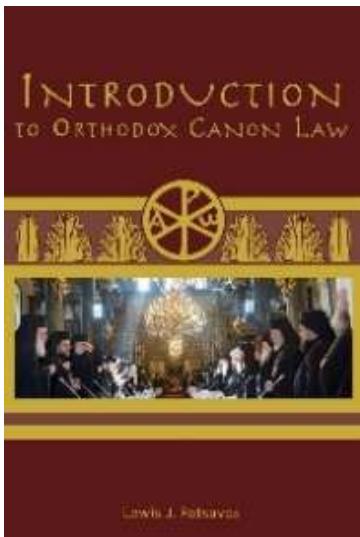




REVIEW: Introduction to Orthodox Canon Law



Lewis J. Patsavos. 2023. *Introduction to Orthodox Canon Law*. Holy Cross Orthodox Press, USA, 181 pp.

This *Introduction to Orthodox Canon Law*, written by Professor Emeritus Lewis J. Patsavos and published in 2023 by Holy Cross Orthodox Press in the USA, is a fundamental contribution to understanding Canon Law in the Orthodox tradition. The book, intended for both theologians and lay persons interested in Canon Law,



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provides a clear perspective on the canonical norms, principles, and functions that govern the Orthodox Church. The present review aims to analyze the work's content in terms of its structure, methodological approach, and contribution to the field of canonical studies. Lewis J. Patsavos is Professor of Canon Law, Emeritus at Holy Cross Greek Orthodox School of Theology, where he has taught since 1974, with extensive academic and practical experience in the field. The author of many articles, his two previously published books, *Spiritual Dimensions of the Holy Canons* and *A Noble Task: Entry into the Clergy in the First Five Centuries*, are essential reading in Orthodox Canon Law. He served as Vice President of the Society for the Law of the Eastern Churches (2017-2022) and continues to serve on its Board. During his teaching career, he was a canonical consultant to the Greek Orthodox Archdiocese of America and other Orthodox jurisdictions.

The main purpose of his work is to introduce readers to the complexity of Orthodox canon law, explaining its origins, development, and practical application. The author emphasizes the link between canon law and Orthodox theology, showing that Church law is more than a set of rules; it is an expression of Orthodox theology and spirituality.

In the Foreword, Fr. Alkiviadis C. Calivas, Professor of Liturgics, Emeritus of Holy Cross Orthodox School of Theology, USA, states the following: „*Introduction to Orthodox Canon Law* is clearly a labor of love, stamped by years of experience and devotion to the theological enterprise. Through his lucid and eloquent linguistic skills, Dr. Lewis Patsavos imparts an appreciation for the essential pastoral nature of the holy canons. The divine truths deposited in the Church are embedded in her liturgical and canonical tradition. They are meant to help both persons and communities realize the highest excellence” (p. 10). In the Preface, the author confesses that he gladly accepted the task of teaching Canon Law, and has never regretted this decision. The author says that „the result of these experiences led me to prepare what I have chosen to call an Introduction to Orthodox Canon Law.

This Introduction is the compiled prose version of notes used for the class in Orthodox canon taught at Holy Cross of Theology throughout my teaching career. It is an offering in response to the request of former students wishing to review what they were taught in the past, and of interested laypersons aspiring to learn something about which they know little" (p. 12). Throughout the Introduction, the canonical tradition is presented and thoroughly explained. This course, for students who wish to specialize in Canon Law, is organized in a logical way, divided into several chapters that cover the fundamental aspects of Canon Law.

The work has an introductory chapter, *General Principles*, in which some fundamental principles of canon law are defined, such as Law, Church, Church and Law, Canon Law, Related Fields and Methods of Study and Interpretation, notions meant to bring a better understanding of what determines and studies canon law at the conceptual level.

In the first chapter *Sources of Canon Law*, the author presents Sources of the First Period (Institution of the Church to 325), Holy Scripture, Holy Tradition, Custom, *Anonymus Codified Works*, Regional Councils, Church Fathers, then continue with Sources of the Second Period (325-787), such as Ecumenical Councils, Regional Councils, Church Fathers, Monastic Canonism, *Anonymus Codified Works*, State Legislation. In addition to those covered in Sources of the Third Period (867-1453), the interpretive works of commentators (Aristenos, Zonaras, and Balsamon) were also a significant factor during this period. Between Sources of the Fourth Period (1453-present), the author mentions Endemousa Synod, Collections of Canon Law, Application of Canons and Abrogation of Canons, which he says: "partial change of a law abolishes, and sometimes replaces, part of the law. Whenever a new law appears, it is assumed, even if not expressly stated, that any content necessary was abolished to meet existing needs. As for still-applicable parts of the original law, they continue to apply unless otherwise noted" (p. 47).

