

KYIV BETWEEN CONSTANTINOPLE AND MOSCOW: GEOPOLITICS OR DEVOTION TO THE CANONS OF THE CHURCH

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Recently, the issue of giving Tomos to the Ukrainian Church is covered by all means of mass media: from central TV channels to local ones. This, in turn, led to the separation in a society. One part, despite the confessional affiliation, became a supporter of receiving Tomos on the autocephaly of the Ukrainian Orthodox Church from the Ecumenical Patriarch. The second part, on the contrary, denies the right of the Ecumenical Patriarch to intervene in this matter, insisting that there is already a canonical Church in Ukraine, the Ukrainian Orthodox Church of the Moscow Patriarchate, which claims to be the only canonical Church on the territory of Ukraine. And all the others who are out of communication with it are schismatics and the only way to autocephaly is through returning to the Moscow Patriarchate. And only then you may consider the issue of Tomos, but only from Moscow. However, because of their deep conviction, the members of the Church do not want any autocephaly and want to be in unity with Moscow (the Russian Orthodox Church), what can be said. True, some of the sympathizers of the Moscow Patriarchate claim that their Church is still autocephalous or auto-

The article deals with the question of Tomos for the Ukrainian Church, the history of the emergence and controversy surrounding it, as well as why we turn to the Patriarch of Constantinople, and what the Russian Church demands, appealing to some kind of mythical rights.

Keywords: Church, Ecumenical Church, Tomos, Patriarch, Constantinople, Council, canon, Dionysius, Gideon (Svyatopolk-Chetvertynsky), Hetman Ivan Samoilovych.

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КИЇВ МІЖ
КОНСТАНТИНОПОЛЕМ І
МОСКВОЮ: ГЕОПОЛІТИКА ЧИ
ВІДДАНІСТЬ КАНОНАМ ЦЕРКВИ

У статті розглянуто питання про Томос для Української Церкви, історію виникнення та суперечки, що точаться навколо нього, а також чому ми звертаємось саме до Константинопольського патріарха та чого вимагає Російська Церква, апелюючи до якихось міфічних прав.

Ключові слова: Церква, Вселенська Церква, Томос, патріарх, Константинополь, Собор, канон, Діонісій, Гедеон (Святополк-Четвертинський), гетьман Іван Самойлович.

nomous, with the rights of broad autonomy, with an autonomous status that was in the 20's of the twentieth century.

So, the question arises: "Was this division of society caused by Euro-Maydan, the further annexation of the Crimea by Russia and the war in the East of Ukraine, or maybe there are objective reasons: the restoration of historical justice and the canons of the Orthodox Church?" To tell the truth, yes, indeed, the latest events forced many people to objectively assess the role of the Church in the state and its influence on Ukrainian society. And these events made many people support the idea of autocephaly of the Ukrainian Church, and the address of the President of Ukraine Petro Poroshenko to the Ecumenical Patriarch Bartholomew caused a nationwide resonance [3]. The President's appeal was supported by the legislative and executive branches of power: the Verkhovna Rada and the Cabinet of Ministers of Ukraine, political parties, public associations and ordinary Ukrainians. Therefore, it may seem that the idea of autocephaly of the Ukrainian Church arose spontaneously and immediately received massive support.

In fact, this is not quite the case. Therefore, we must sort out whether there were questions about the autocephaly of the Ukrainian Church before; what are the principles of the establishment of local churches and the definition of the boundaries of their jurisdiction; why was the question of choosing whom to ask for Tomos of autocephaly.

As to the request for the provision of autocephaly to the Ukrainian Church, in the twentieth century, there were two such appeals. The first was the appeal after the October coup, when a mass movement for the autocephaly of the Ukrainian Church began in Ukraine. There were several All-Ukrainian local councils, which declared the autocephaly of the Ukrainian Church and attempted to obtain recognition of its status from the Ecumenical Patriarch and other local churches. First of all, they appealed to the newly elected Patriarch of Moscow Tikhon (Belavin) and the All-Russian Local Council, which at that time just was held in Moscow. It should be noted that, simultaneously with the nationally-minded Ukrainian clergy, representatives of the Georgian Church appealed to the All-Russian Council and the newly elected Patriarch Tikhon. However, after receiving a negative response [4, p. 115, 116] the preparations for the All-Ukrainian Council for the formation of the Ukrainian Autocephalous Orthodox Church and the formation of higher organs of the church in it begin [5, p. 114].

