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***Corpus Methodiana Juridica* in the 20th century scientific research – arguments and hypothesis¹**

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Regarding the thematic focus of the study, it is important to highlight the contribution of St. Methodius in terms of literary achievement, both translational and original, in tackling the legal-canonic problématique. We consider and determine these questions through the scientific research prism of the 20th century. Based on several archaic linguistic particularities, as well as many other general characteristics, literary memoirs of the likes of *Synagogue of 50 Titles/Names*, *Civil Law*, *Orders of the Holy Fathers*, as well as the *anonymous Homily* found in the *Klotz Code* are all attributed to the literary pursuits of Methodius. Especially important is to determinate the role of St. Methodius in his translation, creative work, and application in correlation with the question of the existence of the *Corpus Methodiana Juridica*, as a canon law collection of a wider scope compiled by Methodius.

St. Methodius, *Corpus Methodiana Juridica*, legal-canonic problématique, Collection of Ecclesiastical and *Civil Laws*, *Civil Law*, *Orders of the Holy Fathers*.

I. Introduction

In the scientific researches of the 20th century, the question of the existence of the *Corpus Methodiana Juridica*, as a canon law collection of a wider scope compiled by Methodius was repeatedly raised. However, the composition and structure of this canon law collection is still being discussed in science. It is important to highlight the contribution of St. Methodius in terms of literary achievement, both translational and original, in tackling the legal-canonic *problématique*, present in the Slavic literary production since the period of the Moravian Mission (863-885).

Modern paleo-Slavistics has an adequate stable database regarding the appearance and scope of the original Old Slavic legal-canonical complex of texts, as well as regarding the use of the Greeks and Latins prototypes in the formation of the content and structure of these texts. However, there are still some questions in science that refer to:

- Clarification and completing of the entire corpus of Moravian legal-canonical texts, both translated and original, from the earliest period of Slavic literacy;
- the role of St. Methodius in their translation, creative work and application;

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¹ The study is a part and continuation of the research in the project Saints Constantine-Cyril and Methodius, Monographic Research, (Institute of Macedonian Literature, Ss Cyril and Methodius University in Skopje, 2009-2011) (No13-1468/1)

- Precise localization in relation to the origin and possible dating of translated and original legal monuments using a wide range of linguistic, textual and comparative criteria;
- Sources and composition of the first legal translations and original texts, in relation to the peculiarities of their functioning within the Western church organization and the prototype of the Byzantine legislation;
- Clarification of the ways of cultural exchange and the linguistic influences between the Southern, Western and Eastern Slavs in the oldest written period.

Within these questions, it is necessary to precisely determine the processes for the creation and application of the *Corpus Methodiana Juridica*.

II. Methodius' translation of the Nomocanon

The issue of the first Slavic translation of the *Nomocanon*, i.e. of the Code of Ecclesiastical and *Civil Laws* was the object of a large number of different, to a certain extent, contradictory interpretations.² In science it is presumed that Methodius initially translated the *Nomocanon* – known as *Synagogue of the Patriarch John Scholasticus* (John III of Constantinople, 565–577). This type of *Nomocanon* was especially suitable as a handbook of canon law that includes the most relevant regulations and laws prescribed for the conduct of every Christian, which was essential to Methodius for the functioning of the established Christian church of Great Moravia. He translated parts, adapted and reworked according to the church practice in Moravia, most likely during the first three years of his missionary work, creating a legal-canonical collection necessary for the functioning of the established Christian church in Great Moravia. The integral text of the *Synagogue of John Scholasticus* in the translation is shortened by about a third,³ which indicates the priorities in the selection of the represented material. Methodius' translation is not mechanical, rather, he carefully selected the texts, thus, out of a total of 377 canons of the *Synagogue of John Scholasticus*, he only translated 235 canons. Regarding this procedure, I. Žužek⁴ notes that the editor of the Collection was a versed canonist who possessed the skill to abridge the Byzantine canonical collections without disturbing the essentials in ensuring church discipline. Such a procedure makes the translation more free than it should be, which is why the meaning of some canons changes.⁵

Methodius carried out a certain revision of the canons in accordance with the practice in Moravia, adding new rules (canons) current for his Slavic archbishopric, which corresponded to the state Moravian legal norms. Such a procedure was possible only in an area outside the jurisdiction of the Patriarchate of Constantinople, such as the area of the Methodist archbishopric in Moravia.⁶ Methodius used an authentic redacting approach, based on legal and canonical

