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Polish view of the contemporary Orthodox Church Law – problems on the way to systematization¹

Polskie spojrzenie na współczesne prawo cerkiewne – problemy na drodze do systematyzacji

Abstract

Orthodox Church law is comprised of elements that regulate the life of the Church at various levels. The theological decisions, oroses, canons and canonical letters, which concern the Church globally, obviously focus on doctrine. Still, they also characterize the theological aspects of ecclesiology, primarily expressed in the Orthodox Church's fundamental confession of faith – the Nicene-Constantinopolitan Creed. Although a number of the canons of the ecumenical councils and of the Holy Fathers, historical and contemporary resolutions passed by various local Orthodox Churches and other ecclesiastical authorities and institutions pertain to the universal sphere in many aspects, the vast majority of them set specific organizational standards of church life in the local perspective: the local Church, basic administrative units (dioceses, metropolises or exarchates), but above all in basic organizational structures, which include parishes and monasteries.

Keywords: Orthodox church law, contemporary canonical issues, Orthodoxy, canon law.

Abstrakt

Prawo cerkiewne składa się z elementów, które regulują życie Kościoła na różnych poziomach. Decyzje teologiczne, orosy, kanony i listy kanoniczne, które dotyczą Kościoła w skali globalnej, koncentrują się oczywiście na doktrynie. Charakteryzują one jednak również teologiczne aspekty eklezjologii, wyrażone przede wszystkim w fundamentalnym wyznaniu wiary Kościoła prawosławnego – *Credo* nicejsko-konstantynopolińskiego. Choć szereg kanonów soborów ekumenicznych i Ojców Kościoła, historycznych i współczes-

¹ This research was conducted within the framework of a research project of the Minister of Science and Higher Education's program entitled "The National Program for the Development of the Humanities" in the years 2017–2022, project number 0083/NPRH5/H11/84/2017.

nych uchwał różnych lokalnych Kościołów prawosławnych oraz innych władz i instytucji kościelnych odnosi się w wielu aspektach do sfery powszechnej, to jednak zdecydowana większość z nich wyznacza konkretne normy organizacyjne życia kościelnego w perspektywie lokalnej: Kościoła lokalnego, podstawowych jednostek administracyjnych (diecezji, metropolii czy egzarchatów), a przede wszystkim w podstawowych strukturach organizacyjnych, do których należą parafie i monasteria.

Słowa kluczowe: prawosławne prawo kościelne, współczesne problemy kanoniczne, prawosławie, prawo kościelne.

1. Introduction

The field of research analysed here is exceptionally significant. Church law is one of the three main pillars of the Orthodox faith, together with doctrine and liturgical ceremonies. It applies to the Orthodox faithful worldwide and constitutes the source of laws, obligations, inter-church relations and ecclesiastical order. Orthodox church law is a compilation of historical and contemporary acts and legal documents that remain alive and are constantly developed. Despite the limited amount of research into contemporary laws, an analysis of historical codes and their significance for the shape of currently binding laws is unavoidable. Moreover, church law is incremental in nature; therefore, a detailed chronological analysis is required that would allow us to indicate the order in which subsequent provisions – canons – were formed.

The concept of this research arose out of attempts made to systematize Orthodox legal terminology in the Polish language within the framework of the Minister of Science and Higher Education's program entitled "The National Program for the Development of the Humanities" in the years 2017–2022. This diverse and unsystematized terminology provoked us to initiate research intended to evaluate the cohesion of contemporary Orthodox church law.

Contemporary analyses of Orthodox church law naturally compare it with Roman Catholic church law² and other independent branches of law.³ Since this law does not exist in isolation, it must be linked with other legal studies that have provided it with basic legal concepts and material for its structure. These concepts find their source in Roman law and philosophy, and the material of the structure of church law was drawn from the Hellenic and Judaic cultures and Roman and Byzantine civilizations.⁴

² Edmund Przekop. 1977. "Problem wspólnego kodeksu prawa kanonicznego dla Kościołów prawosławnych". *Studia Płockie* 5: 173–183.

³ Aleksy Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 19. Warszawa: Chrześcijańska Akademia Teologiczna.

⁴ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 19.