The initiators of the autocephaly of the Ukrainian Church formed the Brotherhood of the Resurrection of Christ, which quickly became a governing body for the preparation of the All-Ukrainian Coun-

cil – the All-Ukrainian Orthodox Church Council. The All-Ukrainian Council, which lasted all year round intermittently, was a notable event, since during the Synodal period (1721 – 1917) there was not a single Council, which gave grounds for accusing the Church of violating the canons. At this Council, on behalf of the government speaks Minister of Confessions Alexander Lototsky, who proclaimed that "an independent state must have an independent Church. This is equally required by the interests of both the state and the Church. No government, which understands its state responsibilities, can agree that the center of church power should be in another state" [6, p. 53].

To this we must add that the abstracts made on behalf of the Ukrainian Government at the Council are fully in line with the canons of the Orthodox Church. The determinative rule regarding the arrangement of the local churches is the 34th rule of the holy Apostles: "Bishops of every people should know the first among them, and recognize him as the head, and do nothing to exceed their authority, without agreeing with him" [7, p. 12]. Further, stressing the differences in the structure of states, different from the Ukrainian mentality of the Russian people and their hostile attitude, the minister concluded his speech with the following words: "Autocephaly of the Ukrainian Church is not only of a church but also of our nation-state necessity. This is the ultimate need of our Church, our State, our nation. And who understands and sincerely accepts the interests of the Ukrainian people, he also accepts the autocephaly of the Ukrainian Church. And vice versa. On behalf of the Government of the Ukrainian State, I have the honor to declare its firm and steadfast belief that the Ukrainian Church should be autocephalous" [8, p. 133, 134].

The statement of the Minister was confronted with the hard resistance of the pro-Russian part of the Council members who affirmed that the declaration on the autocephalous nature of the Church in Ukraine was "a violation of the freedom of the Church, which allegedly decides about its own existence ... and declared that they see greater freedom of the Church in the Bolshevik Russia and prefer to separate the Church from the state in the interests of church freedom" [9, p. 54].

The law of the UNR on January 1, 1919, on the autocephaly of the Ukrainian Church, the formation of the Ukrainian Synod and the appointment Archbishop Agapit (Vishnevsky) as its head, had to make the case easier. At the end of January of the same year, a delegation headed by Alexander Lototsky was sent to Constantinople (Istanbul), which brought a letter asking for recognition of the Autocephalous Church. The letter listed the canonical grounds for such recognition, and it was reminded that from the very beginning the Kyivan Met-

ropolitanate was in unity with the Ecumenical Throne, and only the patriarch Dionysius in 1686 illegally handed it over to the Church of Moscow. During the time of Moscow authorities' management in Ukraine, it caused Ukraine much harm and grief. In March 1920, Metropolitan Dorofey received an answer, which said that because of the vacancy of the patriarchal throne (after the death of Patriarch Herman V, the Turkish government did not allow the election of a new head of the Church) the recognition of the autocephaly of the Ukrainian Church was postponed. Subsequently, further attempts were not concluded with success[10, p. 127].

However, to claim that the competition for the autocephaly of the Ukrainian Church and attempts to reach its canonical recognition by the Ecumenical Patriarch did not yield any results would be wrong. Thus, a part of Ukraine, due to certain geopolitical processes that took place at the beginning of the 20th century, was a part of Poland. And hence, a part of the Ukrainian clergy and intellectuals started the cause of autocephaly of the Ukrainian Church. Among them were the former Minister of Confessions Alexander Lototsky, as well as Ivan Ogienko and others. Starting in 1921, they began a mass gathering of signatures of Ukrainians with a request to the Ecumenical Patriarch to recognize autocephaly. In this issue, they were supported by the Polish government, which claimed that it did not recognize another way of governing the Orthodox Church, just on the principles of autocephaly. In 1921, the church government appealed to the Moscow Patriarch Tikhon, but it was limited only to the establishment of the exarchate and the appointment of Metropolitan Yuri (Yaroshevsky) as the Exarch. The reason for the refusal of the patriarch Tikhon explained with the canons, according to which, in his opinion, if the Polish people had been Orthodox, "then we would not reciprocate them" [11, p. 260].

