

*The Spiritual Court concerning the case of Fr Raphael Johnson opened up at 2:30 PM EST. Present were Metropolitan John of New York, Archbishop Philip of Philadelphia, Bp Alexios of Hazelton and Weatherly, Fr Elias Yelovich representing Archbishop Joseph of Edmonton and Canada, Fr Vincent Durstewitz representing Archbishop Hilarion of Texas, Hieromonk Moses representing Bishop Cristodulos of Miami and Santiago, Hierodeacon John, representing Bishop Sava of Caracas and Venezuela. Br Anthony acted as Protonotary, and Hieromonk Enoch and Deacon Joseph Suaiden were present as Plaintiffs.*

2:40 PM The Proceedings opened up with a prayer and service of intercession for God's help and aid in the decisions.

After this, Br Anthony, acting as Protonotary, announced the reason for the trial: “Your holinesses are aware that recently a petition was sent to the most God-beloved Bishops of the Holy Synod, submitted by the Reverend Priest-Monk Enoch, of the Monastery of the Holy Name, against the Priest Raphel, of Fayetteville. The aforesaid Reverend Priest-Monk Enoch, has now presented to your sacredness this plaint against the aforesaid Priest Raphael, and I hold this plaint in mine hand and present it for your good pleasure.”

2:41 PM The Chief Bishop of the Tribunal (usually the Metropolitan) then says:

“It is well known to this God-beloved Court that a plaint was sent to the Holy Synod of Bishops. It is therefore necessary that whatever is brought forward should be examined by our sentence. Therefore let the plaint that has now been presented by our most reverend son, the priest and monk Enoch, be read by the most God-beloved Protonotary.”

2: 42 PM Br. Anthony read the Plaint: as follows:

*“To the Bishops of the Holy Governing Synod, from Hieromonk Enoch of the Abbey of the Holy Name, speaking on behalf of himself, Deacon Joseph Suaiden of WilkesBarre, and the Orthodox Faith.*

*In light of the confusion of these last days, it is utterly important to make sure that the Faith of the Church is respected within Her Saving Bosom, and not spurned. It is with this aim that the Fathers of the Synod issued an anathema against the noxious heresy of nameworshipping (“Imyaslavie”) less than two years ago. Whereas outside the enclosure of the protection of the anathema there remains only chaos and schism, within we have been at relative peace. And it is for this reason that it has come to the attention of many that the Godfearing Priest Raphael Johnson of Fayetteville has in fact written extensively dismissing the heresy of Imyaslavie as something unworthy of our attention, and by extension, dismissed the purpose of the anathema to begin with. And it also fell to our attention that the Godloving Father Raphael has written extensively and given interviews on a number of matters relating to Church teaching at variance with the Holy Church, mostly notably the dismissal of the condemned heresy of phyletism as an elaborate hoax, thus undermining the conciliar authority of the Church both today and yesterday. Further, the Godfearing Priest Raphael has been working with and making speaking engagements with “White Nationalist” and NeoNazi groups under the banner of a sort of umbrella political organization which he helps to operate. It is unfortunate that some of these men had been baptized by the most reverend Father Raphael, clearly with a teaching foreign to Orthodoxy that needs to be corrected, most notably a strange “panwhite ecumenism” which has no place in any Church that claims to put the Gospel first. Unfortunately attempts at correction have failed, and it seems clear that they have no interest in adopting the teaching of the Church, as opposed to their own teaching, which appears to be based in identity movements. Besides open and public scandal that this has caused, a number of our own clergy are upset and shocked that this has occurred,*

*and it seems the Godloving Father Raphael is telling people he has been open with his ideology for years, when in fact this has been largely unknown to the Church. Even worse, he has decided upon putting such ideology into political action, which could have repercussions for many of our clergy as well as their families, and has even called for the deposition of a deacon in good standing of the Church, though in his piety he retracted. For these reasons, all of which are deposable offenses open preaching of heresies and acting upon them in political organizations, condemnation of brother clergy, preaching his own peculiar views to people as those of the Church, and improper catechesis imparting said heresies I request the Godfearing Father Raphael be tried by spiritual court and be held accountable for his actions, as well as anathema to these strange new teachings.*

*I, Hieromonk Enoch at the Abbey of the Holy Name, West Milford, NJ, have presented this plaint signed by my own hand."*

2:45 PM Br Anthony: "Fr Raphael is not present to answer before this tribunal."

