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**The canonical structure, the ecclesial practice and the  
ecclesiological interpretation of synodality in the  
Ecumenical Patriarchate**

In the Orthodox Church, synodality is not an external characteristic of the Church, but exists in its substance. With the passing of time, the canonical institution of the Synod has been subject to influences and has undergone changes, however it preserved intact its position within the Church, which was secured by its ecclesiological basis.

The synodal institution is directly related to the words of Christ: “*Again I say unto you, That if two of you shall agree on earth as touching anything that they shall ask, it shall be done for them of my Father which is in heaven. For where two or three are gathered together in my name, there am I in the midst of them*” (Mt 18, 19-20). According to the Orthodox theologians, ecclesiastical synodality is based on the Last Supper and on Pentecost, while the so-called ‘apostolic synod’, as it is described in the *Acts of the Apostles*, Chapter 15, was the historic beginning. The bases of canon 5 of the First ecumenical Council, with which the synodal system is established, can be found in the First Epistle to the Corinthians, Chapter 5, and in the words of Apostle Paul: “*In the name of our Lord Jesus Christ, when ye are gathered together, and my spirit, with the power of our Lord Jesus Christ*” (5, 4).

In the synodality of the Church, the *primus (protos)* has a key role in such a way that there can be no synod without *primus* and vice versa. The *primacy* concerns a local Church (and not the bishop), the primate of which acts (on the basis of Apostolic Canon 34) in equal communion with the other local Churches, according to the model of the Three Persons of the Holy Trinity. It is clear from the reading of this canon that the *primus* does not act on his own, but he convenes the Synod having obtained the consent of the other bishops. Having the consent of the bishops, the *primus* of an ecclesiastical district convenes a local Synod. At the same time, a Synod

convened without the *primus* is canonically incomplete. The Synod does not convene or function without *primus*, according to canons 16, 19 and 20 of the Council of Antioch.

In the *kata ten oikoumenen ekklesia* (i.e. the orthodox Churches throughout the world or *universal Church*), the right to convoke an Ecumenical Council, in which the ecclesiastical unity at a global level finds its perfect expression, after the interruption of the Eucharistic communion with the bishop of Rome, belongs to the one that has the *primacy*, i.e. the Ecumenical Patriarch of Constantinople. The Ecumenical Patriarch is conscious of the Ecumenical Throne's responsibility to preserve the ecclesiastical unity as well as to firmly observe the principle of non-intervention in the *interna corporis* of the local Churches.

The ministry of the Ecumenical Patriarchate to the *universal Church* has arisen from the need of a coordinating factor that will assure the cooperation of the local Churches and will guarantee the unity and the order of *universal Church*. Since the most important duty of the synodal institution is the preservation of the communion of the local Churches, which renders the local Churches one body, the presence of that coordinating body, that will seek and preserve this communion in the context of ecclesiastical synodality, is necessary. The Ecumenical Patriarchate of Constantinople, which is the First Throne in the East, is conscious of having to provide for all Churches, as well as of the preservation of Church's unity, always in agreement with all the local Churches.

In the synodality of the Eastern Orthodox Church, the Ecumenical Patriarchate holds the first position. In other words, the Ecumenical Patriarchate, during the historical course of the Orthodox Church, has been activating the rights and has been responding to the duties that derive from the recognition of the exceptional prerogatives of honor (*presveia times*), “ἡ τοι τῶν πρωτείων, ἡ τοῦ ἐξαιρέτου”, according to Zonaras. The primacy was accorded to the Bishop of Constantinople by canon 3 of the Second Ecumenical Council, as it was interpreted by canon 28 of the Fourth Ecumenical Council. Moreover, canon 36 of the Quinisext Ecumenical Council is of particular importance, because it renews the validity of the two previous canons and endeavors to release the order of the primacy of honor from

political parameters. The changes in civil administration had a decisive role in configuring the rank of the patriarchal sees in the East. However, the establishment of this rank in the Church's canonical order acquires its own dynamic and seems to be released from political factors on the basis of canon 36 of the Quinisext Ecumenical Council. In this context, it seems that in the Eastern Orthodox Church, since the above mentioned Council, the primatial prerogatives are already mainly defined on the basis of ecclesiastical criteria. Thus, the Ecumenical Patriarchate of Constantinople has the privilege of initiative and coordination on matters of pan-orthodox importance and inter-Christian character, which derives from the primacy of honor granted by decisions of the Ecumenical Councils.

