



The HOLY SYNOD
of the
ORTHODOX CHURCH IN AMERICA

A RESPONSE

FROM THE HOLY SYNOD OF BISHOPS OF THE ORTHODOX CHURCH IN AMERICA
TO THE COMMON STARTING POINT FOR CANONICAL AND REGIONAL PLANNING
OF THE ASSEMBLY OF CANONICAL ORTHODOX BISHOPS OF THE UNITED STATES
MARCH 15, 2015

INTRODUCTION

The present document is offered to the Chairman and Secretary of the Assembly of Canonical Orthodox Bishops in the United States by the Holy Synod of Bishops of the Orthodox Church in America as an expansion of the Preliminary Response which was offered by our Synod on September 17, 2014, during Assembly V in Dallas. This document contains more specific reference to the “Common Starting Point” for which all jurisdictions were asked to submit a red-line draft as a means to enhance the proposal, as requested by His Eminence, Archbishop Demetrios, the Chairman of our Assembly in his letter of October 15, 2014.

PRELIMINARY CONSIDERATIONS

The Holy Synod of Bishops of the Orthodox Church in America is grateful to the Most Holy Patriarchs and Primates for initiating the process that has taken us from the Fourth Pre-Conciliar Pan Orthodox Conference in Chambésy, Switzerland in June of 2009 to our present expectation of a Great and Holy Council in 2016. We offer our wholehearted support for the goal expressed by the Pre-Conciliar Conference: “that the problem of the Orthodox Diaspora be resolved as quickly as possible, and that it be organized in accordance with Orthodox ecclesiology, and the canonical tradition and practice of the Orthodox Church (*Decision, 1.a*).”

The Holy Synod of Bishops of the Orthodox Church in America remains committed to the work of the Assembly of Canonical Orthodox Bishops of the United States of America, recognizing the wisdom of the hierarchs gathered in Chambésy in proposing the transitional period of “Episcopal Assemblies.” We

note that the Assemblies were specifically created as “a temporary situation that will prepare the ground for a strictly canonical solution of the problem” which is defined as “the existence of only one bishop in the same place (*Decision, 1.b*).”

We feel that it is important to point out that the current “Starting Point” that we are being asked to consider proposes the continuation of the present preparatory period which, according to the *Decision* of Chambésy, “will not extend beyond the convening of the future Great and Holy Council of the Orthodox Church, so that it (the Council) can proceed with a canonical solution to the problem (*Decision, 1.b*).” It seems to us that the present “Starting Point” neglects to address one of the Assembly’s most important competencies: “the preparation of a plan to organize the Orthodox of the Region on a canonical basis (*Rules of Operation, Article 5.1.e*).”

CANONICAL CONSIDERATIONS

The canonical focus of the Chambésy process has rightly been on the well-known canon, I Nicea 8, which insists that there cannot be two bishops in the same city. We note that the context of this canon is not the number of bishops that can or cannot be in a city but the reconciliation of the Cathars to the Church. Further, within the broad ecclesiastical context (in which all interpretation of the canons must take place), this canon speaks less about literally one bishop in one city and more about one bishop presiding in one given area. When read in light of other canons, such as Apostolic 34¹ and Antioch 9², which relate to the question of primacy within a given province, it becomes almost self-evident that the fundamental canonical foundation of Orthodox ecclesiology is the unity of a local synod within a given geographical area under the presidency of a Primate.

In light of this, we fully support the sentiments expressed by His All-Holiness, Patriarch Bartholomew, in his Greeting to the Officers of the Episcopal Assembly of North and Central America (September 21, 2010): “After all, what is most critical for us as Orthodox leaders is to apply the theology and traditions that we have received from the Church Fathers, ultimately to practice what we preach about the essential unity of the Body of Christ, which is never divided and which comprises many members even while constituting His One Church.”