But the Orthodox asked, whom at that time in Poland was at least 4 million. Therefore, when at the Council of the Orthodox Church in Poland on February 27, 1923, the Archbishop of Volyn Dionysius (Velydinsky) was elected Metropolitan, it was decided to appeal to the Ecumenical Patriarch. In response to this request, the Patriarch of Constantinople Meleti IV Metaxakis, on the basis of the decision of the Synod, gave his blessing. But because of the change of Turkish government, the Constantinople Church was forced to elect a new patriarch. Gregory VII became the patriarch, who continued the work of his predecessor and signed by him and the members of the Synod, "Patriarchal and Synodal-Canonical Tomos of the Ecumenical Patriarchate of Constantinople on November 13, 1924 on

the recognition of the Orthodox Church in Poland as autocephalous" was published [12, p. 610 to 612].

The significance of this Tomos was that he did not grant, but acknowledged the autocephaly of the Orthodox Church in Poland, thereby confirming the right of every nation within its independent state to have its own independent Church. It practically legitimized the practice of self-proclaiming the autocephaly of the Church in Greece, Serbia, Albania, and Poland. And most importantly: Tomos denied the validity of the accession to the Moscow Church of the Kyiv Metropolitanate in 1686 and the Orthodox Metropolises of Lithuania and Poland dependent on it at that time (we will return to this question again). From the standpoint of canon law, Tomos is recognized by the law of the Universal Church, as endorsed by the Ecumenical Patriarch, the Synod of the Ecumenical Church and all the eastern churches (except for the Moscow – the reason is clear).

Taking into account the above-mentioned events, the Ukrainian exarchate, which had been part of the Russian Orthodox Church, was renamed to the Ukrainian Orthodox Church with the rights of autonomy, about which the relevant provisions of the Statute of January 30-31, 1990 at the Bishops' Council in Moscow were drawn up. On May 3, 1990, the Moscow Patriarch Pimen died. At the Council, held on June 6-10, 1990, Oleksiy II (Ridiger) was elected as a new patriarch. On October 25-27, the Bishops' Council was held in Moscow, where a resolution was adopted that expanded the rights of the Ukrainian Orthodox Church and its Primate: 1) Primate is elected by the Council of Ukrainian Bishops and the Moscow Patriarch only approves his candidacy; 2) he is given the title "Blessed One", which corresponds to the status of the head of the Local Church; 3) The Synod of the Ukrainian Church elects eparchial and vicarious bishops itself; 4) The Primate is a member of the Moscow Patriarchal Synod. On November 22-23, the Council of the Ukrainian Orthodox Church took place, at which its charter (statute) was adopted and Filaret (Denisenko), Metropolitan of Kyiv and All Ukraine, was elected as the Primate of the Church.

The events that took place further opened up new opportunities for Ukraine and its Church, which it used. In August 1991, a failed coup of the GKCP took place in Moscow, after which on August 24 Ukraine proclaimed its independence. Thereafter, a meeting of the Synod of the Ukrainian Orthodox Church (hereinafter – the UOC), at which they decided to convene the Bishops, and later – the Local Council, in which, according to the new status of the state, it was necessary to bring the church structures into conformity. The key

was the thesis: "In an independent state there is an independent Church". The corresponding Councils of the UOC took place in Kyiv: Bishops' September 6-7 and Local 1-3 November 1991.

