

History of the Governance of the Greek Orthodox Archdiocese of America

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Introduction

The Greek Orthodox Archdiocese of America¹, with headquarters in New York City, is an eparchy of the Ecumenical Patriarchate of Constantinople incorporated in 1921. Since then, it has been governed according to the charters granted to it by the Church of Constantinople. Its current charter, the fifth in succession since its incorporation, was granted by the Holy Synod of the Patriarchate in 2003. Each of the five charters reflects the needs of the Archdiocese during the different phases of its growth and development. These phases necessitated drastic changes at times in its administrative structure. It could be said that were it not for the flexibility and adaptability characteristic of the canonical tradition of the Orthodox Church, the unity and cohesion of the This is the premise by which one might explain the variations in governance evident since its inception. Greek Orthodox Archdiocese of America might not have been maintained.

1 (hereafter, Archdiocese)

Like the statutes regulating the synodal structure of the various local (autocephalous) Orthodox Churches², ecclesiastical charters are also of recent date. In order to understand their significance, one must first appreciate the role of statutes. Each local Orthodox Church follows its own statute, which applies the principles found in the ancient canons to the concrete requirements of church life in specific parts of the world. They are, for the most part, the result of the attempt to cast the living practice of the Church into clearly defined procedures. This was necessary in view of the relations existing between church and state at the time of their adoption³.

A similar need exists with regard to an ecclesiastical charter. It helps clarify the role of the religious body for which it is issued. The Charter of the Archdiocese, issued by its Mother Church, the Ecumenical Patriarchate of Constantinople, is the document which defines its manner of operation in America.

The first four charters (1922, 1927, 1931, and 1977) of the Archdiocese reveal the stages of its history up to the time of the current Charter of 2003. An overview of their contents may therefore prove helpful in understanding what led to its present administrative status⁴.

- 2 In the absence of a code of canon law in the Orthodox Church, there are collections of the ancient canons accompanied by commentaries. These collections stem from various time periods and are the basis of the contemporary statutes which each autocephalous Orthodox Church follows in applying the principles of the canons to its governance. See John MEYENDORFF, *Living Tradition*, Crestwood [NY] 1978, 102.
- 3 Lewis PATSAVOS, *Primacy and Conciliarity: Studies in the Primacy of the See of Constantinople and the Synodal Structure of the Orthodox Church*, Brookline [MA] 1995, 33.
- 4 For a detailed analysis of the Charters of the Archdiocese, see Lewis PATSAVOS, *History of the Charters: The Structure of the Archdiocese according to the Charters of 1922, 1927, 1931 and 1977*, in *History of the Greek Orthodox Church in America*, M. B. EFTHIMIOU – G. A. CHRISTOPOULOS (eds.), New York: 1984, 67–92, from which some of the material in this paper originates.

I. A. Charter of 1922

I.I. Introductory Remarks

Following the incorporation of the Archdiocese in 1921, its first charter was granted the following year. It is composed of 27 articles, which begin by defining the purpose of the Archdiocese and continue by articulating the way in which this purpose is to be achieved⁵. As stated in Article 2, its purpose is to nurture the religious and moral life of American citizens of the Orthodox faith, who are either themselves Greek or of Greek ancestry⁶.

Article 3 establishes the relationship of the Archdiocese to the Ecumenical Patriarchate⁷. It is a supervisory relationship based upon the canonical and historical right of the latter. The following article delineates the geographical boundaries of the Archdiocese⁸. They comprise four diocesan districts: New York (chief see of the Archdiocese headed by an Archbishop), and the cities of Chicago, Boston and San Francisco (each headed by a Bishop bearing the name of the see in which he resides).

By introducing these four sees, the Archdiocese initially sought to establish itself on the American continent with a traditional synodal form of governance. It thereby remained faithful to the principle of conciliarity, the basis of Orthodox ecclesiology⁹. As we shall see later, however, it was eventually compelled by circumstances to deviate for a time from this authentic model of canonical administration.

5 Due to the unavailability of an official translation of the first three Charters (1922, 1927 and 1931) in English, texts used, with modifications, are those appearing in Panteleimon RODOPOULOS, *An Overview of Orthodox Canon Law*. Rollinsford [NH] 2007, 223–48.

