

**The Law of Saint Calinic and its importance for the Diocese of Râmnic**  
წმინდა კალინიკის კანონი და მისი მნიშვნელობა რუმნიკის ეპარქიისთვის

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**Abstract:** The present study presents an important aspect of the pastoral-canonical activity of Saint Hierarch Calinic, Bishop of Râmnic (1850 – 1868), namely the way in which he exercised the teaching power of the Church, during a difficult period of the Episcopate of Râmnic.

In the first part of the study, the personality of Hierarch Calinic, bishop of Râmnic, is highlighted. Saint Hierarch Calinic, a good connoisseur of the canons of the Orthodox Church, wanted to know and apply them throughout the territory of the Diocese of Râmnic, which is why he printed in 1862 the book entitled Manual of Church Laws. Although he is not the author of this book, Saint Calinic prints the Manual of Laws and introduces certain teachings into it, thus proving a careful involvement in the organization of church life within the Episcopate of Râmnic, in accordance with the canons of the Orthodox Church.

The largest part of the study carried out is an analysis of the Law manual printed by the Holy Hierarch Calinic and has the role of highlighting not only the decisions and canonical norms that it contained, but also the way in which they were adapted to concrete needs of the Romanian Orthodox clergy and faithful people.

**Keywords:** Holy Hierarch Calinic, Manual of Church Law, Episcopate of Râmnic.

**ფლორინ ტიუდორესკუ**

კონსტანცას ოვიდიუსის უნივერსიტეტის  
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**აბსტრაქტი:** წარმოდგენილი კვლევა ასახავს წმინდა იერარქ კალინიკის, რუმნიკუს ეპისკოპოსის (1850-1868), საეკლესიო-სამწყსო და კანონიკური საქმიანობის მნიშვნელოვან ასპექტს, კერძოდ, იმ გზას, რომლითაც მან განახორციელა ეკლესიის ძალაუფლების მიმართვა საგანმანათლებლო მიმართულებით რუმნიკუს ეპარქიისათვის საკმაოდ რთულ პერიოდში.

კვლევის პირველ ნაწილში წარმოდგენილია იერარქ კალინიკის, რუმნიკუს ეპისკოპოსის, პიროვნება. წმინდა იერარქი კალინიკი, როგორც

მართლმადიდებელი ეკლესიის კანონთა ღრმა მცოდნე, თუ როგორ ცდილობდა მათ სრულად გაცნობასა და დანერგვას რუმინკუს ეპარქიის ტერიტორიაზე. სწორედ ამიტომ, 1862 წელს მისი თაოსნობით დაიბეჭდა წიგნი, სახელწოდებით „საეკლესიო კანონების სახელმძღვანელო“. მიუხედავად იმისა, რომ ის არ არის ამ წიგნის უშუალო ავტორი, წმინდა კალინიკმა მასში გარკვეული სწავლების ელემენტები დაამატა და დაბეჭდა, რითაც დიდი სულისკვეთება გამოავლინა რუმინკუს ეპარქიის საეკლესიო ცხოვრების პროცესში, მართლმადიდებელი ეკლესიის კანონიკის შესაბამისად.

კვლევის ძირითადი ნაწილი წარმოადგენს წმინდა იერარქ კალინიკის მიერ დაბეჭდილი „კანონების სახელმძღვანელოს“ ანალიზს. ამ კვლევის მიზანია, წარმოაჩინოს არა მხოლოდ ის კანონიკური გადაწყვეტილებები და ნორმები, რომლებიც სახელმძღვანელოშია მოცემული, არამედ ისინიც, თუ როგორ იყო ეს კანონები ადაპტირებული რუმინელი მართლმადიდებელი სამღვდელოებისა და მორწმუნე საზოგადოების კონკრეტულ საჭიროებებზე.

**საკვანძო სიტყვები:** წმინდა იერარქი კალინიკი, საეკლესიო კანონების სახელმძღვანელო, რუმინკუს ეპარქია.

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**Introduction.** The "small" or "Prăvilioare" laws that appeared in the Romanian area in the 17th-19th centuries primarily „reflect the pastoral-canonical concerns of some worthy hierarchs of our Church” (Dură, 1984: 217; Dură, 2011: 25-48) among which - in this regard - the Law of the Holy Hierarch Calinic, bishop of Râmnic, remains exemplary, which, although it is not his work, nevertheless through some additions and clarifications brought to the text prove that this great hierarch also knew the canonical legislation and doctrine of the Eastern Church (Dură, Mititelu, 2014: 45-79) and was concerned with making it known and applying it in the territory of his diocese.

