

Basil of Caesarea, *Canonical Letters (Letters 188, 199, 217)*

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## INTRODUCTION

Basil of Caesarea (ca. 330-378) left behind one of the largest bodies of writing from the early Christian period, including monastic legislation, homilies, theological treatises, and an extensive correspondence. The three letters translated here are traditionally known as his canonical letters, and were read as authoritative documents in Byzantine tradition. The letters make no attempt to codify all of church law, but rather respond to specific queries sent by Basil's protégé, Amphilochius of Iconium, who became a significant theologian in his own right. It is crucial to bear in mind that Amphilochius has asked for Basil's judgment regarding specific cases that have come up in Amphilochius' church in Iconium. Basil comments on cases dealing with murder, sex and marriage, the consultation of seers, and the conversions of heretics and schismatics. (Canon 1, incidentally, contains one of the classic statements of the differences between heresy and schism.)

Precedent is decisive for Basil's casuistry, and the reader can see his frequent appeal to the prior tradition of canonical legislation. By Basil's time, this tradition included canons from individual bishops and rulings from church councils such as Elvira, Nicaea, and Laodicea, though Basil's knowledge and use of these councils' disciplinary decrees is uncertain. While conciliar legislation begins in the early fourth century, the individual episcopal canons on which Basil draws go back to the mid-third century: Basil mentions Dionysius of Alexandria, Cyprian of Carthage, and his own predecessor Firmilian of Caesarea. Basil recognizes that in some

matters there are regional variations among the judgments handed down and defers in such cases to local precedent.

When handling a case of transgression, the punishments at a bishop's disposal have to do solely with participation in clerical orders or in the sacraments. The penalties can perhaps best be grasped by envisioning a church building. At the front are the clergy in their ranks from bishop and presbyter down to deacons. Then come the non-ordained, but still officially-recognized orders such as sub-deacons, deaconesses, widows, and virgins. Beyond them stand the faithful, that is, the baptized laypersons who partake fully in the prayer and the offering, and who receive the Eucharist, or the "gift," as Basil calls it in these letters. After them are the penitents, and then the hearers, both of whom are dismissed for the celebration of the sacrament. Outside the church door stand a group whose role is to weep for their sins and beg the prayers of the faithful as they enter. If a member of the clergy sins, typically the only penalty is deposition, which brings him down a rank in the clerical order. If a layperson sins, he or she is deprived of position in the church during the celebration. Typically there is a fixed number of years he or she must pass in each position—first weeping outside the door, next coming inside as a hearer, then doing penance, then standing among the faithful, and finally receiving the gift. Still, Basil counsels leniency on Amphilochius' part and attention to the quality of the sinner's penance rather than a mechanical accounting of years. Basil's rhetorical training, which included a heavy dose of forensic rhetoric, served him well in his careful examination of the cases Amphilochius proposed for him. Acting as judge and legislator was becoming central to a bishop's duties, and it is a testament to Basil that his 84 canons (which are numbered continuously throughout the three canonical letters) survived as models of Christian law. The Greek text translated here can be

found in *Saint Basile: Correspondance, Tome II: Lettres CI-CCXVIII*, texte établi et traduit par Yves Courtonne, 2<sup>nd</sup> ed. (Paris: Les Belles Lettres, 2003), 120-31, 154-64, and 208-17.

## TRANSLATION

Letter 188, To Amphilochius on the canons

It is said, “To a fool who asks, wisdom will be reckoned.”<sup>1</sup> But it would appear that a request from a wise person makes even a fool wise. This is what, by the grace of God, happens to us every time we have received a letter from your diligent soul. For we become more careful and prudent than we were before simply from your questioning as we learn many things which we did not know and your concern for precision becomes a teacher for us. In the present case too, since we have never taken up your questions for consideration, we have been obliged to examine them with precision, recollecting anything we have heard mentioned by our elders and drawing our own conclusions that are akin to what we have been taught.

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<sup>1</sup> Cf. Prov 17:28.