² Троицкий, С. Б.: Апостол славянства Св. Мефодий как канонист. In: Журнал Московской патриархии, 1958, No. 3, с. 38-51; Николова, С.: Св. Методий. In: Кирило-Методиевска енциклопедия. т. 2, София: БАН, 1995, с. 632-650 (and literature cited there); Добрев, И.: Номоканон. In: Кирило-Методиевска енциклопедия. Т. 2, София: БАН, 1995, с. 825-833 (and literature cited there); Илиевска, К.: По трагите на Методиевиот номоканон. In: Кирилometодиевскиот (старословенскиот) период и Кирилometодиевската традиција во Македонија. Скопје: МАНУ, 1988, с. 43-49; Илиевска, К.: Законъ судный людемъ. Скопје: МАНУ, 2004, с. 13-41; Велев, И.: Историја на македонската средновековна книжевност. Т. 1, Скопје: Гирланда, 2014, с. 308-319.

³ Троицкий, С. Б.: Апостол славянства Св. Мефодий как канонист, с. d., с. 40-47.

⁴ Žužek, I.: The Determining Structure of the Slavonic Sintagma of Fifty Titles. In: *Orientalia Christiana periodica*, vol XXXIII, fasc. I., 1967, p. 160.

⁵ Соболевский, А. И.: Номоканон Иоанна Схоластика. In: Материалы и исследования в области славянской филологии и археологии. Сборник Отделения русского языка и словесности, Имп. Акад. Наук, 1910, т. LXXXVIII, с. 3.

⁶ Vašica, J.: Metodějův překlad Nomokanonu. In: *Slavia*, 1955, 24, No.1, pp. 9-41; Vašica, J.: *Collectio 87 (93) capitulorum dans les nomocanons slaves*. In: *Byzantinoslavica*, 1959, 20, pp. 1-8.

experiences up to that time, mainly used by the *Synagogue of John III Scholasticus*. However, during the structuring of this legal-canonical collection, Methodius also demonstrated the intention of an independent creative procedure, which differs from the Eastern legal tradition of that time. His interventions in the redacting-structural approach were motivated by the tendency to stabilize the relations between the Eastern and the Western Churches. Therefore, one can note the omission of some canons, which strictly contradicted the rules of the Western Church, such as some provisions of the Trullan Council.

According to Olteanu's⁷ findings, when structuring the *Nomocanon*, Methodius also used the *Codex Dionysiana* as a source, which is a collection of canons established between the Council of Nicaea (325 AD) and the Council of Chalcedon (451 AD), constituting a template for the old Byzantine and Slavic Nomocanons. Parts of the Latin text of the Dionysiana show close relation to the ancient penitential books belonging to the Western Church, such as the Merseburg Penitential, dating back to the 8th–9th century, or with the Emeram Codex (Jimram), compiled by Latin and Greek canonists around 867 in Ravenna. It is assumed that Pope John VIII himself presented the *Codex Dionysiana*, as well as the Hadriana aucta, to Methodius in Rome in 880.

III. The legal-canonic literary works (of St. Methodius) in transcripts of catechisms

Based on several archaic linguistic particularities, as well as many other general characteristics, literary memoirs such as *Synagogue of 50 Titles/Names*, *Civil Law*, *Orders of the Holy Fathers*, as well as the *Anonymous Homily* found in the *Klotz Code*, are all attributed to the literary pursuits of Methodius. Questions in science regarding Methodius' legal-canonical literary work were mainly related to Methodius' personal legislative initiative in his capacity as archbishop of a diocese, for which he established legal regulations. At the same time, the issue of the existence of the *Corpus Methodiana Juridica*, as a legal-canonical collection of a wider composition created by Methodius or his students, is also raised and considered in science.

The *Synagogue of 50 Titles/Nomocanon* in the form translated by Methodius and written in the Glagolitic alphabet has not been found in its original form, with parts of it having been found in two Cyrillic-Russian transcripts of catechisms – in the *Ustjuš Code* of the 13th–14th century (in the Rummyantsev Collection within the Russian State Library in Moscow, РГФ, ф. 250, № 230),⁸ and in the Joasaph Code from the beginning of the 16th century (from the collection of the Moscow Theological Academy (МДА), № 54). The Josaphic text, although newer, is thought to contain fewer errors. Even the research of the historian and canonist A. S. Pavlov⁹ points out the thesis that they contain the first Slavic translation of the canon complex from the *Synagogue of 50 Titles*. The proof for this is the archaic language features reflecting the Cyrillo-Methodian translation from the initial development of Slavic literacy.