Metropolitan John: "Has an excuse been given?"

2:47 PM Brother Anthony proceeded to read the text of Fr Raphael's last letter, written Thursday night:

"Dearest Father John:  
Bless

I apologize for my behavior last night. While I take nothing back, it was not proper for me to address you in such harsh tones.

I am willing to condemn White Nationalism, "name worship" (as we've discussed). I'll even write a full paper on the subject.

I will seek another producer for my radio show. I have one in mind.

I will remove all public comments about this from my website and from Radio Aryan, if I can. My site I can do, the rest is out of my control. I do this only if all references to my trial are removed from the synodal website.

I will reword things as the synod requires, but will not remove entire papers.

The Name Worshipers were condemned. The heresy is worth condemning. The Phyletists were condemned. That heresy is worth condemning. It must be understood that the whole Orthodox world rejected that council at the time.

I will continue to be politically active, since its been my life since I was 17. I will not be involved in any electoral politics, however. These are only issues of justice. I have a speech with the American Nationalist Union next month. This is not a neo-nazi group. In the future, I will not be involved with the National Socialist Movement, the only neo-Nazi group who has been present at my speeches. I will not speak with anything they are a part of, though I accept their ideology about 75% of the time.

I am a Social Nationalist ideologically. That's because they are correct. Examples of this would include Alexander Lukashenko of Belarus or Dimitrije Ljotic in Serbia.

There is nothing evil about "fascism." I will not condemn it. There is nothing wrong with the Traditional Worker Party. However, I will make certain to tell Matt that terms like "faith" are to be handled differently.

I will condemn any ideology that puts any element above that of the Holy Faith. The faith comes first. I will not consent to being "supervised" by anyone unless they can demonstrate they are more knowledgeable than me in my field.

If this is unacceptable, then I withdraw from the synod as of this moment. Hence, there can be no trial

since I am not a part of the synod.  
My conscience is clean, but my heart is broken.”

2:50 PM After the reading, Fr Enoch: “I ask your beatitude to give instruction that the account that has just been read by the notary be included in the text of the minutes.”

Metropolitan John: “Let the account that has just been read by the Protonotary be included in the text of the minutes. It is also appropriate that in accordance with the Canons of the Holy Fathers there should again be sent to the reverend Priest Raphael, a summons a second time to appear before the spiritual court.”

2:51 PM Fr Enoch: “Because of the aforesaid certain charges against the Reverend Priest Raphael, I ask Your Beatitude to order him to attend this spiritual court.”

Brother Anthony: “What is the pleasure of Your Beatitude and this Spiritual Court on this subject of the proposed second summons?”

2:53 PM Metropolitan John: “It is appropriate and canonical that he be summoned a second time.”

Br Anthony: “Will the Spiritual Court allow the Plaintiff (or Defense) to challenge the reasonableness of the excuse?”

Metropolitan John: “What does the Plaintiff say about the reasonableness of the excuse rendered to this spiritual court?”

2:55 PM Fr Enoch responds:

“Your Beatitude, Your Eminence, Your Graces, and their legates:

We come before you today on a matter of grave importance to our Church. As has been read by the court, the plaint by myself, the Hieromonk Enoch, and the Deacon Joseph, enumerates charges of heresy and severe disciplinary issues. First, the plaint says: “....Priest Raphael Johnson of Fayetteville has in fact written extensively dismissing the heresy of Imyaslavie as something unworthy of our attention, and by extension, dismissed the purpose of the anathema to begin with.”