At the Local Council, the main speaker was Filaret, the Blessed Metropolitan of Kyiv and All Ukraine, who set out canonically substantiated arguments for the need for autocephaly of the Ukrainian Church, which in turn enabled restoration of Ukraine's unity and overcoming the schism that had arisen with the advent of self-proclaimed autocephalous structures. On the eve of the Council on October 18, 1991, the Speaker of the Verkhovna Rada of Ukraine Leonid Kravchuk appealed to His Holiness Patriarch of Moscow, who, in connection with the proclamation of the state independence of Ukraine, requested the granting of autocephaly to the Ukrainian Church, the successor of the Kyivan Metropolitanate, which has every reason to be independent.

At the Local Council of the UOC, which took place on November 1-3, 1991, a course on the autocephaly of the Ukrainian Church was proclaimed. Among the following objective grounds were the following: 1) the canonical and legitimate gift of autocephaly by the Church-Mother is a blessing for the UOC, since it aims at reconciling Christians, overcoming the split and ending the confrontation with the Uniates; 2) an independent Church should be an independent state; 3) there are all grounds for independent existence – 22 dioceses, 23 bishops, about 5 thousand parishes, 3 theological seminaries, 35 million believers.

For an objective understanding of further events, it should be recalled that, as of 1988 in Ukraine, which was 1/30 of Russia's territory, there were: 3 971 parishes in Ukraine, 2 062 in Russia; as of 1990 in Ukraine (without Greek Catholics and UAOC) – 6 505; in Russia – 2 500; Greek Catholics – 1.8 thousand; UAOC – 1,1 thousand

To receive autocephaly and in order to maintain understanding and fraternal relations, the UOC Council decided to address with this issue to the Patriarch of Moscow Alexis II and the Council of Russian Bishops. In Moscow, the Bishops' Council was convened, which took place from March 31 to April 5, 1992. It discussed the status of the UOC and the state of religious life in Ukraine. On this occasion, the report of the Metropolitan of Kyiv Filaret was heard, which, from the point of view of canon law, revealed the timeliness and necessity of giving the Ukrainian Church autocephaly. However, instead of refuting the arguments provided, the Council began to discuss the personality of Metropolitan Filaret himself and demand his resignation. On that they received the answer: the UOC Council elected him, the

Council should withdraw him. After that he went to Kyiv. In view of the legality of this formulation of the issue, the Russian Orthodox Church, through its agents, tried to hold the "Council" in order to give apparent correctness to the removal of Metropolitan Filaret and put in his place a more accommodating and loyal person to the Russian Church. One of such "Councils" was the Council in Kharkiv, which took place on May 26-27, 1992, after which, under the pressure of Moscow, a large number of bishops, who at the Council held in Kyiv on November 1-3, 1991, voted for autocephaly of the Ukrainian Church, betrayed the oath and left their Primate.

Given the prevailing circumstances, there was an urgent need to start establishing the Ukrainian Church from the beginning. For this purpose, on June 25-26, 1992, a Council was held in which the faithful to the ideas of the autocephaly of the Ukrainian Church, bishops and the clergy led by Metropolitan Filaret, united with the Ukrainian Autocephalous Orthodox Church, headed by Patriarch Mstyslav (Skrypnyk), and formed the Ukrainian Orthodox Church of the Kyiv Patriarchate. The first step of this Church was the appeal to the Ecumenical Patriarch Bartholomew. The delegation included: Metropolitan Filaret, Metropolitan Anthony, People's Deputy Vasily Chervoniy, Archimandrite Daniel, rector of KTS. Ecumenical Patriarch Bartholomew acknowledged the request for the autocephaly of the Ukrainian Church to be legitimate, but because of the prevailing circumstances and the unwillingness to spoil relations with Moscow, the request was acknowledged as premature and requiring a detailed study [13, p. 384 – 403].

It has to be said that, since 1992, such requests to the Ecumenical Patriarch have been extremely numerous: from the Church, state authorities, public organizations and private individuals. Someone appealed once and lost hope, but most of them persistently addressed, pointing out important arguments for the correctness of such an action, and finally the Ecumenical Patriarch replied: "Yes, the Ukrainian Church has the right to autocephaly." So let's hope that it is not long to wait.

The second question that needs to be addressed is the question of the principles of the establishment of local churches and the definition of the boundaries of their jurisdiction. To do this, we will return to the time of the holy Apostles, their sermons, the history of the spread of Christianity and the establishment of Local Churches.

