

THE DOCUMENTS OF THE GREAT AND HOLY COUNCIL OF 2016 CONCERNING THE INNER LIFE OF THE ORTHODOX CHURCH. DEVELOPMENT OF THE DOCUMENTS' CONTENT

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ABSTRACT. The present paper examines four Documents of the Great and Holy Council of 2016 concerning the Inner Life of the Orthodox Church: 1) *The Importance of Fasting and Its Observance Today*, 2) *Autonomy and the Means by Which it is Proclaimed*, 3) *The Orthodox Diaspora* and 4) *The Sacrament of Marriage and its Impediments*. The author notes the significant evolution of certain texts and assumptions that appear in the documents in the process of preparation.

Keywords: The Great and Holy Council, Importance of Fasting, Autonomy, The Orthodox Diaspora, The Sacrament of Marriage.

The Great and Holy Council of the Orthodox Church, which took place in 2016 on the island of Crete, accepted six documents which had been previously elaborated and confirmed by the Pre-Conciliar Pan-Orthodox Conferences and later submitted to the Council as official document texts. In addition, the Council accepted two other documents which were entitled "The Encyclical of the Holy and Great Council of the Orthodox Church" and "The Message of the Holy and Great Council of the Orthodox Church to the Orthodox people and to All People of Good Will"¹. Among the six official documents, two express the position of Orthodoxy and the Orthodox Church to the contemporary world: 1) *Relations of the Orthodox Church with the Rest of the Christian World*, and 2) *The Mission of the Orthodox Church in Today's World. The Contribution of the Orthodox Church in realizing peace, justice, freedom, fraternity and love between nations and eliminating racial and other forms of discrimination*. However, four of the those documents make reference to issues that are related to the inner life of the Orthodox Church: 1) *The Importance of Fasting and Its Observance Today*, 2) *Autonomy and the Means by Which it is Proclaimed*, 3) *The Orthodox Diaspora* and 4) *The Sacrament of Marriage and its Impediments*.

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¹ Translations of all of the Council's documents can be found at www.holycouncil.org/documents.
French translations of the documents: *Contacts* no. 255 (2016).

The history of the preparations for the Great Council clearly bear witness to the fact that the list of topics which were intended to be prepared were significantly more rich and extensive². However, the First Pre-Conciliar Pan-Orthodox Conference which gathered in 1976 in Chambesy, confined the list to ten topics. Among these ten topics set by the First Conference in 1976 were found questions that express the stance of the Orthodox Church to the world and also those that concern the inner life of the Church. The topics that are related to the inner life of the Church include the following seven: 1) *The issue of the calendar*; 2) *The impediments to marriage*; 3) *The adaptation of the rules of fasting to contemporary conditions*; 4) *Autonomy and its Manner of Proclamation*; 5) *Autocephaly and its Manner of Proclamation*; 6) *The Diptychs of the Orthodox Church*; and 7) *The Orthodox Diaspora*. The remaining three issues concerned the relation of the Orthodox to the world: 1) *The relations of the Orthodox Church in the world*; 2) *The relations of the Orthodox Church to the ecumenical movement*; 3) *the contribution of the Orthodox Church to the realization of peace, justice, liberty, fraternity and love among peoples, and the elimination of racial discrimination and other forms of discrimination*³.

The next Pre-Conciliar Pan-Orthodox Conference, which met in 1982 elaborated and accepted two of the seven documents concerning the inner life of the Church: 1) *The Impediments to marriage* and 2) *The issue of the calendar*⁴. In addition, there was also a significant discussion about the adaptation of the rules of fasting to contemporary conditions. A consensus was not reached in this matter and, as a result, the discussion and decision making process was postponed to the next meeting. The Third Pre-Conciliar Pan-Orthodox Conference met in 1986 and accepted four important texts for the future Council. Among those four topics, only one concerned the inner life of the Orthodox Church, i.e. fasting. The title of the document was changed along with certain assumptions. The document was named: *The Importance of Fasting and its Observance Today*⁵.

