

# Stefan Zankow and some of his Works in the Field of Canon Law\*

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Summary: 1. Common remarks on Zankow's biography; 2. Stefan Zankow as a canonist; Conclusion remarks.

In principle it is very hard to summon a comprehensive account of Stefan Zankow in a brief essay. The main difficulties are that his archive is still not officially opened and not structurally organized and also because of the lack of a sufficient amount of interest among Bulgarian theologians which has led to he and his work not being researched deeply enough<sup>1</sup>. At the same time, it should be underlined (of course without underestimating the work of Prof. Radko Poptodorov as his successor) that Stefan Zankow remains the most success-

\* This essay is gratefully dedicated to the 85th birthday of Professor Protopresbyter Dr. Radko Poptodorov – the direct successor of Professor Protopresbyter Stefan Zankow as a lecturer of canon and ecclesiastical law at the Faculty of Theology at the Sofia University.

1 As far as I know there is only one published doctoral dissertation dealing with Zankow's academic contribution on his ecclesiology till now: *G. Alexiev, Stefan Zankows Lehre über die Kirche. Eine kritische, genetisch-systematische Untersuchung. (Auszug)*, Rom, 1965; another one revealing his ecumenical strivings is in preparation by *Archimandrite Victor (Vihren St. Mutafov)* under the planned title "Stefan Zankov come pioniere del Movimento ecumenico" at the Pontificio Istituto Orientale in Rome. There are also several references, essays or Lexica-articles which can certainly not fully reveal his work in the field of canon law.

ful Bulgarian canonist of his time, and the first<sup>2</sup> Bulgarian lecturer of canon law at the Faculty of Theology at Sofia University<sup>3</sup>. For many different reasons, Zankow is to a certain extent more popular in the German-speaking societies than he is in his own country.

At the end of 2008 an international conference<sup>4</sup> was held in his honour, organized at the Sofia University, probably also hoping that a proper and larger recognition of his work on canon law would be achieved even if the clergy of the Bulgarian Orthodox Church (BOC) do not actually co-operate with the few theologians who teach canon law (they can be counted on one hand) on such important issues as the modification of the Church-Constitution (on the so called VI. Council held in three sessions at the Rila-Monastery 2008).

This brief article can only provide some of the outlines of Zankow's contribution to the academic development of canon law in Bulgaria.

- 2 At the Faculty of law of the Sofia University the discipline Canon law (ecclesiastical law) was taught by Professors Marco Balabanov and Stefan Bobchev. During the time of communism, canon law in Bulgaria was taught only in the Faculty of Theology.
- 3 The university in Sofia was founded on 1 October 1888, 10 years after the Liberation of Bulgaria, to serve as Bulgaria's primary institution of higher education. Initially, it had 4 regular and 3 additional lecturers and 49 students. It was firstly founded as a higher pedagogical course. At the very beginning it had three faculties: a Faculty of History and Philology (since 1888), a Faculty of Mathematics and Physics (since 1889) and a Faculty of Law (since 1892). The Faculty of Theology was established in 1923.
- 4 See the program of the international conference on: [http://www.uni-sofia.bg/index.php/bul/fakulteti/bogoslovski\\_fakultet2/novini/mezhdunarodna\\_nauchna\\_konferenciya\\_v\\_pamet\\_na\\_akademik\\_prof\\_protopr\\_d\\_r\\_stefan\\_cankov](http://www.uni-sofia.bg/index.php/bul/fakulteti/bogoslovski_fakultet2/novini/mezhdunarodna_nauchna_konferenciya_v_pamet_na_akademik_prof_protopr_d_r_stefan_cankov).

I. Common remarks on Zankow's biography

Stefan Zankow<sup>5</sup> was born on 6<sup>th</sup> July 1881 in Gorna Oriahovitz (North Bulgaria). His father, Stancho Zankow was a hand worker originally from Gabrovo (North Bulgaria) and his mother, Kina Zankowa from Veliko Tarnovo (medieval Bulgarian capital) was known for being strictly religious. Stefan Zankow must have had at least one brother, whose daughter, Zanka Zankowa, is actually a well-known lawyer and remarkable professor of family law in Bulgaria. There is hardly any further public information about his parents. By the way we also know that Stefan Zankow took his mother once on his travels to Jerusalem, for which she was very grateful to her son. She was appreciative that he also devoted one of his works<sup>7</sup> to her and at the same time to the Metropolitan Simeon (Popnikolov) of Varna (1840-1937). This archbishop played a big role in the personal and the academic life of Zankow as a professor.

