathers before him.

The abundance of quotations from patristic writings and the variety of approached issues demonstrates that this *corpus* of canons, initially made up of a group of canonical prescriptions extracted from the canons of Saint Basil concerning women, extended progressively afterwards. Nicodemus Milas ascribes the increase of the number of canons to the successive copyings of *Kanonikon* by some confessors who added other canonical norms for the cases which had not been brought under regulation in the primary *corpus* [11]. Therefore, we witness an increase of manuscripts, containing a number of canons that vary from one manuscript to another, attributed to various authors such as: Saint Basil the Great, Saint John the Faster and hierodeacon John. Consequently, one can refer to an original version, attributed by some researchers to John the Faster and to some ulterior versions of the *Kanonikon*, compiled by various authors. One cannot exclude, however, another thesis that identifies a certain John as the author of the original version, a hieromonk from Cappadocia, a famous preacher to whom was attributed the title of *Faster* for his ascetic life. Determined by his own experience as confessor, he tried to change the severe penitential discipline based on synodal and patristic canons [1].

Shortening the penances, prescribed in the majority of the canons from the *Kanonikon*, obviously denotes the influence of the previous penitential works (*Kanonarion* and *Deuterokanonarion*). This allows us to establish the moment of the elaboration of the *Kanonikon* between the second half of the IXth century and the first half of the Xth century.

However, it is worthy of note that, starting with the XIth century, the name of the Byzantine patriarch John the Faster was generalised for the whole *corpus* of the *Kanonikon*. Thus, all the ulterior Byzantine Orthodox collections in Greek, such as the alphabetical *Syntagma Canonum* (1335), *Pidalion* (1800) and the Athenian *Syntagma* (1852-1859) indicate Saint John the Faster as author of the canons. In the alphabetical *Syntagma Canonum*, Matthew Blastares collected in a *corpus* 48 unnumbered canons, indicating that these belong undoubtedly to Saint John the

Faster. The authors of the *Pidalion*, instead, present only 35 canons, to which they add a second group, as supplement, with 18 (17) canons referring to the sin of adultery; and the collection of Rhallis and Potlis contains the 48 canons published by Blastares, plus the 18 canons published in *Pidalion*, added at the end as footnote. In the Athenian *Syntagma* there are not 18 canons, but only 17, as the prescription referring to zoophilia committed by a woman (can. 12) was added to the one referring to the zoophilia committed by a man (can. 11), forming today only one canon – canon 59 [12]. Thus, their total number is 65 and today all these canons form the so-called *Kanonikon of Saint John the Faster*.

The form and the content of the *Kanonikon* in Matthew Blastares' *Synopsa* (1335) determine us to affirm that originally, this collection was not a simple enumeration of rules, but, on the contrary, an exposition that, even if it was not continuous, took the shape of a short treatise with many quotations from the Holy Fathers. Considering the ancient Platonic conception that attributed three faculties to the human soul (rational, irascible, concupiscible), the author grouped his prescriptions in three groups: the first group was made of two canons referring to sins against faith (can. 1, 2), the second group included a number of 27 canons and dealt with sins against Christian morals (can. 4-30), the third group was made of canons referring to sins against one's neighbour (can. 31-46). The presentation of John the Faster's canons in Blastares' collection is undoubtedly different from the previous writings, but not completely new in the sphere of canonical law, as we find it first in the canonical prescriptions (can. 1) of Gregory of Nyssa [13].

The canon that helps us understand the method used by the author in applying penances is canon 3 (the Athenian *Syntagma*), which contains a handbook for confessors in applying epitimias, that is why it can rightly be called *the Key of Saint John the Faster's canons* [4, p. 86]. Although canon 3 cannot be included in any of the three groups, practically it refers to all canons, as it includes the author's argument concerning the method used in applying epitimias: "[Saint John the Faster] the fact that we reduce the number of years of penitence will not seem to be out of keeping with reason to those, I presume, who can reason aright. For since neither in Basil the Great, nor furthermore in the more ancient of our marvellous Fathers has any fasting or vigil or genuflection numerically been fixed for sinners, but merely abstinence from the sacred Communion, we have concluded that it behoves us, in regard to those persons who are genuinely repentant and will to subject their flesh to the infliction of hardships, and to lead a life gratefully that will counterbalance their previous wickedness, according to the measure of their continence to countermeasure to them also a curtailment of the term of penitence. For instance, if anyone consented not to drink wine on determinate days, we decided to subtract one year from the sentence fixed by the Fathers for the expiation of their offense. Likewise, if he promises temperance in respect of meat for a time, we have seen fit to deduct another year; if in respect of cheese and eggs, or of fish, or of olive oil, and so on in each particular case of temperance in respect of any one of these articles, to knock off a year. Nor is this all, but even he chooses to appease the Deity by frequently repeated genuflections, to do likewise, and especially if he exhibits a willingness to provide generous alms without straining his power, or