In a recent communication delivered on Thursday night, the Priest Raphael in question has stated that he is willing to condemn “name-worship” (quotes his.) He also states “the name-worshippers were condemned. The heresy is worth condemning.” However, we wonder how the priest Raphael can make these statements, since he has previously based much of his apologetic and argument on the belief that name-worship, or onomatodoxy, which has been anathematized in fact as a real heresy by our Church is not, in his view, a real heresy, and has stated in arguments that it is some abstract teaching that no one in fact believes. Who does he say the name-worshippers condemned were? Does he accept that the name worshippers named in the anathema, notably the monk Ilarion, the deposed hieromonk Anthony Bulatovich, and the deposed hieromonk Gregory Lourie are in fact guilty of the heresy and the charge for which they were deposed by their respective Churches at the respective times? The priest Raphael, now states “the heresy is worth condemning.” Yet again, I am forced to question his sincerity on this. I do not intend to state that no one is capable of changing their mind and repenting of endorsements of heretical teachings which the priest Raphael has done in his paper on Imyaslavie, as well as his numerous replies to the Metropolitan, all of which have been made public by Fr Raphael himself, and

in many cases private replies to the Metropolitan, which have been forwarded to the judges of the court.

Does the priest Raphael condemn the heresy of imyaslavie as a real heresy, held by real people, taught by real people, for over 100 years? And does he also admit that he was in grave error to ignore the anathema of our Church against this heresy? If so, why has he not come before this court to give testimony of his change of mind? If so, why does he feel that he does not need to remove a paper, the thrust of which is that nobody, save himself, can understand and condemn (or God forbid, laud) the teaching of name-worship? Even more important, if he is in fact repentant, why has he demanded our acceptance of his statement, upon which he will choose to recognize his own ecclesiastical trial? Who has ever heard of a priest giving orders to his Bishops on these matters? For any real movement on this issue, the priest Raphael must not only fully remove his previous papers, but must publicly condemn these writings of his as an error and as contrary to the teachings of the Holy Church.

Therefore, the priest Raphael should at the very least have signed a statement, condemning all the persons in the anathema, agreeing with the anathema, agreeing with the Conciliar statements of 1913 in Greece and Russia. Only in this way, could he be saved.

Likewise, in response to the second charge of the plaint, reproduced thus:

“2. Father Raphael has written extensively and given interviews on a number of matters relating to Church teaching at variance with the Holy Church, mostly notably the dismissal of the condemned heresy of phyletism as an elaborate hoax, thus undermining the conciliar authority of the Church both today and yesterday.”

The priest Raphael, in his most recent missive, states “the phyletists were condemned. That heresy is worth condemning.” In context, I must respond with the exact statement I just read, simply substituting “phyletism” for “name-worship,” because it seems that is exactly what Fr Raphael has done. As we must reiterate, the purpose of this court is not to debate whether name-worship and phyletism are heresies. For once the anathema of the Church has been uttered on a condemned teaching such as imyaslavie or phyletism, the debate is over. In fact, it was over 100 years ago, and all we did was complete a process interrupted by war and chaos in global Orthodoxy.

Thus I reiterate to the court that all the argument by Priest Raphael to “muddy the waters” on the question of imyaslavie or phyletism is irrelevant. They are condemned, and all members of the Church must accept condemnation. And if any member of the Church, especially a cleric, has come out to attack the competency of the Church, in particular our Synod, to make judgments on the matter, and has stated as well that he will only rewrite something or remove any reference to his scandalous attacks on the Synod-- as well as the Reverend members of the Synod-- if we remove a simple public notice of his ecclesiastical trial, containing only the summons, the plaint, and the time of the trial. I should note that if the priest R. had chosen not to hold this spiritual court in contempt but had chosen instead to come here in person, and if the court had-- in theory, exonerated him of any charges-- the public notice would in no case have been removed, because it is a public notice. Similarly, if a cleric is ordained and absconds from the Church, we do not remove the record of his ordination, so why would we do so in the case of an ecclesiastical trial?