The structure of Orthodox church law, which is based on legal theory, is incomplete. Some branches are elaborated and detailed, while others appear to be treated perfunctorily. This is by no means cause for criticizing the quality of this law because the ecclesiastical system has never developed the result of a one-time and deliberate decision made by legislators, but it has instead been shaped by a historical process. Nevertheless, since a law should apply to all manifestations of the life of a community subjected to a given law and should even reach further and respond to questions concerning the relation of a specific community with the world not governed by the principles of this law, it should be clearly established if this law applies to all of these elements when systematizing this law.

2. The sources of church law

While attempting to systematize church law, we will not encounter any problems in determining its sources which are divided into material and formal. Fr. A. Znosko conducted a concise analysis, pointing to their hierarchy and scope of application.⁵

The material sources include:

- Holy Scripture
 - presenting the unchanging and universal principles and commandments expressing the will of Jesus Christ;⁶
 - containing a series of other apostolic decisions concerning church law;⁷
 - witnessing to the observance of particular Old Testament principles and commandments;⁸
 - based on the will of God and the will of the Church;⁹
- Holy Tradition
 - regarded as being equal to Holy Scripture by the Apostles, local and ecumenical councils, including Canon 21 of the Synod of Gangra, Canon 7 of the 7th Ecumenical Council, Canon 91 of St. Basil the Great;¹⁰

⁵ Znosko. 1973. *Pravosławne prawo kościelne. Część I*, 31–85.

⁶ Nikodim episkop Dalmatinskij. 1897. *Pravosławnoe cerkovnoe pravo*. Sankt-Peterburg, 40.

⁷ Nikodim episkop Dalmatinskij. 1897. *Pravosławnoe cerkovnoe pravo*, 40–41.

⁸ Nikodim episkop Dalmatinskij. 1897. *Pravosławnoe cerkovnoe pravo*, 43.

⁹ Znosko. 1973. *Pravosławne prawo kościelne. Część I*, 31–33.

¹⁰ Nikodim episkop Dalmatinskij. 1897. *Pravosławnoe cerkovnoe pravo*, 45. Ed. Arkadiusz Baron, Henryk Pietras. 2006. *Dokumenty synodów od 50 do 381 roku* (Synody i Kolekcje Praw). Kraków: Wydawnictwo WAM, 128.

- based on the will of God and the will of the Church;¹¹
- Orthodox Church legislation:
 - Ecumenical Councils
 - constituting the source of universal church law;
 - The Orthodox Church accepts seven ecumenical councils and 189 canons approved by them;
 - supplementing church law with dogmatic decrees, canonical provisions and court judgements;¹²
 - Local synods
 - The historic synod of bishops or representatives of certain local Churches;
 - The first such synod was the Apostolic Council held in Jerusalem in 51 AD;
 - The decisions of ten local councils were later adopted as universally binding, including the synods held in Ancyra (314), Neo-Caesarea (314–325), Gangra (340), Antioch (341), Laodicea (341), Serdica (343), Constantinople (394), Carthage (419), Constantinople (842), Constantinople (879);¹³
 - Contemporary synods constituting church law in local Churches;
 - The legislation of bishops
 - The canons of 13 bishops: 12 sets recognized in the 2nd Canon of the Council in Trullo as universally applicable and one set recognized as universally applicable under the decision of the 7th Ecumenical Council;¹⁴
 - Compilations of canons
 - Canonical elaborations constituting a compilation of applicable laws:
 - The Kanonikon of St. John the Faster, Patriarch of Constantinople that constitute the foundation of the Slavic nomocanon;
 - The 49 canons of Nikephoros the Confessor, Patriarch of Constantinople, which have been partly included in other sets: Kormchaia (23 canons), Pedalion (37 canons), Syntagma of Athens (38 canons);¹⁵

¹¹ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 31–33.

¹² Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 36–37.

¹³ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 37–38.

¹⁴ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 39–40.

¹⁵ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 41.

