

The problem of authority in the inter-Orthodox relations

In this report I would like to offer some thoughts on the current hot phase of the conflict around granting of Tomos to the Orthodox Church in Ukraine. Certainly, we are in a situation of crisis, and it is necessary here to distinguish several dimensions. I think that it is pertinent here to mention the name of the conference “Discernment and the Christian life”, which has been held in the beginning of September in the monastery of Bose in the north of Italy, and in which I have also participated¹. Discernment, from an ascetic point of view, is an important virtue that helps to combat unnecessary emotions. It is discernment and distinguishing that will become the main method of my presentation.

Therefore, when we talk about the existing church conflict, I think there are three aspects to be distinguished:

- it is the impact of the conflict in Donbas on the Russian-Ukrainian relations in general, and on the church situation in particular;
- it is a political conflict at the level of competition between Russia and the United States on the world arena;
- a merely church conflict between the Constantinople and the Moscow Patriarchates.

Concerning the first two aspects, it is worth making a few quotations. Firstly, I can quote our President Poroshenko: “The authorities will not interfere into purely internal church affairs. However, it will not allow other states to do so”². On the question of granting of autocephaly, he emphasizes the national security’ aspect that may be influenced by the church factors.

On the other hand, one can quote the words of Dmitriy Peskov, the spokesman of the Russian President after last week’s session: “The Security Council of the Russian Federation discussed the situation around the Russian Orthodox Church in Ukraine”³. While stressing the non-interference of the Russian secular authorities to the inter-church dialogue,

¹ Cf. Discernment and the Christian life. XXVIth International Ecumenical Conference on Orthodox Spirituality. Monastero di Bose, 5-8 September 2018 in collaboration with the Orthodox Churches – <https://www.monasterodibose.it/en/hospitality/conferences/orthodox-spirituality/1546-2018-discernment-and-christian-life/11926-ceiso-18-theme>.

² This phrase is also included into the title – Comp. news from July 28, 2018 on the website – <https://www.president.gov.ua/news/glava-derzhavi-vlada-ne-vtruchatimetsya-u-suto-vnutrishni-sp-48886>.

³ Cf. news from October 13, 2018 on the website https://zn.ua/WORLD/putin-obsudil-avtokefaliyu-ukrainy-na-zasedanii-soveta-bezopasnosti-rf-297104_.html.

he calls at the same time our Church “Russian” and speaks about the readiness to use “political and diplomatic measures” to prevent violence.

In addition to this, we can recall the words of Kurt Volker, the US State Department’s special representative for Ukraine: “The separation of the Ukrainian Orthodox Church from the Russian Orthodox Church means that the Russian President Vladimir Putin in political sense has lost Ukraine”⁴. These three quotations show us the comprehension of the problem through the geopolitical prism – on the Russia-Ukraine axis, and also on the Russia-USA axis. Christ is not mentioned here, and the Orthodox Church in Ukraine seems to be only an object of political influence.

Last week these issues are being actively discussed in the media. I would like to focus on the purely church aspect. My thoughts will also be about politics, but about the church politics. In particular, about the competitive relations between the two centers of the World Orthodoxy – Constantinople and the ecclesiastical Moscow.

Almost 20 years ago, as a student of the St. Petersburg theological seminary, I wrote a paper on the relations between the Patriarchates of Constantinople and Moscow in the first half of the twentieth century. In those days, it was relevant issue as well. Besides, the same topic was in the focus of a book, published last year, which was called “From the history of relations between the Churches of Russia and Constantinople in the twentieth century”.⁵ It was written by the scientists of the Moscow St. Tikhon University. It addresses two important controversial aspects from the history of these relations: the support of the Ecumenical Patriarchate for the Renovationists of the 1920-30s and their controversial relations with the Russian Orthodox Church outside Russia (ROCOR).

The Renovationists were artificially supported by the Bolshevik authorities and were dissolved into other church structures after the World War II. In turn, the ROCOR, mainly consisting of forced migrants from the territories of the former Russian Empire, survived as a structure and joined the Moscow Patriarchate in 2007.

