

13-15 October, 2003

Theological Faculty of the Serbian Orthodox Church, Belgrade, Serbia & Montenegro

Conference "Issues in Contemporary Church Legislation"

FOREWORD TO THE CONFERENCE

The modern era, through its fundamental changes, has confronted the Orthodox Church with serious ethical, political and juridical issues and challenges. Amongst these, one of the most pertinent is the problem of contemporary Church Legislation. There is no doubt that the institutional (legislative, canonical, constitutional) dimension of the Church represents the *sacred* reality par excellence of the liturgical being of the Church. It is thus that the theandric " taxis" and salutary "oikonomia" are vouchsafed and protected. However, in the practices of the local Churches this reality is significantly neglected. Nevertheless, we do believe that all of the sanctified canons, composed by the blessed Fathers and bestowed upon the Church, serve to beautify the Church and to ground its order in good nature, according to the apostolic traditions of the divine Gospel teaching.

Commission for the *reform of the Constitution of the Serbian Orthodox Church*, appointed by the Holy Synod / Council of Bishops of the Serbian Orthodox Church, approaches the forthcoming constitutional reform by working towards a *Constitution* which would find itself commensurate to the authentic canonical tradition of the Church. Taking this as its clear goal, our local Church is determined to commence the necessary preparations for a *new* Constitution. It goes without saying that one of the necessary steps in the direction of realizing such a goal is given by theological dialogue thematizing the essential elements which under grid Church–canonical law itself. The current Constitution of the Serbian Orthodox Church has been accepted by the Holy Synod / Council of Bishops in 1931. This Constitution appeared after the establishment of the Kingdom of Serbs, Croats and Slovenes, and after the reestablishment of the Patriarchate of Peć. Following the line of subsequent events, the Constitution was adapted to the new circumstances after the Second World War. Moreover, after 1947 the Constitution underwent yet another series of changes, although of minor magnitude. Despite the best of intentions this Constitution bears the burden of its own time (e.g. the rise of nation–states, appearance of autocephalous Churches). This is why it has not shown itself thoroughly capable to withstand a profound theological–ecclesiological critique: especially in light of the newly emerging historical circumstances.

The new circumstances within which our Church has found itself place before us an essential need for constitutional reform. The reform can not be directed only towards simple changes in particular articles of the Constitution since it requires a more profound level of analysis. It is at this, more profound, level that the Commission is to investigate the adequacy of the current Constitution in relation to the canonical tradition of the Church: in relation to the self–understanding of the whole Catholic Orthodox Church.

All the above mentioned problems instigate our local Church to organize and assemble an international academic conference entitled: **Issues in Contemporary Church Legislation**.

By virtue of participation promised by the most eminent Orthodox theologians this Conference is to serve the needs of our local Church. However, it may prove important for a wider and more common insight into the problematic of modern Church legislation in the Orthodox Church in general, as well as for an understanding of its commensurability with the catholic canonical tradition of the Church. At this moment we find ourselves at a "crossroads" wherefrom one might see how our local Church should enrich its ecclesial–canonical experience and knowledge by means

of the good service of others. In other words, our Church does wish neither to act nor to theorize in isolation from others. Therefore, neither should the question of Church legislature be thematized and resolved separately, without consultation with the Orthodox from other local Churches. The forthcoming Conference is to tackle the following problems:

- a) The question of concordance of contemporary Church law and legislature in relation to the canonical tradition of the Church;
- b) The question of the relationship between the synod / council of bishops and any individual bishop (where this body, i.e. synod / council, must not be viewed as a body over imposed to the given bishop);
- c) The question of determining problematical aspects of autocephaly;
- d) The question of ascertaining the foundations for the canonical functioning of the Church in contemporary circumstances in any given state;
- e) The question of the relationship between the Church and the State in the European Union (e.g. the new state of affairs in the local Orthodox Churches);
- f) The question of Diaspora (e.g. problems relating to the legal prerogatives of the mother Church within the framework of the existing legislature of another state which considers the Church communities to be mere “congregations”);
- g) The question of canonical and linguistic reformulations which are to serve our contemporaries as more adequate means of defining the basic concept of the Church.

President of the Commission for the reform of the
Constitution of the Serbian Orthodox Church,
Metropolitan of Montenegro and the Littoral,

Amfilohije

CONFERENCE PARTICIPANTS

Lecturers:

1. Metropolitan of Pergamon Dr. John Zizioulas, Academy of Sciences of Athens
2. Metropolitan of Montenegro and the Littoral Dr. Amfilohije Radovic, Theological Faculty SOC
3. Metropolitan of France Dr. Emmanuel, Ecumenical Patriarchate
4. Bishop of Backa Dr. Irinej Bulovic, Theological Faculty SOC
5. Bishop of Branicevo Dr. Ignatije Midic, Theological Faculty SOC
6. Retired Bishop of Zahumlje and Hercegovina Dr. Atanasije Jevtic, SOC
7. Archimandrite Dr. Grigorios Papatomas, Theological Academy “Saint Serge”, Paris
8. Prof. Dr. Vladislav Tsipin, Moscow Theological Academy
9. Prof. Dr. Vlasios Fidas, University of Athens
10. Prof. Dr. Petros Vasiliadis, University of Thessalonica
11. Prof. Dr. Gerhard Rober, University of Trier
12. Prof. Dr. Sima Avramovic, University of Belgrade
13. Protopresbyter Dr. Zoran Krstic, Theological Faculty SOC