- The 11 canons of Nicholas Grammaticus presented in: Pedalion¹⁶, Syntagma of Athens¹⁷ and in Kormchaia;¹⁸
- The Canons of Sts. Basil the Great, John Chrysostom and Athanasius the Great;¹⁹

Formal sources include:

- Early Christian sources, the writings of the Apostles and the Apostolic Fathers, the earliest Christian literature:
 - The Epistles of Clement of Rome, Ignatius of Antioch, Dionysius of Alexandria, Gregory of Neo-Caesarea, Peter of Alexandria, Irenaeus of Lyons, Cyprian of Carthage, and Tertullian;
 - The Didache, Didascalia, the Apostolic Canons contained in the Apostolic Constitutions
- sources from the era of the ecumenical councils, sets of canons, civil and mixed:
 - Chronological sources: The Pontus Compilation, Synopsis of Stephen of Ephesus, African Code;²⁰
 - Systematic compilations: Compilation of 50 titles of John Scholasticus, Compilation of 14 titles, which were later included in the nomocanons;²¹
 - Byzantine sets of civil law concerning the Church, including the Theodosian Code, the Justinian Code, the Institutes of Justinian, the Novels of Justinian, Ecloga of Leo V, The Procheiron of 879, Epanagoge of 884–886, Basilica. The entirety of Justinian’s compilations are entitled *Corpus iuris civilis*, published between 528–534;²²
 - Mixed compilations - nomocanons, including the Nomocanon in 50 Titles, Nomocanon of 14 titles, penitential nomocanons;
- Later formal sources:
 - The compilations of local Churches;
 - Authoritative interpretations of ancient provisions of church law (Aleksy Aristenes, Joannes Zonaras, Theodore Balsamon, Demetrios Chomatenos)

¹⁶ Ed. Agapius a Hieromonk, Nicodemus a Monk. 1957. *The Rudder*. Chicago: The Orthodox Christian Educational Society.

¹⁷ Georgios Rallis, Michael Potlis. n.d. *Syntagma tôn theïon kai iherôn kanónon*. Vol 1–6. Athens.

¹⁸ *Kormčaa napečatana s" originala patriarha Iosifa*. 1912. Moskva: Žurnal "Cerkov".

¹⁹ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 41.

²⁰ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 57–58.

²¹ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 58–59.

²² Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 59–60.

The source materials were compiled and published in several editions, among which the most significant in Orthodox Church legislation include: The Syntagma of Athens, Matthew Blastares's Syntagma alphabeticum, Constantine Harmenopoulos's Hexabiblos, Pidalion, the Nomocanon in 50 Titles, the Nomocanon in 14 Titles, and the Kormchaia of St. Sava of Serbia and the printed Kormchaia.²³

The contemporary codes of Orthodox church law used in local Churches are based on the Greek edition of the Pidalion and the Slavic printed edition of the Kormchaia book. The Greek Pidalion was translated into English by D. Cummings and published as "The Rudder" in 1800.²⁴

3. The model of systematizing Orthodox church law

Attempts to systematize church law must overcome the problem of the Church's lack of a global approach in terms of legal norms. The nature of the Orthodox Church, perceived through the prism of the canons, i.e., legal regulations, relates to the local Church and every element of its life. At the same time, it omits the significant ecclesiastical element of the mutual relationship between the local churches. Church law researchers are attempting to fill the gaps in the systematization process by implementing new and original systems of describing the realities of this law. In their opinion, the structure discussed in textbooks concerns all of the aspects of church life. In the model elaborated by the Polish theologian and expert in church law, Fr. A. Znosko, we find a structure of church law, which relates to the following aspects:

- the territory subject to the regulations of church law, i.e., indicating specific elements of the Orthodox Church, the church community, including the clergy, laity, monastics, ecclesiastical authorities and territory;
- church organization, i.e., global and local structures;
- ecclesiastical authorities;
- the Church's relationship with other structures, including the state, religious associations and non-Orthodox communities.²⁵

Other models may be found in the work of world renowned canonists, including G. Rhalli, M. Potli²⁶, A. Pavlov²⁷, V. Benesevic²⁸, Bishop Nicodemus Mi-

²³ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 71–75.

²⁴ Ed. Agapius a Hieromonk, Nicodemus a Monk. 1957. *The Rudder*.

²⁵ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 23–24.

²⁶ Rallis, Potlis. n.d. *Sýntagma tôn theíon kai iherôn kanónon*.

²⁷ Aleksij Pavlov. 1902. *Kurs cerkovnogo prava*. Svâto-Troickaâ Sergieva Lavra.

²⁸ Vladimir Beneševič. 1914. *Sbornik pamâtnikov po istorii cerkovnogo prava, preimušestvenno ruskoij cerkvi do êpohi Petra Velikogo*. Petrograd.

lash²⁹, Archimandrite Efim Jovanovic.³⁰ However, an analysis of their work does not dispel all of the doubts centred around the attempts to systematically present the subject of our analysis.

