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DIOCESE OF THE ARMENIAN CHURCH OF AMERICA, 630 SECOND AVENUE, NEW YORK, N. Y. 10016 212 686-0710

ARCHBISHOP TORKOM MANOOGIAN, PRIMATE

March 24, 1982

TO: The Reverend Clergy, Parish Council Chairmen & Delegates

SUBJECT: Holy Cross Armenian Church of Toronto, Canada

The statement "To Our Faithful in Toronto" explains the reasons why the Primate and Diocesan Council were forced to make the unpleasant decision of dissolving the Parish Council and the Parish of the Holy Cross Armenian Church, and also the necessity to reorganize a second parish in Toronto:

"To Our Faithful in Toronto:

It is with a deep sense of concern that we address you today in a matter that is of utmost importance to our faithful in Toronto and to the Diocese.

Prior to accepting the newly formed Holy Cross Parish in Toronto, Canada, in mid-1979, we, together with the Diocesan Council made it perfectly clear to the members of the Parish Council of the Holy Cross Parish that the Bylaws of the Diocese of the Armenian Church of North America must be adhered to by the officers of the Parish. By their signatures, the Parish Council agreed to abide by the Bylaws, and we, together with the Diocesan Council, accepted the Holy Cross Parish within our Diocese and ratified the Parish Council.

In accordance with the practice of our Diocese, in 1980 the Diocese assigned the Holy Cross Parish an assessment according to the formula accepted by the Diocesan Assembly on the basis of the data provided to the Diocese by the Holy Cross Parish of Toronto.

In 1980, the Holy Cross Parish Council of Toronto, without the knowledge of the Primate and the Diocesan Council, sent a written inquiry to the Taxation Department of Canada regarding the payment of assessments to the Diocese, inferring further that such a transfer of funds from one country to another could be in violation of the Canadian Income Tax Act

regarding Canadian charities. We question the intention of the authors of that document. They jeopardized the tax exempt status of all Armenian Churches in Canada by specifically making reference about them in their letter to the Canadian Taxation Department, saying, "in fact, we do not think that any Canadian charitable organization receives any benefits from these tax dollars that go to New York." This statement by no means corresponds to reality.

We attempted to explain to the officers of the Holy Cross Parish, in person together with the Diocesan Council, that this action was not a wise choice and appealed to them to refrain from pursuing it further.

The Diocesan legal counsel wrote to the Canadian Taxation Department explaining the structure of our Diocese in relation to its parishes and providing further information regarding the function and the services performed by the Diocese for these parishes. The Canadian Taxation Department, in its response, stated that "if the Diocesan dues are payment for services rendered, such would be an acceptable practice under the Tax Law, and that the Holy Cross Church should verify this contention."

When the officers of the Holy Cross Parish remained adamant in their viewpoint, together with the Diocesan Council we presented the complete details of the situation to the Diocesan Assembly in May 1981 asking for direction from the Assembly. The Diocesan Assembly found the Holy Cross Parish to be in violation of the Diocesan Bylaws by virtue of the non-payment of their Diocesan assessment. The Diocesan Assembly further found the Holy Cross Parish to be in violation of the spirit of the Diocesan Bylaws. The Diocesan Assembly charged us and the Diocesan Council to further investigate the matter and make whatever action we deemed necessary.

We together with the Diocesan Council again made numerous attempts by letter and telephone calls to dissuade the Parish Council of the Holy Cross Parish. On several occasions, we and representatives of the Diocesan Council went to Toronto to meet with the officers of the Holy Cross Parish in an effort to resolve the issue. However, all of these attempts failed.

The officers of the Holy Cross Parish have not paid their assessment since the parish joined the Diocese in 1979, with the exception of one occasion when on behalf of the Holy Cross Parish the Diocese was sent one thousand dollars by the legal counsel of Holy Cross parish "as a gesture of goodwill" towards the Parish's obligation to the Diocese. We found the behavior of the Holy Cross Parish officers

completely unacceptable and in violation of all traditions of the Armenian Church. This was an unprecedented behavior in the history of our Diocese. We returned the check for one thousand dollars to the legal counsel, stating that the Diocese does not make a practice of communicating with its parishes through paid intermediaries.

In a final attempt to reason with and to resolve the issue with the officers and parishioners of the Holy Cross parish, together with the Diocesan Council we directed the Parish Council to invite a Special Parish Assembly of the Holy Cross Parish on Sunday, February 21, 1982. Unfortunately, because of the non-cooperative spirit of the officers of the Holy Cross Parish in providing addresses, the parish priest was unable to send invitations for this Special Parish Assembly to all of our voting members of the Holy Cross parish of Toronto. Thus, only some of our faithful received our invitation, the agenda of the meeting, and our explanation regarding the situation within the parish. The agenda for this Special Parish Assembly included the specific condition that "the Diocesan Council expects and proposes that the Parish Assembly order:

1. that the Parish Council faithfully abide by the Diocesan Bylaws.
2. the Parish Council execute the directives of the Primate and the Diocesan Council.
3. the Parish Council pay in full the Diocesan assessment as approved by the Diocesan Assembly."

Three Diocesan Council members were appointed by us and the Diocesan Council as our plenipotentiary representatives for the above-mentioned Special Parish Assembly, with the specific functions of President, Chairman and Secretary of the Special Parish Assembly.

The Special Parish Assembly of the Holy Cross Parish was an experience which the Diocesan representatives would prefer to forget. The officers of the Holy Cross Parish first insisted on disenfranchising the Diocesan representatives from administering their functions on the unfounded assumption that the Primate and the Diocesan Council had no authority to convene or to conduct a Special Parish Assembly.

Eventually during the meeting when the Diocesan representatives were given the opportunity to exercise their functions, the officers of the Holy Cross Parish and some members of the Parish Assembly with their abusive and

belligerent behavior forced the representatives of the Primate and the Diocese to leave. The special proposal on our agenda was not even given a chance to be discussed properly and to be voted upon by the Assembly. Consequently, the Diocesan representatives painfully stated to the Parish Assembly that as of February 21, 1982 the Holy Cross Parish of Toronto was dissolved as authorized by the Primate and the Diocesan Council.

We have also made the decision to deprive the following individuals of the privilege of voting membership and of holding any elected or appointed office within our Diocese until February 1987:

- Armen Kurkjian
- Dr. A. Vartan Aynacian
- Ghevont Shahmelikian
- Jerayr Hanemyan

We also direct you, our faithful, to refrain from participating in any Church Service conducted in the name of or sponsored by the former Holy Cross Parish of Toronto.

We know of your loyalty to the Armenian Church and to the Diocese of the Armenian Church of North America. Out of our concern for you, our faithful, we have made the decision to reorganize our Parish in Toronto, and are assigning Reverend Father Houssig Nishanian to take care of the sacramental and ritual needs of the Parish; and, Deacon Krikor Zemerootian will serve as Spiritual Administrator along with a Parish Council.

We hope that you, the devoted members of the Armenian Church, will gather around the assigned Parish Council and build a new peaceful spiritual home for you and your children.

May the Lord God bless you and your families and keep you firm in the faith of our forefathers. "

Prayerfully,

Abg. Torkom Manoogian

Archbishop Torkom Manoogian
Primate

ATM:lh