6 RODOPOULOS, *Overview* (ftn. 5), 223 (Charter of 1922, Article 2).

7 *Ibid.*, (Charter of 1922, Article 3).

8 *Ibid.*, 224 (Charter of 1922, Article 4).

9 PATSAVOS, *Primacy* (ftn. 3), 31.

I.2. Governance

In the Charter of 1922, the Archbishop and three Bishops comprise the Synod of the Greek Archdiocese of North and South America. The Synod of the Archdiocese has all the authority and responsibility inherent in the “provincial synod,” as defined by the holy canons. It is accountable to the Holy Synod of the Ecumenical Patriarchate for the inviolate preservation of the doctrines and canons of the Orthodox Church¹⁰.

Each Diocese has its own Ecclesiastical Assembly comprised of all the clergy of the Diocese and of one lay representative from each incorporated parish. Each Ecclesiastical Assembly is convened by the diocesan Bishop, who is its presiding officer, or his representative. Ecclesiastical Assemblies are empowered to supervise the management of all ecclesiastical affairs and to enact legislation together with the local Bishop for the effective administration of all ecclesiastical institutions¹¹.

The General Assembly of the entire Archdiocese is comprised of the Archbishop, Bishops, clergy and lay representatives of each of the four Local Ecclesiastical Assemblies. It is presided over by the Archbishop or, in his absence, by the Bishop having seniority of consecration. The General Assembly reaches decisions and approves measures which foster common action throughout the Archdiocese towards achieving its stated religious, moral and social goals¹².

Within the Archdiocese and each of the three Dioceses there is an Executive Council. The Executive Council of the Archdiocese is comprised of the Archbishop, who is its presiding officer, four clergy and four lay representatives. The Executive Council of each of the Dioceses is comprised of the Bishop with only three clergy and three lay

¹⁰ RODOPOULOS, *Overview* (ftn. 5), 226 (Charter of 1922, Article 7).

¹¹ *Ibid.*, 228–229 (Charter of 1922, Articles 12, 15).

¹² *Ibid.*, (Charter of 1922, Articles 13, 15).

representatives. The jurisdiction of the Executive Council includes all matters for which the entire body represented is competent. These do not include matters which according to the canons are the exclusive privilege of the Bishop, acting alone or in concert with the spiritual court of the Diocese. The Executive Council under its presiding Bishop also has the right to enact legislation within the sphere of its jurisdiction which does not conflict with the present charter¹³.

Each Diocese has its own spiritual court comprised of at least two presbyters and the local Bishop who presides, or his representative. This court hears all canonical offences of the clergy in the first instance, with exception of offences for which defrocking/deposition is foreseen, which are referred to the Synod of the Archdiocese¹⁴.

In accordance with the holy canons, the Archbishop and Bishops are permanently installed and cannot be transferred. In the event the Archiepiscopal See becomes vacant, one of the three remaining Bishops may be elected Archbishop. In view of the fact that the newly established Archdiocese had only an Archbishop at the time, it was necessary to fill the additional three vacant sees of Chicago, Boston and San Francisco. Consequently, an established procedure for the initial election of Bishops for the three newly created Dioceses was adopted. It requires the convening by the Archbishop of the Ecclesiastical Assembly. Its purpose is to propose three candidates from an approved list, of whom one is elected Bishop by the Holy Synod of the Ecumenical Patriarchate¹⁵.

Once the three vacant sees have been filled in this way, vacant sees in the future will be filled by a similar procedure. It calls for the Ecclesiastical Assembly to propose three candidates from a pre-approved list. In contrast to current practice as we shall see, however, it

13 Ibid., 230–231 (Charter of 1922, Articles 20, 21).

14 Ibid., 227 (Charter of 1922, Article 10, 11).

15 Ibid., 229–30 (Charter of 1922, Article 16).

foresees the election of each Bishop, or in the case of the Archdiocese, the Archbishop, by the Synod of the Archdiocese and the ratification of the election by the Holy Synod of the Ecumenical Patriarchate¹⁶.

