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SYRIAN PATRIARCHATE
OF ANTIOCH AND ALL THE EAST
DAMASCUS - SYRIA



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دمشق - سوريا

By the Grace of God
Ignatius Zakka I Iwas
Patriarch of Antioch and All the East
Supreme head of the Universal Syrian
Orthodox Church

No. E62/04

February 17, 2004



Apostolic Benediction to our Beloved Metropolitan His Eminence Mor Theethos Yeldho Pathickal of our Malankara Archdiocese of the Syrian Orthodox Church in North America.

As you know, for the protection of the true faith and ancient traditions of our Holy Apostolic Church and for the smooth functioning of the Malankara Archdiocesan administration, our clergy and faithful of that Archdiocese have unanimously passed a Constitution in the last Family Conference of our Archdiocese which was held in July 2003. It was then sent to us for our approval. We have received the legal opinion also on the said Constitution. We went through the same and found it good for the proper administration of the affairs of our Archdiocese there. We are now pleased to grant our approval for this new Constitution for our Malankara Archdiocese in North America with effect from January 1, 2004. We have affixed our seal and signature on all the pages of the Constitution in testimony of our approval and send it to you. Henceforth all affairs of our Malankara Archdiocese in North America should be administered in accordance with this new Constitution. We appreciate the tedious services rendered by the members of the Constitution Committee in drafting, preparing and finalizing the Constitution which would be a landmark in the history of that Archdiocese.

We extend our Apostolic Blessings to you. May the grace of God be with you.

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Copy to: Very Rev. Corepiscopos Eapen Ezhamalil, Secretary of the Malankara Archdiocese in North America.

**CONSTITUTION AND BYLAWS
Of the
Malankara Archdiocese of the Syrian Orthodox Church
in North America**

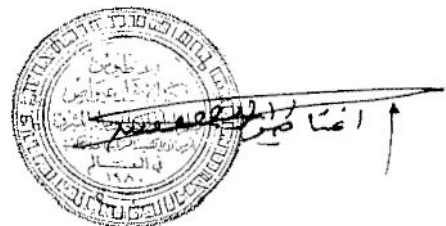
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PART - TWO : PARISHES / CONGREGATIONS



**MALANKARA ARCHDIOCESE
OF THE SYRIAN ORTHODOX CHURCH
IN NORTH AMERICA**

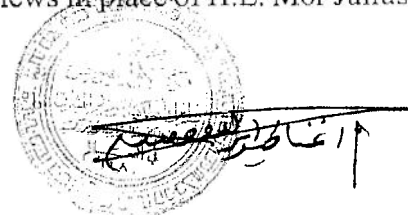
ARCHDIOCESAN CONSTITUTION AND BYLAWS

PREAMBLE

In the recent past, especially since the 1960's, a considerable number of people from India migrated and settled down in North America. Many of them were Malankara Jacobite Syrian Orthodox Christians. They followed the Syrian Orthodox faith, maintained their distinct identity and preserved the glorious traditions of the Syrian Orthodox Church. They formed parishes and spiritual organizations such as Sunday school for children, Youth Association for young adults and St. Mary's League for women under the spiritual supervision of Late Lamented Archbishop H.E. Athanasius Yeshue Samuel (Apostolic Bull No.E59/84). For a smooth functioning of the parishes under the ecclesiastical hierarchy, a Malankara Council was constituted and became fully operational in 1987. From that time onwards the Malankara parishes conducted annual conferences in different parts of North America. As the number of people professing the Syrian Orthodox faith and their spiritual needs increased, The Delegates' Meeting held on July 12, 1992 at Nyack College, New York, presided over by the late lamented Archbishop Mor Athanasius Y. Samuel, decided to request His Holiness, The Patriarch of Antioch and All The East for a Metropolitan from Malankara to assist H.E.Mor Athanasius in administering the affairs of the Malankara Parishes. The Delegates' Meeting held on December 05, 1992 at the St. Mark's Syrian Orthodox Cathedral, Hackensack, New Jersey, proposed the name of Rev. Fr. P.G. Cherian and requested His Holiness to consecrate him Metropolitan to assistant H.E. Mor Athanasius Yeshue Samuel.