Every Local Church has, since its inception, had its unchanging territory, within which it performed its ministry. Defining these limits in ancient times did not cause any problems. Each Church

has exercised its jurisdiction within the boundaries of state administrative borders. And it is precisely this sort of order we have seen since the preaching of the holy Apostles, which is fixed in the rules. As already noted, in the 34th Rule of the Holy Apostles, we read: "Bishops of every people should know the first among them, and recognize him as the head, and do not do anything beyond their power to do without agreement with him."

This order, legalized by the 34th rule of the holy Apostles, was introduced by the apostles themselves, when they, preaching in towns and villages, founded the Local Churches. This structure of churches can also be called a natural arrangement. Because it ensures the qualitative and quantitative unity of the Church. This implies the unity of both internal and external. In the very 34th rule it is defined as follows: "But even the first do not do anything without agreement with all, for so will appear one-mindedness, and God will be glorified through the Lord in the Holy Spirit, the Father, and the Son, and the Holy Spirit."

Consequently, unity is ensured by the communication of the bishops among themselves, through which they unanimously are in unity with the Lord. The order is ensured by the fact that this communication takes place through the first bishop who is recognized as the head of that Church. But this is the primacy of one over the others: does it not violate the equality of bishops and the unity of the Church itself, is it not an element of any tyranny? In fact, there are no violations. On the contrary, this primacy has a natural necessity and origin.

Apostles, preaching the Gospel to all nations, first came to the great cities of those regions. Such cities were Antiochia, Corinth, Thessalonica, Ephesus, Rome, and others. Preaching in these cities, they founded the first Christian communities. But was this procedure correct? Yes. Bishop Nicodemus Milas, in an interpretation of Rule 34 of the Holy Apostles, writes: "Jesus Christ was pleased to be born in a very small town of the Jewish land, in order to show His humility with which and people should be proud. But to complete and crochet His work it was pleasing to him in the main city of Judea. Therefore, we can say that Christianity from Jerusalem was transplanted into the main city of the East – Antiochus, and from there the apostles, and especially the Apostle Paul, carry it to all other major cities, primarily in the province of Asia Minor, then to Macedonia and Greece, and finally to Rome" [14, c. 145, 146]. Why was the big city best suited for this? Because in it this doctrine could immediately be heard by a large number of people, which means

that the results of this sermon are larger. Similarly, the apostles founded the first Christian community in the main city of that nation, and these first Christians preached this doctrine throughout the land, establishing new communities in smaller cities and villages. It is because of this that the churches of these main cities were recognized as the centers of unity and could demand recognition from the churches of smaller cities.

On what grounds did they demand this recognition of primacy against other churches in that country? First of all, the fact that these churches themselves were founded by the Church of the great city. She also enjoyed the authority of the Church as one that was founded by the apostles themselves, accepted from them and kept the purity of the gospel doctrine. Also, these first, founded by the apostles, were larger, better organized, and their bishops were famous for their knowledge and piety. It is because of this that their church significance was recognized by the churches of the smaller cities that voluntarily sought this unity. In other words, it was the relationship between the Mother Church and the daughter Church and had the character of the natural primacy of one church to another.

The authority of the Church of the main city naturally passed on to the bishop of this Church, and since, as a general rule, the bishops are representatives of their churches and the churches themselves act only through them, we see that even at the very beginning of Christianity, the bishops of the main cities had the right to govern all affairs in the provinces, which could only be resolved jointly by several bishops; therefore, they were required to issue common rules binding on all. For this, as confirmed by the rules of the holy Apostles, to resolve such cases, it is ordered to collect twice a year the Episcopal Councils of those regions: "Twice a year, let it be the Council of the Bishops, and let them reason with each other about the dogmas of piety and resolve church disorders if they happen" (37 BC St. August).