The *universal Church*, which expresses itself synodically on a basis of the interdependence between the *primus* and the Synod, as described in Apostolic Canon 34 as well as in canons 9 and 16 of the Council of Antioch, has to recognize the Ecumenical Patriarchate as having the primacy by entrusting to it the management of the issues of common interest of all the local Churches. The primacy of the Ecumenical Patriarch does not bestow him the first place in a pyramidal administrative system. It attributes to him the honor of the ministry of coordinating locality and universality. In this context, the coordinating role of the Ecumenical Patriarch makes him competent to seek, safeguard and guarantee the pan-orthodox unity.

The primacy of the First (according to the canonical order) See of Constantinople entails specific prerogatives of genuine authority, as for example the Ecumenical Patriarch to be arbitrator and judge in the Orthodox East. The *primus* is the leader of all Orthodox Churches "*heading these not by administration but by virtue of its primacy of honor in the ministry of pan-orthodox unity*". The recognition of the Bishop of Constantinople as the Ecumenical Patriarch includes in an adjective the primacy of honor that he already enjoyed within the Church. Holy canons record the Ecumenical Patriarch's primacy as it was expressed synodically on the basis of the *universal Church's* will. The Ecumenical Patriarchate is the visible center of the ecclesiastical unity. The canons of the Ecumenical Councils attribute to the privileges of the Ecumenical Patriarchate a substantive character, as it is the First Throne among all the local Orthodox Churches. The honorary primacy

brings with it the primacy of responsibility and ministry for the unity of the Church.

The recognition of the Patriarchal Pentarchy along with the prerogatives of honor granted to the Patriarchate of Constantinople resulted in the particular flourishing of the synodal institution of the above mentioned Patriarchate that was finally proclaimed as *the* Ecumenical Patriarchate. This development is significant not only for the Ecumenical Patriarchate's history, but also, as we will ascertain analytically below, for the whole Orthodox Christian world, i.e. for the One, Holy, Catholic and Apostolic Church.

The discussion on the implementation of the principle of synodality in the administration of the Ecumenical Patriarchate has not only historical value, but it is also of contemporary interest, since the regular and standing Holy and Sacred Synod constitutes the supreme governance body of the Ecumenical Throne. Sometimes, in special occasions, the Synod is transformed into an Endemousa one, while in order to solve issues of pan-orthodox interest, it is transformed into a Great or Iperteles Synod.

Starting from the standing and permanent Holy and Sacred Synod of the Ecumenical Patriarchate, we point out that its function is governed by the Holy Canons, the ecclesiastical provisions, the ecclesiastical customs, as well as by certain provisions of the 1862 General Regulations that were produced in the framework of the privileges of the February 18, 1856 Imperial Reform Edict (Hatt-i Hūmayun) and are still applied in practice. It goes without saying that all of this shall adapt to the particular circumstances of each emerging issue, in ecclesiastical spirit. A brief look at the background shows that during the Byzantine era the existence of the Patriarchal Synod that convened once per year was indeed provided. However, its convergence was difficult due to the difficulty of the once-per-year movement and the guarantee of the presence of the bishops belonging to the Patriarchate of Constantinople. Nevertheless, after the Ecumenical Patriarchate having being recognized by canon 3 of the Second Ecumenical Council as enjoying prerogatives of honor, the institution of the Endemousa Synod was customarily established, developed, prevailed and surrounded with canonical validity by the Fourth Ecumenical Council. It was a synod of bishops, even of those belonging to other Patriarchates, who happened to be in Constantinople

for various reasons, for example due to illness. At the beginning, this synod was temporary and exceptional by nature, until it finally became standing and permanent, thus gaining ground against the Patriarchal Synod.