In my opinion, these two examples are decisive for the Russian Orthodox believers to perceive the role of the Ecumenical Patriarchate in the church life of the twentieth century. For the older generation of the Church hierarchs, who today take decisions in the Russian and Ukrainian Churches, the memories of these two aspects of controversial relations with

⁴ Cf. Article from October 11, 2018 “Putin lost Ukraine: Volker about granting of autocephaly to the Ukrainian church” on the website <https://prm.ua/putin-vtrativ-ukrayinu-volker-pro-nadannya-avtokefaliyi-ukrayinskiy-tserkvi>.

⁵ See: Мазырин А. священник, Кострюков А. А., Из истории взаимоотношений Русской и Константинопольской Церквей в XX веке. Москва: Издательство ПСТГУ, 2017.

Constantinople are decisive. The very fact that the competitive relations between the two patriarchates, of Constantinople and of Moscow, have a long history and can be considered outside the Ukrainian context, encourages us with some optimism about overcoming the current crisis.

In the light of this, I would like to look at the problem of church authority, or primacy in the Orthodox Church, from a broader perspective. Strictly speaking, a meaningful theological dialogue between the local Orthodox Churches does not exist. Nevertheless, after the World War II, the process of preparation of the Holy and Great Council of the Orthodox Church could still be considered as this kind of dialogue, which, despite all the difficulties, took place in 2016 in Crete.

Officially, it was under preparation since 1961, and in the light of this preparation the pre-council meetings took place (1976; 1982; 1986; 2009) and preparatory commissions got together (1971; 1986; 1990; 1993; 1999 and 2009). They were mainly held in Chambésy, the centre of the Patriarchate of Constantinople in Switzerland.⁶

This preparation took place mainly under the conditions of the Cold War and often took the form of a dialogue, controlled by the states concerned. The crisis regarding the status of the Orthodox Church in Estonia led to a 10-year gap in dialogue between 1999 and 2009. It was only thanks to the impetus, provided by the Patriarch Bartholomew of Constantinople and at that time the newly-elected Cyril of Moscow, that the process went much faster and, eventually, ended in 2016 with the Council itself.

Unfortunately, the Council did not demonstrate the unity of the Orthodox world in the field of theological dialogue, as for various reasons the representatives of four local Churches – Antiochian, Greek, Bulgarian and Russian⁷ did not take part in it. Besides, that council did not accept the document on granting autocephaly to new local Churches. In the light of the preparatory process, that document was generally agreed, but in order to convene the council within the established time limits, the primates of the local Churches decided to postpone its consideration for the future.

In the situation, where there is no theological unity, a sign of unity between the local Churches consists in joint Eucharistic celebration. It takes place during joint festive events,

⁶ Cf. Ionita, V. (2014) *Towards the Holy and Great Synod of the Orthodox Church*. Fribourg: Institute for Ecumenical Studies University of Fribourg. – 214 p.

⁷ Cf. in particular, my article about the reasons of refusal from the Russian church's side: Bortnyk Sergii, *Die Absage der Russischen orthodoxen Kirche: ein Bruch in der Orthodoxie?* // *Orthodoxes Forum*, 31. Jahrgang, 2017, Heft 1+2, S. 55-62.

when the primates and representatives of various local Churches gather around the liturgy service. Kyiv has repeatedly witnessed such festivities of Eucharistic communion, especially, during the anniversary of the Christianisation of the Rus'⁸.

Another important sign of mutual recognition as local Churches consists in the use of diptych. This is the list, whereby the primates of the local Churches read at the liturgy the names of the primates of other local Churches, thus, showing their recognition of these local Churches and their primates. There are two aspects to be noted.

On the one hand, Orthodox Churches of Ukraine are here not mentioned. First of all, the Primate of the "Ukrainian Orthodox Church" is not mentioned. The reason is that this Church does not have autocephalous status. Having the rights of wide autonomy, which sometimes exceeds the rights of some autocephalous Churches, it still does not have this status. According to this diptych, the UOC belongs to the Moscow Patriarchate, which is on the 5th place in the list.