Among the hierarchs of the Bishopric of Râmnic from the 19th century, the most important image is that of the Holy Hierarch Calinic from Cernica, one of the brightest faces of Romanian hierarchs. It is an undisputed fact that Saint Calinic was the most brilliant figure of the Oltean episcopate in the 19th century, who through his tireless pastoral zeal, through his kindness, charity, wonderful deeds and above all through the holiness of his life, won the soul of his people, who saw him as a saint from his lifetime.

In his testament published in 1860, „the Holy Hierarch Calinic presents the difficult situation in which the Episcopate of Râmnic was” (Lungulescu, 1930: 70). In

addition to the pitiful situation at the center of the Episcopate and the disorder in which the priesthood was, Saint Calinic also faced the problems of the seminary in Râmnic, which had lost its mission to train future priests and had become a center for the degradation of church ordinances.

With a lot of patience, Saint Calinic wanted to solve all the problems of church life in Oltenia one by one. For this purpose, he needed a proper guide to print and make available to priests and seminarians. He wanted to publish a book that would include canonical norms and at the same time be as clear as possible and correspond to the needs of the clergy at that time.

Following the searches, Saint Calinic found that the Rules of Metropolitan Nifon which had appeared in two editions until then in 1852 and 1854, in Bucharest, corresponded to his searches. Thus, he took over the second edition of Metropolitan Nifon's Rule and republished it in 1861, with few changes, in the printing house established by him in Râmnic, calling it Manual of Church Rule, Râmnicul Vâlci.

### **Description of the Manual of Church Rule**

The book includes 112 pages of text preceded by four other pages on which, on one of them, the title of the book is printed, and on another (the third) appears the word addressed by Saint Calinic to the readers.

The title page shows the full title of the book and has the following text: Manual of Church Law or collection from the canons of the Holy Apostles and of the Holy Councils and from those contained in the old Church Law.

The 112 pages of text of the Rule of Saint Calinic are divided into three parts.

The first part, entitled On the priestly hierarchy, has two chapters: 1. On priests and monks and 2. The judicial part.

The second part has no title, but its content is structured in four chapters: chapter I - Canons for marriages; chapter II - About separations; chapter III - Follow-up to the reasons for separation; chapter IV - Mixing of blood.

The third part of the book is entitled Instructions for all priests of the Church.

The text of the first two parts is taken, with some modifications and adaptations, from the Great Law and from the Pidalion, and the third part includes the decisions given by the Wallachian Metropolitanate regarding the various works performed by priests, decisions and norms included in the Church's canons. Also, in the third part, there are also instructions regarding the relationship between the Church and the State.

The rule of Saint Calinic, therefore, includes a series of guidelines and norms that give it a special importance.

Analyzing its content, we can extract the following important aspects:

- Norms regarding the inter-Orthodox position of our Church;
- Norms regarding the Church hierarchy;
- Norms, canons regarding monks;
- The judicial power of the Church expressed by canonical norms;
- Canons regarding the administration of the Sacred Mysteries.

### **Rules of the law, presented in the light of the canons of the Church**

With regard to the inter-Orthodox position of our Church from that period, it is noted that throughout the contents of the Rule there is no dependence of it towards any other Orthodox Church. The only specification is that the Ecumenical Patriarch be mentioned at the Holy Services, knowing that our Church was still in formal subordination to the Patriarchate of Constantinople.

„Both the old historical testimonies and those of the Rules of the Country, as well as the current legislation, prove to us the fact that the Romanian Orthodox Church, which is the Church of the Romanian nation, is a Church of apostolic origin and is according to its historical tradition, autocephalous”(Mititelu, 2016: 145).

The independence of our Church in that century can be seen from the content of the third part of the Law, from the Instructions, which are nothing but own laws, adapted to the concrete needs of the Romanian Orthodox clergy and believers, legislation that did not need any approval from outside the country. Also, the right of the Synod of our Church to judge as the Supreme Court all Church issues, including those concerning the Bishops, is noted. Here appears the provision that if a clear decision is not reached, the metropolitan can request anyone from outside his diocese to judge together with his people, the problem that has arisen, so that there is no doubt. There is also the specification that the Synod should meet twice a year, in spring and autumn, according to Canon 19 of Chalcedon. We therefore note that both the hierarchy and the rights of the Synod of our Church are presented as being in accordance with the provisions of Canon 34 Apostolic, a fact mentioned in the Law, which clearly emphasizes the full right of autocephaly of our Church.