4. Territory and the jurisdiction

Certain problems arise in terms of defining the area covered by the regulations of church law. However, its basic characteristics are not a source of discrepancy. The right to exercise ecclesiastical authority is universal, i.e., it encompasses the entire world. In addition, this authority is also spiritual and voluntary in nature.³¹ The issues related to the territories subject to legal regulations to a particular extent have not yet been standardized. While the area covered by universal Orthodox church law is understood unequivocally, the problem lies in clearly determining the extent to which local law applies to a specific local church or a territory that has not been covered by the provisions of church law. The absence of a clear interpretation of the existing legal norms and the attempts to interpolate the legal principles of various local communities found in areas currently not covered by these principles present challenges in creating specific regulations regarding, among others, certain departures from territorial rules in the Church, i.e., organizing the life of the diaspora, creating metochions or establishing a stauropegion or an exarchate.³²

Another issue related to the above-mentioned area of law is defining the territorial application of ecclesiastical authority, which may be problematic in terms of providing a precise identification. The boundaries of ecclesiastical organization have been and are subject to change. In essence, there are two ways of implementing changes. The first is known as the original method. This involves a change in the territorial boundaries of a church unit resulting from its missionary activity.³³ The second way entails changing the jurisdiction over an area belonging to a specific local Church and transferring it under the jurisdiction of another local Church. The latter method of changing the jurisdiction of the ecclesiastical authority, defined as the derivative method, may take three forms: transferring authority to another local Church, separating autonomous struc-

²⁹ Nikodim episkop Dalmatinskij. 1897. *Pravoslavnoe cerkovnoe pravo*.

³⁰ Jevtimije Jovanović. 1844. *Načatki cerkovnago prava drevnija pravoslavnija Crkve, s latinskim i srpsko-slovenskim tekstom*. Novi Sad (28.11. 2021). <http://digital.bms.rs/ebiblioteka/publications/view/5230>.

³¹ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 142.

³² Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 143–147.

³³ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 148.

tures or separating autocephalous structures.³⁴ A number of principles addressing changes in territorial application have been described in the regulations of canon law. Although, in general, they are specific laws often referring to specific historical events, some discuss universal mechanisms. An example of such a legal norm can be found in the case of setting the period after which church authority in a particular area assumes the status of “inviolability” at 30 years as contained in Canon 17 of the Fourth Ecumenical Council.³⁵ Since legal norms regarding territorial application are dispersed throughout the corpus of canonical provisions, setting them in a precise order becomes difficult. Moreover, as the interpretations of contemporary canonists from various local Churches indicate, this disorder provides room for reaching completely different conclusions, which is particularly dangerous in territorial disputes.³⁶

5. Church organization

The next element of Orthodox church law is built on the solid foundation of Orthodox ecclesiology, the resolutions of the ecumenical councils, and numerous patristic works. It concerns the essential features of the Church, its constitutive elements, characteristics and qualities that make up a constant element of the basic teaching on the Church. However, based on the dogmatic teaching found in the Nicene-Constantinopolitan Creed, the organization of the Church is far too often discussed solely in terms of its standard “features” recorded in this profession of faith, i.e., unity, holiness, conciliarity and apostolicity. They are a certain type of preamble that describes how the Church is perceived by God and how it should be understood by the world and the faithful who live in it. From this perspective, the reference to the legal norms that support and protect the Church against violating one of its dogmatic features and thus against misrepresenting its role in the world completely disappears.

An excellent example of this methodology is found in specifying one of the features of the Church, and in particular, its catholicity. In ecclesiastical treaties, it is characterized as the “limitlessness of a defined space, but encompassing the entire cosmos (understood here as the universe)”.³⁷ This feature is entirely sound and adequately constructed in the context of the teaching on the Church; however, by no means does it correspond to the needs of determining

³⁴ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 150.

³⁵ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 151.

³⁶ Alexander Dragas. 2016. “The Autocephaly of the OCA – History, Arguments, and Aftermath”. *Greek Orthodox Theological Review* 61: 167–170.

³⁷ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 156.

the mechanisms that support the implementation of such an assumption in earthly reality. Based on the example given above, it could be said that the problem with Orthodox Church law is the absence of general provisions which would translate the “teaching” about the Church into a “law” regulating the life of the Church. Once again, we can notice that the canons point to many detailed norms, often geographically or historically conditioned. As a result, finding unambiguous and straightforward norms proves to be a difficult task.