- 5 About his biography, see: in English: G. A. MALONEY, *A History of Orthodox Theology since 1453*, Belmont, USA, 1976, pp. 238; in German: H.-L. HENRIOD, *Stefan Zankow. Ein Vorkämpfer der Ökumene in der orthodoxen Welt*, in *Ökumenische Profile*, G. GLOEDE (Hrsg.), Stuttgart 1963, 318–324; G. ALEXIEV, *Stefan Zankow*, in *Bulgarisches Jahrbuch* 1 (1968) 334–360; H.-D. DÖPMANN, *Kirche in Bulgarien von den Anfängen bis zur Gegenwart*, München 2006, 64; IDEM, *Zankow, Stefan*, in *Lexikon für Theologie und Kirche*, W. KASPER (Hrsg.), Band 10, Freiburg/Br. 2001, 1383; IDEM, *Zankow, Stefan*, in *Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft* (4. Auflage), Band 2, Tübingen 1999, 52.
- 6 In his self-written short CV included at the end of his dissertation states the birthday of 6. (19.) of July: compare ST. ZANKOW, *Die Grundlagen der Verfassung der bulgarischen orthodoxen Kirche*, Diss.-Druckerei Gebr. Leemann & Co., Zürich 1918, 157. Some authors claimed his birthday was the 4. of July: compare the upper.
- 7 See the introduction of: Ст. Цанков, *Българската православна църква отъ освобождението до настояще време*; в: *Годишник на Софийския университет, Богословски факултет* (=ГСУ, БФ), т. XVI, 6, 1938/39.

Stefan Zankow spent his childhood in Dobrich (northeast Bulgaria – eparchy of Varna). After he graduated from primary school (1888-1895),<sup>8</sup> in accordance with the wishes of his mother and with the reference of Metropolitan Simeon, Stefan Zankow enrolled in the Orthodox seminary of Samokov (near Sofia). He graduated with honours (1895-1899) and then he continued his higher education at the Faculty of Theology at the University of Czernowitz<sup>9</sup> (1900-1904), at this time in Austria, where he obtained his first Doctorate degree (Dr. theol) in 1905<sup>10</sup>. Stefan Zankow married Dominica G. Hanicki in 1905 in Chernovitz<sup>11</sup>; the family was childless.

The positions Stefan Zankow took in the Bulgarian Orthodox Church were various: 1905-1908 vice secretary of the cabinet of the Holy Synod in Sofia; after his consecration by the Metropolitan Simeon of Varna as a deacon in January 1908 and as a priest Mai of the same year, he was very active in the both Metropolies of Varna and Sofia; 1908-1911 General vicar in Varna, in 1911 he was elected to the Chief of Synod commission for the spiritual enlightenment.

Stefan Zankow's second academic degree was awarded by the University of Zurich (1915-1918) where he defended a second doctorate<sup>12</sup> on 29.05.1918 with his work in German: "Die Grundlagen der Verfassung der bulgarischen orthodoxen Kirche"<sup>13</sup>. Zankow mentions that

8 ZANKOW, *Die Grundlagen* (nt. 6), 157.

9 At that time Czernowitz was a part of the Austro-Hungarian Empire and education was conducted in German.

10 It happened on 13 of July 1905. Nevertheless there is almost no information about his studies there. Probably this period of his life can be researched better, if the archive of Zankow at the Faculty of Theology would be opened.

11 The marriage was celebrated in the Cathedral of Czernowitz by the Metropolitan Vladimir, see the notice of Zankow in a book, where he mentioned it: <http://www.dveri.bg/content/view/7728/29/>.

12 There is short information in the archives of the University of Zurich about the studies of Zankow in Zurich, see: <http://www.matrikel.uzh.ch/pages/791.htm>.

13 Jrverz. 1917/18 Nr. 401.

his studies in Zurich were based on the election of the Holy Synod of the Bulgarian Orthodox Church as a chancellor for ecclesiastical law in 1913, which led him to the University of Zurich in 1915. At the same time in Bulgaria the preparation for the establishment of the Faculty of Theology in Sofia was ongoing. Zankow passed the exams for lecturers and was elected as one of the first<sup>14</sup> professors at the Faculty of Theology in Sofia. Stefan Zankow began his career as ordinarius for Ecclesiastical law in 1923.