Regarding the clergy, it should be mentioned that the Law provides, according to the old order, that the faithful also participate in the election of priests. With

regard to ordination in the rank of hierarch, the age of 50 years or over 30 years must be respected, and at this rank, according to Chapter 11 of the Great Law, married priests can also be called, the condition being that they separate from their wives, with their consent: „Which priest will have a wife and become a priest, let him divorce her. When he wants to be ordained a bishop, let it be with the will of his wife” (Manual of Church Law, 1861: 6).

An important aspect that needs to be mentioned is the fact that bishops are given the right to grant dispensation even for the marriage of some orthodox with heretics. We note here that the question of mixed marriages between Orthodox and heretics, stopped by the canons of our Holy Church: „24, 45, 65, Apostolic; 14 The IV Ecumenical Synod; 6, 72, Trulan; 31 Laodicea; 21 of Carthage” (Floca, 1991: 138) and there is the question of the dispensation granted only by the bishop, because they can only be allowed if the non-Orthodox part converts to Orthodoxy, according to Canon 31 of Laodicea. Given the problems encountered, it was necessary for these marriages to be managed strictly by the bishop. The rule provides the bishops with the exclusive right to pronounce church divorce, which, according to its text, does not only mean the simple separation of spouses, but even the annulment of the Sacrament of Marriage.

Regarding the protopopes, the Law informs us that at that time they were of two categories, each with different attributions both in terms of matrimonial issues arising among the faithful, and in terms of ecclesiastical judgment.

For priests and deacons, the Law contains many ordinances. Regarding the age of ordination, although the canons provide for the age of 30 for priestly ordination and 25 for deacon ordination, the Law shows that due to the lack of priests, in our country priestly ordinations are made even under the age for 30 years.

From the content of the Law, it can be seen that priests are assured the power to apply the penalty of excommunication or excommunication in certain cases; it also presents numerous duties that priests have, many of which are still relevant today. For example, there is the duty to call the local bishop to the holy services, or the obligation to keep the church clean. It is stated that the burial of the believers should take place on the basis of the „ticket (document) of the local commission” (Manual of Church Law, 1861: 109). Another important aspect in the ministry of priests is the special attention they must pay in the administration of the Holy Sacrament of Confession.

Another important admonition that concerns priests is the duty to keep the registers of civil status, which are specified in the preface of the Rule as having been modified according to the instructions given by the Holy Bishop Calinic. In the Rule of Metropolitan Nifon it is specified that the priests were obliged to send

reports every two months with all the cases of civil status that they registered. Saint Hierarch Calinic establishes, according to the Rule, that these reports should be sent every three months, this being in fact the only difference between the Church Rule Manual printed by Saint Calinic and the original text of Metropolitan Nifon's Law.

Regarding the monks, the Rule shows that they must stay in monasteries secluded from the world in order to get closer to God and not leave there, being absolutely forbidden to „walk through villages and towns” (Manual of Church Law, 1861: 105). The rule specifies that the personal property of the monks must remain in the monastery after their death and the administration of the monastery property can only be done with the approval of the local bishop and the local authorities.

About the judicial power of the Church, the Law shows what were the church courts at that time and what were the crimes severely punished, as well as the punishments applied. Thus there were four instances: „the deacons, the deacon consistory, the metropolitan or bishops and the Synod, which was called the high council made up of the bishop and the metropolitan” (Manual of Church Law, 1861: 13).

The protopol court had both the powers of an investigative body and a court with the protopol as the only judge, who had the duty to reconcile those in question. The archbishop could also issue certain punishments in the case of minor mistakes, and in the case of the most serious ones, he established that the judgment should be made by the higher courts.

The second instance, called the deacon consistory, was made up of the county dean as president and two other elected priests. This court was actually a consistory that functioned at the level of the deanery.

The third instance was the eparchial one made up of the metropolitan or bishop as president and 3-5 clerics. This court made decisions on the basis of the documents received from the Arch-Pope consistories or could act on its own.

The fourth instance, the synodal, met twice a year and had the purpose of solving problems that were not solved by the other instances. Within it, all those who brought complaints were requested to appear.