On the other hand, it still lacks other church structures in Ukraine – the Kyiv Patriarchate and the Autocephalous Church⁹. The reason for this is the uncertainty of their canonical status, which has been a topic of wide discussions in recent months.

The second thing that I would like to emphasize in terms of diptych is the different order of the local Churches on this list. For example, the Georgian Church is the 6th in the Russian version and the 9th in the Constantinople's one. The criterion for this is the time of granting of autocephaly to this Church by the so-called Mother Church. Both the Russian Church and the Church of Constantinople considered themselves authorized to grant such autocephaly. It was granted in 1943 by the Russian Church and in 1989 by the Church of Constantinople. That means that even here we see competition regarding the status of the "Mother-Church" and the right to grant autocephaly long before the current conflict in Ukraine.

In general, the Patriarchate of Constantinople defends its right of superiority in the Orthodox world, what, traditionally, is embodied in the principle of "first among equals" or in Latin "primus inter pares". The content of this principle varies significantly depending on the interest of the parties. On the one hand, Constantinople declares that all local Churches should vividly represent the unity that Orthodox Christians confess in the Credo (The

⁸ Cf., e.g., news "The festivities on the occasion of 1030 anniversary of the Conversion of Rus' took place in Kyiv", where the list of participants from the local Churches was provided – <http://vzcz.church.ua/2018/07/30/u-kijevi-projshli-urochistosti-z-nagodi-1030-go-yuvileyu-xreshhennya-rusi>.

⁹ The situation has changed after granting the Tomos on autocephaly in January 2019.

Nicene-Constantinopolitan Creed): “I believe in one holy, catholic and apostolic Church”. And this unity should be embodied in the authority of the first person, that is, of the Patriarch of Constantinople.

As a whole for Constantinople the emphasis on pentarchy of five Greek Churches, mentioned in the canons of the first millennium of Christian history, is important. All other Churches, including the Moscow Patriarchate, are considered by them to be “new autocephalies”, which are not as important as the old patriarchates.

This understanding is called into question by the Moscow Patriarchate: they note that the local Churches are equal among themselves and none of them has the right to interfere in the affairs of the others. In particular, Metropolitan Hilarion (Alfeyev), responsible for the external relations of the Russian Orthodox Church, has repeatedly stated that “the Orthodox Church is a confederation of independent autocephalous Churches”¹⁰. The key term here is “confederation”, which gives as little meaning to the unity among Churches as possible, in particular, in comparison with a unitary and federal state structure.

The degree of unity among the local Orthodox Churches has historical explanations and they can be conventionally divided into two groups – the Greek and the Slavic Churches. During a number of centuries – from the middle of the 15th century to the beginning of the 20th century – the Church of Constantinople existed within the Ottoman Empire. The patriarch here enjoyed power in both church and civic sense. In particular, he had the title of “Millet-Bashi” and his civil jurisdiction was applied to all Orthodox residents of the empire.

Within these forms of existence, other patriarchs of the Greek origin – of Alexandria, of Antioch and of Jerusalem – had an outright subordinate positions. At that time, it was impossible to speak of them as fully-fledged heads of local Churches. I suppose that the idea of the hierarchic elevation of the Ecumenical Patriarch comes from the experience of this historical period.

The same epoch, starting from the 15th century, and, especially, in the 18th-19th centuries was characterized in the Moscow state, and later in the Russian Empire by a completely different understanding of the church authority. First of all, the Church of Moscow existed within the Orthodox state. Though from time to time the state power competed with the church power, the Orthodox Church there had the status of the state

¹⁰ Cf., e.g., article “Metropolitan Hilarion (Alfeyev) commented the interview of the Patriarch Filaret from September 9, 2009 – https://www.religion.in.ua/news/ukrainian_news/1708-arxiepiskop-ilarion-alfeyev-prokommentiroval.html.

church. It was there that the principle of “symphonia” between secular and church powers took its forms. The state and the Church were in some sense responsible respectively for the body and the soul of the society, which was impossible under the Muslim power of the Ottoman Empire.