According to the decision of the Archdiocesan Council, an official delegation, consisting of three Clergymen and one lay member from the Council had an audience with His Holiness, the Patriarch, in Damascus, Syria, in June 1993 to address the spiritual needs of the Malankara faithful. Thereafter, His Holiness Moran Mor Ignatius Zakka I Iwas, Patriarch of Antioch and All the East and the Supreme Head of the Universal Syrian Orthodox Church, established an independent Archdiocese (Patriarchal Bull No. E235/93 dated June 24. 1993) directly under the Holy Apostolic See of Antioch and All the East comprising of all the Malankara (India) parishes in North America and named it 'Malankara Archdiocese of the Syrian Orthodox Church in North America'. His Holiness consecrated and appointed Rev. Fr. P.G. Cherian as Archbishop H.G Mor Nicholovos Zachariah on August 15, 1993 and appointed him as Archbishop to administer the affairs of the Archdiocese.

Sometimes after, when H.G Mor Nicholovos Zachariah disobeyed His Holiness the Patriarch and changed his allegiance from the Holy See of Antioch and All the East, he was suspended and relieved from all his spiritual and temporal authority and responsibilities as Archbishop by His Holiness Moran Mor Ignatius Zakka I Iwas (Patriarchal Bull No. E311/01 dated December 22, 2001). His Holiness then appointed His Eminence Mor Julius Kuriakose as the Archbishop of the Malankara Archdiocese of the Syrian Orthodox Church in North America, as an interim arrangement. On March 2, 2002, His Holiness Moran Mor Ignatius Zakka I Iwas, authorized and appointed His Eminence Mor Ivanios Mathews in place of H.E. Mor Julius as



the Archbishop to administer the affairs of the Malankara Archdiocese. (Apostolic Bull No. E 58/02, Dtd. March 02, 2002). And by the Patriarchal Bull No. E63/03 dated March 12, 2003, His Holiness excommunicated and expelled Mor Nicholovos Zacariah alias P.G. Cherian Poothicott from the office of the Metropolitan (Archbishop) of the Malankara Archdiocese and from the High Priesthood and from the primary membership of the Holy Universal Syrian Orthodox Church.

On January 04, 2004, His Holiness the Patriarch has consecrated and appointed His Eminence Mor Theethos (Titus) Yeldho Pathickal as the Archbishop / Patriarchal Vicar of this Malankara Archdiocese.

PART - ONE - THE ARCHDIOCESE

ARTICLE I

NAME OF THE ARCHDIOCESE

The name of this organization shall be 'Malankara Archdiocese of the Syrian Orthodox Church in North America', and it is a New York Religious Corporation having a seal. The location of the central office shall be decided by the Delegates' Meeting of this organization.

ARTICLE II

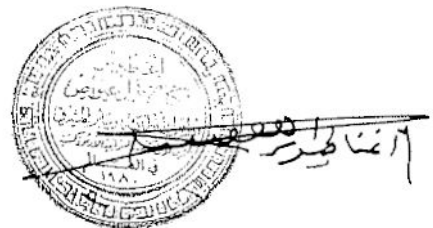
SPIRITUAL HEAD

His Holiness Moran Mor Ignatius Zakka I Iwas, Patriarch of Antioch and All the East, Supreme Head of the Universal Syrian Orthodox Church, of the Holy Apostolic Throne of Saint Peter and his legitimate successors in office shall be the supreme **spiritual, ecclesiastical and administrative heads** of this Archdiocese. **Such spiritual, ecclesiastical and administrative jurisdiction and authority cannot be changed, altered, modified or revoked.** The Archbishop/Metropolitan, who is appointed by His Holiness to administer the spiritual and temporal affairs of this Archdiocese shall be under the direct jurisdiction and control of **His Holiness the Patriarch** of Antioch and all the East.

ARTICLE II- A

CANON

The Archdiocese shall be governed spiritually in accordance with the rules and canons of the *Hudoyo*, the official law book of the Holy Church, **translated into Malayalam by the late Metropolitan Mor Julius Yakoub**, and by the canonical regulations established by the successive meetings of the Holy Universal Synods. Such authority cannot be changed, altered, modified or revoked. In cases of a contradiction between the Canon and the Constitution or a difficulty in interpreting the Constitution, in the light of a canon law, the **order of the Patriarch** shall prevail.



ARTICLE III ALLEGIANCE

SECTION- A ALLEGIANCE OF THE ARCHDIOCESE

This **Archdiocese is a part of the Universal Syrian Orthodox Church**, directly under the supervision and control of His Holiness Moran Mor Ignatius Zakka I Iwas, Patriarch of Antioch and all the East, and his legitimate successors in office. **His Holiness and his successors in office shall be the appellate authority whose decisions shall be firm, final and without appeal on all spiritual, ecclesiastical temporal and administrative matters of discipline within the Archdiocese.** Such spiritual, ecclesiastical and administrative jurisdiction and authority cannot be changed, altered, modified, or revoked.

