

The Importance of Sources and Juridical Institutions in the Development of the Orthodox Canon Law

**Fr. Lecturer PhD COSMIN SANTI,
University of Târgoviște,
santicosmin@yahoo.com**

Abstract

The canon law or the church law designates a legal system complementary to the state or secular law. There have been throughout time various interferences between the church or canon legislations and the secular, profane or state legislations. The science of the canon law forms part of the group of juridico-theological sciences, as it has competence in both juridical and theological matters. Part of the divine law, the canon law is superior to the positive law, with reverberations in the natural law, and relates to the juridical branches of the secular law such as: constitutional law, labor law, civil law, procedural law, international law, administrative law and financial law, through the mixed juridical institutions. The specificity of the canon law, its emergence and use inside the Church, as part of its mission and pastoral side, differentiates it from all other branches of the law. The canon law is seen as an individual and independent juridical system. The Christian teachings lie to the bases of the canon law, whereas the foundation of the secular law is the conception on life and the world, conception which may be materialistic or idealistic. The canon law deals with the relationships among people within the Church. The Church has turned to a legal system for reasons of social and practical nature, as its visible appearance and historical existence, its members who used to live and were citizens of a state of politico-juridical order, the exigencies of the times and the era when the Church was established, they all determined the Church to adopt a unique juridical system in order to protect its members and their particular interests, both inside and outside, in the relations with the state power and the authority under which jurisdiction it conducted its activities.