In the Plaint, we wrote the following: “...Priest Raphael has been working with and making speaking engagements with “White Nationalist” and NeoNazi groups under the banner of a sort of umbrella

political organization which he helps to operate.” In response, Priest Raphael made a few comments in his email. The first is a claim that he is “willing to condemn White Nationalism... I will continue to be politically active... I will not be involved in any electoral politics, however... There is nothing wrong with the Traditionalist Worker Party” further listing organizations he would not be a part of and which ones he would still work with. While dealing with the question of White Nationalism and Neo-Nazism would be something that should be dealt with by the Synod (and something we request to deal with alongside other worldly self-worshipping philosophies at the next meeting of the Council) it would seem that the Priest Raphael does not quite understand that priests are not supposed to be involved in secular politics to begin with, and that the penalty for descending from the heights of the priesthood to the depths of worldly politics is a deposable offense. To wit, we provide the following canons:

***Holy Apostles, Canon 81.*** *We have said that a Bishop, or a Presbyter, must not descend himself into public offices, but must attend to ecclesiastical needs. Either let him be persuaded, therefore, not to do so, or let him be deposed. For no one can serve two masters, according to the Lord’s injunction.*

***St Nikodemos says:***

*This Canon too, like the sixth one, prescribes that those in holy orders must not meddle in worldly affairs, since it says: We have said (i.e., in our Canon VI) that a bishop or presbyter must not lower himself into political and secular affairs and business, but must confine his activities to sedulously looking after the service and wants of the Church. So either let him be persuaded not do anything of the kind henceforth, or, if he cannot be persuaded, let him be deposed. For no one can serve two masters and please both of them, as the Lord says (Matt. 6:24; Luke 16:3). See also the Interpretation of Ap. c. VI.*

***Holy Apostles, Canon 6.*** *A Bishop, or Presbyter, or Deacon must not undertake worldly cares. If he does, let him be deposed from office.*

***St Nikodemos says:***

*Those in holy orders are not allowed to get themselves involved in worldly matters, but are required to devote their time to the divine service of their profession, and to keep their mind free from all confusion and disturbance of life. Hence it is that the present Canon decrees that a bishop, or a presbyter, or a deacon must not undertake or take upon himself cares of life. If, though, he do so and refuses to forgo them, but on the contrary persists in them, let him be deposed. The Nomicon of Photius, in Title VIII, says that bishops must not undertake cares and become trustees, even of their own relatives, according to cc. XIII, XIV, XV of Title I of Bk. III of the Basilian, except only in case that trusteeship is for the purpose of distributing alms or charitable gifts in behalf of their deceased relative, according to Novel 68 of Leo the Wise. Read also the above concordant Canons, prohibiting clergymen from worldly cares.*

***Fourth Ecumenical Council, Canon 3.*** *It is come to the (knowledge of the) Council that some of those who had been listed in the roll of the Clergy hire other men’s estates for the sake of filthy lucre, and undertake to negotiate secular affairs, to the neglect of the Divine liturgy, and betake themselves to the families of secular men, whose estates they undertake to manage out of love of money. Therefore the holy and great Council decrees that no Bishop, Clergyman, or Monk shall henceforth be allowed to farm any estate or office, or to involve himself in secular cares, unless he be unavoidably called by*

*laws to the guardianship of minors, or the Bishop permit him to take care of the affairs of the church, or of those of orphans or widows unprovided for, and of persons in especial need of ecclesiastical assistance, for the fear of God. If anyone presume to transgress hereafter any of the rules herein decreed, that person shall be liable to ecclesiastical penalties (or penances).*

**St Nikodemos says:**

*The present Canon decrees that inasmuch as it has come to the ears of the Council that some clergymen, for the sake of making a shameful profit, are wont to rent the real estate of others, and to undertake outside work as contractors, or, in other words, to involve themselves in secular affairs for pecuniary profit, while neglecting the services attached to holy orders, and, on the other hand, entering the homes of secular persons and assuming the management of their property on account of avarice. For this reason this holy Council has decreed that henceforth no bishop or clergyman or monk shall rent real estate or involve himself in the management of secular affairs, except only in case he should be called upon by the laws to become a guardian of minors (children are called minors from the time they are born until the fourteenth years of their age), or a curator, by which term is meant one who takes care of and attends to the needs of adolescents (persons are called adolescents from the fourteenth to the twenty-fifth years of their age), and unless the bishop of the city should urge him to take care of the affairs of the church, or orphans, and widows unprovided for, and other persons that are in especial need of ecclesiastical help and assistance, nor for the sake of any profit or gain, but only for the fear of God. If anyone, on the other hand, should dare at any time hereafter to transgress these rules, such person shall become liable to the ecclesiastical penalties. But what are these? They are those prescribed by the Apostolical Canons. Their forfeiture, that is to say, of the clericate. Read also Ap. c. VI.*

