

## **THE SOURCES OF CHURCH LAW FROM IV CENTURY TILL DIVISION CHURCHES OF THE ORIENT AND WEST**

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*The article sets the task of researching of the sources of church law from IV century till division Churches of the Orient and West.*

***Canon, church law, church usage, codification of church legislation, canonical collection, pontificaldecretal.***

Since the adoption of Christianity by the Roman emperors Church law were in two forms: in the form of conciliar decrees, which from the fourth century were called canons, and in the form of the Imperial Church laws. The difference between the canons of the Church and the Imperial Church law does not mean that in the formation of canons of the Emperor did not participate, and has in mind only what is obligatory canons could be made only on Ecumenical Council, the concept of which was included as a necessary characteristic of the convening of the Council and approval of its regulations by the Emperor, while the laws of the emperors were issued without the prior activities of the councils, though not without sometimes individual members of the spiritual hierarchy.

The canons of the essence of the decrees of the Ecumenical councils, and local councils and separate authoritative violence. The Last two classes of the canons received obligatory force, partly because of the Church to the reception, in part due to formal confirmation by any Ecumenical Council and the Emperor. Because in the period of the Ecumenical councils of the Church process of law-making in the East did

not coincide with the same process in the West, that is to say separately about the canons in the East and the canons in the West.

On the East, canonical rules were drawn up the first four and the seventh Ecumenical councils. The fifth Ecumenical Council 553 and sixth 680 considered only the doctrine of the faith, and no canons of Church government was not decided. However, given that in ecclesiastical law felt a big hole, soon after the sixth Ecumenical Council in 692 A.D., Emperor Justinian II convened a Council, known as Quiniscentum, as he sat in the hall of the Imperial Palace from the vaults. This Council took place without the participation of the Roman Church and was not recognized in the West.

On the West was partially accepted the Greek canons, partially created their canonical norms. As for the Greek canons, we can say that only the canons And Ecumenical Council were immediately adopted as mandatory for all Christianity. The effect of all other canons, including the canons of the later Ecumenical councils, depended upon successive reception of them in the West. Some of the canons of the Ecumenical councils, for example, those that were aimed at improving Bishop of Constantinople over the other Eastern bishops openly denied in the West. The authority of the Roman legates, who were sent to the East to participate in the Ecumenical Council as representatives of the Roman Church, was understood by the bishops of Rome as special powers to participate in the condemnation of heresy, which was the reason for the convening of this Council, and the establishment of dogmatic formulas, and not on the drafting of any of the canons.

After analyzing the ecclesiastical legislation in the form of conciliar decrees in the Eastern and Western Churches, we now turn to the consideration of Church law in the form of the Imperial Church laws. Imperial laws regarding Church matters addressed various items of Church order, including the tenets of faith. Church laws predecessors of Justinian reflected in Feodosia code and the code of Justinian. In the last, few titles

of the first books contain exclusively ecclesiastical legislation. The first title contains a summary of Christian doctrines, erected in Church and state law. The following three major titles contain a number of laws regarding churches, their property and privileges in respect of bishops, other clergy, charitable institutions and their administrators regarding the terms of reference of the ecclesiastical court. In the code of Justinian became part and the laws of Justinian, published by him in the codification. Even wider Church legislation of Justinian began after the publication of a code in his novels, of which a significant number (about 30) devoted to the Affairs of the Church.