1.3. Concluding Remarks

The charter concludes by asserting the right of the clergy of the Archdiocese to be assigned to their ministerial posts without the interference of the civil authorities. Furthermore, it affirms that the bases for all administrative procedures are the holy canons, and the regulations adopted in accordance with them and the laws of each state where the Church's jurisdiction extends¹⁷.

Besides the synodal form of governance which characterizes the structure of the Archdiocese in its first Charter of 1922, one notes also the participatory role of the laity where appropriate. This role is reflected primarily by lay representation in the several administrative bodies introduced. It is also in keeping with the premise that, although hierarchical, the Church is made up of both clergy and laity, who together express her essence when acting synergistically¹⁸. These characteristics, a synodal form of governance and lay participation, will continue to be the focus of our attention.

2. B. Charter of 1927

2.1. Introductory Comments

Within five years, a revision of the Charter of 1922 took place. There is little difference in language between the original Charter and

16 Ibid., 230 (Charter of 1922, Article 17).

17 Ibid., 231–232 (Charter of 1922, Article 24).

18 Regarding a synergistic approach of both clergy and laity in the governance of the Church, see Lewis PATSAVOS, *Spiritual Dimensions of the Holy Canons*, Brookline [Ma] 2003, 35–41.

the newly revised Charter of 1927. The revised Charter is a refinement of the original and includes provisions not foreseen previously which assure a more effective operation of the administrative structure of the Archdiocese. Its intention is not to introduce a new administrative structure, but to apply what was learned from recent experience in anticipation of future developments in the life of the Greek Orthodox Church in America. An instance of this is what is stated in Article 2 as its purpose. Not only is it to preserve and propagate the Orthodox Christian faith, but also to teach the original language of the Gospel¹⁹. Such an expanded purpose was an indication of the growing awareness that the Greek Orthodox Church in America was there to stay and, therefore, had to plan for the future.

2.2. Governance

The geographical boundaries of the Archdiocese remain the same and include the four diocesan districts as in the earlier Charter. Mention is made of communities now in existence as well as those to be established in the future, another indication of the Church's anticipation of a permanent presence and further growth in America²⁰. In view of the fact just mentioned, that the 1927 Charter is more a refinement of the previous Charter than a drastic departure from its tenets of administrative operation, there are no substantive changes introduced. Where there are changes, they serve to clarify or expand upon policies or procedures in corresponding articles of the earlier Charter.

With regard to both the Local and General Ecclesiastical Assemblies in which there is lay representation, the 1927 Charter calls for greater precision in their composition. Whereas previously this was lacking, it is now appropriately addressed. A wide variety of possible

19 RODOPOULOS, *Overview* (ftn. 5), 233 (Charter of 1927, Article 2).

20 *Ibid.*, 233–236 (Charter of 1927, Article 4).

candidates is suggested. These include members of the parish council or of the community, as well as Orthodox Christians of another city or of the city in which the Ecclesiastical Assembly takes place. Of utmost importance is that candidates be in good standing with the Greek Orthodox Church²¹.

A precise definition of good standing with the Church is not articulated. It must therefore be assumed that this refers to one's membership in the Church in both a broad and narrow sense. In a broad sense, one is a member of the Church through baptism and subsequent communion in the faith; in a narrow sense, by meeting the financial and other obligations determined by the local parish. Stressing good standing with the Church multiple times as a prerequisite for membership in an Ecclesiastical Assembly is revealing²². It leads one to believe that this was the direct result of the turbulence which had begun to ravage the Greek Orthodox Church in America at this time²³. About this chapter in its history and the resulting consequences, we shall hear more in what follows.

In order for the charter of any parish to be valid, it must be ratified by the local Bishop²⁴. This requirement is especially significant when seen in the light of events just alluded to, as it was necessary to consolidate parishes under the authority of the Bishop. It appears, in fact, to have been a measure taken to strengthen the Bishop's author-

21 Ibid., 238–239 (Charter of 1927, Articles 13, 14). See also PATSAVOS, *History* (ftn. 4), 79–80.

22 RODOPOULOS, *Overview* (ftn. 5), 238–9 (Charter of 1927, Articles 13, 14, 15).

23 For an historical account of the formative years of the Greek communities in America, see G. PAPAIOANNOU, *The Historical Development of the Greek Orthodox Archdiocese of North and South America*, in *A Companion to the Greek Orthodox Church*, New York 1984, Photios LITSAS (ed.), 178–206; see also Βασιλειος Θ. Ζούστης, *Ο εν Αμερικη Ελληνισμός και η δράσις αυτού (Hellenism in America and its Achievement)*, New York: [D.C.] 1954, esp. 105–108, 113–115.