² The list of issues and topics which was accepted by the First Pre-Conciliar Pan-Orthodox Conference in Rhodes in 1961 consisted of eight main sections divided into a series of points and sub-points. The elaboration of these topics proved to be a great task. It turned out that work on all of these topics exceeded the possibilities and potential of the particular local autocephalous Churches. As a result, the list of topics was significantly limited in subsequent years. The list of topics accepted by the First Pre-Conciliar Pan-Orthodox Conference in Rhodes in 1961 can be found in V. Ionita, *Towards the Holy and Great Synod of the Orthodox Church. The Decisions of the Pan-Orthodox Meetings since 1923 until 2009* (Fribourg, 2014), 123-130.

³ See *Synodica III*, Secretariat pour la preparation du Saint et Grande Concile de l'Eglise Orthodoxe, Chambésy- Genève (1979): 114.

⁴ See *Synodica VIII*, Secretariat pour la preparation du Saint et Grande Concile de l'Eglise Orthodoxe, Chambésy- Genève (1994): 198-191.

⁵ Text of the document: *Synodica X*, Secretariat pour la preparation du Saint et Grande Concile de l'Eglise Orthodoxe, Chambésy- Genève (2014): 293-296.

The remaining topics were the subject of debate at the Preparatory Commission in 1990 and 1993. Previously, the Secretary's office responsible for the preparations for the Great and Holy Council of the Orthodox Church under the direction of Metropolitan Damascenus of Switzerland published a document in 1987 for the needs of the Fourth Pre-Conciliar Pan-Orthodox Conference indicating the common and discrepant points concerning four issues: 1) *The Orthodox Diaspora*; 2) *Autocephaly and its Manner of Proclamation*; 3) *Autonomy and its Manner of Proclamation* and 4) *Diptychs*.

The pace of the preparatory work in calling the Council after the Commission's meeting in 1993 significantly slowed down. However, the meeting of the Primate of the Local Orthodox Churches in 2008 in Constantinople gave a new impulse to prepare the Council. The decision of the Synaxis of Primates in 2008 resulted in calling the Forth Pre-Conciliar Pan-Orthodox Conference which also took place in Chambesy in June 2009. This meeting resulted in elaborating and accepting the document on the *Orthodox Diaspora* along with the document on the *Rules of Functioning of Episcopal Assemblies in the Orthodox Diaspora*.

In subsequent years, the Preparatory Commission met with the intent of unraveling the problem of *Granting Autocephaly* and establishing one generally accepted *Diptychs*. These meetings did not produce any particular decisions, however the question of granting autocephaly was significantly worked on. The *Synaxis* of the Primates of the Local Orthodox Churches, which took place in 2014, was a key event in the preparations in calling the Council. At this meeting, the date of the future Council was set for Pentecost 2016. A special Commission for verifying and updating the documents already accepted at the Second and Third Pan-Orthodox Conferences in 1982 and 1986. The Commission met three times under the direction of the Metropolitan of Pergamon John (Zizioulas) between September 2014 and April 2015. The work of the Commission resulted in calling the Fifth Pre-Conciliar Pan-Orthodox Conference between October 10-17, 2015. The Conference first worked under the direction of Metropolitan John of Pergamon and then under the direction of the Metropolitan of France Emanuel (Adamakis). The Conference corrected and unanimously accepted three documents that were prepared by the Commission. Two documents of interest were found: 1) *Autonomy and Its Manner of Proclamation*, and 2) *The Importance of Fasting and Its Observance Today*. In this manner, four documents concerning the inner life of the Orthodox Church became draft documents for the Great Council. When analyzing the particular stages of preparations, we can note the significant evolution of certain texts and assumptions that appear in the documents.