He also took an active part in the peace movements in Europe as regional-secretary of the “World Alliance for Promoting International Friendship through the Churches”, and later as a member of the research committee of the “World Alliance for International Friendship through Religion”<sup>15</sup>. For 20 years, Zankow was the official interpreter of the ecclesiology of his Church and its representative at ecumenical congresses and conferences<sup>16</sup>. He also lectured on Orthodox theology at foreign universities, such as Berlin, Basel, Zürich, and Geneva, and published his lectures, which were soon translated into many languages. For his achievements and in connection with the preparation of the World Conference of Churches (1937), he received Dr. honoris causa from Oxford University. Moreover, he held the Dr.h.c.-degrees from universities and institutes in Athens, Berlin, Budapest and Sofia<sup>17</sup>. After World War II, Zankow tried to find a *modus Vivendi*<sup>18</sup> in order to save what could be saved from the brutal atheistic policy of the communist regime in Bulgaria.

14 His first lecture was: “The Law and the Church” and was held on 16.II.1923 at Sofia University. See: Ст. Цанков, *Правото и църквата*, ГСУ-БФ, т. V, 1923/24, С., 1924, 65–106.

15 See ALEXIEV, *Stefan Zankow* (nt. 5) 360.

16 Ibid.

17 Ibid.

18 Ibid

Stefan Zankow passed away on 20 March 1965 in Sofia. At his funeral ceremony the Bulgarian Patriarch Cyril (1900-1970) gave a speech in which he stressed that the name of Zankow is equal to theological erudition and objective attention to the canonical bases and factors in the Christian Church<sup>19</sup>.

## 2. Stefan Zankow as a canonist

The whole academic contribution of Stefan Zankow includes about one hundred or even some more written works<sup>20</sup> – books, essays, articles and conference reports. From all these works, there are some of the best Bulgarian contributions to the academic field of canon law, which are used by students and researchers. Interestingly, we can see from this list that Zankow's works are almost 35% written in German and published abroad, which could explain why to a certain extent some of his ideas did not reach the modern Bulgarian clergy. I was once again very surprised to read a statement by a Bulgarian theologian, who pointed out that Zankow's most popular book in Bulgaria is about modern Bulgarian church history<sup>21</sup>. The question of his distinguished and concrete theological contribution therefore still is open. On the other hand, Zankow is, without a doubt, still mostly well known thanks to his foreign publications in German speaking forums, especially among people working on eastern theology and canon law. Recently, a study was published concerning the ecclesio-

19 In a short summary: He was highly estimated for his academic achievements and his practical organisation work by the Bulgarian Orthodox Church and for his solid interpretation of the orthodox faith by experts all over the world. See ALEXIEV, *Stefan Zankow* (nt. 5) 357–360.

20 A very good and at the same time almost complete (because of the not structured archive) list of Zankow's bibliography can be found in the application of: G. ALEXIEV, *Stefan Zankows Lehre über die Kirche* (Auszug), Rom, 1965, 61–65.

21 See: <http://www.dveri.bg/content/view/7688/29/>.

logical doctrines of Stefan Zankow in which the author did not consider ecclesiastical law. The same could be seen also in Bulgaria, where also some journalists commented that the most popular publication of Zankow (with respect to the conference given in his honor) was his History of the BOC, his “bestseller”.

It therefore seems to me that the academic contribution of Stefan Zankow could be split according to thematic issues into two subsections: the first one for instance should include his work on canon and ecclesiastical law in general, while the second one should incorporate the rest of his written researches with an accent on ecclesiology. It is hereby also appropriate to mention that ecumenical thoughts have “stamped” themselves on both parts of his academic works, even if his ecumenism is much more intensively represented in his studies that do not directly address canon law.

It is impossible to reveal and to discuss all works of Zankow here. Therefore, I shall rather try to concentrate on mentioning only a few of his most important contributions to ecclesiastical law which made Zankow a significant Bulgarian canonist. As a first of his whole contribution are two volumes in Bulgarian, translated, composed and edited by Stefan Zankow, Ivan Stefanov and Pencho Stanev, “The rules of the Holy Orthodox Church with their interpretations.” They<sup>22</sup> were printed in 1912 (including a new Bulgarian translation and interpretation by Zonaras, Aristin, Balsamon, the Nomokanon and Bishop Nicodemus Milas of the canons of the Apostles and the canons of the I – IV ecumenical Councils) and 1913<sup>23</sup> (including a new Bulgarian translation and interpretation by Zonaras, Aristin, Balsamon, the

22 Ст. ЦАНКОВЪ – ИВ. СТЕВАНОВЪ – П. ЦАНЕВЪ, *Правилата на св. Православна църква с тълкуванията имъ*, томъ I, С. 1912.