Analysing the descriptions of the Church’s organization shows that various mechanisms are employed for this purpose. At times, the features concentrate on the dogmatic meaning or the ecclesiastical-dogmatic model. The structure is characterized as a “divine and human organism”, linking the horizontal (the faithful) and vertical spaces (the visible with the invisible) as the “Mystical Body of Christ”. In another model, this organization is presented as a hierarchical structure based on a descending pattern: Christ, the church hierarchy, faithful or an ascending pattern: the faithful, priest, Christ. Yet another model indicates the organization of the local Church: the leader, clergy, laity or finally, the model of the universality of the Church, which is comprised of several local Churches.

Identifying the norms of church law that regulate the mutual relations between local Churches and organizing their life in terms of inter-church relations and representing the Church in the outside world is a significant problem, particularly in the case of applying the last of the models mentioned.

In A. Znosko’s view, the integrity of the universal Church is characterized by specific legal regulations.³⁸ Unfortunately, these laws are dispersed throughout the provisions of the ecumenical councils, local church councils and commentaries of canonists. Therefore, they fail to create coherent and uniform material.

Integrity is expressed in the following principles:

- Dogmatic decrees are defined universally. Local Churches are not autonomous in questions of dogmatic teaching.
- The universal application of canonical teaching.
- Liturgical diversity cannot violate dogmatic unity.
- Every local Church is a full and equal element of the universal Church. The honorary and historical order found in the diptychs has no impact on this equality status.³⁹

Each of the indicated models of ecclesiastical organization is fully legal and in line with the ecclesial teaching of the Orthodox Church. However, they are

³⁸ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 177.

³⁹ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 179.

declarative and descriptive in nature, indicating features, attributes and proper relations without pointing out the appropriate tools and legal mechanisms that could save a given model.

6. Church authority

The hierarchical character of ecclesiastical organization outlined in church law has its shortcomings. Among them, the most significant appears to be its focus on preserving the order and organization of the life of laity, clergy and hierarchy. Another aspect covered by legal norms is the characteristics of the local Church. However, the most overlooked element is defining the mutual relations, laws, obligations and course of action undertaken by the decentralized authorities of the local Churches, i.e., the obligations of leaders and local church councils to participate in joint activities.

We can also characterize the Orthodox judicial and appeal institutions in a similar way, for they are concentrated on taking action against the members of the laity and clergy at the diocesan, local and even universal level. However, they do not address issues related to bodies of ecclesiastical authority, monitoring their prerogatives, or ways of resolving disputes and conflicts at the universal level.

7. The relations of Churches with external structures

Bilateral theological commissions with other Churches, church and state property commissions, secular legislation, and more recently EU legislation and principles of international organizations the Church cooperates with – all of these spheres should be grounded in the norms of church law on the part of the Church. Conclusions, elaborated positions or decisions taken as the result of dialogue and related documentation have already become new elements that impact or amend particular legal provisions. The Church's active participation in the international arena, lively ecumenical dialogue, and constantly changing secular legislation led to the necessity of updating the provisions of church law that take these new conditions into consideration.

In particular situations, questions arise concerning the prerogatives of taking decisions “on behalf of” the Orthodox Church, representing the entire universal Church or settling issues beyond the competencies of the local Church.⁴⁰

⁴⁰ Sergei Troitsky. 1947. “O granitchach raspostradenija prava vlasti Konstantinopolskoj Patriarhii na ‘diaspora’”. *Zhurnal Moskovskoj Patriarhii* 11: 34–45.

8. The difficulties of systematization and related risks

A critical analysis of Orthodox church law gives rise to the risk of reaching erroneous conclusions. The shortcomings mentioned above do not constitute grounds for rejecting the current model and introducing revolutionary changes. The lack of fully outlined legal clauses regarding the elements of the life of the Church results from the decision-making method adopted in Orthodoxy. The mechanism constructing this method was implemented in the era of the ecumenical councils. It is, essentially, a response mechanism. The dogmatic oroses that clarify the Church's teaching about God, the act of salvation, or God's relationship with humankind, emerged in reaction to erroneous teaching and attempts to preserve the unity of the Church. They were not the fruit of theological reflection elaborating theological conceptions or creating a coherent system. They arose as the result of impulses that threatened the Orthodox perception of God and proper relations with Him.

