

THE DISPUTE OVER THE ORTHODOX CHURCH IN UKRAINE

Essay by Peter Brooke first published in *Church and State* No 135, Jan-March 2019.

Downloaded from <http://www.peterbrooke.org/politics-and-theology/>

A BRIEF HISTORY OF ORTHODOX CHURCH ADMINISTRATION

A Catholic looking at the present confrontation between the Patriarch of Constantinople and the Patriarch of Moscow over the Orthodox Church in Ukraine might well conclude that there is something to be said for a church covering many different nations with a unified hierarchy culminating in a single unquestioned (at least in principle) head.

The Orthodox Church by contrast claims to be 'conciliar' - that is that its authoritative decisions are arrived at by councils of the whole church who issue clear, legally binding 'canons'. But the only councils universally recognised as authoritative are the seven (or eight) 'ecumenical councils' held in the first Christian millennium while there was still a more or less coherent Roman Empire with an Emperor based, from the fourth century onwards, in Constantinople.

In principle there were five self governing - 'autocephalous' - churches in the Empire, churches with their own patriarchs - Old Rome, Alexandria, Antioch, New Rome (Constantinople) and Jerusalem. A council could be said to represent the whole church when all the patriarchs were represented. At the moment of the conversion of Constantine, in the Council of Nicaea (325) there were only three patriarchates - Old Rome, Alexandria and Antioch. Constantinople was made a patriarchate in the second ecumenical council (381) immediately assuming a dominant position as centre of the Empire. Then in 451 the main stream of the Patriarchate of Alexandria split away, forming what we call the 'Coptic' (Egyptian) church. A new but much smaller and weaker patriarchate in communion with Constantinople was formed. At the same council Jerusalem, previously under Antioch, was made a patriarchate.

But in the seventh century Alexandria, Antioch and Jerusalem all fell, first to the Persians then to the Muslims, and were no longer part of the Empire. In the ninth century frictions between the papacy (Old Rome - now turning to the new Germanic Empire forming in the West on the basis of peoples who had never been fully part of the Roman Empire) and New Rome resulted in two rival 'ecumenical councils', both held in Constantinople, the first (869-70) recognised in the West, the second (879-80) recognised in the East. Thereafter Old Rome managed to organise Germans, Goths, Vikings and some Slavs into its own more or less unified 'Catholic' Church, while New Rome organised mainly Slavs - Bulgarians, Serbs, Russians (Vikings again) - into its own more or less unified 'Orthodox' Church.

MOSCOW AND CONSTANTINOPLE

The whole area of Orthodoxy however succumbed to Muslim and - in the case of Rus', based initially in Kiev - Mongol ('Tatar') rule. Kievan Rus' then came under Polish Catholic domination while, in the fifteenth century, as Constantinople finally fell to the Ottomans,

the Grand Duchy of Muscovy broke free of Mongol rule and began the fraught process of creating the Russian Empire. In the seventeenth/eighteenth century, as the result of a Cossack revolt, it incorporated the eastern part of what is now called 'Ukraine' (based on the Slav word for 'borderlands'), including Kiev, securing more territory to the West of Kiev through the partitions of Poland (between Russia, Austria and Prussia) at the end of the eighteenth century

So from the thirteenth to the seventeenth/eighteenth centuries, Kievan Rus' had little or no connection with Muscovite Rus'. The extreme Western part of what is now Ukraine - Galicia - was incorporated in the Austrian Empire through the eighteenth century Polish partitions. It was returned to Polish rule after the Great War and only became part of the Russian Empire/Soviet Union first through the Molotov-Ribbentrop pact, then through Stalin's victory over Hitler. This is today, understandably enough, the area where hostility to all things Russian is strongest.

Initially after Constantinople fell to the Muslims, the Russian Church reorganised itself without reference to the Patriarch of Constantinople, with the Grand Prince of Muscovy proclaiming himself as 'Tsar' (i.e. Caesar) and therefore as a legitimate continuation of the Roman Imperial system. It was only in the sixteenth century (1589) that a Patriarch of Moscow was established with the blessing of Constantinople. But it was suppressed by Tsar Peter ('The Great') in 1721 (effectively in 1700 when the last patriarch died and Peter declined to replace him) and replaced by a Synod of Bishops controlled initially by the Tsar but eventually by a 'procurator', a lay government official appointed by the Tsar. The resemblance to the Church of England is not accidental. The patriarchate created in 1917 after the abdication of the Tsar and immediately before the Bolshevik takeover could quite legitimately be regarded as a new institution agreed by a council of the Russian Church with only a minimal nod, if that, in the direction of Constantinople, itself in a perilous position after the collapse of the Ottoman Empire.