overtaxing his ability. If, on the other hand, even after the lapse anyone has come under the God-pleasing and solitary life, we have seen fit to shorten still further his sentence, seeing that throughout (the rest of) his life he is destined to suffer harsh treatment such as becomes such a course of living.” [12, p. 435-436].

The author was convinced that through reducing the penitence time, his method would not be understood by many, that is why he felt the need to offer some explanations and show that penitence may consist not only of forbidding the communion, but also of other impositions, such as: fasting, prayers, vigils and prostrations, which, combined with sincere repentance, could make the penitent worthy of communion. Nevertheless, his method displeased many monks, considering that it does not conform to the biblical and patristic tradition and that it was rather harmful than healing for penitents. Even the patriarch of Constantinople, Nicholas III Grammatikos (1086-1111), questioned by the monks from Mount Athos on using John Faster's *Kanonikon* in confession, made out a case against it, saying: “Making use of much benignity, has lost many; that is why, those who know what is good and deviate from it, must amend” (can. 11) [12, p. 425-426].

Due to its content, along the centuries, canon 3 has been considered as prologue of John the Faster's canons. This explains somehow the small number of canons from certain manuscripts and collections – among which the *Pidalion* – in which this canon occupies the first place, opening the series of John the Faster's canons.

Through their content, the canons attributed to Saint John the Faster are not just simple canonical law norms, but veritable pastoral exhortations abundant in quotations from patristic canons, especially the canons of Saint Basil the Great and Saint Gregory of Nyssa, but also quotations from the canons of the ecumenical and local synods. The reduction of penances, a main characteristic of John the Faster's writings, is found in the majority of the canons attributed to him. It is clear from the content of the canons that the author knew the ancient canonical discipline, referring in this sense to the patristic and synodal canonical prescriptions (ecumenical and local), which he compares to his reduced penances; in other words, updating the canonical penitential practice to the situations of his time. If one analyzes the canons carefully, one finds 22 quotations or references to the canons of Saint Basil the Great, as follows: can. 1 (John F.) – can. 73 (Basil G.); can. 2 (JF) – can. 65, 72 (BG); can. 3 (JF) – can. 74 (BG); can. 14 (JF) – can. 59 (BG); can. 16 (JF) – can. 60 (BG); can. 17 (JF) – can. 49 (BG); can. 18 (JF) – can. 32 (BG); can. 19 (JF) – can. 4 (BG); can. 20 (JF) – can. 58 (BG); can. 24 (JF) – can. 75 (BG); can. 25 (JF) – can. 76 (BG); can. 29 (JF) – can. 62 (BG); can. 31 (JF) – can. 56 (BG); can. 32 (JF) – can. 13, 55 (BG); can. 33 (JF) – can. 2, 8 (BG); can. 38 (JF) – can. 71 (BG); can. 41 (JF) – can. 61 (BG); can. 43 (JF) – can. 66 (BG); can. 45 (JF) – can. 82 (BG). Identically, the prescriptions of Saint Gregory of Nyssa are quoted in 6 canons: can. 1 (John F) – can. 2, 4 (Gregory N); can. 2 (JF) – can. 2 (GN); can. 14, 20, 29 (JF) – can. 4 (GN); can. 44 (JF) – can. 8 (GN).