23 Ст. ЦАНКОВЪ (пг. 22).

Nomokanon and Bishop Nicodemus Milas of the VI – VII ecumenical and some of the local Councils). The third volume could not be published in the following year probably because of financial difficulties caused by the Balkan Wars and the interest of the BOC to concentrate on its evangelizing work of the “new” lands where<sup>24</sup> there lived also Bulgarian Muslims. As far as there is any information about the manuscript of the third volume, it is hardly readable because of the bleached ink. So that there are only few parts that could be used nowadays to set the manuscript in print.

The theoretical and practical significance of this first modern Bulgarian written work on the canonical sources and their interpretation in the new history of the BOC is even nowadays enormous. There is still no other Bulgarian collection of the interpretation of the rules of the Orthodox Church. A small book<sup>25</sup> with only the translated texts of the canons of the Holy Orthodox Church was once issued in 1936 and then reprinted<sup>26</sup> in 2004. Zankow’s edition in the two of three volumes is until now the fullest Bulgarian publication concerning the sources and their interpretations of Orthodox canon law. I have no further information that someone is working at the moment on a new Bulgarian edition of such a collection. As a result, the work of Zankow remains an irreplaceable instrument for each academic or practical research on canon law issues in his mother tongue.

24 These were the territories of the Phodope Mountains towards the Aegean Sea, re-conquered by the Bulgarian army in the First Balkan War from the Turkish Empire.

25 *Правила на Светата Православна църква. Събрали и превел Протоиерей Иван Стефанов. Издание на Съюза на свещеническите братства в България, София, 1936 г.*

26 *Правила на Светата Православна църква. Света гора, Атон, 2004.*



The second very important academic contribution of Stefan Zankow to the field of Orthodox canon law is his German doctoral dissertation from Zurich University issued in two volumes: “Die Verfassung der Bulgarischen Orthodoxen Kirche”, 1918, and “Die Verwaltung der Bulgarischen Orthodoxen Kirche”, 1920. These two parts of one work represent a detailed approach to the problems of the Church constitution of the Exarchate in Bulgaria from 1870 and its changes from 1895 for the territories where it functioned: In the newly established Bulgarian state - 1878 and also under the church jurisdiction out of its state borders. Both volumes are much better known abroad than in Bulgaria and represent in a certain way the classics for foreign research work among theologians and canonists of the BOC. Some of the Bulgarian specialists who state that some sections of both parts are used in the latest publications of Zankow had the idea of translating the books. This could not be organized for many reasons, but perhaps also to a certain extent because of the tendencies towards a counter-ecumenical course of the biggest part of the actual Orthodox clergy in Bulgaria.

Another very important academic work of Zankow is his contribution to the dialogue between the national Orthodox churches for the organization of an ecumenical council. The most important pan-Orthodox congress in Athens in 1936 also had Zankow’s vision about the relations between the state and the church and between the churches themselves and therefore also the difficulties of planning and holding one such council<sup>27</sup>. Zankow was the official representative of the Holy Synod of the BOC to this very important

27 See for instance ST. ZANKOW, *Die prinzipiellen Schwierigkeiten der Abhaltung eines ökumenischen Konzils*; in H. ALIVISATOS, *Procès – verbaux du Premier Congrès de Théologie Orthodoxe à Athènes, 29 novembre – 6 décembre 1936* (Print out of the protocols of the First Congress of Orthodox Theologie), Athens 1939, 269–271.

event, although the BOC was considered being schismatic on behalf of Phyletismus since the local Council of Constantinople in 1872 till 1945.

As was already mentioned, Stefan Zakow was the ordinary Professor and lecturer for canon law and ecclesiastical law at the Faculty of Theology, Sofia University from 1923 on, for almost more than 40 years until shortly before his death. This was another very important aspect of his contribution to canon and ecclesiastical law. Almost two generations of Bulgarian theologians and clergymen listened to his ideas and respected his opinions, which were also important for the decisions of the Holy Synod. Some parts of his lectures and most of his researches in Bulgarian were published in the University Yearbook of the Theological Faculty in Sofia, where more than one thousand pages are to be found.