The *Ustjuš Code* is a transcription made on the basis of a South Slavic protograph, by at least six copyists. The *Nomocanon* of Methodius is located on pp. 6v-49r and includes the texts: Rules of the Holy Apostles (75 out of a total of 85 established), Rules of Ecumenical Councils (up to the Fourth one), Rules of Local Councils (Ankarite, Neocaesarean, Gangarian, Antiochian, La-

⁷ Олтяну, П.: Роль старых славянских и среднеболгарских номоканонов в развитии славяно-румынской юридической литературы. In: *Paleobulgaria/Старобългаристика*, 1991, XV, No 3, с. 20-21.

⁸ Востоков, А.: Описание русских и славянских рукописей Румянцевского музея. Санкт-Петербург: Тип. Акад. Наук, 1842, с. 273-179; Ушаков, В. Е.: Устюжская Кормчая. In: *Slavia*, 1961, гоđ. XXX, No 1, с. 20-40; Maksimović, K.: Aufbau und Quellen des altrussischen Ustjurer Nomokanons. In: *Fontes Minores*. Bd.10. Herausgegeben von Ludwig Burgmann. Frankfurt am Main: Löwenklau, 1998, pp. 477-508.

⁹ Павлов, А. С.: Первоначальный славяно-русский Номоканон. Казань: Унив. Тип., 1869, 100 с.

odicean, Sardician), and Rules (34) of St. Basil the Great.¹⁰ Apart from the Methodius' *Nomocanon*, the *Ustjuš Code* also contains the chapters: The Symbol of Faith (pp. 1v-2) and the article on the Seven Ecumenical Councils (pp. 2v-6v), followed by: Methodius' *Nomocanon* (pp. 6v-49r), other legal-canonical texts, including Canon XXVII of the St. Apostles, 9 rules of the Trullan Council (pp. 49r-51v); The Rules of the Apostles Peter and Paul as an extract from the eighth book of the *Constantiones Apostolorum* (pp. 55r-61v), Methodius' *Civil Law* (pp. 55r-71v), parts of texts from Byzantine secular law (pp. 71-85), as well as penitential canons of Byzantine and Western origin (pp. 85-137). Since the *Ustjuš Code*, outside the Methodius *Nomocanon*, also includes other legal-canonical texts of various origins, mechanically unified at different times, containing the *Civil Law* as well, it is regarded as a compilation of the different Slavic transcripts.¹¹

IV. Questions about *Corpus Methodiana Juridica*

The lexical elements¹² in Methodius' *Nomocanon* correspond and coincide in their use with other legal-canonical compositions, which is evidence of their archaicity and their wider use in early Slavic texts with legal content. This copy of Methodius' *Nomocanon* within the *Ustjuš Code* has initiated a new research question in science, a question which, on one hand pertains to the prominent claim that Methodius translated the *Synagogue of John Scholasticus*, yet it introduces the possibility that Methodius composed a code of a larger volume, and then included in his *Nomocanon* other texts of a legal-canonic nature, analogous to the model of the *Ustjuš code*. The adherents to the second thesis have introduced the term *Corpus Methodiana Juridica*. Such claims, including the ones by N. Dragova,¹³ have allowed for the expansion of the contents of Methodius' *Nomocanon*, which, aside for the *Synagogue of John Scholasticus*, would include more compositions such as: the Symbol of Faith, the article on the Ecumenical Councils, *Civil Law*, parts of the *Scete Patericon*. S. Troitski¹⁴ allows an even wider composition of the Methodius collection, which, apart from the *Synagogue of John Scholasticus*, also contains the dogmas of the seven Ecumenical Councils, the nine rules of the Trullan Council (Quinisext Council), as well as the *anonymous Homily* found in the *Klotz Code*, *Civil Law*, and the orders of the Apostles Peter and Paul. He also assumes that it is possible that the patterns of some of the texts present in the *Ustjuš Code* were translated by one of the students of St. Methodius, who relying on the legislative tradition of his teacher, united these compositions in one collection. This issue is still open and arouses further interest in science for its clarification.¹⁵

M. Cibranska, based on a linguistic-textological analysis and determination of the linguistic database, and in terms of the transmission of the lexical fund in the translations of Methodius, in

¹⁰ Срезневский, И. И.: Обзорение древних русских списков Кормчей книги. Санкт-Петербург: Тип. Акад. Наук, 1897, с. 1-66; Vašica, J.: Nomokanon. In: Magnae Moraviae Fontes Historici. 1971, sv. IV, pp. 205-363.