The Patriarchate of Constantinople could be said to have been strengthened administratively by incorporation into the Ottoman Empire since it was now in a single polity with the territories that had been lost to it by the steady advance of the Muslims and the Ottomans were anxious to have a simplified, unified Christendom in their territories with a clearly designated 'head'. But it was tightly controlled by the Sultanate and widely accused of serving the financial interests of the Greek community in Constantinople more than religion. In the nineteenth century, as the Christian parts of the Empire, starting with Greece, claimed their independence, they made their own church arrangements, regarding Constantinople as necessarily a tool of Turkish policy with very little moral authority (the real spiritual authority in the Church was probably the monastic island of Athos). As a result we have a Bulgarian Orthodox Church, a Greek Orthodox Church, a Serbian Orthodox Church, a Romanian Orthodox Church. This, together with the Russian Orthodox Church, not to mention the Ukrainian, creates a chaotic situation in non-Orthodox countries where each of the ethnic Orthodox jurisdictions will have its own churches responsible to its own hierarchy. They are usually in communion with each other and with both Moscow and Constantinople and follow more or less the same ritual pattern - except for a division over which calendar to use. Constantinople in 1923 adopted what it calls the 'Reformed Julian calendar' - which happens to coincide with the Western

'Gregorian' calendar with a difference of dates only occurring after 877 years. This was partly done with a view to establishing closer relations with the Anglican Church at a time when the patriarch was looking to England for defence against the resurgent Turkish national movement. The Slavs in general remained faithful to the Julian calendar.

RELEVANCE TO UKRAINE

The purpose of this whirlwind tour of Orthodox history has been to show that in terms of Church organisation, Orthodoxy is a mess so that in assessing the rights and wrongs of the Ukrainian Church controversy it is almost absurd to try to evoke any well established juridical principle. That is what we have been given by our history and any attempt to change it is only likely to lead to further rancour and division. Constantinople thinks the problem can be resolved by establishing its own primacy as final court of appeal for the whole Orthodox world. The case for this on the basis of continuity from the earliest days of the Roman (Imperial) Church might be relatively strong. But the argument is entirely an intellectual one. The Patriarch, trapped in Istanbul, surrounded by a generally hostile Turkish population and with only a very small parish of his own, is in a weak position. Moscow, which could hardly on the basis of history establish any claim to universal jurisdiction, is nonetheless vastly more powerful in terms of resources and numbers of Orthodox believers scattered through the world.

As things stand (I am writing in December 2018) the Ukrainian Orthodox Church is under the jurisdiction of the Moscow Patriarchate. In 1990, in the last days of the Soviet Union, the then Moscow patriarch, Alexei II, gave a degree of 'independence in self government' to the UOC under its Metropolitan, Filaret. Filaret had been Archbishop of Kiev since 1966 and Metropolitan since 1968. He has been accused of being a KGB agent but that hardly distinguishes him from Alexei or his successor, the current Moscow Patriarch Kyrill. It was a necessary qualification for the job (as payment of large sums of money to the Turkish Sultan was a necessary qualification for the job of Patriarch of Constantinople under the Ottomans). In 1991 Ukraine declared its independence from the Soviet Union and a 'sobor' (council) of the UOC declared the independence of the Ukrainian Church, with Filaret at its head, from Moscow. Moscow declared the new 'Kyiv patriarchate' to be schismatic and organised a separate loyalist synod in May 1992. This remained generally recognised as the Ukrainian Orthodox Church by the rest of the Orthodox world, including Constantinople, and it holds most of the important church properties in Ukraine. But Constantinople is now in the process of recognising the Kyiv patriarchate (or to be more precise a new church formed on December 15th 2018 from three elements - the Kyiv patriarchate, an older and much smaller Ukrainian autocephalous church and, perhaps, some elements from the Moscow church) as the legitimate Ukrainian Orthodox Church, thus implicitly reducing the existing Ukrainian Orthodox Church to the status of Russian Orthodox Church in the Ukraine. The necessary 'tomos' is due to be given on the 6th January - Christmas Eve in the Julian calendar.

THE CLAIMS OF CONSTANTINOPLE

In doing this, Constantinople is asserting in the first case its right to do it. Constantinople claims to be the spiritual head of the world's three hundred million Orthodox Christians and thus to have sovereignty over Moscow. In particular it claims to have jurisdiction over all Orthodox Christians living outside the territory of their own hierarchs. Hence people in the Orthodox diaspora dissatisfied with their own hierarchs can turn to Constantinople. This has occurred recently in the Russian Orthodox Church in England when Bishop Basil of Sergievo, seen by many as the successor to the much loved Metropolitan Anthony of Sourozh, turned to Constantinople feeling ill treated by Moscow. He and his supporters joined up with the 'Paris exarchate' which had separated from the Communist dominated Moscow and been received by Constantinople in 1931.¹