Consequently, the procedure for the establishment of Local Churches becomes the decisive principle for the formation of the administrative structure of churches. The same principle also determines the order of subordination within the Church: while preserving the inviolability of the rights of everyone, everyone recognizes the advantages of the first among them and, thus, ensures the unity of the inner and outer. And this order of submission of the bishops of each people to the first of them and the recognition of him as the Head (it is necessary to know the first in them, and to recognize him as the Head – εἰδέναι χορὴ τὸν ἐν αὐτοῖς πρῶτον, καὶ ἡγεῖσθαι

αὐτὸν ὡς κεφαλὴν) [15, c. 144] did not cause any objection. So, everyone acknowledged this to have a Divine establishment. And till this day, this principle is respected in all Local Churches.

However, it should be noted that the jurisdictional territory of the mentioned churches always coincided with the administrative boundaries of the regions of the Roman Empire. These territories (regions), in which, prior to the time of the entry into the empire, a certain people lived, preserved their historical name and borders. And about them it is written in Rule 34 of the Holy Apostles. Later, after the emperor Constantine completed the state administrative reform, such a system of establishing church jurisdiction gained its legitimacy. And if the state changed the administrative boundaries of the region, then the Church changed the jurisdictional boundaries in accordance with these borders. In the 38th Rule of the Trullous Council we read: "Our fathers have established, and we keep a rule that says: if a tsarist government is building a new or once a city is built, then let the administrative and land distributions correspond the division of church affairs." This rule is essentially a conclusion that ends with the 17th rule of the Council of Chalcedonians, in which this principle is revealed in detail. This norm was valid even from apostolic times, and in the following centuries the Church adhered to this norm, considering it to be expedient. And Bishop Nicodemus Milash says that the borders of the ancient patriarchs are also established precisely on this principle: "In accordance with this basic rule, the fathers of the First Ecumenical Council defined the borders of the patriarchates: Rome, Alexandria, Antioch" [16, p. 471].

Consequently, the Church, shaping its administrative structures and their boundaries, has always determined them by administrative frontiers. But is this Church's approach correct, because Christ said: "My kingdom is not of this world" (Jn 18, 36)? However, to the apostles' questions about how to treat state power, the Lord says: "Give Caesar's to Caesar, and God's to God" (Matthew 22:21), indicating this to the state power as Divine Establishment. And when the Savior Himself represents in the trial before the Roman proconsul Pilate, who, in demanding the answer from Him, says: "Do not you know that I have the power to crucify You" (Jn 19:10), then, in reply, indicates, where Pilate has this power from: "You would not have authority over me if you were not given from above" (Jn 19: 11). From which we can conclude that the reverence of God and the fulfillment of civil duties before the state do not contradict each other.

The apostles, revealing the teachings of the Savior, also emphasize the need to adhere to state laws and respect state power, regardless of

what it is from the standpoint of a citizen: an orthodox or pagan. Thus, the apostle Peter says: "Fear God, respect the king" (1 Peter 2: 17). At that time Herod was the king of God-chosen people. What did he do? "He raised his hands upon some of the Church to cause them evil, and killed James with his sword, the brother of John. And when he saw that the Jews liked it, then he took Peter, and grabbed him, and put him in prison" (Acts 12: 1-4). After his miraculous release from prison, did he change his views of the Apostle Peter? No. The Roman Empire also condemns the Apostle Peter to the crucifixion, and he, knowing what is waiting for him, does not call for a rebellion against the state, regardless of what role the state plays in his life.

The Apostle Paul also proclaims the same principle of attitude to the state, regardless of what authority was as to him. In a message to the Romans, he writes: "Let every soul submit to the supreme power, because there is no power except from God; the existing powers are set by God. Therefore, one who opposes the power resists the commandment of God" (Romans 12: 1, 2). This apostle points out that the state is also an industrial tool of God and plays a positive role in the history of mankind, in achieving the kingdom of God. And this role of the state as a natural force is positive not only for Christians, but also for pagans [17, c. 67].

Emphasizing the doctrine of the apostles about the Divine formation of the state, through which the Lord protects His creation from confusion, St. Isidore Pelusiot speaks of the state as a matter of the wisdom of God, so that the world does not fall into chaos. In other words, that the world does not end with chaos, order – with a mess, the world – with discord. St. Gregory the Theologian says: "Let us obey both God and one another and to earthly rulers." "Obey God – always, .. the bosses – for the sake of order" [18, p. 193].