Consequently, one discovers a composition style totally different from all the other canons, which demonstrates that this collection, called *Kanonikon*, was destined not only to the confessors, but also to the faithful who could thus know the penances the Fathers gave for certain sins, as well as the less severe norms of John the Faster. It is obvious that there is a great difference between the penances

prescribed by the author in his canons and those of the synods or of the Holy Fathers. The penances of the Faster are in the final part of the canon, being stricter than those of the Fathers and in general, the canonical norm – which prescribed fasting, prostrations and prayers – ends with an explicit disposition, subject to the condition, which establishes exactly the course the penitent has to follow. They considered that the penitent's soul would certainly get healing if he followed strictly the canon's prescription (prayers, alms giving, attending the holy services, daily genuflections, fasting); however, if he refused to observe the prescription, the penitent had to observe the years established by the Fathers (can. 16, 20, 25, 31). Not all the canons have this structure; in at least 34 canons there is no synodal or patristic prescription, the respective prescriptions being practically the author's answer to various problems, based on the careful observation of the synodal and patristic canonical legislation and, especially, on his experience of spiritual doctor willing to heal with great solicitude the ones fallen into the slavery of passions (can. 4-13, 30, 34-37, 39, 40, 47-61, 63-65).

Reducing penances is not a rule in all the canons of John the Faster. This can be noticed from the content of a group of six canons, in which the author did not feel the need to intervene with any solution, but only limited to condense the prescriptions of the Holy Fathers concerning the subject in question. Thus, in the case of the sin of fornication committed by an unmarried man, discussed in canon 14, the author does not consider that he must intervene with a new norm, but confines himself to recommend to the confessors the observance of canon 4 of Saint Gregory of Nyssa and of canon 59 of Saint Basil the Great, which prescribe exclusion from communion for 9 years (Saint Gregory) or 7 years (Saint Basil).

The author acts the same in canon 15, when he discusses adultery by a married man, reminding confessors the dispositions in canon 21 of Saint Basil the Great, according to which a penitent who committed such a sin had to be subject to a more severe epitimia than the one prescribed for the sin of lust committed by an unmarried man. In the same way, in canon 17, discussing the situation of those tainted by brute men or masters, the author urges the confessors to observe the patristic prescriptions in this respect; that is, canon 49 of Saint Basil the Great, according to which the one who suffers such an injustice should not observe any penance. References to prescriptions of Saint Basil the Great are also found in canon 18, where, discussing the case of the lusty clerics, the author reminds the dispositions in the canon 32 of Saint Basil, which prescribed only a deposition from their rank, not excommunication, confirming the principle according to which one cannot undergo two chastisements for the same transgression. Equally, in canon 32, concerning the ones who kill in war or in a fight with robbers, the author refers to canons 13 and 55 of Saint Basil the Great which prescribe the penance of exclusion from communion for three years for laymen, and for clerics the permanent deposition from the sacred orders. Neither does the author bring forth a new norm, but summarises the dispositions of Saint Gregory of Nyssa in this respect; that is, canon 8, according to which such people must be punished with a shorter penance time than the one for adultery, but not more than three years.

6. Conclusions

In conclusion we can affirm that the canonical work attributed to Saint John the Faster has a real practical character, rising from the necessity of supplying acrimia or condescension of the law in the spirit of discernment and balance. We cannot say that through their method, the author or authors of the canons overshadow the authority of the synodal and patristical canons; on the contrary, this highlights the balance that must exist between condescension and acrimia in interpreting and applying ecclesiastical law. In this case, the law is not broken, but interpreted in a personal manner, taking into account persons, deeds, time, the soul's disposition and each one's personal desire of salvation. The penances are part of this therapeutic dimension of the Sacrament of Confession, in which the Confessor, as spiritual doctor, even if he is not obliged to apply an epitimia, must do his best to awake the conscience of the penitent, in order to make him understand his spiritual estrangement and the necessity of healing so as to become again a healthy member of the ecclesial body.

The reduction of penances is an iconomic act which reflects adequately the pastoral flexibility of Oriental Churches. In this sense, the canons attributed to Saint John the Faster are a first step towards an improvement of the synodal and patristic canonical legislation of the first millennium, a first example of an update (*aggiornamento*) of the penitential canonical law, regarded above all as thaumaturgic, pastoral, eucharistocentric and soteriological. Through their content, these canons do not supply, but complement the Oriental canonical law, influencing considerably the Byzantine penitential discipline and constituting a landmark in the pastoral work of every confessor.

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