

Holy Trinity Orthodox Seminary
Jordanville, NY 13361
Canon Law 525. Two credits
Wednesday 8:00-8:50 am; 9:00-9:50 am
Fall Semester 2010
Instructor: Deacon Andrei Psarev
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Course Objective

The main objectives of this course are:

- 1) to develop an Orthodox mindset in students through the study of the logic of the canons;
- 2) to familiarize students with the Orthodox canonical tradition and particularly with the hermeneutical methodology by which the canons are interpreted;
- 3) After successful completion of the course, students are expected to have a clear understanding about *corpus canonum* of the Orthodox Church.

Handouts and Home Assignments

No textbook suitable for this course exists in English. A number of materials pertinent to the topic under consideration therefore have been assigned to most lectures. Handouts will be provided by the instructor. A student's responsibility is to read them prior to class. At the beginning of each class a student gives a 5-minute summary of his home reading. Handouts will be distributed at the start of class.

It is necessary to have in class *The Rudder*, as English translation by D. Cummings of *Pydalion* of Preistmonk Agapius and St. Nikodemus. Keep in mind, however that Cumming's translation of the canons is not very accurate and that the commentaries provided by A. Makrakis must be approached with caution.

A student must have the following manual: Lewis J. Patsavos, *Spiritual Dimensions of the Holy Canons* (Holy Cross Orthodox Press: Brookline, MA, 2003). This book is available from the HTM Bookstore. During mid-term examination the student knowledge of the book's content is going to be evaluated.

References

1. **The Sacred Canons of the Orthodox Church.** For an English translation of the canons themselves, *A Select Library of Nicene and Post-Nicene Fathers* (2nd Series), vol. 14, is recommended. You can download it page by page <http://www.ccel.org/ccel/schaff/npnf214.i.html>
2. Panteleimon Rodopoulos, *An Overview of Orthodox Canon Law* (Rollinsford, NH: Orthodox Research Institute, 2007). The book is available from the bookstore.
3. Alexander Bogolepov, *Canon Law*. This manual is available from the library.
4. Archbishop Gregory Afonsky, *Canon Law of the Orthodox Church* [Manuscript in possession of the instructor]
5. Lewis J. Patsavos, *Manual for the Course in Orthodox Canon Law* (Holy Cross Orthodox Press: Brookline, MA, 2006). The earlier version of this book is available from the library: *The Canon Law of the Orthodox Catholic Church: Lectures at Holy Cross School of Theology* (Brookline, MA, 1975).
6. Clarence Gallagher, *Church Law and Church Order in Rome and Byzantium* (Adershot, England: 2002).

Office Hours

The instructor will normally be available for consultation in our classroom **From 1:30-2:30 pm Wednesday.** Please notify him in advance if you intend to come.

Student Participation

The student's participation in discussions and demonstrated familiarity with assigned texts will be reflected in his grade for the course.

Classroom Rules

No food or drinks are allowed in class.

Attendance of tests and exams

A student who misses a test or an exam for a valid reason may do a make-up no later than one month after the original administration. If the absence

occurred without a valid excuse the missed test or exam will be marked down one full grade (e.g, from B to C).

A valid reason for absence, such as a serious illness or a family emergency, will be taken into consideration only if the student informs the Dean of Students and the course instructor in advance. The instructor's e-mail addresses is available and students should feel free to contact him with such problems at any time.

A Mid-Term Examination and the Final

- 1) The two-hour mid-term exam will cover Patsavos' *Spiritual Dimensions of the Holy Canons*. Prior to the exam, students must hand in a handwritten taxonomy of apostolic, conciliar and patristic rules derived from *Kniga Pravil* or *The Rudder*. The following manual can be used: *Il diritto canonico delle Chiese orientali nel primo millennio : confronti con il diritto canonico attuale delle Chiese orientali nel primo millennio* (Edizioni Dehoniane Roma, 1997)
- 2) By completing the practical assignment a student should demonstrate the proper understanding of Orthodox canonical hermeneutic.
- 3) The final will cover all readings (handouts) assigned for this course.

Grading

Grading will conform to guidelines published in the Holy Trinity Seminary catalogue. Class participation, mid-term test, class-presentation/paper, and final exam will each count as 25% of the course grade.