The Sacrament of Marriage and Its Impediments

The document entitled *The Sacrament of Marriage and Its Impediments* is one of the texts which was first to be worked on. The initial version of the topic was significantly limited and was entitled *The Impediments to Marriage*⁶. The problems resulting from the discussion that occurred during the Second Pre-Conciliar Pan-Orthodox Conference in 1982 concerned several points, the most important of which are: 1) the possibility for the clergy to get married, 2) marriage between Orthodox Christians and non-Orthodox Christians, 3) the degree of kinship between those entering the Sacrament of Marriage.

In the opinion of certain representatives of the local Orthodox Churches that participated in the debates in 1982, there is a pastoral need that the Church in certain circumstances permit the clergy, i.e. deacons and priests to enter into marriage. As far as deacons are concerned, the proposal that was put forward and discussed at the Conference concerned the possibility to marry after ordination⁷. Moreover, a proposal for second marriage for priests who have become widowers as a result of unforeseen circumstances was also dismissed⁸. Both proposals, which would significantly change canonical tradition, were rejected.

The problem of mixed marriages was and still remains a great challenge for contemporary Orthodoxy. The discussion which was conducted during the Second Pan-Orthodox Conference on this matter explicitly pointed out that such marriage should be allowed. The representatives of the Moscow Patriarchate argued that civil marriages should also be treated as fully recognized and that the Eucharist should not be denied to those living in such relationships⁹. Marriage between a member of the Orthodox Church with another non-Orthodox Christian is allowed, however marriage between Orthodox Christians and non-Christians (agnostics, members of other religions) cannot be blessed by the Church. However, the Patriarchates of Moscow and Antioch clearly stated that already existing marriages between Orthodox Christians and non-Orthodox Christians should be regarded with pastoral responsibility and that the Eucharist should not be denied to Orthodox Christians married to non-Christians who desire to live according to their faith¹⁰. The version of the document in 1982 was quite open in its decisions and allowed for applying ecclesiastical economy (*oikonomia*) to a great extent.

⁶ *Synodica VIII*, 198-191.

⁷ See also pg. 125. Such practice would be in accordance with the statements contained in Canon 10 of the Synod of Ancyra (314). However, the recommendation of Canon 6 of the Council in Trullo clearly states that such practice is not permitted and the ordination of deacons and priests takes place after the candidate has been married.

⁸ *Synodica VIII*, 125.

⁹ *Ibid.*, 128.

¹⁰ See *ibid.*, 127-128.

This document proclaimed that: *Marriage between Orthodox and non-Christians is categorically forbidden in accordance with canonical akribeia. However, such marriages are possible for the sake of pastoral understanding and love provided that the children of such couples are baptized and brought up in the Orthodox Church. Local Churches may make decisions about applying economy in specific situations according to pastoral sensitivity (7a)*¹¹. It turns out that marriages between Orthodox Christians and non-Christians can be permitted: *marriages between Orthodox Christians and non-Christians or non-believers are categorically forbidden according to canonical rules (akribeia). Local Orthodox Churches can however permit such a marriage by applying pastoral economy towards Orthodox Christians while taking into consideration particular pastoral sensitivity (7b)*.

The issue of the degree of kinship by blood and kinship by affinity was mainly decided on the basis of Canon 54 of the Council in Trullo. However, it seems that the formulation in the document was more strict than the canon itself, which did not permit marriage in the context of kinship “with the daughter of one’s brother.” This would mean that a relationship to the third degree is not allowed, however a marriage to the fourth degree of kinship would be permitted¹². In the opinion of certain local Church representatives, such a solution should be applied. Textbooks of Canon Law indicate that marriages to the fourth degree of kinship are not permitted, however such relationships to the fifth degree of kinship are permitted with the bishop’s blessing¹³. In the text accepted in 1982, it was stated that marriage at the fifth degree of kinship is not permitted. The problem seems to not have been fully resolved and for this reason, the document which was accepted by the Council in Crete does not outline specific degrees of kinship, but the authors of the text make reference to Canons 53 and 54 of the Council in Trullo, calling for its application and *ecclesiastical practices as currently applied in local autocephalous Orthodox Churches (II,1)*.