Discussion participants:

14. Prof. Dr. Kosta Cavoski, University of Belgrade
15. Prof. Dr. Nenad Djurdjevic, University of Kragujevac
16. Presbyter MTheol. Zivko Panev, Theological Academy "Saint Serge", Paris
17. Prof. Dr. Theodoros Yaggu, University of Thessaloniki
18. Prof. Dr. Bogoljub Sijakovic, Theological Faculty SOC
19. Protopresbyter Dr. Radomir Popovic, Theological Faculty SOC
20. Protopresbyter Dr. Predrag Puzovic, Theological Faculty SOC
21. Protopresbyter Dr. Radovan Bigovic, Theological Faculty SOC
22. Protopresbyter Dr. Ljubivoje Stojanovic, Theological Faculty SOC
23. Monk Dr. David Perovic, Theological Faculty SOC
24. Protopresbyter M.Theol. Gajo Gajic, SOC
25. Protopresbyter Bozo Bakajlic, SOC
26. Presbyter Gojko Petrovic, SOC
27. Protopresbyter Vitali Tarasiev, Russian Church

Representatives of local Churches:

1. Metropolitan of Tyroloi and Serention Panteleimon Rodopulous, Ecumenical Patriarchate
2. Metropolitan of Carthage Chrysostomos Papadopulous, Patriarchate of Alexandria
3. Archimandrite Makarios Maurogianakis, Patriarchate of Jerusalem
4. Protopresbyter Nikolai Balasov, Russian Church
5. Protopresbyter Dr. Nicolae Necula, Romanian Church
6. Mr. Anastasios Marinos, Hellenic Church
7. Protopresbyter Dr. Jerzi Tofiluk, Polish Church

CONFERENCE AGENDA

Sunday 12 October - Arrivals and registration of participants

Monday 13 October

09:00 Doxology in the Faculty chapel

09:30 Opening ceremony in the Faculty amphitheatre

10:00 Introductory address by the President of the Commission for the Constitutional Reform of the Serbian Orthodox Church His Eminence Metropolitan of Montenegro and the Littoral Amfilohije

10:15 Coffee break

FIRST SESSION

Chaired by: His Eminence Metropolitan of Tyroloi and Serention Panteleimon

10:45 First discussion. Introductory lecture by His Grace the Retired Bishop of Zahumlje and Hercegovina Atanasije – *Church Legislature in the Light of Ecclesiology.*

12:00 Second discussion. Introductory lecture by His Eminence Metropolitan of Pergamon John – *Ecclesial Structures and the Unity of the Church.*

13:15-16:30 Lunch and afternoon break

SECOND SESSION

Chaired by: His Eminence Metropolitan of Carthage Chrysostomos

17:00 First discussion. Introductory lecture by His Grace Bishop of Branicevo Ignatije – *Eucharistic Foundations of Church Constitutions.*

18:15 Second discussion. Introductory lecture by Mr. Vlasios Fidas – *Relationship Between the Church and the State.*

19:30 Supper

Tuesday 14 October

THIRD SESSION

Chaired by: (Bishop of a Church in accordance with Church hierarchy)

09:00 First discussion. Introductory lecture by Mr. Christos Yannaras – *Distinction of Church Canons as opposed to Secular Law and Religious Normative.*

10:15 Coffee break

10:45 Second discussion. Introductory lecture by Protopresbyter Zoran Krstic – *The Actual Constitution of the Serbian Orthodox Church and the Process of Secularization.*

12:00 Third discussion. Introductory lecture by His Eminence Metropolitan of France Emanuel – *The Constitution of the European Union in an Orthodox Perspective – the Question of Religion.*

13:15-16:30 Lunch and afternoon break

FOURTH SESSION

Chaired by: (Bishop of a Church in accordance with Church hierarchy)

17:00 First discussion. Introductory lecture by Mr. Gerhard Robers – *Church and State in the European Union.*

18:15 Second discussion. Introductory lecture by Mr. Sima Avramovic – *Relationship Between State Legislature and Church Legislature in the World and in Serbia.*

19:30 Supper

Wednesday 15 October

FIFTH SESSION

Chaired by: (Bishop of a Church in accordance with Church hierarchy)

09:00 First discussion. Introductory lecture by Mr. Vladislav Cipin – *Problems Relating to Autocephaly from the Canonical Point of View.*

10:15 Coffee break

10:45 Second discussion. Introductory lecture by His Grace Bishop of Backa Irinej – *Authentic Autocephaly and Autocephaly in Crisis.*

12:00 Third discussion. Introductory lecture by Archimandrite Grigorios Papatomas – *Opposition Between the Local Church and Church Diaspora.*

13:15-16:30 Lunch and afternoon break

SIXTH SESSION

Chaired by (Bishop of a Church in accordance with Church hierarchy)

17:00 First discussion. Introductory lecture by Mr. Petros Vassiliadis – *The Biblical Origins of the Eucharistic Ecclesiology (Consequences for an Authentic Structural Expression of the Church Today)*

18:15 Second discussion. Introductory lecture by His Eminence Metropolitan of Montenegro and the Littoral Amfilohije – *Roman Catholic Codex Iuris Canonici for Eastern Churches.*

19:30 Supper