24 RODOPOULOS, *Overview* (ftn. 5), 240 (Charter of 1927, Article 16/1).

ity which might otherwise be challenged by those seeking parochial autonomy²⁵.

The procedure established in the previous Charter for the election of both the Archbishop and Bishops is retained in the Charter of 1927²⁶. An additional qualification of candidates for either of these offices, understandably absent earlier, is the need for a fruitful ministry in the Church in America of at least five years for Bishops and seven years for the Archbishop. An exception to the latter qualification with regard to years of ministerial service in America pertains to the office of the Archbishop. In his case, candidates may also be selected from among Metropolitans of the Ecumenical Throne currently in office who might not have served the Church in America. Once again, the election of each Bishop, or of the Archbishop, takes place from among three candidates by the Synod of the Archdiocese and is ratified by the Holy Synod of the Ecumenical Patriarchate²⁷.

2.3. Concluding Remarks

The 1927 Charter concludes with a reminder to both clergy and laity of what otherwise might appear self-evident: “Neither cleric or layperson may hold office or even be a member of the Greek Orthodox Church of America if that person does not belong to the Orthodox Church of Christ, and none may remain in office or even be a member of the Church in America if that person ceases to be in good standing with it.”²⁸ The need to return to the issue of good standing addressed earlier²⁹ strongly suggests the persistence of abusive activity leading eventually to the next Charter.

25 PATSAVOS, *History* (ftn. 4), 81.

26 RODOPOULOS, *Overview* (ftn. 5), 240–241 (Charter of 1927, Article 18).

27 PATSAVOS, *History* (ftn. 4), 81.

28 RODOPOULOS, *Overview* (ftn. 5), 242 (Charter of 1927, Article 27).

29 *Ibid.*, 238-9 (Charter of 1927, Articles 13, 14, 15).

3. C. Charter of 1931

3.1. *Introductory Remarks*

The Charter of 1927 was short-lived, having been replaced by the Charter of 1931³⁰, under which the Archdiocese was administered for forty-six years, until 1977. One cannot fully appreciate the Charter of 1931 without knowledge of events surrounding the life of the newly established Greek Orthodox Church in America at that time. An investigation into the state of affairs during the early years of its existence on the American continent reveals a period of instability and division³¹. Waves of immigrants from Greece seeking a new life in America brought with them the political rivalries of their homeland. As a result, communities were divided and the legitimacy of the existing ecclesiastical authority was contested. In addition, clergy of questionable credentials, who had been ordained by bishops of opposing factions, contributed to the already chaotic situation permeating the Church in America³².

This was the situation encountered by the then visionary Archbishop Athenagoras (later Ecumenical Patriarch), who in 1931 arrived on the American continent as the new spiritual leader of the Greek Archdiocese. His perseverance and vision, as well as his administra-

30 For a negative reaction to this document, see J. COUNELIS, *Historical Reflections on the Constitutions of the Greek Orthodox Archdiocese of North and South America, 1922–1982*, in *Workbook of the 26th Biennial Clergy-Laity Congress*, San Francisco 1982, 39–40. For a chronology of events leading up to the displacement of the two previous Charters by the Charter of 1931, see ZOUSTIS, *O en Ameriki* (ftn. 23), 193–207.

31 The turbulence of this period is graphically portrayed in a lecture by Peter T. KOURIDES, long-standing legal counsel of the Archdiocese, and published as a booklet with the title *The Evolution of the Greek Orthodox Church in America and Its Present Problems*, New York 1959, esp. 7–11.

32 Regarding the status of Greek immigrants and their parishes in America, see Thomas FITZGERALD, *The Orthodox Church*, Westport 1998, 25–27.

tive ability, contributed significantly to the eventual stabilization of the Church's affairs. Seeds of dissension had been scattered long before his arrival. What therefore appeared necessary was the consolidation of authority into one source in order to preserve unity. The cause of unity must indeed have been the main concern of those responsible for drafting the new Charter. It would be difficult, otherwise, to understand the drastic departure of its "monarchical" model of administration from the synodal model of the two earlier Charters³³.