After the Ottoman conquest, the Synod became exceptional again, until the 18<sup>th</sup> century when it recovered the lasting and standing character. Then, the Endemousa Synod took the form of *Gerontismos*. In other words, this synod was constituted by those metropolitans staying in or near Constantinople at the time (*endemountes*), as well as by the rest eminent metropolitans, the ‘elders’ (*gerontes*). This situation resulted in the strengthening of the power of the metropolises of Caesarea, Ephesus, Herakleia, Cuzicus, Nicaea, Nicomedia, Chalcedon and Derkoi, the so-called ‘*gerontikes* metropolises’. The relevant metropolitans formed integral parts of the Endemousa Synod. *Gerontismos* came to an end when the General Regulations were enacted. Then, its value was limited to historical and symbolic one, as the ‘*Third Regulation on the formation of the Synod of Metropolitans*’ arranged in detail the new 12-member synod of the metropolitans of the Ecumenical Patriarchate under the presidency of the Ecumenical Patriarch. At the same time, the ‘*First Regulation on the Election and Appointment of the Patriarch*’ in Chapter 3, Article 2, preserves the institution of Endemousa Synod as a body that participates in the election of the Patriarch and that consists of the members of the Synod of Metropolitans along with other Metropolitans that may be in Constantinople at the time.

Following the Treaty of Lausanne the so-called Holy and Sacred Synod has been being comprised of twelve metropolitans along with the Ecumenical Patriarch as its president.

The Holy and Sacred Synod has been transformed into its current form following successive synodal decisions. In particular, at first, the new status of the Holy and Sacred Synod was approved under the terms of a decision of the 1929 Endemousa Synod. According to the new status, six members of the Synod are replaced in a certain period of time by other bishops, who were not until then members of the Synod. Some years later, the decision taken during the session of March 7 of the 1946 Endemousa Synod stipulates that the Holy and Sacred Synod consists of twelve active metropolitans, Turkish nationals, that their sees are from those eparchies located within the Republic of Turkey.

Each metropolitan is elected for a term of one year, while every six months, i.e. in March and in September, the Holy and Sacred Synod is reconstituted with the replacement of six synodal members. Therefore, each year is divided into two six-month synodal periods, i.e. one from September 1 to February 28 or 29 and one from March 1 to August 31. Before the start of each synodal period, the replacement of six metropolitans-members of the previous synodal period by other metropolitans-members that did not participate in the expired synodal period has already taken place.

The last amendment, that was made after a proposal of His All Holiness Ecumenical Patriarch Bartholomew under the terms of a 18 February, 2004 synodal decision, which initiates the participation of six metropolitans whose sees are situated outside Turkey, regardless of nationality, in the Holy and Sacred Synod of the Ecumenical Patriarchate, is particularly remarkable. This decision was first implemented a few days later, when the Holy and Sacred Synod was again established on March 1, 2004. The justification of this change is described by the Ecumenical Patriarch Himself in his invitation to the six metropolitans whose flock is outside the Turkish borders for their participation in the Synod: “...[the above mentioned amendment] is imposed by the fact that the number of bishops whose sees are situated around our own kathedra is greatly reduced, in addition to the obvious ecclesiological and canonical reasons, making it difficult for the sacred body of the Synod to be established and work”.

Therefore, today the Synod is composed of the Ecumenical Patriarch, as its president, along with twelve active metropolitans of the Ecumenical Throne: six metropolitans from metropolises located inside Turkey and six from metropolises located outside. More precisely, the metropolitans that are active within the territory of the Turkish State, are the metropolitans of Chalcedon, Derkoi, Imvros and Tenedos, as well as the metropolitan of Prigiponisa. Furthermore, those metropolitans that reside in Constantinople away from their flock because of objective reasons, as for example the metropolitans of Bursa, Smyrna, Pisidia, Kydonion etc. who reside in Constantinople because of the population exchange and the removal of the faithful from Asia Minor and Thrace, belong to this category. On the other hand, the metropolises of the Ecumenical Throne that are outside Turkey, are

those Orthodox metropolises that belong to the canonical jurisdiction of the Ecumenical Patriarchate and are not under the jurisdiction of an autocephalous Church, for example the semi-autonomous Church of Crete or the Archdiocese of North and South America.