**Fourth Ecumenical Council, Canon 7.** *We have decreed in regard to those who have once been enrolled in the Clergy or who have become Monks shall not join the army nor obtain any secular position of dignity. Let those be anathematized who dare to do this and Jail to repent, so as to return to that which they had previously chosen on God's account.*

**St Nikodemos says:**

*The present Canon prescribes that clergymen and monks must not become soldiers, nor assume secular dignities. Those who do these things and fail to return again to their former occupation in life, which they chose on God's account, are to be anathematized. But why is it that Ap. c. LXXXIII only deposes these men from office, whereas this Canon anathematizes them? Either the former Canon is referring to those, according to Zonaras and the other interpreters, who engage in such things while wearing the habit of the clergy; whereas the present Canon is speaking of those who discard even the clergyman's or monk's habit before engaging in such things. Or perhaps the present Canon is referring to those who, after once daring to do such things, refuse afterwards to repent and to return to their former life (which the Ap. c. does not say), and for this reason it has made them liable to severer punishment on the ground that they are unrepentant. See also Ap. c. VI and c. XVI of the present Fourth.*

**18.** *It has pleased the Council to decree that Bishops, and Presbyters, and Deacons shall not become farmers or procurators, nor derive any profit from anything that is shameful and dishonorable. For they ought to take into consideration that which is written: "No one campaigning for God will entangle himself in worldly affair" (II Tim. 2:4).*

**St Nikodemos says:**

*Those in holy orders ought not to farm, i.e., rent real estate belonging to others, or become procurators, that is to say, more plainly speaking, caretakers and managers of worldly matters and mundane businesses of any kind (for the word cura is a Latin word signifying care and governing), as the present Canon decrees, nor ought they to take the proceeds from any undertaking that is shameful and dishonorable....For if according to St. Paul no soldier (in the army) meddles in other matters, in order to please his earthly king, how much more is it not true that no soldiers of God in holy orders ought to involve themselves in worldly cares, in order to please their heavenly King. Read also Ap. c. VI and c. IX of the 6th.*

These canons, we believe, are sufficient to establish that Priest Raphael's political activities, despite the fact that he is not involved in "electoral politics" (whatever that means) place him under the interdict of the Church.

Finally, the Priest Raphael has publicly and slanderously insulted the Archbishop of Edmonton, JOSEPH. Worse still, this seems to be part of a pattern. As we noted in the plaint before the insults of Archbishop JOSEPH: "he has decided upon putting such ideology into political action, which could have repercussions for many of our clergy as well as their families, and has even called for the deposition of a deacon in good standing of the Church, though in his piety he retracted."

Let us add to that that after a week after demanding the deposition of Dcn Joseph on the false claim that he was a Marxist, he then demanded Hieromonk Enoch's deposition presumably on similar grounds. Moving onto larger offices, he then accused Archbishop of Joseph of a variety of offenses, including:

- Attacking his devotion to True Orthodoxy, although his journey to our Synod was not only very clear, but one in which many clergymen were involved
- Accused him of past associations with men of less than favorable character, which are themselves untrue, and irrelevant has Vladika Joseph, after over a year of investigation by our Church and discussion with him over the pastoral needs of his flock, was received by us through cheirothesia.
- Claiming that his invitation to local Canadians of all backgrounds to his Church on his website was "antithetical to True Orthodoxy".
- Falsely claiming that Vladika Joseph was the financier of the Abbey of the Holy Name to gain leverage to have the Priest Raphael deposed.

There are minor insults thrown at the Archbishop of Edmonton and Canada, but the most flagrant public slanders are above.

Not content with insulting one Bishop, he then attacked the competency of the entire Synod, claiming their consecrations were unacceptable, and that there is no proof of an education among any of them, and bizarrely discussed an influx of “Afro-Cubans” entering our Synod. Despite the fact that we would gladly welcome any Orthodox Afro-Cuban, we literally have no idea what he is talking about, but in the end, Fr Raphael not holds all our Bishops in contempt, but further seems fully unrepentant about public slander. As he told the Metropolitan, he said he will “accept the teaching authority” of the Bishops when they accept his.