So then, the question about the Pure<sup>2</sup> has already been dealt with.<sup>3</sup> And you have rightly mentioned that it is necessary to follow the custom of each region, since those who have previously decided their cases have held various opinions concerning their baptism. But the baptism of the Pepuzenes<sup>4</sup> seems to me to have no basis, and I marvel at how this escaped Dionysius,<sup>5</sup> even though he was trained in the canons. For the ancients judged that a baptism is acceptable when it does not deviate at all from the faith. This is why they named some groups ‘heresies,’ others ‘schisms,’ and still others ‘rival assemblies.’ Heresies are completely broken off and estranged with respect to the faith itself. Schisms are divided from each other because of certain ecclesiastical reasons and resolvable disputes. Rival assemblies are congregations which

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<sup>2</sup> In Greek, *Katharous*. This was the self-designation of the followers of Novatian, who in the mid-third century was elected bishop of Rome by a group that wished to separate from the current bishop of Rome, Cornelius. Unlike Cornelius, Novatian and his followers denied that apostates from the faith in times of persecution could be forgiven through penance.

<sup>3</sup> In addition to the rulings of Cyprian and Firmilian, mentioned below, Basil could perhaps be thinking of Canon 8 of the Council of Nicaea (325) and Canon 7 of the Council of Laodicea (343).

<sup>4</sup> The “Pepuzenes” were so-called by opponents based on their association with the city of Pepouza in Asia Minor where Montanus and Priscilla lived and taught. These two claimed to be prophets inspired by the Holy Spirit. Opponents like Basil believed that they identified themselves with the Holy Spirit. This group, also known polemically as “Montanists,” believed that the New Jerusalem would descend at Pepouza.

<sup>5</sup> Dionysius was bishop of Alexandria from around 247 to around 265.

result from insubordinate presbyters or bishops and from uninstructed laypersons. For example, if someone who has been proved to be in error has been removed from the ministry and does not submit to the canons, but rather claims for himself the presidency and the ministry, and when some people have gone along with him and forsaken the catholic church --- this kind of thing is a ‘rival assembly.’ A schism, moreover, is at odds regarding repentance<sup>6</sup> with those who are within the church. Examples of heresies include that of the Manicheans, Valentinians, and Marcionites, and of these Pepuzenes themselves, for there is a direct disagreement over the very faith in God. Accordingly, the ancients decided to reject entirely the baptism of heretics, but to accept that of schismatics, since they still belong to the church. As for those in rival congregations, after they have been made better by a reasonable repentance and conversion, they are to be joined once more to the church. As a result, it is often the case that persons of some rank who went along with the insubordinate leaders are admitted to the same order after they have repented.

So then, the Pepuzenes are clearly heretics, since they blasphemed against the Holy Spirit when they irreligiously and shamelessly gave the title of “Paraclete” to Montanus and Priscilla. Now, either they made humans gods, in which case they are condemned, or they insulted the Holy Spirit by comparing it with humans, and if so, they fell under the eternal damnation, since blasphemy against the Holy Spirit is unforgiveable.<sup>7</sup> So, what sense does it make to accept the baptism of these people who baptize in [the name of] Father and Son and Montanus or Priscilla? Indeed, those baptized into names which have not been handed down to us have not been baptized. And so, even if this escaped great Dionysius, nonetheless we should not keep imitating

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<sup>6</sup> In Greek, *peri tēs metanoias*.

<sup>7</sup> Cf. Matt 12:31-32; Mark 3:29; Luke 12:10.

the error. After all, the absurdity is *per se* obvious and evident to all who have even a tiny share of reason.

And the Pure themselves are counted among the schismatics. And yet the ancients --- I mean those connected with Cyprian and our own Firmilian<sup>8</sup> --- decided to submit them all --- the Pure, the Encratites,<sup>9</sup> and the Water-Ministers<sup>10</sup> --- to a single decision. It is from here that the schismatic separation began. But those who separated from the church no longer had the grace of the Holy Spirit upon them, since it could no longer be given when the continuity was broken. For the first ones who withdrew had their ordinations from the fathers, and through the laying on of their hands possessed the spiritual charism. But those who were broken off became laypersons, and lost the authority to baptize or to ordain, since they were no longer able to confer on others the grace of the Holy Spirit that they themselves lacked. Since certain people had been baptized by laypersons, Cyprian and Firmilian ordered those among them who came to the church to be cleansed again with the true baptism of the church. But, in short, since some of those in Asia, in the interest of accommodating the majority, decided to accept their baptism, let it be admitted.

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<sup>8</sup> Cyprian was bishop of Carthage in North Africa, ca. 248-258. He corresponded with Firmilian of Caesarea in Cappadocia (bishop ca. 230-268). Both Firmilian and Cyprian supported the rebaptism of the Pure, a position at odds with Stephen of Rome.