To find and appoint the new members, namely metropolitans that will be called to set up the Holy and Sacred Patriarchal Synod, the order of Syntagmation, i.e. the order of the catalogue where all metropolitans of the Ecumenical Throne are mentioned in order of importance of the metropolises, is respected only for those metropolitans that now hold the title of 'elder'. All the remaining metropolitans of the Ecumenical Throne are called according to seniority of episcopal ordination.

After the last reorganization, the members of the Holy and Sacred Synod for its session from September 1, 2017 until February 28, 2018 are the elder metropolitans of Nicaea, of Chalcedon, of Derkoi, of America, the metropolitans of Thyateira and Great Britain, of Pittsburg, of Kisamon and Selinon, of Spain and Portugal, of Kallioupolis and Madytos, of Bursa, of Smyrna and finally of Ierapetra and Siteia.

Today, the Holy and Sacred Synod is convoked by the Ecumenical Patriarch on a regular basis at least once a week and exceptionally when needed, in order to discuss about the agenda of the Synod. The venue of its meetings is the seat of the Patriarchate. As is the case for every synodal body, the Holy and Sacred Synod of the Ecumenical Patriarchate takes its decisions by majority, in compliance with canon 6 of the First Ecumenical Council, Apostolic canon 34 and canon 19 of the Council of Antioch.

The responsibilities of the Holy and Sacred Synod of the Ecumenical Patriarchate are of triple nature: a) legislative in the areas of faith and order, b) administrative and c) judicial.

More precisely, the Synod of the Ecumenical Patriarchate is considered as the supreme spiritual authority of all the Orthodox Christians that are under the Patriarchate's jurisdiction. Thus, in proportion to the Endemousa Synod of both the Byzantine era and the post-byzantine period until the drafting of the General Regulations, in respect of issues of order the Holy and Sacred Synod is responsible to interpret the decisions of the Ecumenical and Local Councils and to make the issues of theological nature more explicit.

Moreover, the Holy and Sacred Synod of the Ecumenical Patriarchate supervises the proper Christian teaching, by interpreting the doctrines, alerting the faithful to the danger of heresies and condemning all the erroneous beliefs that alter the orthodox doctrine. With regard to issues of order, the Synod of the Ecumenical Patriarchate is entitled to draw up canonical decrees, which must move within the boundaries of both the Holy Canons and the ecclesiastical institutions.

The Ecumenical Patriarchate is the supreme ecclesiastical authority of all holy Archdioceses and metropolises of the Ecumenical Throne. The administrative responsibilities of the Patriarchal Synod could be compared to those of the synods of the Autocephalous Churches' metropolitans. The Holy and Sacred Synod of the Ecumenical Patriarchate is in charge of the administration: a) of the Archdiocese of Constantinople and all the metropolises within the Turkish territory, as well as b) of the Orthodox metropolises outside Turkey that are under the jurisdiction of the Ecumenical Patriarchate and are not part of an Autocephalous Church, such as the Archdiocese of North and South America. With regard to these metropolises, the Holy and Sacred Synod elects and appoints the metropolitans, while the Ecumenical Patriarch issues in its name the enthronement letter. Furthermore, the Holy and Sacred Synod of the Ecumenical Patriarchate decides on the transfer of metropolitans, may promote titular metropolitans to active ones and has also the right to elect assistant bishops. Moreover, the Holy and Sacred Synod decides to raise a bishopric to a metropolis or a metropolis to a higher rank one; approves the merger of two metropolises or vice versa the *restitutio ad integrum* of the merged metropolises; decides the detachment of territories from a province and their attachment to another metropolis, and approves the establishment of a new metropolis. In these cases, the same decision defines the seat and the boundaries of each metropolis. The Holy and Sacred Synod also provides the approval of transferring the seat of a metropolis to another city.