¹¹ Срезневский, И. И.: Обзорение древних русских списков Кормчей книги, с. d., с. 113-135.

¹² Цибранска, М.: Правилата на апостоли Петър и Павел в Устюжката кормчая от XIII–XIV в. (Към проблемите на Методиевия Номоканон). In: Paleobulgaria/Старобългаристика, 2003, XXVII, 1, с. 43-45. One of the features of this early Methodius translation of the *Nomocanon* is the presence of untranslated Greek lexemes, primarily terms from the basic thematic group of church official appointments. They are found in several independent text units from the composition of the *Ustjuš Code*, compared and connected with Methodius' translation of the *Nomocanon*, such as in the Rules of the Apostles Peter and Paul, in rule 9 of Apostle Paul (which mainly contains the sanctioning of magical, fortune-telling and exorcistic practices), in the Symbol of Faith, etc.

¹³ Драгова, Н.: Methodiana Juridica. Методиевото наследство в законодателството и в църковното строителство на Балканите. In: Балканистика, 1987, г. 2, бр. 2, с. 206.

¹⁴ Троицкий, С.: Номоканон св. Мефодия и его важност до наше время. In: Сборник Кирил Солунски по повод 1100 годишнината на Кирил Солунски. Скопје: МАНУ, 1970, т. 1, с. 261-273.

¹⁵ Цибранска, М.: Правилата на апостоли Петър и Павел в Устюжката кормчая..., с. d., с. 43-45; Олтяну, П.: Роль старых славянских и среднеболгарских номоканонов, с. d., с. 18-35.

comparison with other legal-canonical compositions in the *Ustjuš Code*, assumes that the orders of the Apostles Peter and Paul in the *Ustjuš Code* and the *Synagogue of John Scholasticus* were taken from an unpreserved general protograph.¹⁶ In the *Corpus Methodiana Juridica*, P. Olteanu¹⁷ also includes the *anonymous Homily* from Klotz's Code.

All these studies aimed at the discovery of Methodius' stake in various legal-canonical texts, at the current level of research on the *Corpus Methodiana Juridica*, cannot be sufficiently argued and freed from hypotheses. On the one hand, such preserved compiler collections, which include several texts with legal-canonical content applied/practiced even in the oldest period of Slavic literacy, point to the possible full contribution of Methodius in their translation, compilation and redaction. At the same time, he is also regarded as the author of original legal-canonical compositions, since his education made him into a kind of supreme canonist. Proof of this are the arguments explicated in scientific research, according to which his original literary fund includes the following legal-canonical compositions: *Civil Law*, *Orders of the Holy Fathers* and the *anonymous Homily* in the Glagolitic *Klotz Code*. In the scientific research of the 20th century some of these texts are included in the *Corpus Methodiana Juridica*.

V. Methodius' original legal-canonic texts

Civil Law – *Zakon Sudny Lyudem*

The creation of the original legal text, *Civil Law* – *Zakon Sudny Lyudem* is connected with the literary activity of St Methodius. Scientists who have tackled the linguistic and style-characteristics of the translation of the *Nomocanon* and the text of the *Civil Law* have been noting great similarities in terms of language and terminology, clarity and precision of thought, the use of concise formulations for complex legal syntagmas and terms, which corresponds to the archaism and the use of a recognizable lexical corpus in early Slavic legal-canonical monuments etc. At the same time, *Civil Law* is the oldest monument of Slavic law in Slavic language, and its sources were legal-canonical texts related to various legal traditions. In the one hand, the *Civil Law* represents both a liberal Slavic translation of separate articles from chapter XVII (On offenses and punishments) of the Byzantine *Synagogue of John Scholasticus*. On the other hand, the provisions of the Byzantine *Synagogue* were supplemented in the translation with ecclesiastical punishments (penances/epitimias), found in the Western (Latin) tradition that regulate penitential discipline, presented in numerous Latin collections of penitentials, some of which have been preserved to this day.

The main feature of these adaptations consists in the mitigation of punishments, which in the *Synagogue* are mainly corporal and very severe, and in the *Civil Law* they are given in alternation of ecclesiastical punishments significantly milder than the former ones, made with more humanity and logic, whereby the compiler took account of each offender separately.