Beside the works of Zankow on canon law, there were some very important academic contributions to Orthodox ecclesiology. It may be said that he was one of the best known Orthodox theologians for his time who became a guest lecturer in several universities in German speaking countries. Here there are two important publications in German<sup>28</sup>, which are also translated into many other languages and are to a certain extent still in use.

Like most canonists of the twentieth century, it was also the duty of Zankow to be actively involved in drawing up some of the code-changes. His first practical work on this issue was his membership in

28 ST. ZANKOW, *Die Orthodoxe Kirche des Ostens in öumenischer Sicht*. Gastvorträge gehalten an den Universitäten von Zürich, Bern, Basel und Genf, Zürich, Zwingli-Verl. 1946; ST. ZANKOW, *Das orthodoxe Christentum des Ostens*; Sein Wesen u. s. gegenwärtige Gestalt. Gastvorträge, Berlin: Furche-Verl., 1928.

the Commission<sup>29</sup> for the estimation of the Exarchates's constitution, which functioned in 1920. The following constitution of the BOC (after World War II) was also influenced by the ideas of Zankow. It could not be promulgated without communist corrections, so that in the end the communist party changed what it wanted and penetrated the church autonomy as never before, enforcing the text without the agreement of the Holy Synod<sup>30</sup>.

Having in mind the difficulties of the oppressed political changes in Bulgaria after World War II, there was surely not enough "place" for the church in the so called socialist society. It was obvious that the communist regime could not allow the further development of canonistic research as a part of theology at all. So there was no chance for the adequate recognition of any theologian, which was also the situation with Zankow. Of course, there has to be a mention of Professor protopresbyter Radko Poptodorov, as the following ordinary lecturer of canon and ecclesiastical law, who published (not without difficulties) a study on the ecclesiology, ecumenism and irinism of Zankow<sup>31</sup> after a period longer than a decade after the death of his teacher. After the political changes of 1989, there were also few Bulgarian articles on

29 See the protocols of this commission in the volume: *Протоколи на духовната комисия за преглеждане екзархийския уставъ и всички действащи днесъ въ ведомството на българската православна църква църковни наредби*, С., Държавна печатница, 1920.

30 See Д. Николчев, *За устава на Българската православна църква: необходимата реформа*, сп. Християнство и култура, 2003, кн. 2, 72–85.

31 Р. Поптодоров, *Еклезологията, икуменизмът и иринизмът на проф. протопр. д-р и академик Стефан Цанков*, *Годишник на Духовната Академия* (=ГДА) т. 25, С. 1981.

Zankow<sup>32</sup> and on the works<sup>33</sup> addressing his contributions. There has also been an interest in discussing Zankow's ecclesiology in the last years.<sup>34</sup>

### Conclusion remarks

As we can see, Zankow was the first canonist at the Bulgarian Faculty of Theology in Sofia. Some of his works are still the only ones to be used in church theory and praxis. Zankow was engaged not only with the BOC inside Bulgaria, but had also a very successful career with important events in other Orthodox and non-Orthodox churches, leaving some of his works abroad as a guideline towards his home country. He remains not only one of the most successful canonists in Bulgaria but also one of the best Bulgarian theologians.

In order to conclude this short and schematic presentation of Zankow as a canonist, I would repeat only a few words said by Patriarch Cyril at the funeral ceremony of Zankow, which I consider characteristic of his life and work: "He was highly esteemed for his academic achievements and his practical organisational work by the Bulgarian Orthodox Church and for his solid interpretation of the Orthodox faith by experts all over the world"<sup>35</sup>.

32 For instance P. ПОПТОДОРОВ, *Приносът на адад. Проф. д-р Стефан Цанков в разрешаването на църковно-правни проблеми от местен, общоправославен и общоцърковен мащаб, сп. Богословска мисъл*, 2005, кн. 1–2, с.7–27.

33 Хр. БЕРОВ, *Една „непознатата“ дисертация от Рим, Църковен вестник*, бр. 11/2007 г.

34 See E. FARRUGGIA, *Gibt es einen Kirchenbegriff bei den Orthodoxen? Zum Beitrag Stefan Zankows*, in *Was der Glaube in Bewegung bringt* (Festschrift Karl Neufeld) Herder-Verlag, 2004, 180.

35 See footnote 19 in this text.