A number of Russian-Turkish wars of the 18th-19th centuries were also important for the issue of authority in the Orthodox world. Thanks to these wars, the Orthodox Christians of a number of currently existing local Churches were liberated from the Ottoman oppression. Here one can recall, in particular, Georgia, Serbia, Moldova, Romania, Bulgaria and Montenegro. It was the Russian state that brought liberation from the oppression of other religions and improved the existence for these Orthodox Churches and their believers¹¹.

The situation has fundamentally changed in the 20th century. At the beginning of this century both the Ottoman and the Russian empires were destroyed. As a result of the national liberation struggle, the local Churches of South-Eastern Europe received autocephaly. Many residents of these destroyed empires migrated to new territories. This became a reason for competition and weakening of the principle of “canonical territory”.

Till now it remains for the countries of origin, but is no longer relevant for the diaspora and for the existence of Orthodox Christians amidst the new ethnical states. It is this perspective that is put forward by the current canonically undefined Churches of Ukraine: liberation from the metropolis in the course of revolutionary events, instead of a civilized separation from the “Mother Church”, agreed in a dialogue with her¹².

In terms of primacy in the Orthodox world, it is also appropriate to mention the well-known canonical rule. I mean the canon 28 of the Council of Chalcedon (from the year 451), which has stated the advantages of Constantinople as New Rome¹³. According to this rule, the diptych has been changed because Constantinople has become the city of “caesar and synclite (senate)”, i.e. the highest state authority. In the honorable list of church centers the church centers of Alexandria and Antioch have been moved below, though they have had the apostolic origin.

¹¹ Cf., e.g., article “Russian-Turkish wars” on the site of the Encyclopedia “Britannica” – <https://www.britannica.com/topic/Russo-Turkish-wars>.

¹² This is the vision that the Patriarchate of Kyiv implements in the book “The Historical Canonical Declaration of the Bishops Council of the Ukrainian Orthodox Church of the Kyiv Patriarchate”.

¹³ Comp., e.g., article of Sergii Hovorun “The historical context of the 28th rule of the Council of Chalcedon” on the website www.academia.edu.

The mentioned canon 28 is a clear example when the competing parties understand the same canon in exactly the opposite way. On the one hand, the representatives of the Patriarchate of Constantinople assert that, unlike the Slavic Churches, they belong to the church centers, directly mentioned in the generally recognized canonical rules of the first millennium.

On the other hand, the reason of the rise of Constantinople – its status of the “city of ceasar and synclite” – speaks rather in favor of the Russian state. It was there where the emperors were obliged to accept the Orthodox faith and made significant efforts to protect, support and affirm the Orthodox Church, both in the country itself and in the countries of South-Eastern Europe.

Another important issue is the attitude of the Church towards secular authority, which is also of great importance in the current Ukrainian conflict. Nowadays Constantinople asserts the importance of the state support for the church initiatives, what is connected to the above mentioned status of “Millet-Bashi”. In recent months, we have seen this respectful attitude to the local state authorities of Ukraine in a brilliant way.

For the church-state relations, the principle that with the change of the secular state’ borders the borders of the local Churches should be changed as well, has a significant role. In contrast to this vision, the Ukrainian Orthodox Church, like the Moscow Patriarchate in general, affirms the principle of separation of the Church from the state. In particular, it means the absence of automatic changes of the borders of the local Churches, when the borders of the state have been changed.

Nowadays, our Church especially emphasizes the principle of separation of the Church from the state. This principle is confirmed in Article 35 of the Constitution of Ukraine. Although, it reflects the practice of many democratic states, it is important to remember that it has been introduced in our country in the early 20th century by the Bolshevik authorities. Therefore, for our Church, it is of tactical importance. It is much more important for the other Churches of Ukraine, in particular, for the Catholic and Protestant communities, that do not represent the majority of the population.

From the question of regulating church-state relations we can move to the sphere of the church law. In my opinion, a significant problem is the fact that the Orthodox Churches in their integrity do not have a commonly recognized current church legislation. Till now the Orthodox Church uses collections of the rules of the first millennium of the Christian history. The principle, on which the norms of that time are applied, is a precedent. It means

that we apply these rules by analogy, without having a clear generally recognized basis for their present-day application.