The questions regarding the authorship, the time and space of creation of this legal-canonic text has not yet fully been resolved in science. There are the so-called “Bulgarian”, “Moravian-Panonic”, and “Macedonian” theories. The representatives of the first theory¹⁸ consider

¹⁶ Цибранска, М.: Правилата на апостолите Петър и Павел в Устюжката кормчая..., с. d., с. 51.

¹⁷ Олтяну, П.: Роль старых славянских и среднеболгарских номоканонов, с. d., с. 22-24.

¹⁸ Флоринский, Т. Д.: древнейший памятник болгарского права. In: Сборник статей по истории права в честь М. Ф. Владимирского-Буданова. Киев, 1904, с. 11-12, 26-27; Златарски, В.: Какви канонически книги и граждански закони Борис е получил от Византия. In: Летопис на БАН, 1914, 1, с. 79-116; Андреев, М.: Нови проучвания и нови теории относно происхождения на Законъ судный людемъ. In: ГСУ, Юридически факултет, 1964, т. 55, No 2, с. 29-83; Божилов, И. – Гюзелев, В.: История на средновековна България VII–XIV век. Т. 1. София: Анупис, 1999, с. 236.

that the composition originated in Bulgaria during the time of knyaz Boris or knyaz Simeon, or during the 10th century, based on the Eclogue, as part of the Byzantine *Nomocanon*, sent to Prince Boris by Patriarch Photius. They mainly advocate the opinion that the composition came as a result of the sharp conflict between Christianity and paganism, which occurred during the official acceptance of Christianity in Bulgaria.

Supporters of the second “Moravian-Pannonian” theory¹⁹ point out to the need for the application of the text by Methodius in the functioning of his church organization in Moravia, to the thematic and linguistic closeness between Methodius’ *Nomocanon*, the *Anonymous Homily* and the *Orders of the Holy Fathers*, which contain remnants of Western Catholic law. They find the arguments in the clear and precise transposing of legal norms, as well as in the wide use of an adaptive, complementary and contextual approach in translation, in the use of Moravianisms and other elements. However, the presence of Moravianisms, as much as being a characteristic of the texts created on Moravian soil, are also a sign of the archaicism and prestige of the language, also present in other Old Slavic monuments.

The third, Macedonian theory in science was first advocated by S. Troitsky,²⁰ who proves the origin of the manuscript connected with the activity of Methodius in the Strymon area. The composition contains data about the life of the Slavs in the Byzantine Empire. Methodius used the following sources for its composition: the Byzantine Eclogue, the decree of the Byzantine Emperor Constantine V, the Bible and the canons of St. Basil the Great. The data about his administrative activity is in the *Extensive Life of Methodius*,²¹ where it is said that in the 40ies of the 9th century, he was appointed by the Byzantine emperor as the administrator of a Slavic principality, most likely in Strymon Sclavinia, inhabited mostly by Slavic population under Byzantine administration.

In terms of the third theory, it is considered that the manuscript was written in the South Slavic language of that time, but with a Byzantine-Greek orthography, and that later, during the Moravian mission, it had been transcribed in Glagolitic, and added to the *Synagogue of John Scholasticus*. This legal work also contained religious laws, related to the regulation of the everyday life of the population, rules related to marriage, family, inheritance, slander, adultery, incest, divorce, bigamy etc. – problems commonly encountered in all times and among all nations. This codex of Methodius is treated in science as the first Slavic work, created before the Moravian mission, but still in the function of the mission. In science, it is considered that even during the translation of the *Nomocanon* in the course of the first three years of the Moravian mission, Methodius used his own creative and legal experience from the creation of the *Civil Law*.

There are two known redactions of the text – a short one and an extensive one, and Tikhomirov²² also speaks of a third one – compiled as a combination of the first two. The short one is represented by 32 texts, and the extended one by 77. The short redaction is the initial one and it is part of several canonical collections of Russian redaction: Ustjuš, Joasaph, Novgorods

¹⁹ Соболевский, А. И.: Церковно-славянские тексты моравского происхождения. In: Русский филологический вестник, 1900, V, 43, с. 150-217; Vaillant, A.: Une Homilie de Methode. In: Revue des etudes slaves, 1944, 21, pp. 46-89; Grivec, F.: Zakon Sudnyi in Clozov Glagolit. In: Slovo, 1957, No 6-8, pp. 35-45; Navrátil, L.: Metod Zákonodarca – Zákonodarcom Veľkej Moravy. In Kralčák, L. (ed.): Slovenčina v historickom kontexte. Nitra: Vysoká škola pedagogická, 1996, s. 61-67.