3.2. Governance

That which immediately characterizes the Charter of 1931 is the absence of the mention of Dioceses. The only administrative unit mentioned is that of the Archdiocese. The Archdiocese is headed by the Archbishop, for whom an Auxiliary Bishop is foreseen to assist in administrative duties. Both the Archbishop and Auxiliary Bishop proposed by him are elected by the Holy Synod of the Ecumenical Patriarchate³⁴.

In the absence of a synod, all authority is centralized in the person of the Archbishop, who alone exercises the fullness of episcopal authority. Details of the manner of operation of the Archdiocese are to be contained in Regulations which will supplement the Articles of the Charter. Henceforth, these Regulations will play an important part together with the Charter in the orderly administration of the Archdiocese. They are to be drafted by committees appointed and chaired by the Archbishop and will be binding following their ratification by the Ecumenical Patriarchate³⁵.

Regulations defining details of operation are foreseen for eleven Articles of the Charter. Among them are Article 8, which announces

33 PATSAVOS, *History* (ftn .4), 82–83.

34 RODOPOULOS, *Overview* (ftn. 5), 245 (Charter of 1931, Articles 6, 7).

35 *Ibid.*, 247 (Charter of 1933, Article 17).

the establishment of an Archdiocesan Office as yet undefined³⁶, and Article 9, which mentions the creation of Ecclesiastical Assemblies to assist in the realization of the purposes for which the Archdiocese exists³⁷.

Of singular significance is the Mixed Council introduced in Article 10. It, too, will assist in the realization of these purposes, especially in the management of ecclesiastical property and the establishment of funds to meet the needs of the Church and the clergy³⁸. In order to achieve on the local level the goals outlined for the Mixed Council, the Parish Council is introduced to function as a local community affairs council³⁹. Given the tumultuous situation which led to the new Charter, one can assume that this was a measure introduced to promote stability on the local level.

In accordance with the stated purpose of the Archdiocese, several newly established institutions were officially sanctioned by the Charter. They include Missions, a Board of Higher Education and a Department of Religious Education. Mention is also made of Spiritual Courts and of Ecclesiastical Authorities dealing with matters of marriage and divorce⁴⁰.

According to Article 19, the assignment of clergy to their ministerial posts is the inherent right of the canonical and lawful Ecclesiastical Authority of the Archdiocese⁴¹. The need to affirm this claim is an indication of the uncanonical activity of unauthorized hierarchs contributing to the prevalent instability. There follows the same prohibitive statement met earlier in the Charter of 1927⁴² regarding those

36 *Ibid.*, 245 (Charter of 1931, Article 8).

37 *Ibid.*, (Charter of 1931, Article 9).

38 *Ibid.*, 245–246 (Charter of 1931, Article 10).

39 *Ibid.*, 246 (Charter of 1931, Article 11).

40 *Ibid.*, 246–247 (Charter of 1931, Articles 12, 13, 14, 15, 16).

41 *Ibid.*, 247 (Charter of 1931, Article 19).

42 *Ibid.*, 238–239 (Charter of 1927, Articles 13, 14, 15).

persons, clergy or lay, who are not in good standing with the Church. They may neither serve in any office nor be a member of the Archdiocese⁴³.

3.3. Concluding Remarks

The concluding article makes reference to the current Charter's composition according to provisions made in the previous Charter of 1927 and confirms its ratification and validation by the Holy Synod of the Ecumenical Patriarchate. In addition, it allows for possible amendments in non-essential provisions to be initiated by a special committee appointed by the Archbishop and requiring ratification by the Patriarchate⁴⁴.

4. D. Charter of 1977

4.1. Introductory Remarks

The Charter of 1977 was the result of efforts begun several years earlier to decentralize the Archdiocese's cumbersome administrative system. Over the years since the Charter of 1931, the Greek Orthodox Church in America had expanded in a way the original immigrants might never have thought possible. Together with this expansion, the weighty responsibilities of its chief hierarch, the Archbishop of North and South America, grew also.