SECTION-B ALLEGIANCE OF THE ARCHBISHOP / METROPOLITAN

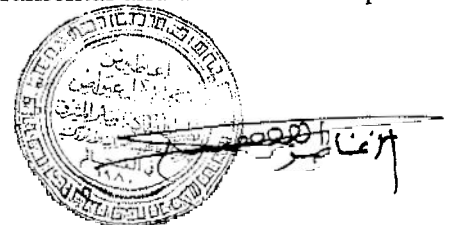
The Archbishop/ Metropolitan appointed and authorized by His Holiness shall govern the Archdiocese for its spiritual progress and stability, under the supervision and control of His Holiness Moran Mor Ignatius Zakka I Iwas. Patriarch of Antioch and all the East, and His legitimate successors in office. If and when the Archbishop / Metropolitan deviate from the allegiance or denounce the Holy Throne of St. Peter or **when he is de-recognized by H.H the Patriarch**, his spiritual, ecclesiastical, sacramental and administrative powers will cease thereafter.

SECTION-C: ALLEGIANCE OF THE PARISH / CONGREGATIONS

All the Malankara parishes / congregations under the Archdiocese, are subject to the **spiritual and administrative supervision and control** of His Holiness Moran Mor Ignatius Zakka I Iwas, Patriarch of Antioch and all the East, and of the Archbishop, who is appointed by His Holiness and their legitimate successors in office. When a parish / congregation or a group of members deviates from the allegiance to the Holy Throne of St. Peter, or denounces The Patriarch, the Supreme Head of the Universal Syrian Orthodox Church or acts against the orders of The Patriarch, their membership rights shall be revoked by the Archbishop and the parish administration shall be taken over through an Apostolic order from The Patriarch.

SECTION-D: ALLEGIANCE OF THE PRIESTS AND DEACONS

The Vicars, Priests, or Deacons appointed or consecrated by the Archbishop / Metropolitan **with the permission of the Patriarch**, shall serve the parish / congregation or any other institutions or trusts in the Archdiocese, directly under the supervision of the Archbishop / Metropolitan. If and when the vicars, priests or deacons deviate from their allegiance or when they denounce the Holy Throne of St. Peter or **when they are de-recognized by the Patriarch**, their spiritual, ecclesiastical, sacramental and administrative powers will cease there after.



SECTION-E: ALLEGIANCE OF THE OFFICE BEARERS

All the elected or appointed office bearers of the Archdiocese shall discharge their respective duties in complete allegiance to the Holy Throne of St. Peter and the Patriarch of Antioch and All the East and his representative, the Archbishop. If and when an office bearer deviates from the allegiance or denounces the Holy Throne or denounces the Apostolic Bulls / Orders from His Holiness, his temporal and administrative powers will cease there after.

SECTION-F ALLEGIANCE OF THE MEMBERS

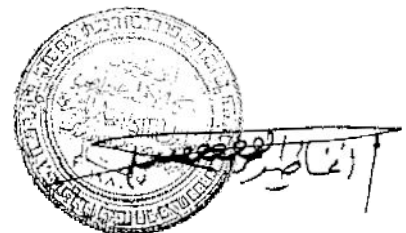
All the members in the affiliated parishes shall carry out their respective duties and responsibilities in full allegiance to the Archdiocese and to the Universal Syrian Orthodox Church and to His Holiness Moran Mor Ignatius Zakka I Iwas, Patriarch of Antioch and all the East, and to his legitimate successors in office. If a member of a parish within the Archdiocese deviates from the allegiance or denounces the Holy Throne of St. Peter, his membership rights will cease there after.

ARTICLE IV OWNERSHIP

His Holiness Moran Mor Ignatius Zakka I Iwas, the Supreme Head of the Universal Syrian Orthodox Church, and His legitimate successors in office shall be known as the legal and equitable owner of the all Archdiocesan properties, be they movable or immovable. No individuals, trusts, corporations, parishes, congregations or organizations shall hold or possess any assets of the Archdiocese, of any kind, or should any of the foregoing have legal title to such assets, same shall be held in trust for His Holiness Moran Mor Ignatius Zakka I Iwas, the Supreme Head of the Universal Syrian Orthodox Church, and His legitimate successors in office. The Archbishop, an office bearer or any appointed person shall not have the power to encumber, alienate, sell or dissolve the properties of the "Malankara Archdiocese of the Syrian Orthodox Church in North America" without the written approval of the Syrian Orthodox Patriarch of Antioch and all the East.

