

BOOK REVIEWS

Dr. Iustin Popovici, *The Canonic Law of the Romanian Orthodox Church in force and its springs. Critical analysis based on the Holy Canons (Dreptul Canonic al Bisericii Ortodoxe Române în vigoare și izvoarele sale. Analiză critică pe baza Sfintelor Canoane)* [To ισχύον δικαίο της Ορθόδοξης Εκκλησίας της Ρουμανίας και οι πηγές του. Κριτική Θεόριση επί τη βάσει των ιερών κανόνων], Grēgorē Publishing House, Athens, 2017, 230 p.

At the prestigious publishing house Grēgorē from Athens, Greece, it was published this year the work *The Canonic Law of the Romanian Orthodox Church in force and its springs. Critical analysis based on the Holy Canons (Dreptul Canonic al Bisericii Ortodoxe Române în vigoare și izvoarele sale. Analiză critică pe baza Sfintelor Canoane)*. It is a part of the series titled “Nomocanonika Analekta”, vol. 7 and was written by Rev. Protosyngelos Lecturer Dr. Iustin Popovici, cultural adviser of the Archdiocese of Arad. The paper is written in Greek and represents the PhD thesis supported by the author in the summer of 2009 at the Faculty of Orthodox Theology from the University of Athens, under the scientific coordination of Mrs. Univ. Prof. Dr. Eirini Christinaki-Glaros from the Department of Canon Law and appreciated with the maximum rating “Arista”. The members of the scientific committee for the approval and printing of this paper were: Archimandrite Dr. Grigorios Papatomas, professor of Canon Law at the Faculty of Theology of Athens; Univ. Prof. Dr. Eirini Christinaki, from Canon Law specialty at the same faculty; Univ. Prof. Dr. Nikolaos Maggioros, the specialty of Canonical and Church Law at the Faculty of Orthodox Theology in Thessaloniki and Univ. Prof. Dr. Dimitrios Nikolakakis, the specialty of Canonical Law at the same faculty in Thessaloniki.

The work is structured in three major parts, each part being divided into several chapters and subchapters, so the work appears to be balanced and logically structured according to the information presented by the author. The elaboration of the present paper is based on an extensive specialized bibliography placed at

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the end of the book, and on the specialized sources the author used in his research. The form of expression is appropriate to a scientific work, treating the subject at a high level, in an elevated, precise and rigorous style.

In the first part of this work, the author makes a brief presentation of the beginnings of the written law in the Romanian Orthodox Church and of its origins, which is an old and settled concern of historians, canonists and scholar theologians – researchers of our historical past. However, taking into account only certain aspects of the problem, sometimes they proposed unsatisfactory solutions. Of course, once settled the written Law of the Church in the Roman Empire, from the second and third centuries the phenomenon never repeated within each particular church community, but this written law circulated everywhere where church life was organized and it was the *sine qua non* basis of any organized church life. As a result, it can be established with certainty on the basis of an appropriate knowledge that in any of the three Romanian countries from the past, the Romanian Church necessarily had written organizational laws from the first historical mentions.

Starting the investigation of the problem from the fact that the old Romanian written law, the law of *Pravila*, is a mixed, nomocanonic, ecclesial and state law at the same time, in the first chapter the author undertakes an overview of the problem. He took into account, as much as possible, how this phenomenon arose in the history of the Romanian people, the main steps it took in its development, and all the factors that led to its emergence in the social, political and religious life of the Romanian people. Of course, it was not excluded the occurrence and the keeping of unwritten Church customs or laws, in parallel with the written Church laws, which are related to local, national, historical, cultural etc. singularity.

The visible purpose of the first chapter is to present the sources of the Romanian Orthodox Church canonical law from a historical perspective and to place them in the broad cultural context of the social-political and religious environment in which the Romanian people developed. As it was natural, first it was researched the historical, social-political and religious framework in which the Romanian language and people were formed, highlighting the importance of the law for the Church life framed in the state life. In the first centuries of the Church beginning on the territory of our homeland we cannot speak of documents or sources of canon law. It is only during the 10th century that we encounter documents about

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the existence of *nomocanons* or *Slave pravilo*, along with the oldest Latin and Greek ones. These laws are called in our old language *pravile*. Their historical presence not only from the beginning of the 16th century but also from the earlier centuries, can be disputed only in the ignorance of the minimum elements on which scientific research can be based in this field.