¹ The bishops of every nation must acknowledge him who is first among them and account him as their head, and do nothing of consequence without his consent; but each may do those things only which concern his own parish and the country places which belong to it. But neither let him [who is the first] do anything without the consent of all. For thus there will be unity and God will be glorified through the Lord, in the Holy Spirit. (Apostolic 34)

² The bishops in every province must acknowledge the bishop who presides in the metropolis, and who has to show concern for the whole province; because all men of business come together from every quarter to the metropolis. Wherefore it is decreed that he have precedence in honor, and that the other bishops do nothing extraordinary without him, (according to the ancient canon which prevailed from [the times of] our Fathers) or such things only as pertain to their own particular parishes and the districts subject to them. For each bishop has authority over his own parish, to manage it with the piety which is incumbent on every one, and to make provision for the whole district which is dependent on his city; to ordain presbyters and deacons; and to settle everything with judgment. But let him undertake nothing further without the bishop of the metropolis; neither the latter without the consent of the others.

It is precisely this application of Orthodox theology and tradition that undergirds our position and our general principle of approach to the question of canonical normalization in our region. Thus, the Holy Synod of the Orthodox Church in America remains committed to the vision of a fully functioning and canonical local Church in our region and humbly suggests that the best solution for this region is one that assumes a canonically and administratively united local Church with a properly functioning Holy Synod as a *starting point not an ending point*.

ISSUES OF PASTORAL PRAXIS AND ETHNIC DIVERSITY

At the same time, the Holy Synod of the Orthodox Church in America fully acknowledges that attention needs to be legitimately directed to the many questions of the pastoral praxis and administrative care of particular ethnic/cultural groups that have been raised by our brother bishops. We are confident that the universal dimension of the Orthodox Church, reflected in the diversity of the Orthodox presence in the United States, should remain a hallmark of our Church here. Is it not possible that an administratively united Church might offer a more effective means to collectively and in brotherly fashion assist the bishops of the Assembly in the care of the diversity of our faithful?

Nevertheless, we question whether an appeal to certain canons with regard to the present existence of multiple jurisdictions on a single territory is legitimate. For example, Trullo 39³ has been referenced as a justification for two separate hierarchies existing side by side on a single territory. However, a careful reading of this canon makes it evident that the Fathers of the Council were solving a canonical irregularity by submitting a Church, the existing Church of Cyzicus in the Hellespont, to Bishop John of Constantia and President of the Church of Cyprus, who together with his faithful were resettled in the Hellespont by the Emperor Justinian II. The canonical language is clear that the one hierarchy was subordinated to the other, precisely in order to maintain the principle of one bishop alone presiding in one city and territory. We would also point out that this canon makes reference to the bishop of New Justinianopolis as having the privileges, not of Constantinople (Κωνσταντινουπόλεως) but rather of the City of Constantia (Κωνσταντιέων πόλεως).

³ [Whereas] our brother and fellow minister (συλλειτουργοῦ) John, bishop (προέδρου) of island of Cyprus, both on account of barbarian incursions, and that they may be freed from servitude of the heathen, and may be subject alone to the sceptres of most Christian rule, have emigrated from the said island, by the providence of the philanthropic God, and the labor of our Christ-loving and pious Emperors; we decree that the privileges accorded to the see of the man aforementioned by the God-bearing Fathers who gathered first in Ephesus should remain unaltered, so that New Justinianopolis shall have the rights of the city of Constantia (Κωνσταντιέων πόλεως), and the bishop, most beloved of God, who shall be established in it shall preside over all the bishops of the province of the Hellespont, and shall be ordained by his own bishops in accordance with the ancient custom; for our God-bearing Fathers were determined that the usages of each Church should be maintained. The bishop of the city of Cyzicus shall be subordinate to the bishop of the aforesaid city of Justinianopolis, after the manner of all the other bishops under the said bishop John most beloved by God; and the latter, when the need arises, shall also ordain the bishop of this same city of Cyzicus.

In a similar way, the reference in I Constantinople 24 to the Churches of God among the barbarian people being administered “according to the custom of the Fathers” is given within the context of a canon that emphasizes the principle of one bishop in one city, together with the synodal structure (one synod, one province/diocese) and wherein the presidency (one president, one synod) is maintained throughout.