The document on marriage was completed and corrected by the Special Commission, which was called into being for this purpose and gathered for its third meeting between March 29 – April 3, 2015 in Chambesy. However, a fundamental change in the document’s content was accepted at the Synaxis of Primates of the local autocephalous Orthodox Churches in January 2016. The Moscow Patriarchate proposed that a paragraph be added that would emphasise the importance of the

¹¹ See Ionita, 155.

¹² Metropolitan of Mount Lebanon Georges (Hodr) drew attention to the fact that the Antiochian Church has struggled for years with this problem and does not permit marriages to the fourth degree of kinship. However, the Greek Catholic Church allows such relationships and some Orthodox Christians leave Orthodox to join the Greek Catholic Church. Within the Patriarchate of Alexandria and Jerusalem, such marriages were permitted. See *Synodica VIII*, 126, 130.

¹³ See A. Znosko, *Prawosławne Prawo Kościelne* (Warszawa, 1975), 75; V. Cypin, *Kurs Cerkownogo Prawa*, (Moskwa, 2002), 551.

institution of marriage in contemporary times when it is neglected in favour of informal relationships and for other important reasons. In this manner, the document which was initially called: *Impediments to Marriage* became *The Sacrament of Marriage and its Impediments*. The changes which occurred between the initial and final versions and the discussions, which surrounded the origin of the document are quite interesting and deserve greater analysis. Due to the lack of space, I will limit myself to one aspect, which significantly differs in the initial and final versions of this document. The document, which was accepted by the Council in 2016 referred to the issue of mixed marriages in a more strict manner than the text proposed and accepted in 1982. To a great extent, the attitude of the Church in Georgia influenced this situation¹⁴. The Fathers of the Council took the Church of Georgia's attitude into consideration, and as a result, the formulation of this issue became for restrictive and at the same time ambivalent: *Marriage between Orthodox and non-Orthodox Christians is forbidden according to canonical akribeia (Canon 72 of the Quinisext Ecumenical Council). However, the possibility of the exercise of ecclesiastical oikonomia in relation to impediments to marriage must be considered by the Holy Synod of each autocephalous Orthodox Church*.

In this manner, the document on marriage on the one hand became significantly developed throughout its evolution, while, on the other hand, it received a more radical character in some respects.

The Significance of Fasting and Its Observance Today

The document on fasting in its initial form was accepted at the Third Pre-Council Pan-Orthodox Conference in 1986. However, the debate over this document began at the Second Conference in 1982. The title of the document which was drafted by the First Pre-Council Pan-Orthodox Conference was: *Adaptation of Rules of Fasting to Contemporary Conditions*. The preparations of this document for the needs of the Commission were delegated to the Church in Serbia. As such, the title of the document indicated and announced great changes in the Orthodox fasting tradition. The suggestions and proposals of certain local Churches called for shortening the Nativity Fast, eliminating the Apostles' Fast and a less strict approach to Great Lent¹⁵. It turned out that

¹⁴ At the Fifth Pre-Conciliar Pan-Orthodox Conference, which took place 10-17 October, 2015, the Georgian Church expressed its objection to mixed marriages on the basis of Canon 72 of the Council in Trullo. The problem was also raised at the Synaxis of Local Primates in January 2016 when the majority of local Churches accepted the document as a project for the Council. The Patriarch of Georgia refrained from signing the text due to the fact that such marriages were permitted.

¹⁵ See *Synodica VIII*, s. 164.

the document prepared for the needs of the Commission did not include such adaptations to contemporary conditions, but did make reference to the traditional periods of fasting and drew attention to the importance and need for fasting in the life of Christians. For this reason, part of the Conference's participants believed that the content of the document prepared did not reflect its title or solve the problem¹⁶. The discussion related to fasting indicated two tendencies on the part of the Conference's participants: 1) reformatory, which emphasised the need for change in the tradition and practice of fasting and 2) traditional, which demonstrated the need for maintaining the fasts as an important element of the life and spirituality of the Orthodox Church¹⁷. The traditional voices prevailed, thus the Conference decided to change the title of the document in order to reflect the actual content: *The Importance of Fasting and its Observance Today*.