In the same part the author points out the relationship between the old Romanian law and the Church law, the historical and documentary references about the existence of a written law to the Romanians. Then he goes on with the presentation of the preserved monuments of this law, enumerating the most important *Pravile* discovered or used in the Church and our country.

At the end of the first part the author analyzes the old Romanian written law, taking into account the two realities, the law of the Church and the State law. He emphasizes the unity between these two forms of the old Romanian law and the existence of the same unitary law for all Romanians, regardless of the political boundaries in which they had to live through the ages.

The second part presents the canonical foundations by which the Romanian Orthodox Church is organized and functions. As we have seen in the first chapter, the holy canons have been given special importance on the territory of our homeland, in order to preserve a good ordination and administration of Church affairs. Starting with the 15th century, when we can find the first translations of canons into Romanian, continuing with the 19th-century Church laws and with the appearance of the Organization and Functioning Statute and the Regulations, the Church legislation in Romania is in a continuous enrichment and updating. All these Church laws fall into the Orthodox tradition and canonicity, as revealed in various studies done by well-known canonists - which the author brings to question by subjecting them to a canonical analysis. He also shows the fundamental canonical principles that underlie the organization and functioning of the Romanian Orthodox Church.

The Romanian Orthodox Church as an autocephalous church and part of the Ecumenical Orthodox Church fully respects the provisions of the norms inscribed in the canons of the canonical code of the Church. The canons, which represent the fundamental law or the conscience of the Church, stand at the foundation of the organization and functioning of the Romanian Orthodox Church. Also here the author presented the canonical grounds, underlying the organization and functioning of the Romanian Orthodox Church.

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The Romanian Orthodox Church as an autocephalous church has the right to canonization, to religious assistance of the Orthodox Romanians in the Diaspora, as well as to independence from the state regarding Church internal affairs. However, the Church cannot ignore the civilian administration of the state in which it carries out its work related to its mission. The Romanian Orthodox Church is governed by its own laws, but also respects the laws of the state, guiding its faithful to observe these laws.

In the continuation of the second part, the author lists the most important laws and regulations by which the Romanian Orthodox Church is organized and functions, starting with the Organic Statute of Metropolitan Andrei Şaguna in 1868 and continuing with the laws of Cuza Voda, with the laws between the two world wars and of the contemporary age and with the Statutes for the Organization and Functioning of the Romanian Orthodox Church. Also we can find here a brief presentation of the principles of autonomy and autocephaly in the Romanian Orthodox Church, showing the historical and canonical testimonies that reached in 1885 to acquiring the autocephaly of the Romanian Orthodox Church.

At the end of the second part, the author presents and analyzes the most important Romanian canonists who worked to preserve and were continuously updating the canon law, showing some of their most important works in the field of canon law.

In the third part, the author presents and analyzes the current organization of the Romanian Orthodox Church with its canonical foundations of organization and functioning. Being a church that has undergone tough attempts during the communist era, since the Revolution of 1989 the Romanian Orthodox Church regained its role of fundamental institution of society, the religious freedom becoming a reality so desirable and expected by the Romanians. Immediately after 1990, there were laid down the basic principles by which the religious life in Romania was regulated, principles which the author presents in this part.

The third part is enriched through a critical analysis of the Romanian Orthodox Church organization and functioning based on the holy canons. This critical analysis is a new way of interpreting the Romanian Orthodox Church organization and functioning as well as the canonical part of this work, which is essential for such research. In fact, this part is the essence of the work, which is not only a historical presentation of Romanian canon law, but a theological and canonical interpretation of the principles of the

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Romanian Orthodox Church organization and functioning that gives originality and novelty to this research.

About this appearance Mrs. Univ. Prof. Dr. Eirini Christinaki states that “this work is unique in the Hellenophone research in the field of Canon Law History of the Romanian Orthodox Church and the actual Church law. This puts it among the most prominent research of Orthodox canon law in the world and at the reach of those who know the Greek language, the language of the Ecumenical Councils”. Therefore, its novelty and uniqueness lies in the fact that it offers the historical and canonical foundations of the Romanian Orthodox Church organization and functioning to the canonists, theologians and scholars of Greek language. This confers an opening of our Church towards Greek-speaking Orthodox ecumenicity, in the context of the current efforts to achieve the Orthodoxy unity. We also add that until this date there is not even a complete Greek translation of the current Statute of Organization and Functioning of the Romanian Orthodox Church, which gives more value to this recently edited work for the Greek theology, as well as for the Romanian one.

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