²⁰ Троицкий, С.: Мефодий как автор „Закона судного людям“. In: Македония и Македонцы в прошлом. Скопје: ИНИ, 1970, с. 441-453.

²¹ Панонски легенди. Житие на св. Методиј. Гл. 2. Превод од старословенски Јован Таковски. Скопје: Каприкорнус, 2001, с. 82.

²² Тихомиров, М. Н. – Милов, Л. В.: Закон судный людям краткой редакции, Москва: АН СССР, 1961. 178 с.

(1280–1291), in the Varsonofiev Code from the 14th century and the Russian compilation Righteous Measure (13th century). The extensive one is the result of later Russian reworkings (13th–14th centuries).

Orders of the Holy Fathers

The text *Orders of the Holy Fathers* (Заповеди на светите отци), is also related to the legal-canonical compositions attributed to Methodius' original literary works. This text has been preserved as part of the Glagolitic Sinai Euchologue from 10th–11th century (pp. 102r5-105v5),²³ and the Ustjuš (pp. 114-117) and Joasaph catechisms as well. A direct Latin transcript has not been uncovered; nevertheless, because of the fundamental research of S. Suvorov²⁴ it is presumed that the Old Slavic text came about as a reproduction based on a Latin transcript, closely related to the Merseburg Penitential (Poenitentiale Merseburgense) of the 8th–9th centuries, from the Merseburg Cathedral Library, no. 103. In science, there is an opinion²⁵ that the *Orders of the Holy Fathers* represent a transcript from an archaic protograph of an epitemian redaction, created in an Old Slavonic translation in Great Moravia as early as the second half of the 9th century. Research has revealed linguistic-textual similarities and overlaps between the *Orders of the Holy Fathers* and the Synagogue of 50 Titles of John Scholasticus in the domain of use of a general lexica and terminology, as well as similarities in the domain of morphosyntax. New researches and comparisons between the transliteration of the text in the Glagolitic Sinai Euchologue and the Cyrillic *Ustjuš Codes* demonstrate how both texts, despite certain differences, originate from the same translation archetype, according to the Merseburg Penitential model. There are certain redacting changes, noticeable in the later version, which can be seen on the plan of changing the place of some rules, in relation to certain lexical synonymous changes, less often of morpho-syntactic changes of the text, differences in the numerical designations of the penitential terms due to the difference in the Glagolitic and the Cyrillic values.²⁶ Suvorov admits that some of the changes have already been implemented in the Slavic South. In some other data from the Ustjuš text, traces from the Russian redactor are found.²⁷ The comparisons lead to conclusions about matching in numerous historical-cultural and linguistic characteristics, which serve the claim that the text was created for the needs of the Moravian-Panonic Church organization. Later on, this text was also used for the requirements of the Ohrid Church.

Anonymous Homily

The original work of Methodius with legal content also includes the so-called *anonymous Homily*, preserved in an incomplete transcript in the Glagolitic *Klotz Code* (10th–11th century). Since the transcript has been preserved in an incomplete form, the title of the homily is missing, which probably contained the name of its compiler. That is why the following are mentioned as possible authors: St. Methodius, St. Clement of Ohrid and St. Naum of Ohrid. The linguistic and stylistic analysis, the presence of Moravisms, as well as the existence of information in the Extensive Life of Methodius about a reprimand regarding marriage between persons in spiritual

²³ Nahtigal, R.: *Euchologium Sinaiticum. Staroecrkvenoslovenski glagolski spomenik. T. 1-2.* Ljubljana, 1941–1942.

²⁴ Суворов, Н. С.: Следы западно-католического церковного права в памятниках древнего русского права. Ярославль: Г. Фальк, 1888, с. 90-129.

²⁵ Пенкова, П. – Цибранска, М.: Синайски евхологий. In: Кирило-Методиевска енциклопедия. Т. 3. София: БАН, 2003, с. 604-614.

²⁶ Суворов, Н. С.: Следы западно-католического церковного права..., с. d., с. 90-129.

²⁷ Цибранска, М.: Правилата на апостолите Петър и Павел в Устюжката кормчая..., с. d., с. 50.

kinship, also present in the content of the Homily, point to the evidence of Methodius being the author of this composition.