While there are a number of disciplinary canons for clergy, we provide the entire of Canon 6 of the Second Ecumenical Council here, as it appears to deal with this situation in verbatim.

*6. Because many men, in a spirit of enmity and for purposes of slander being desirous to confound and subvert ecclesiastical discipline, connive to fabricate certain charges against Orthodox Bishops managing the churches, in an attempt designing nothing else but to sully the reputation of the priests and to raise disturbances among peoples who are at peace; on this account it has pleased the holy Council of the Bishops who have convened in Constantinople to decree that informers are not to be admitted without examination, nor are all men to be allowed to bring accusations against those managing the churches, nor yet are all to be excluded. But if anyone lay a personal grievance, that is, a private complaint, against a Bishop, on the ground that he has been a victim of the Bishop's greed or other unjust treatment, in the case of such accusations neither the personality nor the religion of the accuser is to be inquired into. For then the conscience of the Bishop must be clear in every respect, and the man who claims to have been wronged should receive justice whatever be his religion. But if the indictment brought against the Bishop be of an ecclesiastical nature, then the personality of the informers must be considered, in order, first of all, not to allow heretics to make charges against Orthodox Bishops in regard to ecclesiastical matters. We call heretics those who have of old been proscribed from the Church, and those who have thereafter been anathematized by us; and in addition to these those who, though pretending to confess the sound faith, have schismatically separated and have gathered congregations in opposition to our canonical Bishops. Further, as regarding those who have previously been condemned by the Church on certain charges and have been ousted therefrom or excluded from communion, whether they belong to the clergy or to the ranks of laymen, neither shall these persons be allowed to accuse a Bishop until they have first cleared themselves of their own indictment. Likewise as regarding those who are themselves being accused from before, they are not to be permitted to accuse a Bishop, or other clergymen, until they have first proved themselves innocent of the charges placed against them. If, however, certain persons are neither heretics nor excluded from communion, nor condemned, nor previously charged with any offenses, should declare that they have an accusation of an ecclesiastical nature against a Bishop, the holy Council bids these persons to lodge their accusations before all the Bishops of the province and before them to prove the charges against the Bishop involved in the case. But if it so happen that the provincial Bishops are unable to or incompetent to decide the case against the Bishop and make the correction due, then they are to go to a greater synod of the Bishops of this diocese summoned to try this case. And they are not to lodge the accusation until they themselves have in writing agreed to incur the same penalty if in the course of the trial it be proved that they have been slandering the accused Bishop. But if anyone, scorning what has*



*been decreed in the foregoing statements, should dare either to annoy the emperor's ears or to trouble courts of secular authorities or an ecumenical council to the affrontment of all the Bishops of the diocese, let no such person be allowed to present any information whatever, because of his having thus roundly insulted the Canons and ecclesiastical discipline.*