In light of this, we ask our brothers of the Assembly to consider a broader question: For what purpose has God, in His infinite Wisdom and Providence, brought us together in this country? Is our answer a positive response to the Lord’s commandment to “preach the Gospel to every creature”? Is our answer to look to the model provided by St. Tikhon of Moscow at the turn of the last century, and to “share our spiritual wealth ... with others who are deprived of these blessings”? In His High Priestly Prayer in St. John’s Gospel, our Lord Jesus Christ prays to the Father and asks that “they may be one, as we are” [John 17:11]. How is this to be realized if we place limits on our responsibility to be the One Holy Catholic and Apostolic Church? St. Paul tells the Galatians that “There is neither Jew nor Greek ... for you are all one in Christ Jesus” [Gal. 3:28]. Does this not direct us to see no difference between the immigrant from Russia and the one from Indonesia, between the one from Africa and the one from Central America? Does this not direct us to seek out the Agnostic, the Protestant, the Buddhist or Taoist in the same way we seek out the marginal Orthodox Christian?

For these reasons, the Holy Synod of Bishops of the Orthodox Church in America strongly urges that all efforts continue to be made by the Assembly to fulfill the expectation of the Most Holy Primates for the proposal of a concrete plan for canonical unity. We submit that the most clear and direct path to this goal is the establishment of a local autocephalous Orthodox Church here in our region and recommend this to the Assembly for their consideration as the most effective way to fulfill the exhortation of His All Holiness in his video address in Dallas: “To move beyond what is mine and yours, to what is ours.”

GENERAL COMMENTS ON PROPOSAL STARTING POINT

Nevertheless, we welcome the opportunity to offer our comments on the “Common Starting Point.” Before we do so, we would offer sincere thanks to Archbishop Nicolae, the Chairman of the Canonical Regional Planning Committee (CRPC), along with all its members and consultants, for their excellent initiative and work to date. We recognize the exhaustive research and complex reflection that were required to address the issue of canonical organization in our region. We also acknowledge the many hours of discussion

⁴ Diocesan bishops are not to intrude in churches beyond their own boundaries nor are they to confuse the churches: but in accordance with the canons, the bishop of Alexandria is to administer affairs in Egypt only; the bishops of the East are to manage the East alone (whilst safeguarding the privileges granted to the church of the Antiochenes in the Nicene canons); and the bishops of the Asian diocese are to manage only Asian affairs; and those in Pontus only the affairs of Pontus; and those in Thrace only Thracian affairs. Unless invited bishops are not to go outside their diocese to perform an ordination or any other ecclesiastical business. If the letter of the canon about dioceses is kept, it is clear that the provincial synod will manage affairs in each province, as was decreed at Nicaea. But the churches of God among barbarian peoples must be administered in accordance with the custom in force at the time of the fathers.

and review that have gone into the drafting of the initial 2013 proposal and the subsequent proposals presented to the most recent Assembly.

It is therefore somewhat disappointing to be informed that the “Common Starting Point” was limited to the second proposal that was considered at Assembly V. Although no consensus was achieved on either of the proposals presented, it was our understanding (which is reflected in the transcript of our discussions) that *both* proposals would be sent back to the CRPC for further work. Although the proposal we are currently considering does contain some positive elements, it seems to us to lack a sense of urgency in terms of the needed effort to attain unity in our region.

COMMENTS ON EXECUTIVE SUMMARY (pages 1-2)

As such, we note that the “Common Starting Point” emphasizes the *transitional* nature of the process. This is certainly to be expected in a major endeavor such as this; however, we feel that this transitional nature of the process is emphasized to the detriment of the final goal of our common work. This aspect of the question was commented on at length in Dallas, revealing a wide range of opinions on the question of whether our focus should be on the process or on the final goal. As we state above, we feel that the focus should be on the final outcome (an autocephalous Church), without which any transitional effort at cooperation risks bearing little fruit.