<sup>9</sup> In Greek, *Egkratitas*, “the chaste” or “self-controlled.” These Christians abstained from sex, meat, and wine, and condemned their use by other Christians. Cf. Canon 47.

<sup>10</sup> In Greek, *Hydroparastatas*. The “Water-Ministers” or “Hydroparastatae” used water instead of wine in the Eucharist.

But we must understand the vile trick done by the Encratites: in order to make themselves unacceptable to the church, they tried to preempt [admission] with a strange baptism, and thus they falsified even their own custom. So then, since no judgment has been handed down concerning them, I think we ought to reject their baptism. And if someone has received baptism from them, we must baptize him when he comes to the church. However, if this is going to undermine good order generally, once again we must stick to custom and follow the fathers who ministered to our own regions. Indeed, I fear that, if our desire is to caution people against baptizing, the severity of our position might make us an obstacle to those being saved. Now, if the Encratites accept our baptism, this should not embarrass us. After all, we are not obliged to repay them the favor, but to observe the discipline of the canons. By all means, let it be decreed that those who come to us from their baptism<sup>11</sup> be anointed in full view of the faithful and likewise approach to the mysteries. Now, I am aware that we admitted to the episcopal seat the brothers Izois and Saturninus, who came from that order.<sup>12</sup> Consequently, we can no longer cut off the members of their group from the church, since we have put forth a kind of canon of communion with them through the succession of bishops.

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<sup>11</sup> Reading *apo tou baptismou ekeinōn*, as conjectured by Deferrari. The mss. and other editions say, with minor variations: *epi ton baptismon ekeinon*, which means “to that baptism,” which would make Basil say that the persons in question must publicly receive chrism and approach the mysteries when they receive the baptism of the Encratites!

<sup>12</sup> Namely, the Encratites.

The woman who has intentionally miscarried is liable for murder.<sup>13</sup> Among us there has been no technical discussion of whether [the fetus] is or is not fully formed. In fact, in this case not only do we seek justice for the one that is to be born, but also the one who plotted against herself,<sup>14</sup> since usually women die after such attempts. Added to this too is the destruction of the embryo, another murder, at least in the intention of those with the audacity to do these things. We must not, however, extend their penance until death, but accept the length of ten years. Nonetheless, their healing should be defined not by time, but by the manner of their repentance.

3

The deacon who has fornicated after [attaining] the diaconate will be deposed from his ministry. But, although he will be put back into the position of the laity, he will not be excluded from communion. For there is an ancient canon that those who fall from a position of rank should be subject to this manner of correction alone, and the ancients were following, I think, that law, “You shall not avenge twice for the same crime.”<sup>15</sup> And there is another reason: those who are in the order of laity, but are expelled from the position of the faithful, are once again received in the position from which they fell. But a deacon receives once for all the permanent penalty of deposition. So then, since his diaconate is not given back to him, he remains with this

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<sup>13</sup> In Greek, *phonou*. Basil uses the same term for what contemporary English calls manslaughter, homicide, and murder. To signal this usage, I have used “murder” (and its variations) throughout.

<sup>14</sup> Translated thusly for sense, even though the Greek pronouns in this clause are masculine.

<sup>15</sup> Nah 1:9.

punishment alone. Now, these are the directions drawn from the written decrees. But, in general, a truer remedy is to withdraw from the sin. Accordingly, someone who has rejected grace because of the pleasure of the flesh will provide us full proof of his healing if he abandons the pleasures that overcame him by afflicting the flesh and enslaving it entirely through self-control. So, we must know both the norms of strict law and those of custom, and in cases that do not admit of rigorous application, we must follow the written decree that has been handed down.

4

Concerning trigamy and polygamy, [the ancients] decreed the same canon which also applies in the case of bigamists, taken proportionally: a single year [of penance] for bigamists, although others declare two years.<sup>16</sup> But they exclude trigamists [from communion] for three and often four years. And they no longer call such a thing “marriage,” but “polygamy,” or rather “restrained fornication.” This is why the Lord says to the Samaritan woman who had had five husbands in succession, “he whom you now have is not your husband,”<sup>17</sup> since those who have gone beyond bigamy are no longer worthy of being addressed with the titles of “husband” or “wife.” We have accepted a custom of a five-year exclusion for trigamists; this does not come from the canons, but is in keeping with our predecessors. It is not necessary to bar them

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<sup>16</sup> For Basil, bigamy includes not only having two spouses at once, but also second marriages; indeed, second marriages are Basil’s primary concern when he discusses bigamy. Accordingly, trigamy includes third marriages and so on.