**St Nikodemos says:**

*What the present Canon says may be stated as follows. Since many men wishing to confound the discipline and good order of the Church inimically slander Orthodox bishops, without accomplishing any other result than that of blackening the reputations of those in holy orders and disturbing the laity, on this account it has pleased this holy Council to decree that neither all accusers of Bishops be admitted nor again that all be excluded or refused admission. But if the charges are personal ones involving only financial loss, or, more specifically speaking, if anyone accuse a Bishop by complaining that he has treated him unjustly or greedily, by depriving him perhaps of some real or personal property, in such cases the person of the accuser must not be examined into, nor his religion; but, on the contrary, no matter what may be his religious views, he must have justice done to him in any circumstances. But if his accusations are of a criminal nature, such, that is to say, as might lower his ecclesiastical standing, as, for instance, sacrilege, the performance of sacred rites outside the confines of the parish, and the like, then and in that case the accusers ought to be examined, in the first place as to whether they are heretics, mistaken in doctrine, including both those who were anathematized by the Church long ago and those who have but now recently been anathematized by us. Secondly, as to whether they are schismatics or not, or, more specifically speaking, whether or not they have separated from the Church on account of any curable habits, according to c. I of Basil the Great, and contrary to the Canons, or, in other words, the catholic Bishops who have been ordained in the Orthodox manner and in accordance with the Canons, while they themselves are congregating apart by themselves. Thirdly, whether they are entirely excommunicated from the Church for some misdeeds of theirs, or have been temporarily excommunicated from the clergymen or the laymen. As for those, however, who have already been accused by others, they are not to be permitted to accuse a Bishop or other clergymen until they prove themselves innocent of the crimes imputed to them. In case, however, those bringing these ecclesiastical and criminal accusations against a bishop happen to be free from all the above enumerated defects, the holy Council commands that these persons first present their indictments of the accused bishop before the synod of all the bishops of that particular province. But if the synod of the province cannot dispose of such a case of crimes, then the accusers may carry the matter up to the greater synod of the bishops of the Diocese, and have the case terminate there. Because of the fact that in Book LX of the Basilica, Title XXVI, ch. 6, it is written that whosoever turns out to be a traitor and liar in the accusations which he makes, when it comes to the matter of punishment for this crime, shall receive that punishment which the accused one would have received if he had been found guilty, the present Canon pursuant to the civil law adds that provision that the accuser is not to commence a recital of his allegations unless he first gives a written promise to accept the same sentence and*

*punishment as a rightly and truly and justly accused bishop would have to undergo, if it be proved that he accused him unjustly and falsely. Whoever scorns these regulations and affronts all the bishops of the Diocese, and should dare to appeal his case to the Emperor, or to civil courts of secular authorities, or to appeal to an ecumenical council, shall be completely estopped from lodging an information, seeing that he has insulted the Sacred Canons and has violated ecclesiastical discipline.*

Summary: For these reasons, all of which are deposable offenses open preaching of heresies and acting upon them in political organizations, condemnation of brother clergy, preaching his own peculiar views to people as those of the Church, and improper catechesis imparting said heresies I request the God-fearing Father Raphael be tried by spiritual court and be held accountable for his actions, as well as anathema to these strange new teachings.

Your Beatitude, Your Eminence, Your Graces, Legates: We believe quite clearly that we have established grounds for discipline for the priest Raphael on your part. As it is already in the prerogative of the Metropolitan, who is Priest Raphael's ruling Bishop, to issue a suspension, as is called for in the protocol of trial procedure in the canon of Carthage, it is obviously well-known to the judges that the matter of deposition, that is final expulsion from the priesthood, is what is under consideration. While we ourselves do not have the authority to issue penalties, we reiterate to the Spiritual Court the baseline established by the Fathers of the Holy Councils is severe due to the severity of the charges. While economy and mercy can be applied, there is a reason for the penalty being so serious. If priests can freely promote views contrary to the doctrinal teaching of the Synod, and even insult the persons of then hierarchs both in print and in public speeches, and then find themselves with the lightest of censures, then it brings disrespect to the hierarchy, scandal to the faithful, dishonor to the presbyterate, and well as the mockery of the canonical discipline of the Church. Under these conditions, will not the authority of the Church itself be held in disrepute? If this is to be allowed, the teaching authority is inevitably comprised. Therefore, we make note of the severity of the canonical penalties without any negative feeling towards the priest Raphael-- who has yet chosen not to appear here-- but out of love and concern for the good order of the Church.

If the Priest Raphael had instead paid heed to the Church's anathemas, it can surely be said that much of this sad controversy would never have transpired. Indeed, if we consider the repercussions of our concerns in the plaint, the effects on the Church of Fr Raphael's are already extremely deleterious. We have seen and heard complaints, concerns and fears of our own faithful due to Fr Raphael's actions. We have opened the door for those in schism from True Orthodoxy to scandalize our faithful with the words of one of our priests-- and a priest, as we know, who shown little else but contempt for our Church. Worst of all, through what is becoming painfully clear through Fr Raphael's lack of understanding of Orthodox tradition, at least four souls, themselves imbued with Fr Raphael's errors, were washed in the waters of baptism only to find themselves spiritually in schism, for as Our Lord said, "if the blind lead the blind, will not both fall in the ditch?"