ARTICLE V DISSOLUTION

- Section- I This Diocese and its office bearers or members shall not have the power to dissolve this organization as long as the Holy See of Antioch and all the East exists.
- Section-II In the event that no person or persons of the Universal Syrian Orthodox faith are left in the United States and Canada, a bona fide representative of the Holy See of Antioch with proper authorization, shall have full power to administer the Archdiocese and all of its properties.



ARTICLE VI

JURISDICTION

The Archdiocese and all its parishes shall be under the direct jurisdiction and control of His Holiness Moran Mor Ignatius Zakka I Iwas, Patriarch of Antioch and All the East, Supreme Head of the Universal Syrian Orthodox Church and His successors in office. His Holiness shall be the appellate authority whose decisions shall be firm final and without appeal on all Spiritual, Sacramental, Ecclesiastical, Temporal, Administrative, and Disciplinary Matters or any dispute within the Archdiocese. Since the Archbishop is the representative of His Holiness the Patriarch, he shall administer all the sacramental, ecclesiastical and temporal affairs of the Archdiocese in order to uphold the True Faith of The Holy Church and maintain spiritual conformity and discipline within the Archdiocese.

ARTICLE VII

COMPOSITION AND STRUCTURE OF THE ARCHDIOCESE

All parishes / congregations under the Holy Apostolic See of Antioch and All the East, with faithful believers who are following and professing the Syrian Orthodox faith and its venerable traditions (hereafter referred to as Malankara Parishes), are the only legitimate members of the Archdiocese. Each Malankara Parish must adhere to the Universal Syrian Orthodox faith and Apostolic orders and guidance beyond doubt through the Sacrament of Baptism and other Holy Orders and confess the faith as confirmed in the Nicene Creed. No Malankara Parish shall be established within the Archdiocese without prior written permission from the Archbishop Metropolitan.

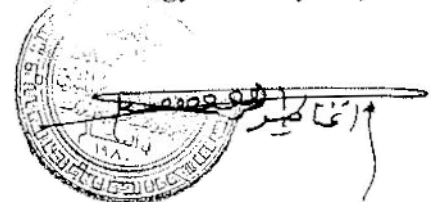
The minimum requirement to form a new Malankara Parish shall be fifteen families that are not members of any of the Archdiocesan Malankara Parishes within twenty-five miles. All new Malankara Parishes must be affiliated with the Archdiocese and they are bound to obey the rules and regulations of the Holy Church and the Malankara Archdiocese.

ARTICLE VIII

THE ARCHDIOCESAN DELEGATES MEETING

The Archdiocese shall have a Delegates' Meeting, consisting of all the Malankara Parishes within the Archdiocese. The Delegates shall meet at least once a year or as needed. It shall make decisions with a two-thirds (2/3) majority on administrative matters of the Archdiocese with the approval of the Metropolitan. The Vicar of each Malankara Parish and two lay representatives, 21 years of age or older, elected by the membership or general body of that Parish, shall be the official delegates. The elected representatives shall produce a certification from the Vicar of that Parish stating that they are the elected representatives, indicating the date of membership or general body meeting during which the election was held. The Archdiocesan Council members shall participate in the Delegates Meeting as observers without voting rights unless they are elected as delegates by the membership or general body of the respective Malankara Parishes. In case of the absence of a Vicar in a particular Parish, the Archbishop / Metropolitan shall have the power to authorize the representatives from that Parish.

Written notice with Agenda, time, date and place shall be sent by the Archdiocesan Secretary to the vicars of the Malankara Parishes at least six weeks prior the meeting. The Delegates Meeting shall elect fifteen members to the Archdiocesan Council, consisting of clergy and lay members, giving representation to all regions of the Archdiocese. The specification of the regions and the ratio of clergy and laity may be



determined by the Delegates Meeting with the approval of the Archbishop. The Council shall have the primary responsibility of assisting the Archbishop in managing the day to day affairs of the Archdiocese.

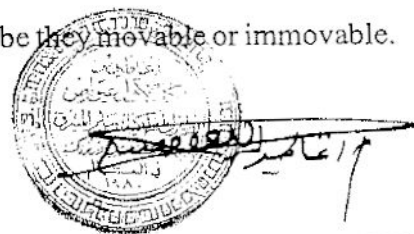
Director of Sunday Schools, Secretaries, Treasurers and other office bearers for St. Mary's Women's League, Youth Association, The Association for Protection of Antiochean True Faith, MGSOSA, and St. Paul's Men's Fellowship shall be elected at their own membership or General Body meetings, during the Annual Convention, or at a special Delegates' Meeting called with an agenda for elections. The Secretary of the Clergy Council and Clergy Council members shall be elected from the General Body of the Clergy Association meeting during the Annual Convention, or at a special Delegates' Meeting called with an agenda for elections. For the Sunday School Association, St. Mary's Women's League, Youth Association, The Association for Protection of Antiochean True Faith, MGSOSA and for St. Paul's Men's Fellowship, the Delegates' Meeting will elect 6 clergymen as Vice Presidents.