COMMENTS ON TRACK I (pages 2-6)

1. We wholeheartedly support the recommendation for all the Assembly Committees to increase their activity.
2. We acknowledge the complex issue of divergent practices among jurisdictions and certainly look forward to any direction that will be provided by the Great and Holy Council. However, it seems that a fundamental prerequisite for the resolution of many of these issues would be a Holy Synod with authority to implement any decisions reached on divergent practices within its territory.
3. It is unclear how the jurisdictional departments and organizations will “come together under the auspices of the Assembly” without a prior agreement on the end goal.
4. It is unclear how a “single Orthodox media and communications office will be created under the Assembly.” While the four specific items outlined are positive, they seem somewhat limited in terms of their long-term effectiveness.
5. We would fully support more Pan-Orthodox clergy gatherings.
6. We would support common standards for reviewing clergy candidates.
7. We would support common work for the supporting of missions.
8. We would question how such an Assembly Headquarters would be funded and how it would be staffed.
9. The question of common clergy benefits is a highly complex legal and financial one and would require intense discussions with the competent professionals involved in the existing programs.

10. The matter of Theological Education is also a highly complex question. We certainly support deeper levels of cooperation among the seminaries of all our jurisdictions.
11. While the idea of coordinated jurisdictional conventions sounds promising, we wonder whether this would simply give the outward appearance of unity, since each jurisdiction would hold its own meetings separately.
12. Central archives would also require substantial financial support and it is unclear how this would contribute to unity other than in a physical way.

Once again, we find many of these points to have value and they are certainly worthwhile pursuing, but we wonder how much effect any of them will have without clear administrative and ecclesiastical oversight.

COMMENTS ON TRACK II (pages 6-7)

We would observe that this section is particularly vague concerning any concrete proposals for the manner in which reorganization will take place. We certainly agree that “the fields must be tilled and the seeds planted” and that we must all “grow in unity and love and begin to operate as one body, even prior to reorganization into a single Church structure.” We would argue, however, that it is much easier to grow in unity and love within a single Church structure, which we would believe has been the experience of each of the local autocephalous Churches throughout history.

We also note that the task for developing “a plan to transition from multiple jurisdictions to a single Church” (par. 3) is precisely the task that has been presented to each of the Assemblies to begin with. Is it not possible for us, now, to arrive at such a plan by continuing the good work that has already been done by the CCRP, the legal committee and our canonists, as well as each of the bishops of our Assembly?

COMMENTS ON CONCLUSION (pages 7)

As a final comment, the Holy Synod of Bishops of the Orthodox Church in America would *fully support* the sentiments expressed in the first sentence of the conclusion: “The common theme of this proposal is that, as Orthodox Christians in the United States, we must continue to strengthen the bond of love that unites us to the undivided Body of Christ, the Church.”

There is no doubt that all of us, bishops, clergy and faithful, must eagerly engage in this work. Our concern, as expressed earlier, is with the somewhat “disengaged” sentiment of the final sentence: “As we come to know one another and learn to work together in practical ways, jurisdictional reorganization will develop as a natural result of our unity in Christ.”

While we certainly trust that the Holy Spirit works through us as we collaborate in so many positive ways, we are reminded of the very mandate of Chambésy, which was for each region to develop *a plan*. A plan, by definition, implies some work on our part, not a simple reliance on a “natural development.” His All

Holiness, Patriarch Bartholomew, in his address to the members of the Executive Committee in 2010, thanked them for the effort they took to visit the Phanar in person, “For, as the largest in terms of size and diversity, the Episcopal Assembly in America in many ways may serve as a significant example and an important model for what the Primate of the Autocephalous Orthodox Churches envision for Orthodox unity throughout the world. This is precisely why every aspect and detail of your decisions and development bear a heavy burden and wider responsibility.”

Is it not time for us, as the Bishops of the Assembly of Canonical Orthodox Bishops in the United States of America to take upon ourselves that heavy burden and wider responsibility by concentrating our efforts, not on a limited exercise in cooperation, but on a more ambitious (and difficult) goal of true unity on an administrative level?

We appreciate the opportunity to provide these comments to the Assembly of Bishops and we look forward to our continuing collaboration and discussion of these important matters affecting the unity of the Orthodox Church in our region.