

Some questions that may be asked or should be answered, or points raised:

Primary Questions regarding the position taken by the “Department of Legal Affairs” vis-à-vis Constitution Approved by the Holy Synod

1. Why would the Department of Legal Affairs assert that the Constitution approved by the Holy Synod of Antioch in October 2004 could be disregarded by the North American archdiocese? What are the actual differences and what is the significance of each difference? Why would the “Department of Legal Affairs” take a public position like this before absolutely full disclosure and explanation to the bishops, board of trustees and clergy of North America of the specific differences between the documents, the legal and ecclesial significance of the differences and the ramifications to the relationship between the North American archdiocese and the Church of Antioch if this action were taken.
2. Many of the differences have to do with the role, rights and responsibilities of Diocesan Bishops and Auxiliary Bishop. Why would the North American archdiocese not want to give Diocesan Bishops the full traditional rights and responsibilities of diocesan bishops in all other jurisdictions, like being able to ordain transfer and discipline priests, have diocesan assemblies and funds, etc.? This structure would allow the Antiochian bishops to have an equal footing with the GOA and OCA bishops when eventual Orthodox unity in North America is finally realized and is consistent with the stated goal of Orthodox unity in North America.
3. Since the changes have been made and approved, and most are, in fact, in conformity with the 2003 Resolution of the Holy Synod, accepting the constitution as approved – *and recommending that action to the General Assembly in July* – would be the appropriate response at this stage of the process. It would put an end to all of this aggressive defiance. (In other words, for those who do not see the changes as an objective improvement, an appropriate realistic response would be: “we did not get all we wanted, but we got quite a lot, now let’s live with it and remain on good terms with Antioch – that is, remain Antiochian. Enough is enough.”)
4. The chancellors will contend that the Holy Synod can only approve or reject but cannot change the constitution. If that were so, why wouldn’t one or another of the chancellors have accompanied the delegation to the Holy Synod to defend the document, receive objections, if any, and suggest an alternative approach?
5. The chancellors will contend that we have received less than we had before, that now the North American archdiocese has to have future changes submitted for approval by the Holy Synod when this was not previously required. However, the general authority of the Patriarchate of Antioch over its archdioceses throughout the world has always given the Holy Synod the implicit right to intervene if changes were made that were contrary to the constitution of the

Patriarchate and Internal Regulations of the Patriarchate. In order to assure that the change of status is fully understood and implemented now and in the future as self-rule as defined by the 2003 Resolution, not full autonomy or autocephaly, it is understandable that the Holy Synod would insist that this provision must be included.

(In addition, taking into account the persistent pattern of misrepresentation or “spinning” of decisions of the Holy Synod and the alteration in North America of official documents of the Holy Synod, there is no wonder that the Holy Synod would be concerned that the North American archdiocese would further change the constitution in ways inconsistent with the definition of self-rule. A case in point is the proposed “Certificate of Amendment to the Certificate of Incorporation” that already tries to take way more than that given by the Holy Synod.)

Secondary Issues that may arise regarding the 2003 Resolution of the Holy Synod:

The only appropriate “version” to be used as a point of reference in the discussion is the official English version, signed by all members of the Holy Synod, including Metropolitan Philip, which is part of the minutes of the Holy Synod of Antioch and historical record of the Church of Antioch. This document defines the status “self-rule”.

An altered version was circulated in North America and published in the Word magazine. Alterations cannot in any event or in any context unilaterally be made to a signed document. This is a basic premise of law and human conduct in all circumstances, contexts and cultures. The altered version has no authority.

The constitution for North America must conform to the provisions of the 2003 Resolution of the Holy Synod, which defines self-rule.

The alterations have been described as insignificant. If insignificant, why would unilateral changes have been attempted? The official text is the only one with significance to the discussion and all corrections by the Holy Synod of Antioch to restore the language of the official text of the Resolution are appropriate and should be acceptable without question.

(Note: It has never been disclosed who altered this official document – this is an egregious breach of trust and misrepresentation to the faithful of North America as to what really was decided by the Holy Synod. There has been a pattern of misrepresentation from the outset – such as announcing that “autonomy” was granted when it specifically was not granted; the status of self-rule as defined by the 2003 resolution of the Holy Synod was all that was granted. The erroneous accounts in Again magazine – including listing the North American archdiocese among the recognized autonomous Orthodox churches worldwide -- has never been corrected.)

Issues raised by the proposed Certificate of Amendment to the Certificate of Incorporation

What is the full significance, line by line, of the proposed Certificate of Amendment to the Certificate of Incorporation? Why would the North American archdiocese – which is still, after all, an archdiocese and not a new separate church -- remove reference to the continuing relationship to and authority of the Church of Antioch? Doesn't this violate the terms and spirit of the 2003 Resolution of the Holy Synod – overreaching what actually has been granted? Who has decided that this is what the Board of Trustees and faithful of the North American archdiocese want at this point in time?

Where was it stated in any of the documents or in any of the discussions that the North American archdiocese could select its own metropolitan if the Holy Synod did not act in a certain time (40 days)? Why was this included – without any discussion – in the proposed Certificate of Amendment? Why did the Department of Legal Affairs try to rush this through, by setting up a conference call meeting for the first time in the history of the archdiocese?

Why does the amendment – and the Pittsburgh version -- use the word “irrevocable”, when this also ties the hands of the North American archdiocese, the Archdiocesan Synod, the future boards of trustees, and general assemblies, from taking certain decisions in the future that circumstances may warrant?

Ancillary Issues

Why is all financial control concentrated in the Metropolitan Archbishop? Even if this current Metropolitan Archbishop is above reproach and has no hidden assets, that may not always be the case in the future, God forbid. The history of the church is filled with such stories.

When was the last audited financial statement for the archdiocese? Why doesn't the financial statements for the archdiocese include a balance sheet – statement of assets, liabilities and net worth? Where is the Metropolitan Anthony Bashir endowment fund being held and for what purposes is its income designated? What other endowment funds, properties and assets held by the archdiocese and its bishops?

Why was it represented that the Pittsburgh constitution was already filed with the State of New York when this is not true (if they say it is true, ask to see a copy of the stamped “filed” document) and when there was no requirement by any civil authority to file such a document, particularly when it was still subject to the approval of the Holy Synod?

Pick your issues