In view of the above-mentioned relationship between the Church and the state, it should also be pointed out that revealing the doctrine of the state and its significance as instruments of the divine work of the holy fathers, they say that the state itself will be the factor that will hold the coming of the Antichrist. St. John the Chrysostom, explaining the words of the apostle Paul, "the one who holds back now" (2 Thes. 2: 7), says: "Some believe that this should be understood as the grace of the Holy Spirit, and the other – the Roman state. With this last I agree more" [19, p. 401]. Thus, the state is not a random product of the development of human communities, but has a Divine establishment and is an instrument of His industrial action. Therefore, the Church, fulfilling a salvation mission here on earth, may and must use this convenient tool, establishing

its jurisdictional limits in accordance with the state's administrative boundaries. Because it is so convenient and correct, the order of the external and internal structure of the Church is ensured.

Thus, without the existence of an independent state there can not be an independent Church. This is especially important in the circumstances when a part of a Church reveals a desire to separate. But, as far as the Ukrainian Orthodox Church is concerned, it always started the competition for autocephaly at the moment when Ukraine acquired state sovereignty. It was with the proclamation of state sovereignty in 1991 that the Ukrainian Church got on its way to autocephaly.

Finally, the third question to which we need to answer: "Why was the question of choosing whom to ask Tomos about autocephaly, or how the Ukrainian Church became part of the Russian Church?"

It was said above that when at the beginning of our state independence in 1991, the Council was held in Kyiv, they decided that, in those circumstances, the Ukrainian Church had all the canonical grounds for being autocephalous. In this regard, it was decided to appeal to the Moscow Patriarch Alexy II and the Council of Bishops of the Russian Church to give autocephaly to the Ukrainian Church. The reason for addressing Moscow was that by that time the Ukrainian Church had been part of the Russian Church. Therefore, in order to preserve peace and brotherly relations in the future, they turned to them. In what, without giving any canonical arguments, we were denied. However, there are still a number of proper questions: "Is it lawful that the Ukrainian Church was part of the Russian Church? (We know from history that at the time of the baptism of Rus-Ukraine, Moscow did not exist yet as such.) In the jurisdiction of what Local Church was the Church of Kyivan Rus and on what grounds?"

We have already said that the establishment of the jurisdiction of Local Churches took place in accordance with the borders of the state in which it is located. However, this principle of establishing jurisdiction may, in certain circumstances, be subject to change. These are the circumstances in which, as a result of the missionary activity of the Church outside the borders of the Roman Empire, there were new autocephalous churches. Why is it about the Roman Empire? Because the emergence of Christianity and its spread occurred precisely within this state. And the oldest churches that exist today, the borders of their jurisdiction were determined by the boundaries of administrative districts. But later these Churches, fulfilling their mission of spreading the faith of Christ, went beyond the boundaries of the empire and baptized the peoples who lived there. These peoples sometimes lived in the same proximity to various local churches. It is

in these cases that disputes between individual churches about who owns jurisdiction in such territories flare up.

In this respect, the dispute between the churches of Rome and Constantinople about the jurisdiction over the Balkan churches, or the claims already made by Constantinople regarding a sole jurisdiction over all Orthodox, living outside their churches, is illustrative. And each side of such disputes has always appealed to certain rules, protecting its correctness. Are there any irreplaceable principles that such disputes need to be guided to determine who owns the jurisdictional rights of a particular Church, and therefore who can recognize the status of autocephalous or autonomous? Yes, they are.

The principles that determine the jurisdictional rights in the territory outside of the ancient patriarchates derive from the concept of "Mother-Church." But on what basis can one determine that one Local Church is the Mother Church of the other? Is there no possibility for arbitrary speculation here, appealing to some unreasonable rights or historical or canonical advantages? No. This question also has a clear definition and canonical regulation. And here are some important points on which Church rules draw our attention.