The *anonymous Homily* elaborates legal topics referring to the rights and responsibilities of the knyaz, since morality applies not only to the ordinary Christian, but also to the knyaz, it also contains a review of married life, lessons against paganism and pagan curses, lessons on observing the Christian laws for honest marriage, etc. Part of its content also refers to the prohibition of marrying persons with spiritual kinship, a problem that was also raised at the famous Trullo Church Council in 692. The Homily is placed together with the homilies of John Chrysostom.

Comparing the style between the translation of the *Synagogue of 50 Titles/Names, Civil Law, Orders of the Holy Fathers*, as well as the *anonymous Homily* found in the *Klotz Code* in terms of the linguistic and stylistic characteristics and the procedure applicable in the translation and adaptation of the Byzantine codes according to most of the followers, a large part of which have already been mentioned in the text, as well as the studies of Grivec, Vajan, Oltjanu, Štefanić²⁸ etc., proves the mutual relationship and confirm the general characteristics. These conclusions are paired with Troitsky's opinion on the comparison of style between the translation of the *Nomocanon* and the *Civil Law* regarding the freedom of translation, method of shortening and paraphrasing the Greek source, and the changes made in accordance with the needs of the time and surrounding in which they came about, indicating that it is safe to conclude that these compositions have a single author, that is, St. Methodius.

VII. Conclusion (arguments and hypothesis)

The issues about Methodius' legal-canonical literary work were mainly related to Methodius' personal legislative initiative in his capacity as archbishop of a diocese, where it was necessary to establish legal regulation. On the other hand, the issue of the existence of the *Corpus Methodiana Juridica*, whose composition and structure is still being discussed²⁹ in science, was also initiated, that is, the existence of a legal-canonical collection of a wider composition created by Methodius or his students. In this regard, of topical interest are the following issues related to:

- the composition of Methodius' legal construction of texts with the presence of secular legislation, which would also justify the name *Nomocanon*, according to the traditional division of νόμος "worldly law" versus κἀνων "ecclesiastical rule" (proof of which is his composition *Civil Law – Zakon Sudny Lyudem*), etc.
- the use of legal Latin prepositions, apart for the Greek ones, for which the first Old Slavic penitential from the Glagolitic Sinai Euchologue (10th–11th century), having a proven Latin prototype, is a kind of landmark.

In that sense, we single out the arguments elaborated in science through a multifaceted analysis, which speak in favor of the existence and application of the *Corpus Methodiana Juridica*, brought into correlation with the compositions that are confirmed to belong to Methodius.

Arguments:

The lexical elements in the *Nomocanon* of Methodius correspond and coincide in use with other legal-canonical compositions, which is evidence of their archaistic and their wider use in early Slavic texts with legal content.

²⁸ Grivec, Fr.: Zakon Sudnyi in Clozov Glagolit. In: Slovo, 1953, 3, pp. 84-89; Grivec, Fr.: O Metodevem Nomokanonu. In: Slovo, 1957, 6-8, pp. 35-45; Vaillant, An.: Une homélie de Méthode. In: Revue des études Slaves, 1947, t. 23, fasc. 1-4, pp. 34-47; Олтяну, П.: Роль старых славянских и среднеболгарских номоканонов..., с. d., с. 18-35; Štefanić, V.: Novija istraživanja o Klocovu Gjagoljašu. In: Slovo, 1953, 2, pp. 67-74.

²⁹ Драгова, Н. Methodiana Juridica. Методиевото наследство в законодателството и в църковното строителство на Балканите. с. 197-218.

Such preserved compiler collections, which include several texts with legal-canonical content applied/practiced even in the oldest period of Slavic literacy, point to the possible full contribution of Methodius in their translation, compilation and redaction.

Based on a linguistic-textological analysis and determination of the linguistic database, it is assumed that the orders of the Apostles Peter and Paul in the *Ustjuš Code* and the *Synagogue of John Scholasticus* were taken from an unpreserved general protograph.

St. Methodius is also considered to be the author of original legal-canonical compositions as a supreme canonist: *Civil Law*, *Orders of the Holy Fathers*, as well as the *anonymous Homily* found in the *Klotz Code*.

The text *Orders of the Holy Fathers* has been preserved as part of the Glagolitic Sinai Euchologue, and the *Ustjuš* and *Joasaph* catechisms as well.