The term of office of all elected office bearers shall be 2 years. All elected candidates and their positions shall be confirmed by the Archbishop and declared as soon as the elections are over. Within one month of the Annual Archdiocesan Delegates Meeting, the minutes of the Delegates meeting shall be sent to all Malankara Parishes.

All decisions taken by the Archdiocesan Delegates Meeting from the properly distributed agenda items shall be binding on all the member parishes. The Board of Trustees / Managing Committee and the membership or general body meetings of a member Parish shall have no authority to overrule, amend, revoke or disobey the decisions of the Archdiocesan Delegates Meeting. Any decisions of relevant matters not included in agenda but presented as other matters allowed by the Chairperson, shall be ratified by the membership or general body of each Parish by a two-thirds (2/3) majority before enacted as a law or a decision of the Delegate meeting.

The Archdiocesan Delegates' Meeting shall:

1. Appropriate funds for the activities of the Archdiocese;
2. Approve or disapprove annual accounts;
3. Enact and decide on amendments to the Constitution and Bylaws;
4. Formulate general policies for the functioning of the Archdiocese;
5. Elect Secretary, Joint- Secretary, Treasurer, Joint- Treasurer and other members Archdiocesan Council;
6. Buy, sell, rent, lease, create mortgage or acquire properties for the Archdiocese, only in the incorporated name of the Archdiocese and subject to the approval of His Holiness, The Patriarch;
7. Decide the amount of the diocesan dues to be collected from each Parish and member families of the parish within the Archdiocese.
8. Annually account for all the properties of the Archdiocese be they movable or immovable.



Title to all real estate and other assets should be jointly in the name of the Patriarch of Antioch and in the ecclesiastical name of the Metropolitan / Archbishop who assumes the position of the Representative of the Patriarch of Antioch and All the East. If and when the Metropolitan who has been appointed by the Holy See denounces the Holy Throne or deviates from his spiritual mission, The Patriarch shall have full authority to forfeit / recover all of the Diocesan properties thereof.

The representation from a Malankara Parish to the Delegates' Meeting is specified to be the Vicar and two lay representatives. However, the delegates, upon a further perusal, proposed to modify that article to name the Vicar and two lay representatives for a Parish that has up to 50 families, three lay members for Parishes having up to 75 families, four lay members for Parishes having up to 100 members and five lay members for Parishes having over hundred families.

ARTICLE IX THE GOVERNING BODY OF THE ARCHDIOCESE

Section-1 COMPOSITION

The Archdiocesan governing body shall be called The Archdiocesan Council. The Archdiocesan Council shall consist of fifteen elected members, and the Archbishop. The ratio of clergy and laymen shall be decided by the Delegates' Meeting. In the absence of the Archbishop, a Metropolitan, with a written authorization from The Patriarch of Antioch and All the East shall preside over the Delegates' Meeting.

Section - 2 ELECTION & TERM OF OFFICE

Total membership of the Archdiocesan Council shall be fifteen, excluding the Archbishop. Of the fifteen elected members, a clergy shall be elected as the Secretary and another clergy shall be elected as Joint Secretary. A lay person shall be elected as Treasurer, and another lay person shall be elected as Joint Treasurer, whose respective term of office shall be two years each. Immediately following the election, with the approval of the Archbishop, the names and designations of the members shall be announced in the Diocesan General Body. Six Clergymen shall be elected as Vice Presidents of the spiritual organizations at the Delegates Meeting and their respective terms of office shall be two years.

Section - 3 REMOVAL

Any elected member of the Council may be removed from office, by the vote of two thirds (2/3) majority of a quorum of the Delegates' Meeting, upon willful violation of this Constitution of the Archdiocese or deliberate actions against the best interests of the Archdiocese or the Universal Syrian Orthodox Church or its Patriarch of Antioch.

Section - 4 RESIGNATION AND RE-ELECTION

If the Secretary or the Treasurer resigns from office, such resignation shall be submitted to the Archbishop / Metropolitan. The Metropolitan at such a situation, shall appoint the Joint Secretary or the Joint Treasurer to complete the term of the resigning officer after convening a Council Meeting. The resigned Secretary or Treasurer shall present all of the current minutes, records and bank accounts to the Council. The elected auditors shall verify the books and accounts before the appointment of a new office bearer. If a