In the second chapter, entitled *Organization and Polity of the Church*, the author discusses issues of Distinctions of Members of the Church, Laity, Clergy, Qualifications of an Ordaining Hierarch, Qualifications of Candidates for Holy Orders, Consequences of Ordination, Loss of Priestly Authority, Right and Obligation of Clergy, with the basic idea that the Church is the divine-human institution which has as its ultimate goal the salvation and sanctification of the human being. “The significance of the entire body of the Church, clergy and laity, for the Church’s organization is most evident in the acceptance of the common conscience of clergy and laity, ecclesiastical conscience, as the sovereign authority in the Orthodox Church” (p. 53). The following are aspects of Polity of the Church: Ecumenical Synod; Episcopal Polity; Candidates to the Episcopacy; Election, Ordination, and Affirmation of Bishops; Consequences of Episcopal Ordination; Mutual Relations of Bishops; Exclusive Rights of Provincial Bishops; Authority Bishops and Rural Bishops; Presbyters and Appointment of Parish Clergy.

In the third chapter, entitled *Administration of the Church* (pp. 74-91), the author encompasses the different ways the hierarchy exercises authority and the faithful experience it. Penitential law, which falls under judicial authority, exists to facilitate the exercise of justice as foreseen in the canons. Ecclesiastical sanctions are divided into four categories according to whom they affect. Certain sanctions may be imposed on all members of the Church, clerics alone, both clerics and monks, or on monks alone. Ecclesiastical sanctions imposed only on clerics are defrocking/deposition, degradation/demotion, suspension, monetary fines, and, for bishops, loss of seniority or forfeiture of episcopal throne. Some of the most egregious offenses, however, deserve special attention: apostasy, heresy, and schism all involve the denial of some aspect of faith or authority. The legal procedure by which the Church exercises judicial authority foresees investigation of any matter of concern both on its own initiative and after a charge has been made.

The author specifies that the presiding hierarch/officer of the Spiritual Court determines the arrangement/form of the hearing procedure, not being limited only to it. The following form of procedure is usually observed: description of the case, statements and questions of the petitioner, questioning of witnesses, presentation of charges/evidence to the respondent, disclosure of the identity of the petitioner, defense and questioning of the respondent, further questioning, deliberations of the Spiritual Court, communication of the decisions of the Spiritual Court (pp. 83-84). Thus, by explaining the ecclesial judicial procedure, the author shows how justice is done and acquired, and which consists of the totality of rules for the applications for summons, for defenses and interventions, for the investigation of cases, for their judgment, for the means of reforming the judgments, and for their execution or enforcement.

In Chapter IV, *Life of the Church*, the author explains how to become a member of the church by administering baptism, discusses the issue of acceptance of heterodox Christians, departure from the Church (excommunication), but also marriage law issues: impediments of marriage, consequences of illegal marriage, divorce, exceptional marriage, and mixed marriage.

In Chapter V, *Governance of the Local Church*, the author makes a historical incursion into the Greek Orthodox Archdiocese of America, giving particulars of its administrative seat, the year of its incorporation into the Ecumenical Patriarchate of Constantinople, etc. The first four Charters (1922, 1927, 1931, and 1977) of the Archdiocese are presented, revealing the stages of its history up to the current Charter of 2003. The author says that "each of the charters of the archdiocese addressed the needs of its era. Their goal must always be the preservation of unity, a goal requiring flexibility to achieve and adaptability to retain" (p. 125).

In Chapter VI, *Relations of the Church to non-Orthodox Christians*, the author presents the fact that within the contemporary Orthodox Church globally, there are different views on Orthodox

and non-Orthodox Christians. In recent years, Orthodox Christians living in non-traditional Orthodox lands have been challenged to interact, both in practice and in dialogue, with their brothers and sisters of other Christian faiths. The appendix contains practical guidelines adopted by Orthodox jurisdictions in America that outline appropriate relationships in the pursuit of reconciliation.

In light of the above, we appreciate the clarity and accessibility of the present work, with Professor Lewis Patsavos using precise language, which makes the text accessible even to those without formal theological and canonical training. Another strength of the work is the attention given to the principles of canonical interpretation, with the author emphasizing the importance of discernment (*οικονομία*) in applying canonical norms, explaining how this flexible approach reflects the love and compassion of Christ.

The work of canonist Lewis Patsavos is particularly relevant for understanding Canon Law in a modern context. By explaining the principles and their applicability, the author provides readers with an essential means of understanding contemporary challenges. This approach is helpful for clergy, theologians, and believers who want to understand better the law governing the life of the Church. The author's experience provides a deep understanding of the balance between tradition and actuality, making Canon Law accessible and relevant to our times.

Therefore, *Introduction to Orthodox Canon Law* is a remarkable work that combines clarity of exposition with depth of analysis, and it is worth reading for anyone interested in Orthodox theology, Church law, or the relationship between tradition and modernity.