In addition to these four courts, the Rule also mentions an extraordinary court called the seat of the kingdom, whose purpose was to analyze cases in which the metropolitan could be involved.

The law of Saint Calinic also brings into discussion a series of crimes that he specifies and for which he finds solutions and punishments. Among these are: „false

witness, bigamy and blood mixing up to incest, but also the plot against the bishops and against the council” (Stan, 1962: 217).

The penalties provided by the Law are numerous. Among these we can specify: excommunication, being sent to the monastery, stopping for a certain period of time from the priesthood and lastly catechism.

Due to the fact that during that period there were many problems related to family life, the Law dealt with all aspects of the Sacred Sacrament of Marriage. First, it specifies the conditions required for the conclusion of marriage, then it presents the impediments to marriage and specifies the nature of church divorce, showing the causes for which it is permitted and highlights the possibility of remarriage for divorced spouses.

For the performance of the Sacrament of Marriage (Dură, 2023: 29-60; Mititelu, 2013: 122-140), the Law seeks to observe the right faith, first of all, and then specifies the age that the spouses must be: „at least 14 years for the female part and at least 20 years for the male part” (Manual of Church Law, 1861: 93). The necessity of the physical and moral, mental health of those who wish to marry is highlighted, and it is specified that the age difference between the spouses must not be greater than the third part of the years of the oldest. The church also dealt with the legal side of marriage, since the announcement of the man and woman who wanted to marry had to be made public in the church, the purpose being to discover the problems that would prevent the wedding from taking place. Dispensation can be obtained for some problems and not for others. In order to avoid the mixing of blood, incest, bigamy and other sins, the Law insisted on the detailed investigation of the situation in which those who were going to marry were and divided the impediments to marriage into three broad categories: religious impediments, physical impediments and moral impediments .

With regard to religious impediments, the following are listed: heresy, monastic and clerical status, third marriage and religious kinship as a result of godfather relationships. The physical impediments that the Law listed insisted on age and physical kinship. Blood kinship, on the direct line, implies stopping marriage indefinitely, and on the collateral line up to and including the 7th degree. Incest between two families implies an impediment up to the 5th degree in all cases, and incest between three families constitutes an impediment to marriage up to the 3rd degree inclusive.

Regarding moral impediments, the Law insists on the kinship that arises as a result of adoption.

In order to officiate the marriage, the Law specifies all the stages that had to be completed. The man and the woman who were going to get married addressed a written request to the bishop. Based on this request, the publications were made in the churches that were close to those in question. After their conclusion, the protopope investigated in detail whether the conditions for the wedding were met, and then issued the written approval for the conclusion of the marriage.

The law of Saint Calinic specifies the reasons for which the dissolution of the marriage can be requested. These include: disappearance of one of the spouses for at least three years, dementia, imprisonment of one of the spouses.

The reasons indicated in the Law the following are permitted for the annulment of the marriage: the fourth marriage as well as the ungodly relations between the spouses. In the event of the death of one of the spouses, the other surviving spouse may enter into a new marriage, as the marriage is considered terminated.

From the clarifications of the Rule, it is found that following the divorce, the Sacrament of Marriage that took place between the two spouses is dissolved, which means that in the case of their reconciliation, the Holy Sacrament of the Wedding must be performed again.

**Conclusions.** The printing of the manual of Church Law in 1861 is the result of the constant concerns of the Holy Hierarch Calinic to solve the problems of the Episcopate of Râmnic.

From the content of the Law, it can be seen how special attention is paid to canonical norms and fundamental teachings, both regarding the church hierarchy and the performance of the Holy Mysteries.

Although the Law is not an original work of Saint Calinic, but in fact a reproduction of the Law compiled and printed by Metropolitan Nifon of Wallachia, with some small additions, this fact diminishes in no way the merit of the Holy Hierarch Calinic for printing it, because it shows the involvement and desire of Saint Hierarch Calinic to put in good order and organize church life within the Episcopate of Râmnicului Noului Severin.

The printing of the Law in Râmnic is an act by which the Holy Hierarch Calinic extends, by promulgation, also within his diocese, the power of ecclesiastical law of the Law of Metropolitan Nifon.

Seen in the respective historical and social context, the Law of Saint Calinic therefore represents the work of this Saint Hierarch to preserve the true faith and



good rule order of our Church, as well as his ability to properly place church works in the conditions offered by those times.

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