These, Your Beatitude, Your Eminence, Your Graces, are the effects of what Fr Raphael has done over the past year. Holding no personal ill will towards him, our zeal for the application of full canonical penalties is rooted in nothing more nor less than the safety of the faithful of our Holy Church.

3:25 PM Rdr. Anthony asks: "Does Your Beatitude find the excuse rendered by the Reverend Priest Raphael to be sufficient to excuse him at this time?"

Metropolitan John asked the Bishops and legates for their views on the suitability of Fr Raphael's statement as an excuse.

3:28 Fr Vincent, representing Abp Hilarion of Texas, stated flatly that he didn't find Fr Raphael's excuse much of an "excuse" at all. A lively discussion ensued on the tone of the note.

3:31 Bp Alexios of Hazleton and Weatherly pointed out that making his appearance conditioned on acceptance of his terms unacceptable. Bp Alexios further noted that there was nothing to indicate that Fr Raphael had any intention of showing up today or in 30 days.

3:33 PM Fr John, representing Bp. Sava of Caracas by appointment of the Metropolitan, pointed out that changing terms while not retracting any of his writings appeared to be bargaining.

3:35 PM Fr Elias, representing Archbishop Joseph of Edmonton, agreed noting that Fr Raphael was very carefully writing his words for a reason.

Bp Alexios pointed out that if he truly condemned Imyaslavie or phyletism heresies, what was so difficult about writing "I reject phyletism" or "I reject imyaslavie"? The judges concurred, wondering about the phrasing in the letter overall.

3:38 Abp Philip pointed out that perhaps he could be given a resignation if this was what he seemed to request. A lively discussion ensued between the Plaintiffs and the judges over Fr Raphael's wording, which was to clarify whether the use of his term "withdrawal" was a resignation or a rejection of the Synod's authority over him.

Fr Moses, representing Bishop Cristodulos, pointed out the effects Fr Raphael's teaching had already had on the public perception of what the Church was teaching thanks to Fr Raphael's months of teaching, with Bishop Alexios concurring.

3:45 Metropolitan John asked if it was possible that this was due to Fr Raphael having a bad year and whether his psychology was affected. Fr John said that it was possible that he was psychologically affected, but that this would directly affect his running of the Church. Fr Elias argued that based on his discussions with Fr Raphael, which-- taking pains to discuss Fr Raphael's psychological profile without private details, concluded that Fr Raphael is fine, and not under heavy psychological stress.

3:55 Hieromonk Enoch appealed to the judges and pointed out that it would be important to focus on the charges themselves if this was considered an insufficient excuse. Deacon Joseph appealed to the judges, noting that Fr Raphael had already made his decisions, and that the Synod's decision will affect the public perception of their own teaching.

The Judges gave the Plaintiffs and the Protonotary leave, and privately deliberated for 45 minutes, which was not recorded.

4:40 The Judges called back the Plaintiffs and the Protonotary. Metropolitan John spoke thusly:

The court, having asked for a judgment of the Bishops and their delegates, has determined the following. By a unanimous vote, we have judged Fr Raphael Johnson, of this Metropolia and of the Archdiocese of New York and New Jersey, to be guilty for the insufficiency of denying the heresy of

name-worship. We have likewise by unanimous vote, found Fr Raphael Johnson to be guilty of the insufficiency of denying the heresy of phyletism. We have Likewise by unanimous voted, determined him to be guilty of conduct unbecoming as a priest while the discussion of these issues have taken place over the course of recent years.

Because of this Fr Raphael Johnson's name is removed from the Clergy of the Metropolia of North and South America and the Bristish Isles, and the Archdiocese of New York and New Jersey. And he is henceforth considered to be a layman in the Archdiocese of New York and New Jersey.

The judgments are recorded in the archives of the Church and the sentence shall be communicated to him, since Fr Raphael Johnson is absent from this hearing, will be duly reported to him, and to the people of the Metropolia, and to the public at large. This hearing is hereby concluded, in the Name of the Father, and of the Son, and of the Holy Ghost."

All present venerated the Gospel Book and the relics present.