

## **A TIME TO SPEAK**

By His Eminence Metropolitan Anthony  
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*“There is a time to keep silence, and a time to speak...” Ecclesiastes 3:7*

For some time now, I have held my peace while a group of disaffected individuals sought to stir up controversy regarding the Joint Draft of the Proposed Charter of the Greek Orthodox Archdiocese of America. I did so because I truly believed that the scurrilous rumors and unfounded accusations surrounding this document would subside once it was widely circulated and its merits and timeliness became evident. But of late the accusations have become so outrageous, the distortions so egregious, that the time has come for me to speak out, as a bishop of the Church and shepherd of the rational flock, in order to quell the disturbance which has been wrought by those who—whether deliberately or unintentionally—have misrepresented the meaning and intent of this fundamental statement of the life of the Church.

1. ***The relationship between the current (1977) charter and the proposed charter.*** Much confusion has surrounded the process by which the proposed charter was produced, and the relationship between this groundbreaking document and the Charter of 1977. The first thing that should be pointed out is that the proposed charter is not, properly speaking, a revision of the 1977 Charter. The proposed charter is a *new* charter which is being granted to the Archdiocese by the Patriarchate in recognition of the American Church’s developing maturity. For example, since 1977 the dioceses have grown from embryonic state into vital and thriving institutions with a multitude of ministries and structures reflecting the unique makeup of each diocesan region. It is in recognition of this reality that the proposed charter elevates the dioceses to the status of Metropolitan Sees. The proposed charter also accounts for the new situation which prevails in the Archdiocese since 1977, such as the presence of monastic communities and the establishment of the former dioceses of Toronto, Panama, and Buenos Aires as separate Metropolitan Sees. While retaining an essential symmetry and continuity with our past, the proposed charter also seeks to address the needs of the present, and positions us to move forward into the new millennium.
2. ***Where did the proposed charter come from?*** Article XXIII of the 1977 Charter states unequivocally that the charter is granted to the Archdiocese by the Ecumenical Patriarchate, explicitly endorsing the ancient ecclesiological principle that the Mother Church has the responsibility to oversee and lovingly regulate the life of those churches entrusted to her keeping. The charter is an expression of this relationship of care between the mother and daughter churches. The 1977 Charter also clearly states that only the Patriarchate has the prerogative to approve and ratify revisions to the charter, which may be recommended to the Patriarchate by the Clergy-Laity Congress. Finally, it should be noted that the 1977 Charter, by virtue of its issuance from the Ecumenical Patriarchate, superceded and

nullified the 1931 charter which had previously been in force. The underlying logic is clear: the authority to implement, revise, or reissue the charter rests solely with the Patriarchate and the Holy Synod of Constantinople.

Having said this, it must be recognized that the proposed charter did not emerge *ex nihilo*, nor was it imposed, as it were, from above. The joint draft of the proposed charter was the outcome of countless hours of discussions, negotiations, and occasional out-and-out arguments among the members of the Joint Charter Committee. Those who participated included laypeople and clergy, legal and canonical scholars, and representatives from both the Archdiocese and the Patriarchate. It must be clearly stated that throughout this process the Mother Church never acted unilaterally or sought to enforce its own will upon the committee. All of the deliberations were marked by a spirit of concern and deep interest in preserving the unique and vibrant character of our Archdiocese. The assertions that this document is the creation of but one man—His All-Holiness Patriarch Bartholomew—or that it represents solely the interests of the Church of Constantinople are beyond outlandish; they are cruel and unjust, betraying an ugly and deep-seated personal animus against the person of the Patriarch, as well as blatant disregard of the tenets of Orthodox ecclesiology.

3. ***The use of the word “hierarchical.”*** This has become one of the major symbolic rallying points against the proposed charter. It is alleged that the use of the word “hierarchical” alone is sufficient evidence of a sinister attempt on the part of the Patriarchate to seize our churches’ property and foist an authoritarian structure upon our Church here in America. However, as one who was present at the negotiations in Constantinople, I can tell you that the Patriarchal committee actually objected to the introduction of this word into the charter, until we explained why its inclusion was necessary from a legal standpoint. The word “hierarchical” is not synonymous with “authoritarian” in this context; it is rather a *legal* classification with particular implications in the State of New York in which the Archdiocese is incorporated. In legal terms, “hierarchical” describes a religious institution which possesses and functions in accordance with its own internal governance and process. Thus, for example, the Presbyterian Church, which could hardly be described as possessing an authoritarian structure, is legally classified as a “hierarchical” institution. The word hierarchical is very significant, inasmuch as it offers a number of necessary protections which enable the Archdiocese to function effectively. For example, a clergyman who is accused of sexual misconduct may be suspended pending an investigation and/or ultimately defrocked. The classification of “hierarchical” limits the exposure of the Archdiocese to lawsuits on the part of a suspended or defrocked clergyman claiming wrongful dismissal in such cases. By contrast, if the Archdiocese were not classified as hierarchical, this would drastically curtail the ability of the Synod to respond swiftly and decisively in cases of sexual misconduct and other critical moments in the life of the Church.
4. ***The alleged “curtailment” of lay participation.*** Those who have resorted to this line of argument are patently transparent as to their strategy: divide and conquer.