The initial solution to the problem of administering such a vast ecclesiastical province, the geographical boundaries of which are without precedent, was to assign several Auxiliary Bishops to assist the Archbishop in the execution of his administrative duties. The Charter of 1931 foresaw one Auxiliary Bishop⁴⁵. By the year 1977, the number

43 Ibid., 247 (Charter of 1931, Article 20).

44 Ibid., 247–248 (Charter of 1931, Article 22).

45 Ibid., 245 (Charter of 1931, Article 6).

of Auxiliary Bishops had increased to ten. As assistants to the Archbishop without full episcopal authority, they had only the right to exThe Charter of 1977 was a bold attempt to adjust to the growing needs of the Church of the late 20th century. These needs demanded a participatory form of administration consistent with the conciliar nature of the Church. It was therefore timely and necessary that the restoration of a synodal form of governance should be initiated.

A comparison of the Charter of 1977 to the previous Charters of the Archdiocese reveals an increasing awareness of the Church's mission in the western hemisphere. The first two Charters speak of outreach to Orthodox of Greek ethnicity alone⁴⁶. The Charters of 1931 and 1977 leave open the possibility of including a much broader membership⁴⁷. The Charter of 1977 speaks specifically of "(embracing) within its spiritual aegis and administration other Orthodox groups, parishes and dioceses that have voluntarily submitted to (the) jurisdiction (of the Archdiocese of North and South America) subject to the approval of the Ecumenical Patriarchate⁴⁸." Also characteristic of the latter Charter is the pastoral tone of its stated purpose and its reference for the first time to engagement in inter-Christian and inter-religious ecumenical activities. It thereby commits the Greek Orthodox Church in America to dialogue and involvement in the ecumenical movement based upon the directives of the Ecumenical Patriarchate⁴⁹.

4.2. *Governance*

Assisting in the administration of the newly expanded role of the Archdiocese are the Ecclesiastical Assemblies and Councils, composed of both clergy and laity, encountered in the three previous Charters.

46 Ibid., 223 (Charter of 1923, Article 2), 233 (Charter of 1927, Article 2).

47 Ibid., 244 (Charter of 1931, Article 2), 249 (Charter of 1977, Article 4).

48 Ibid., 249 (Charter of 1977, Article 4).

49 Ibid., (Charter of 1977, Article 2).

The most significant feature of the 1977 Charter is the restoration of the Synod of Bishops after forty-six years, which functions, however, as a modified provincial synod⁵⁰.

The most important modification of the provincial synod's traditional prerogatives concerns the election of the Archbishop and Bishops. The election of the Archbishop is the exclusive privilege of the Holy Synod of the Ecumenical Patriarchate. In this process, the Synod of Bishops together with the Archdiocesan Council has an advisory voice⁵¹. In the election of Bishops, the Synod of Bishops, in consultation with the Archdiocesan Council, nominates three candidates from among whom one is elected Bishop by the Holy Synod of the Patriarchate⁵².

As indicated, the decentralization of the administrative structure of the Archdiocese is the main contribution of the Charter of 1977. This was accomplished primarily by restoring the collective authority of the Synod of Bishops and the individual authority of each Bishop in his own Diocese. The rights and responsibilities previously accorded only to the Archbishop are now shared with the Bishops. A provision of the Charter, however, modifies the extent of their episcopal authority⁵³.

The main consideration of the above arrangement is to promote initiative at the diocesan level while at the same time preserving the bond of unity which has sustained the life of the Archdiocese. This is upheld by reserving to the Archbishop the right to supervise and co-ordinate the rights and responsibilities of the Bishops with those of the Archbishop⁵⁴. The key to the success of this undertaking is sought in the balance of authority exercised by the Archbishop and Bishops.

50 Ibid., 250 (Charter of 1977, Article 6).

51 Ibid., 252 (Charter of 1977, Article 13).

52 Ibid., 253 (Charter of 1977, Article 14).

53 Ibid., 251 (Charter of 1977, Article 8). See also PATSAVOS, *History* (ftn .4), 88.

54 RODOPOULOS, *Overview* (ftn. 5), 250 (Charter of 1977, Article 7).

There must be a “modus operandi” which allows the Bishop to initiate needed change, while taking into account the responsibility of the Primate for the general well-being of the Church at large. This is the model of governance pursued in the transitional period of decentralization introduced by the 1977 Charter⁵⁵.