We should view Orthodox church law in a similar way. It was not established as a complementary system but was constituted in response to the needs of the day. The clergy's dysfunctional relations with the outside world gave birth to disciplinary canons regulating these relations. The faithful and clergy's moral issues provoked the establishment of certain boundaries and penalties for violating them.

The self-identification of the Orthodox Church has a theological dimension in church law, based on the dogmatic nature of the Nicene-Constantinopolitan Creed. The next level of identification is the local Church's internal administration. In this sequence of legal provisions and judgements, a clear administrative structure for the universal Church is lacking.

The decentralization of ecclesiastical structures, historically associated with establishing the first patriarchates and subsequently other local Churches, led to the specification of the provisions of church law in terms of local structures.⁴¹ Similarly, as in the case of dogmatic decrees, we see here only a reaction to the existing historical reality.

The problem of contemporary Orthodox church law is based on two pillars: canonical law and the legal awareness of various local Churches.⁴² The gradation of these pillars is apparent and point to the primacy of universal law over local law. In reality, the absence of canonical rulings at the universal level permits the use of local provisions, while the scope of a particular provision is ignored in

⁴¹ Alexander Dragas. 2017. "The Constantinople and Moscow Divide: Troitsky and Photiades on the Extra-Jurisdictional Rights of the Ecumenical Patriarchate". *Theologia* 88: 136–139.

⁴² Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 174.

such situations. Therefore, the local laws of the Patriarchate of Alexandria may be adapted to the law of other local Churches in the absence of generally binding legal norms.

9. Conclusions

This analysis indicates a series of tasks that should be undertaken in order to fully systematize contemporary Orthodox church law. The fundamental problem is the absence of a standardized legal code for the universal Orthodox Church and a standardized compilation of ecclesiastical laws to be applied in autocephalous churches.

The provisions of universal church law do not sufficiently organize issues of mutual intra-church relations, and in particular, the obligations and boundaries of the prerogatives of local autocephalous church structures. Today especially, the question of the territorial development of local churches⁴³, the process of granting autocephalous status⁴⁴, granting rights to autonomy, developing missions⁴⁵ or organizing life in the diaspora appear to be in disarray. Despite the elaboration and approval of the documents of the Pan-Orthodox Council in Crete⁴⁶, which refer to some of the issues addressed above, we can still speak of an unresolved problem. This situation is the result of the lack of the universal reception of these documents and, above all, due to the lack of evidence that these provisions have been applied.

Based on Joannes Zonaras's canonical rule, the need to update legal regulations by means of recognizing the regulations that have been canonically invalidated by canons of the same or higher is also evident.⁴⁷ The compilations of Orthodox church law are incremental in nature. Old, amended and even repealed canons are often duplicated. The lack of a comprehensive revision of the laws and their thematic systematization is the most time-consuming and challenging research work based on existing, though dispersed source materials.

⁴³ Marek Ławreszuk. 2009. "Prawosławie wobec problemu etnofiletyzmu". *Elpis* 19–20: 73–102.

⁴⁴ Michał Zzyzkin. 1931. *Autokefalia i zasady jej zastosowania*. Warszawa; Aleksander Łotcki. 1932. *Zasady autokefalii*. Warszawa.

⁴⁵ Andrzej Borkowski. 2019. "Ekumenizm a realizacja misyjnego posłannictwa Kościoła w kontekście dokumentów Wszechprawosławnego Synodu na Krecie". *Elpis* 21: 93–97.

⁴⁶ Jerzy Betlejko. 2017. "Święty i Wielki Sobór Cerkwi Prawosławnej". *Studia i Dokumenty Ekumeniczne [Ecumenical Studies and Documents]* 33 (1); Borkowski. 2019. "Ekumenizm a realizacja misyjnego posłannictwa Kościoła w kontekście dokumentów Wszechprawosławnego Synodu na Krecie", 93–97; Marek Błaza. 2020. "Synodalność (soborowość) w Kościołach wschodnich". *Studia Bobolanum* 31: 87–111.

⁴⁷ Znosko. 1973. *Prawosławne prawo kościelne. Część I*, 71.

The tasks indicated above provoke further research on contemporary Orthodox Church law.

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