Judge upholds charter of Greek Orthodox: Laypeople seek role in selecting archbishops

A New York judge has sided with the Greek Orthodox Church in a fight with lay activists over its constitution, ruling that the court has no authority to interfere in an internal church dispute. State Supreme Court Justice Ira Gammerman dismissed a suit claiming that the church's charter, or constitution, had been improperly adopted in a violation of state corporate law.

"The First Amendment to the United States Constitution precludes courts from intervening in ecclesiastical matters, such as church governance, to resolve disputes involving religious organizations," Gammerman ruled. Church officials released on August 12 the decision issued by the judge six days earlier.

Restive parishioners, led by the independent group Orthodox Christian Laity, had charged that the charter "granted" by leaders of world Orthodoxy last year is not the same one they adopted during a 2002 convention. The suit brought to the surface longstanding complaints from lay activists that they have been shut out of decision-making. They also accuse church leaders of bending to the will of Old World Orthodox leaders who have little tolerance for the American church's democratic impulses.

The new charter approved by Orthodox leaders in Istanbul rejected changes adopted in 2002 that attempted to carve out at least a minimal degree of influence for U.S. parishioners in selecting archbishops and in other matters. Thirty-four parishioners filed suit in February, asking the courts to invalidate the new charter and force the church to operate under its former constitution from 1977.

Bishop Savas, the New York archdiocese's chancellor, said the judge's decision grants church leaders much more leeway to direct the church in ways they see fit. "There will always be a dissenting voice," he said. "There's room for a dissenting

voice, sure, but is the church going to be run by the dissenters? Certainly not." –
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