4.3. Concluding Remarks

As in the previous three Charters, the laity is well-represented in the administrative bodies of the Archdiocese. These include the Clergy-Laity Congress and Archdiocesan Council on the level of the Archdiocese, and the Clergy-Laity Assembly and Diocesan Council on the level of the Diocese. The laity thereby participates together with the clergy in significant administrative matters such as the designation of diocesan sees⁵⁶, subject to approval of the Ecumenical Patriarchate, and has an advisory role in the election of the Archbishop and Bishops⁵⁷. The Charter of 1977 thus affirms the need for greater participation of the laity in the organizational life of the Church as it relates to the world at large.

5. E. Charter of 2003

5.1. Introductory Remarks

The concluding article of the Charter of 1977 is exclusively devoted to the issue of revision “as the need therefore arises”⁵⁸. The current Charter of 2003 was the result of the lengthy process which led to the transition from a Synod of Bishops, functioning as a modified provincial synod, to a fully functional Eparchial Synod with the Arch-

55 PATSAVOS, *History* (ftn .4), 88.

56 RODOPOULOS, *Overview* (ftn. 5), 249 (Charter of 1977, Article 4).

57 *Ibid.*, 252–253 (Charter of 1977, Articles 13, 14).

58 *Ibid.*, 255 (Charter of 1977, Article 24).

bishop as President and Metropolitans as its members. In the words of the current Archbishop of America Demetrios, “This Charter honors our Archdiocese by elevating our Dioceses into Metropolises of the Archdiocese, and by enhancing our participation in the process of the election of the Archbishop and the Metropolitans. In addition, the co-operation between clergy and laity and their harmonious function within the Church is clearly affirmed throughout the various articles of the new Charter⁵⁹.”

The needs of the Church in the contemporary world were already apparent with the approach of the third millennium. They are reflected in a report prepared in 1988 by a Commission appointed by the then Archbishop of North and South America Iakovos. The Commission “was assigned the task of reflecting on the factors behind the identity crisis (within the Orthodox Church), formulating clear responses and offering recommendations pertaining to the priorities of the Archdiocese⁶⁰.”

5.2. *Governance*

Although acknowledging that the 1977 Charter made an important contribution by restoring a synodal form of governance, the report raised questions about authority and leadership in light of new challenges facing the Church. The Charter’s lack of clarity about the highest practical authority in the Archdiocese raised further questions of structure and organization. These included the exercise of authority, the issue of lay participation, and Archdiocesan relations with other Orthodox canonical jurisdictions in America⁶¹.

59 Letter of Archbishop Demetrios, *Charter of the Greek Orthodox Archdiocese of America*, Greek Orthodox Archdiocese of America, 2003.

60 *Report to His Eminence Archbishop Iakovos concerning the Future Theological Agenda of the Greek Orthodox Archdiocese*, Brookline [Ma] 1990, 2.

61 *Ibid.*, 14.

With regard to the issue of authority, the relationship of the Synod of Bishops to both the Archdiocesan Council and Clergy-Laity Congress was considered to be unclear. It was necessary, therefore, to clarify where the authority of one body ends and the authority of the other begins. Similarly, the relationship of the Bishops to the Archbishop was identified as a matter to be addressed⁶².

According to the report, lack of a clear understanding regarding the modified role of diocesan Bishops in the 1977 Charter gave them the appearance of bureaucrats. This perception was sometimes enhanced by the insistence upon bureaucratic procedures of non-essential importance within their Dioceses. Furthermore, this lack of clarity created tension in the relations of the Bishops with the Archbishop. Such tension might manifest itself in the confusion of rights and responsibilities reserved exclusively for the Archbishop and those reserved for the Bishops, thus jeopardizing the unity of the Archdiocese⁶³.