New research and comparisons between the transliteration of the text in the Glagolitic Sinai Euchologue and the Cyrillic *Ustjuš Code* show that both texts, despite certain differences, originate from the same translation archetype, according to the Merseburg Penitential model.

The comparisons introduce conclusions in terms of the matching in a series of historical-cultural and linguistic characteristics, which serve the claim that the text was created for the needs of the Moravian-Panonic Church organization.

By comparing the style between the translation of the *Synagogue of 50 Titles/Names*, *Civil Law*, *Orders of the Holy Fathers*, as well as the *anonymous Homily* found in the *Klotz Code* in terms of freedom of translation, method of shortening and paraphrasing of the Greek source, and the changes made in accordance with the needs of the time and surrounding in which they came about, it is safe to conclude that these compositions have a single author, that is, St. Methodius.

All these compositions are a part of the *Ustjuš* catechism with the other legal-canonical text as a collection.

All these texts contain great similarities in terms of language and terminology, clarity and precision of thought, the use of concise formulations for complex legal phrases and terms, which corresponds to the archaism and application of a recognizable lexical corpus in the early Slavic legal-canonical monuments.

On the other hand, all these studies in addition to the discovery of Methodius' role in various legal-canonical texts, at the current level of research on the *Corpus Methodiana Juridica*, cannot be sufficiently argued and freed from hypothesis.

Hypothesis:

In this regard, there is still a lack of collections like *Ustjuš* and *Joasaph* catechisms, which with their content would confirm that they circulated more frequently in an integral form as a prelude in Slavic scriptorial circles. It is also important to add the thesis on the participation of the students of St. Method in completing these compositions, faced with the need of their application in the defense of the legal regulation of the Moravian Church Organization, which would unite these compositions in one collection. Certain redacting changes in the *Ustjuš Code*, noticeable in the later version, which can be seen in changing the place of some rules, in relation to certain lexical synonymous changes, less often in morpho-syntactic changes of the text, differences in the numerical designations of penitential terms due to the difference in the Glagolitic and Cyrillic values. Some of the changes have already been implemented in the Slavic South.

This research issue in the science of 20th century introduced the possibility that Methodius composed a code of a large volume, and that included in his *Nomocanon* other texts of the legal-canonic nature, analogous to the model of *Ustjuš Code* as a *Corpus Methodiana Juridica*. A large part of the previous research proves the thesis of the existence of *Corpus Methodiana*

Juridica. This issue still remains open and needs to be resolved using a wide range of linguistic, textual and comparative criteria in a modern scientific research process.

Corpus Methodiana Juridica dans la recherche scientifique du XXe siècle – arguments et hypothèses

Maja Jakimovska-Toshikj

Dans les recherches scientifiques du XX^{ème} siècle, la question de l'existence du *Corpus Methodiana Juridica* en tant que recueil de droit canonique d'une portée plus large compilé par Méthode, a été soulevée à plusieurs reprises. Sa composition et sa structuration possible sont encore en discussion scientifique. Certaines compositions de la littérature juridico-canonique la plus ancienne, présentes dans la production littéraire slave depuis la mission Morave (863–885), sont directement liées au nom du Saint Méthode. Il s'agit soit des traductions, soit d'œuvres littéraires originales. La science moderne, en particulier les recherches du XX^{ème} siècle, dispose d'une base de données stable et appropriée sur l'apparence et l'étendue des premiers textes originaux juridico-canoniques du vieux slave, ainsi que sur l'utilisation du prototype grec et latin dans la formation du contenu et de la structure de ces textes. Cependant, il reste encore quelques questions qui n'ont pas été complètement clarifiées dans la science. Cela concerne : la clarification et l'achèvement de l'ensemble du corpus des textes traduits et originaux de la première période de l'alphabetisation slave, créés pendant la période de la mission Morave; le rôle de Méthode dans leur traduction, leur création créative et leur application; la localisation précise et la datation éventuelle de ces textes juridiques traduits et originaux en utilisant un large éventail de critères linguistiques, textuels et comparatifs. Ainsi, dans l'étude, nous soulignons les arguments élaborés dans la science à travers une analyse multiforme, qui plaident en faveur de l'existence possible et de l'application du *Corpus Methodiana Juridica*. Ce dernier est sous la forme d'un recueil juridico-canonique d'une composition plus large, mis en corrélation avec les textes qui se confirment appartenir à Méthode. Cependant, ce sujet reste encore ouvert et pourrait être une thématique des futures recherches de la science linguistique moderne.