Students must adhere rigorously to the questions posed. Answers that fail to respond specifically to assigned questions will be severely penalized: 70% of the grade will be based on effective engagement with the questions as asked, and 30% on clarity and cogency of expression. Answers that substantially exceed their recommended length will be marked down.

Essay evaluation. 75% for substantive completion of the assignment, 25% for clarity of exposition and style.

Paper Size, Format and Deadline

Follow the MLA stylesheet. Text should be in 12 point Courier New or equivalent, single-spaced. **Paper size is**

seven pages. Please consult the following resource for additional help in writing your papers:

<http://www.hts.edu/seminary/forms/academics/syllabi/HRC-Methodology.pdf>.

By **October 13** topics for turn papers must be confirmed by an instructor, and by **November 24** an instructor must receive a draft of the paper. Final drafts of papers are due by 5 pm, **December 8**.

The papers submitted after Papers will be accepted only in electronic form (Ms Word) sent to apsarev@gmail.com

Papers submitted after the final exam will be marked down one full grade (e.g, from B to C).

Paper Topics

Students may review a book, compare a couple of academic articles, analyze a canon according to the hermeneutical methodology, or choose some other topic of their own devising.

Plagiarism

Representation of another's work as one's own, whether through verbatim quotation, paraphrase, or summary, will result in marked-down grade (e.g., from B to C) on the first occurrence, and on the second occurrence in a failing grade for the course.

Lecture Schedule

Unit 1. **September 8:** Course orientation. Secular law and the Church. Handbooks of canon law in the Orthodox East and the Slavic countries. The present state of the discipline.

• To discuss in next class: John H. Erickson, "Orthodox Canonical Tradition"; Alexander Bogolepov, "Introduction," 1-3; "Sources of Canon Law"; A. Psarev, "Church Law." **Bring *The Rudder* to class next week.**

Unit 2. **September 15:** Discussion. Canon Law as a discipline. The method and system of ecclesiastical law. Divine law and ecclesiastical legislation (canons). Custom, opinions of authoritative canonists.

- To discuss in next class: Vlasios Phidas, "Principles for the Interpretation of the Holy Canons"; Lewis Patsavos, "Interpretation of Canons," Alexander Bogolepov, "The Interpretation of the Code of Canons of the Early Church," 13-15.

Unit 3. **September 22:** Discussion. Canon Law as a discipline. State legislation on church matters. The sources of ecclesiastical law: Sacred Scripture, apostolic writings. Law of ante-Nicean Church.

- To discuss in next class:
John Meyendorff, "Ecclesiology: Canonical Sources";
Fr. Joseph W. Kotersi, S.J, "The Eternal Return of Natural Law;"
Alexander Bogolepov, "The Canonical Collections," 15-22;
A.S., "Nomokanon of Fourteen Titles;"
A.K. "Syntagma."
Table # 1: "Orthodox Canonical Collections."

Unit 4. **September 29:** Discussion. Examples of interpretations. Introduction to the Apostolic Constitution. Canons of the ecumenical councils - I.

- ~~Handout with the classification of canons.~~
- Archbishop Gregory Afonsky, Canon Law of the Orthodox Church [Manuscript]
- Instruction how to analyze canons.

Unit 5. **October 6:** Canons of the ecumenical councils - II. Preparation for a mid-term.

Unit 6. **October 13:** A mid-term examination.

Unit 7. **October 20:** Canons of local councils, particularly Sardica and Carthage.

Unit 8. **October 27:** Patristic Canons.

- Index from ~~The Spiritual Dimensions of the Holy Canons.~~

Unit 9. **November 3:** Canonical collections. Various Nomocanons. Sources of ecclesiastical law in Byzantium (10-15 cent.) The sources of ecclesiastical law of the Slavic churches. *Pedalion*. The sources of ecclesiastical law of the Russian Church. Examples.

- Table # 2: "Orthodox Canonical Collections"

Unit 10. **November 10:** Church organization. Membership: entry and "exit" from the Church.
To discuss: the canons relating to the bishops and clergy.

Unit 11. **November 17:** The Sacred and governing hierarchy. Bishops degree. Church office. Requirements for the clergy.

November 24: Thanksgiving break

Unit 12. **December 1:** Review. Preparation for the final examination.

Unit 13. **December 8.** To be announced