The continued absence of regulations defining the role and operating procedures of spiritual courts, the Archdiocesan Council and Diocesan Councils hinders the effective functioning of these bodies. It also allows for decisions to be reached without full participation of all parties involved⁶⁴. Also stressed was the need of guidelines in harmony with the work of the clergy and based on the model of the early Church⁶⁵. Too often, lay persons serving in important decision-making bodies of the Archdiocese have a deficient knowledge of the faith. This creates a false impression about the role of lay participation and service in the Church and was the cause of serious problems in many parishes during the formative years of their establishment⁶⁶.

62 Ibid.

63 Ibid., 15–16.

64 Ibid., 16.

65 See 1 Cor 12, 12–31.

66 *Report to His Eminence Archbishop Iakovos* (ftn. 60), 17.

Especially encouraging was the reminder in the report that the Greek Orthodox Archdiocese is not the only Orthodox canonical jurisdiction within the geographical boundaries of America. The report acknowledges that there are differences among the canonical jurisdictions, but that all share in the ecclesial reality which is Orthodoxy. Furthermore, it stresses that “differences (must) be transformed into a common loyalty to Christ, a shared love for one another, and the sense of a unified Orthodox Christianity in common service.” It then identifies the need to cultivate the cause of pan-Orthodox unity on the level of the local parish as well as on the level of relations among the Bishops of all the jurisdictions⁶⁷.

It should be noted that the current Charter of 2003 pertains only to the territory of the United States. This is in view of the fact that the Ecumenical Patriarchate divided what until 1996 was the Archdiocese of North and South America into four eparchies (United States of America, Canada, Central America and South America). This change necessitated the process of updating the Charter. As stated at the time, “The proposed Charter has been carefully designed to provide a framework for the structure of the Greek Orthodox Archdiocese today as well as for its mission in the foreseeable future.” Furthermore, attention was given to points of concern related to specific articles of the new 2003 Charter. They consisted of an affirmation of the integrity and unity of the Archdiocese and its bond to the Ecumenical Patriarchate, of issues related to the election of the Archbishop, the Metropolitans and the Auxiliary Bishops, and of the extensive lay participation in the administrative process of the Archdiocese⁶⁸.

The process of the report leading to the 2003 Charter revealed much about the level of maturity of the Greek Orthodox Church in

⁶⁷ Ibid., 17–18.

⁶⁸ “The Proposed Charter – Progress and Potential,” *Orthodox Observer*, May 2002.

America. The new Charter's ultimate purpose was to strengthen the bond of unity between the Ecumenical Patriarchate and the Greek Orthodox Archdiocese of America. This led to an improved text which addressed issues not included in the 1977 Charter (Metropolitans, Auxiliary Bishops, Monasteries, etc.). In addition, it opened the way for the revision of the all-important Regulations of the Archdiocese. These Regulations relate to the work of the Eparchial Synod, the role of Clergy-Laity Congresses, and the function of Councils, Assemblies, and Parishes of the Archdiocese. Finally, the text of the new Charter upholds the necessity of having both clergy and laity administer the Archdiocese. As a result, it seeks to enhance the relationships and synergy between clergy and laity in a common focus on the mission of the Church in the new millennium⁶⁹.

5.3. *Concluding Remarks*

The observations and concerns reflecting the general sentiments which led to the revision of the previous Charter of 1977 are an indication of the Church's flexibility when necessary. This same flexibility is reflected in the introductory words to the current Charter of 2003 by Ecumenical Patriarch Bartholomew: "The Mother Church has chosen and adopted from the suggested proposals (for changes in the Charter) the ones that contain in themselves a prudent, reasonable and gradual transformation of current provisions. A primary aim in this task was offering the possibility to the whole body of the Archdiocese of an orderly ascent to new provisions, so that when the proper time comes and adjustment to the new conditions is successfully achieved, the Mother Church will proceed to offer other possible changes, if the conditions at that time show that such changes are useful for a desirable further development and progress in Christ of the Holy Archdiocese of America⁷⁰."

69 Ibid.

70 Patriarchal Letter, *Charter* (ftn. 59).

Each of the Charters of the Archdiocese addressed the needs of the time in which they were issued. Their goal must always be the preservation of unity, a goal requiring flexibility in achieving it and adaptability in retaining it. These are the characteristics which have allowed the Greek Orthodox Archdiocese of America to achieve and retain unity as it approaches its centennial anniversary in 2021.