Finally, the Holy and Sacred Synod of the Ecumenical Patriarchate is the supreme judicial authority. As court of first instance, the Synod is responsible for the trial of both the bishops' and the metropolitans' of the Ecumenical Throne canonical offences, except for the case that a synodal court, that



functions within an eparchy, according to ecclesiastical authorization has jurisdiction to decide, as for example in the Archdiocese of America. Any clergyman, monk, even layman can be complainant. However, any charges that require the ecclesiastical penalty of defrocking against clergy, bishops or metropolitans of the Ecumenical Throne are submitted to the Holy and Sacred Synod, as the latter is exclusively competent to impose this penalty.

As court of second instance, the Holy and Sacred Synod of the Ecumenical Patriarchate decides and rules irrevocably on complaints against the decisions of the synodal courts that may function in each eparchy of the Ecumenical Throne.

Finally, as court of third instance, the Holy and Sacred Synod of the Ecumenical Patriarchate shall have jurisdiction in 'ekkliton', i.e. the appeal to the Ecumenical Patriarch based on canons 9 and 17 of the Fourth Ecumenical Council. This appeal can be only exercised by metropolitans of all Orthodox Churches against decisions of synodal courts that impose the following penalties: suspension, deposition from the throne or defrocking.

Since 1923, along with the Holy and Sacred Synod of the Ecumenical Patriarchate, there is also the Endemousa Synod. Now, the Endemousa Synod is composed of the active metropolitans whose sees are situated within the borders of the Turkish State. The Endemousa Synod convenes in this form in two specific cases.

At first, when the Ecumenical Throne falls vacant, the *Topoteretes* convenes the Endemousa Synod, in order to elect the new Ecumenical Patriarch. The electoral procedure is further governed by synodal encyclicals on the election of the Patriarch, as well as by the No. 1092 of December 6, 1923 decision ("tezkere") of the Perfect of Constantinople, where it is provided that the right to vote and stand for the Ecumenical Throne belongs to the active metropolitans who have Turkish nationality and exercise their jurisdiction in a metropolis inside Turkey. Later, in 1970, an order of the Perfect of Constantinople ('talimat') was issued, in which the procedure of the patriarchal election is briefly described. It should be noted that in 2009 a partial change occurred, because the metropolitans from outside Turkey were granted the right to acquire Turkish citizenship, without losing the one they already carry, so that their candidacy for the Ecumenical Throne in the future

to be easy. However, with this recent act, the precondition of ministering one metropolis in the Turkish State remained as it was. Thus, the prelates of metropolises under the jurisdiction of the Ecumenical Patriarchate from outside Turkey, even if they reside in Constantinople, do not have the right to vote directly for the designation of the Patriarch. That being so, they send delegation to the members of the Endemousa Synod, namely the '*simpsifon*', according to which they authorize the above mentioned Synod for the development of the electoral process.

The Endemousa Synod convenes for one specific purpose, namely the election of the Ecumenical Patriarch. Nevertheless, the latter has the right to prolong the function of the Endemousa Synod, after his election, for as long as he thinks fit, until he convenes under his presidency the regular and permanent Holy and Sacred Synod of the Ecumenical Patriarchate.

The second indent of convening the Holy and Sacred Endemousa Synod following a patriarchal or synodal decision occurs in exceptional circumstances and on serious issues. For example, the Holy and Sacred Endemousa Synod was recently convened, on June 6, 2016 for the overview of the process of the preparations towards the at that time forthcoming Holy and Great Council of the Orthodox Church.

Finally, the Ecumenical Patriarch can convene the Great or Iperteles Synod, namely the Synod of both the Patriarchates' and the Autocephalous Churches' Heads, in order to solve issues of pan-orthodox interest.