In the case of Bishop Basil and of the Paris exarchate, Constantinople's right to do this has not been very vigorously contested since in Western Europe both Moscow and Constantinople are operating outside 'their own' territory. Basil might equally have chosen to join the Serb or Bulgarian churches - except that they might not have accepted him because he was breaking the oath of allegiance he had sworn to Moscow. Only Constantinople would claim the right to override this. The Ukrainian issue is much more serious since Ukraine is traditionally an Orthodox country and Moscow claims that it is part of its own historical jurisdiction. Moscow also claims to be the legitimate successor of the original Kievan church established with the baptism of Rus' in the tenth century (so does the Kyiv patriarchate but here Moscow's claim to historic continuity, while perhaps not very strong, is nonetheless stronger than its rival's).

One can immediately see why the issue is so important in the eyes of Ukrainian separatists. Each side of course claims that the other is playing politics. The issue is so serious that Moscow has broken communion with Constantinople thus potentially creating a world wide split in the (rather attractive) loose web of Orthodox sacramental unity. In Ukraine itself we can expect to see a concerted drive on the part of the newly formed church, backed by the government, to seize the properties currently in the hands of clergy loyal to Moscow - especially perhaps the older properties in existence prior to Ukraine coming under the Moscow jurisdiction. There is unlikely to be much of the discretion showed by the Irish Catholic Church in allowing the Anglican Church of Ireland to hang on to pre-Reformation properties in Ireland.

THE CASE OF ESTONIA

The drive towards establishing an autocephalous Ukrainian Church independent of Moscow is of course backed by the US, and Bartholomew (the Constantinople Patriarch) has his own agenda. But I, as an Orthodox Christian sympathetic to Moscow, find it

¹ For reasons I don't at present understand Bartholomew has recently dissolved this exarchate incorporating the Russian tradition churches into a potentially more unified local hierarchy. There are at least two other jurisdictions with independent hierarchies responsible to Constantinople - the two US based Ukrainian autocephalous churches which Constantinople has recognised since 1996. I assume they are united with their equivalents in Ukraine and will therefore now, like them, be united. I don't know if their parishes outside the US and Ukraine are now going to be incorporated into a unified system with other (mainly Greek) 'ecumenical patriarchate' parishes..

difficult to argue that what the Ukrainian separatists are doing in relation to Moscow is very different from what separatist Greeks, Serbs and Romanians did in the nineteenth century in relation to Constantinople. A similar problem had already arisen in Estonia where again Constantinople supported a nationalist breakaway from Moscow. That finished with an uneasy truce between two Estonian Orthodox Churches. The Estonian Apostolic Orthodox Church (EAOC - already placed under Constantinople in 1923 when Estonia was an independent country) has some 20,000 believers in 59 parishes, while the Estonian Orthodox Church - Moscow Patriarchate (EOCMP) has some 150,000-200,000 believers, largely ethnic Russians, in 30 parishes. Those figures come from the 'International Religious Freedom Report' issued in 2003 by the US State Department, which takes an interest in such things. The Report is interesting on the subject of property relations, perhaps explaining the discrepancy by which the Moscow Church with so many more believers has so many fewer parishes:

'By the end of the reporting period, most church properties, including those being used by the EOCMP, have been under the legal control of the EAOC. Once the EOCMP registered and acquired the legal capacity of a juridical person, it then obtained the right to initiate court proceedings to gain de jure control over the properties that it has used on a de facto basis with the permission of the EAOC. On October 4, 2002, the Government and the two churches concluded a protocol of intentions according to which the EAOC would transfer a part of its property presently used by the EOCMP to the state. The state in turn will lease it to the EOCMP for 50 years. Aleksander Nevski Cathedral is owned by the city of Tallinn and rented out to its Russian Orthodox congregation on a several decade lease basis.'

We can assume from this that prior to independence all these church properties were owned by the EOCMP and that after independence they were all taken by the EAOC (which had been a church in exile during the Communist period).

LIKELY CONSEQUENCES

Estonia of course is a predominately Lutheran, not Orthodox country. Perhaps some sort of accommodation between two 'Ukrainian Orthodox Churches' will be achieved but at present it seems unlikely. And it is certain that the present drive to suppress the Russian cultural heritage in Ukraine will do little to bring the pro-Russian Eastern areas of Luhansk and Donetsk back into the fold. One assumes they will hang on to their present ambiguous status until (as in the case of Georgia and Abkhazia/South Ossetia) a determined effort by the Ukrainians to seize them by force gives Moscow the justification for a decisive intervention. Unless both sides recognise the legitimacy of the other's position, we are facing the horrid prospect of something resembling the inter-Orthodox war that broke out between Greeks and Slavs in Macedonia during its struggle for independence from the Ottomans.