In my opinion, this is an important problem. We usually use the term “canonical church”, which refers to all local churches, that are parts of the above mentioned diptych. Nevertheless we do not have a commonly recognized basis for applying church rules that would be recognized by the parties of a potential or real dispute.

In particular, this problem affects the level of communication between local Churches. The recent decisions of the Synod of the Patriarchate of Constantinople affirm its right to accept appeals from the hierarchs of other Churches, if a particular problem is not resolved at the local level. Last week, this norm was applied to the “former Metropolitan Filaret”. This right of the Synod of the Church of Constantinople may be treated differently. But what is important is that it is a sign that the judiciary power in the Orthodox Church must show the unity of the Orthodoxy at the global level (in addition to the dogmatic-theological and Eucharistic unity, mentioned above).

All in all, at the global level, the identity of the Orthodox Christians is often based on a romantic understanding of the principle of conciliarity. This principle was developed by Aleksey Khomyakov and his followers in the second half of the 19th century. They stressed that, unlike juridism and the vertical of power in the Roman Catholic Church, the Orthodox Church valued the principle of freedom and synodical decision-making. Among other things, the pneumatological aspect was affirmed here, so that not the formalism of certain church rules but the Holy Spirit leads the Church. This approach has been acceptable in the situation of subordination of local Churches to secular state powers, but is becoming problematic today.

Nowadays, local Churches exist in rather free conditions in relation to their states. Thanks to the principle of “separation of the church from the state”, the state bodies have much less control over the church life. And under these conditions, the undeveloped church legislation at the global level becomes a significant problem. The situation with the churches in Ukraine is only a vivid manifestation of this general Orthodox problem.

Above I have outlined a number of aspects of the issues regarding the primacy in the Orthodox Church. Do we have certain examples to follow to solve these issues? I think that the answer should be “yes”, and, in particular, through the dialogue with the Catholic Church. The fact is that since 1980 there is a joint international commission for theological

dialogue between the Roman Catholic and Orthodox Churches. It consists of the representatives of all fourteen universally recognized local Orthodox Churches.

The last plenary sessions were held in 2014 in Amman, Jordan, and in 2016 in Chieti, Italy, and both were dedicated to the theme “Primacy and Synodality in the Church”.¹⁴ In this way the features of primacy and synodality, which in the 19th century has been seen in opposition to each other as the main feature of the Catholic and Orthodox Churches, are now considered side by side. In addition, last year I myself took part at the conference in Fribourg, where the topic of synodality in the Catholic and Orthodox Churches was actively discussed¹⁵.

The Pope Francis speaks a lot about synodality inside the Catholic Church. Orthodox Christians, on the contrary, lack consistency in primacy, superiority and authority at the general church level. Will the Orthodox Church be able to speak in unison? Or will Constantinople strengthen its authority in the eyes of other local Orthodox Churches? Will it have enough authority for perception of its decisions by other local churches?

Today, the principle of authority is quite clearly developed within the framework of concrete local Churches – this applies to both the Church of Constantinople and the Russian Church. But will the Orthodox Christians be able to strengthen the quality of synodality at the lower levels – the local Church, dioceses, parishes? And vice versa: will we be able to harmonize the principle of superiority and authority at the global level? Exactly these questions essentially manifest themselves in the current crisis of inter-Orthodox relations in Ukraine.

But the Greek word “crisis” means a solution or a turning point. Will the current crisis become a turning point for the improvement of the dialogue between the Orthodox Churches? This question remains open, and events of last week [October 2018], unfortunately, show the opposite.

¹⁴ Cf. news “The work of the Joint International Commission on Theological Dialogue between the Catholic and Orthodox Churches continues in Chieti” from September 20, 2016 – https://risu.org.ua/ru/index/all_news/confessional/interchurch_relations/64531.

¹⁵ Cf. news “Switzerland. UOC DECR representatives participate in conference whose theme was Synodality and its Implementation” – <http://vzcz.church.ua/en/2017/11/22/switzerland-uoc-decr-representatives-participate-in-conference-whose-theme-was-synodality-and-its-implementation>.