However, the document turned out to be a well-balanced text and more pastoral in nature than disciplinary. The authors of the text avoided expressions that would sanction people who chose not to fast (Ap. 69). It was also noted that local Churches should take their local geographical conditions into consideration when indicating the products that can be consumed during the fast.

The Special Commission, which analysed and completed the document in 2015, found that document was good enough and introduced only small changes.

Orthodox Diaspora

The text on the Orthodox diaspora was accepted at the Fourth Pre-Conciliar Pan-Orthodox Conference in Chambesy in 2009. Work on this document commenced considerably earlier. In 1987, The Secretary's office responsible for preparations for the Great and Holy Council of the Orthodox Church under the direction of Metropolitan Damascenus (Papandreu) of Switzerland published a report prepared on the basis of analyses sent from local Churches on common ground and points of divergence concerning the understanding of four topics which remained to be elaborated as projects for the future Council¹⁸. Among those topics was found the issue of the diaspora. Six Churches send their comments on the four topics¹⁹. In the opinions sent, a common stance was reached with regards the needs for a quick solution to the problem of the diaspora. This need was a result of Orthodox ecclesiology and the canonical requirements of Canon 8

¹⁶ Ibid., 156.

¹⁷ See the ongoing discussion, *Synodica VIII*, 156-170.

¹⁸ *Dokład o sovpadienijach i raschożdzenijach po czetyrem temam powiestki dnia IV Wsepravoslavnogo Predsobornogo Soviesczanija* (Chambésy, Genève, 1987) (typescript). The topics which were outlined in the report were 1) The Orthodox Diaspora, 2) Autocephaly and its Means by Which it is Proclamation, 3) Autonomy and the Means by Which it is Proclamation, 4) Diptychs.

¹⁹ Remarks were sent by: the Patriarch of Constantinople, Patriarch of Alexandria, Patriarch of Antioch, Patriarch of Moscow, Patriarch of Romania and the Church of Greece.

of the First Ecumenical Council, which states that only one bishop can reside in a given city. However, the main discrepancy was found in the interpretation of the role of the Ecumenical Patriarchate in relation to Churches that function outside the areas of autocephalous Orthodox Churches²⁰.

The discussion and work on the preparations of the documents were conducted by the Preparatory Commission in 1990 and 1993. The meetings resulted in elaborated documents which were submitted to the Fourth Pre-Conciliar Pan-Orthodox Conference in 2009 in Chambesy. The Conference supplemented and accepted the text to be submitted to the future Council. The problem of the diaspora was not definitively resolved and this was clearly stated in the document accepted in Crete in 2016: *It is affirmed that is the common will of all of most holy Orthodox Churches 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 (§ 1a)*. It also turns out that the current proposals presented in the document do not solve this issue at all: *it is affirmed that during the present phase it is not possible, for historical and pastoral reasons, an immediate transition to the strictly canonical order of the Church on this issue, that is, the existence of only one bishop in the same place. Therefore, it has been decided to keep the Episcopal Assemblies instituted by the Fourth Pre-Conciliar Pan-Orthodox Conference until the appropriate time arrives when all the conditions exist in order to apply the canonical exactness (§1b)*. The temporary solution is establishing a so-called Episcopal Assembly in the areas of diaspora. In the opinion of the representatives of the local Orthodox Churches assembled at the Commission sessions in 1990 and 1993, there are 8 regions²¹ in which such Episcopal Assemblies should arise. However, the Fourth Conference (2009) spoke of 12 such regions²² and the Council in Crete (2016) mentioned 13. A fundamental addition to the document on the diaspora is the Rules of the Episcopal Assembly's Function in the Orthodox diaspora, which determines the competence and rights of the Episcopal Assembly.