<sup>17</sup> John 4:18.

completely from the church, but to consider them hearers<sup>18</sup> for perhaps two or three years, and after this time to allow them to reunite, though without communion in the gift.<sup>19</sup> And thus when they have shown some fruit of their repentance, they may recover their place in the communion.

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Heretics who repent at the time of death ought to be received, though certainly not without examination, but with a test of whether they show a genuine repentance and whether they have fruits that testify to their zeal for salvation.

6

Acts of fornication among canonical persons should not be considered as marriages, but rather every method must be employed to break up their unions. For this will also be to the advantage of the church's security, and will not give the heretics any traction against us on the grounds that we attract people to our ranks by offering license to sin.

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Men who have sex with men, or with beasts, as well as murderers, poisoners, adulterers, and idolaters all deserve the same condemnation. So, whatever rule you have for the others,

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<sup>18</sup> In Greek, *akroaseôs*. The *akroasis* was a class of penitents who could attend services as “hearers,” but could not receive the Eucharist.

<sup>19</sup> In Greek, *tês de koinônias tou agathou*. In the canonical letters, this is Basil's phrase for reception of the Eucharist.

maintain it also in these cases. As for those who have spent thirty years in repentance for an impurity they committed in ignorance, we ought not to hesitate to admit them. For their ignorance makes them deserving of lenience, as does their willingness to confess and the long time that has elapsed. For almost the entire lifetime of a person, they have been “handed over to Satan”<sup>20</sup> in order to be taught not to act disgracefully. So, command that they be received immediately and without delay, especially if they have tears which move your pity and they demonstrate a way of life deserving of compassion.

8

The man who used an axe on his own wife in anger is a murderer. But it was right and worthy of your intelligence to remind me to speak at greater length on these matters, since there are many differences between voluntary and involuntary cases. It is entirely involuntary and far from the instigator’s [purpose] when he throws a stone at a dog or a tree and strikes a person. For the impulse was to ward off the beast or to knock down the fruit. But the person who happened to be there fell under the blow accidentally, so that such an act is involuntary. Moreover, it is also involuntary when someone who wishes to correct someone strikes him with a strap or a pliant rod but the one who is struck dies. For in this case one looks to his intention, namely, that he wished to improve the sinner, not kill him. Among involuntary acts is also warding off someone in battle, with a club or by hand, mercilessly directing the blow at the vitals, so as to harm him, but not to kill him entirely. But this case is quite close to being voluntary. For the one who has used such an instrument for warding off or one who has directed blows without mercy is

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<sup>20</sup> 1 Cor 5:5.

clearly merciless since he has overcome the man in fury. Similarly one who uses a heavy club and a stone that is greater than humans can bear is also classified with the involuntary, since his purpose is different from what he did. In his anger, he dealt such a blow that he killed the one he hit. Yet, his intention was to batter him, not to kill him altogether. The one, however, who used a sword or any such thing whatsoever has no excuse at all, and especially the one who hurled his ax. For it seems that he did not strike by hand in such a way that he could control the intensity of the blow, but rather he hurled it in such a way that iron's weight, as well as its sharp edge and extremely swift motion, would ensure that the blow was deadly. Moreover, there is no doubt whatsoever that the sort of killing done in robberies and battle assaults is entirely voluntary. After all, those who kill for money do so in order to escape conviction, and those who come to kill in battle clearly prefer not to put their enemies to flight or to correct them, but to kill them. And yet, even if for some other motive<sup>21</sup> a person mixes an enchanted potion and kills someone, we posit that such an act is voluntary. Women often do this kind of thing, when with certain incantations and bindings they try to lure others to their love-spell and to give them potions that will darken their minds. Such women have killed: even if they intended one thing, they did another thing. All the same, because of the magical and forbidden nature of their practice, they are catalogued with those who murder voluntarily. In addition, those who provide abortive drugs are themselves also murderers, as are those who take fetus-destroying drugs. So much for this subject.

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<sup>21</sup> That is, some motive other than killing.