While posing as guardians of synergy and *syndiakonia*, they are effectively destroying the very thing they claim to protect by poisoning the atmosphere of trust and cooperation which has historically existed between the clergy and laity of our Archdiocese with allegations of a hierarchical plot to seize power and reduce the laity to a position of subservience. Nothing could be further from the truth. This so-called “curtailment” actually hinges upon certain minor but necessary adjustments in the language of the charter concerning the Archdiocese Clergy-Laity Congress and Diocese Clergy-Laity Assemblies. Specifically, the proposed charter does not specify the regularity of the meetings of these bodies. This, however, is by no means due to any attempt to lessen the impact of these dynamic institutions within the life of our Archdiocese; the charter is simply not the correct instrument for determining the frequency of such meetings. Properly speaking, the charter is a broad definition of the life of the Church which does not delve into specific details such as the composition or convening of diocesan or archdiocesan assemblies. Such matters are more appropriately regulated by the *Special Regulations and Uniform Parish Regulations* of the Archdiocese. It is for this reason that the proposed charter clearly states that such details will be determined by “(r)egulations hereafter promulgated.” This change actually *enhances* the participation of the laity, since it dictates that the frequency of the Clergy-Laity Congress and Diocesan Assemblies will be determined precisely by those who are most affected; that is, by the synergy and *syndiakonia* of both clergy and laity at the Archdiocese Clergy-Laity Congress.

5. ***The question of “autonomy.”*** This is perhaps the thorniest of the issues which has been raised, due to the difficulty inherent in defining the term “autonomy” and the differing meanings which have been attributed to the word. Within the past few days, the Antiochian Orthodox Archdiocese of America proclaimed that it had been granted “autonomy” by the Church of Antioch; however, this so-called “autonomy” remains nebulous and undefined at present, and will only be given content later by a committee of Metropolitans from Antioch, apparently without lay participation. It is no secret that the Charter Committee of the Archdiocese, composed of both clergy and lay representatives, went to Constantinople seeking a form of “semi-autonomy” analogous to that found in the Church of Crete. According to the Cretan model of semi-autonomy, the Synod of the Church of Crete elects its own bishops and metropolitans, while the Archbishop is selected by the Patriarchate from a *triprosopon*, a three-person slate selected by the local synod. After long discussions and negotiations, what we finally arrived at in the present charter was a step in the direction of semi-autonomy. Specifically, the bishops and metropolitans of the Archdiocese will be selected by the Patriarch from a *triprosopon* slate prepared by the Eparchial Synod in this country, with the advice and participation of the Archdiocesan Council. Inasmuch as there is a long-standing “gentleman’s agreement” that whichever of the three candidates receives the most votes from the local synod is elected by the Patriarchate, this system is tantamount to electing our own bishops. The election of the Archbishop will continue, at present, to be the prerogative of the Patriarchate, though with the added proviso that the Archbishop must “have had a period of successful service in the Archdiocese of no less than five (5) years,

or have proven, direct, substantive and broad knowledge of the life and status of the Church in America.” (*Article 13*). While this does not represent everything that we had hoped for, it should be borne in mind that no charter is perfect in the sense of being final or absolute; this is not even a desirable goal, because it fails to take account of the fact that the Church is a living and developing organism. The proposed charter is, however, an appropriate and balanced attempt to take into account the unique situation of the Church in America, and to respond accordingly.

Some have argued that the Church in America has reached its adulthood, that it is ready for independence, and that if the Patriarchate is unwilling to give us autonomy now we should proclaim it unilaterally. When I look at our Church, however, I do not see adulthood, but a restless and tumultuous adolescence, full of potential and fantastic gifts which are emerging as never before, yet also possessed in some measure of the impetuosity and shortsightedness of youth. We have come far; we have yet far to go. The proposed charter is an accurate reflection of the maturing character of our Archdiocese, and as such is deserving of the support of the entire Church in America, both laypeople and clergy alike.

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