²⁰ Greek canonists draw particular attention to the question of diaspora for the Church of Greece when interpreting Canon 28 of the Fourth Ecumenical Council. See. *Uczestie Vselenskogo Patriarchata w razrabotkie tiemy „Pravoslavnoje razsiejanije”*, ibid., 8. In the opinion of the Patriarchs of Antioch, Moscow and Romania, such an interpretation leads to usurping the rights of jurisdictions to the so-called diaspora by Constantinople.

²¹ See. *Meżprawosławnaja Podgotowitielnaja Komisja Swiatago i Wielikogo Sobora 7-13 nojabrja 1993; Chabnesy 1994*, 218 (typescript).

²² See *Synodica XII*, Secretariat pour la preparation du Saint et Grande Concile de l'Eglise Orthodoxe, Chambesy 2015, 258.

Autonomy

The document concerning *Autonomy and the Means by Which it is Proclaimed*, as in the case of the document on the diaspora, was not subject to much change throughout its preparation process. This document was accepted at the Fifth Pre-Conciliar Pan-Orthodox Conference in 2015, however work on its preparation commenced after the Third Pan-Orthodox Conference (1986). In his report on common ground and points of divergence with reference to 4 topics (the diaspora, autocephaly, autonomy and diptychs), when speaking of autonomy, Metropolitan Damascenus (Papandreu) noted two main ways of its proclamation: 1) the first manner significantly underlines the role of the Ecumenical Patriarchate as the Church, which enjoys the highest level of authority in the Orthodox Church, 2) The second manner indicates the fundamental role of the Mother-Church in the territory in which an autonomous structure is formed and under whose canonical jurisdiction this new structure will remain²³.

It seems that the second option, which emphasised the role of the Mother-Church, was adopted in the text on autonomy accepted at the Fifth Pre-Conciliar Pan-Orthodox Conference (2015) and in the text accepted by the Council in Crete (2016). Such wording was found in §1 of the document: *The institution of autonomy is a canonical expression of the relative or partial independence of a particular ecclesial region from the canonical jurisdiction of the autocephalous Church to which it canonically belongs*. Granting autonomy to a particular ecclesiastical territory depends on the Mother-Church. This means in practice that if a specific part of the autocephalous Church desires more independence and autonomy, it then submits an application to the Council or Synod of that Church. The further procedure is described in the following manner in the document: *Upon receiving the application, the autocephalous Church considers, in Synod, all of the prerequisites and reasons for the submission, and decides whether or not to grant autonomy. In the event of a favorable decision, the autocephalous Church issues a Tomos, which defines the geographical boundaries of the autonomous Church and its relationship with the autocephalous Church to which it refers, in accordance with the established criteria of ecclesial Tradition* (§ 2b). The Primate of the autocephalous Church then informs the Ecumenical Patriarch and the other autocephalous Churches about proclaiming the autonomy of the Church (§ 2c). The new Autonomous Church will then act through the autocephalous Church in its Pan-Orthodox and Inter-religious contacts. Granting autonomy can only take place within the borders of canonical geographical region of a given autocephalous Church and cannot occur in territorial diasporas with the exception of specific situations (§ 2e).

²³ See *Dokład o sovpadienijach i raschozhdienijach...*, *ibid.*, 14.

All of the documents which were prepared for the Great Council are the result of long tedious work, which was carried out by all of the local Orthodox Churches over several years. They are the result of a certain compromise, which is necessary for expressing the specific spirit of Orthodoxy which includes the vast range of opinions within particular Churches. Finding a common standpoint proves to be difficult even within Orthodoxy. Local Churches live in specific geopolitical, ecclesiastical and ecumenical conditions and it appears that these issues to a great extent shape our approach to many topics. It turns out that the Council that took place in Crete (2016) was not fully successful. The fact that four local Churches were not present had an impact on the Council's authority. All of the topics set out in the preparatory phase for the Council were not elaborated. This means that future work and co-operation of the local Orthodox Churches is necessary just as the need for expressing a common stance on the remaining topics.

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