The determining factor is the question of who converted this or that people to the Orthodox faith. In the rules of the Carthage Council, we read: "The complete Council has determined that the churches in any land that had become catholic before the laws of the donatists became catholic, belonged to those thrones whose bishops were convinced of joining the catholic unity" (v. 117). In this rule, it is about the donatists who, because of extreme views on the acceptance of martyrdom, departed from communicating with the Orthodox Church. Orthodox bishops have made a lot of effort to return them to the bosom of the Church. Among them was blessed Augustine [20, p. 276, 277]. Therefore, the fathers of the Carthage Church have determined that in such lands the jurisdiction should belong to that bishop who turned the dissenters into Orthodox faith. This norm applies equally to those nations who were brought to believe in Christ from paganism. That is why the Russ Church (Kyiv Metropolitanate), having accepted the evangelical gospel from the Church of Constantinople, recognized it as the Mother Church [21, p. 203].

Consequently, if any Church enlightened this or that nation with the light of the teachings of Christ, then it is the Church that has the right for jurisdiction over the territory in which that nation lives. That is why the Constantinople Church had jurisdiction over the Bulgarian, Serbian, Romanian churches. And on this basis recognized the autocephalous status of these churches.

Therefore, the presence of the Russ Church (Kyivan Metropolitanate) in the jurisdiction of the Church of Constantinople did not raise an objection to anyone, since it had received its baptism from this Church. In addition, accepting baptism from the Church of Constantinople was a free choice of Rus. Volodymyr, the baptist of Russ, was very knowledgeable about the issues of faith and those differences that already existed between the Christians of the West and the East. Therefore, he says to the missionaries of Rome: "Our fathers did not receive this doctrine" [22, p. 227]. And this fact is an additional factor in favor of Constantinople's jurisdictional rights regarding the Russ Church. We read about this in the rules of the Carthage Council: "How the Orthodox Bishops and those who turned from the Donat's side will divide the dioceses among themselves ... let it pass to the one whom the people will choose" (v. 118). One more basis of the jurisdiction of the Ecumenical Patriarch regarding the Ukrainian Church, because the Kyivan prince on behalf of the Russ authorities asked himself to send priests. And if, before the official baptism of Russ, the Roman Church could put forward – and even put forward – some claims about a possible jurisdiction, since their missionaries had been in our lands, then Moscow itself, and especially the Moscow Church, did not exist at that time.

Later, when the Russ state became part of the Polish kingdom, the government never questioned the fact that the Ukrainian Church was in the jurisdiction of the Church of Constantinople, although it did not leave any intention to re-subordinate it to Rome, especially after the Ferro-Florentine Council. And later, when the Patriarch of Theophanes of Jerusalem arrived in Ukraine in 1620, the Polish government sees this as "the hand of Constantinople" [23, c. 32]. And the restoration of the hierarchy of the Ukrainian Church, despite complex political circumstances, takes place precisely with the participation of Eastern patriarchs. Moscow, which did not have any right on this, does not take part in this process. From where are the Moscow's contemporary claims about the fact that it is there that we must seek the source of grace, taken and canonicity of the Ukrainian Church is possible only if it is part of the Russian? From what miracle have such claims about the Ukrainian Church appeared?

Everything began in the XVI century. Among the states, founded by the descendants of Genghis Khan, Moscow occupied a dominant position. To expand the state to the west, a new ideology was needed that would rely on Christian values and could unite Moscow with the ancient empires. Christianity and Kyiv, through which the direct connection with the Byzantine Empire and the Roman Empire was established,

best suited for this. And the fact that in Moscow there are myths about the transfer of some klejnod (symbol of authority) imperial power, is the confirmation of this idea. After, when in 1589, Patriarch of Constantinople Jeremiah "agreed against his will, to give way to the insistent demand of the king" [24, c. 297], to put the Patriarch in Moscow, it became a new impetus for the Muscovites to encroach on foreign culture and territory. They waited for only a convenient occasion. And this opportunity already happened in the middle of the 16th century. Ukraine from the end of the 15th and 16th centuries was in the center of religious and political confrontation. A tangible blow to the Orthodox was caused by the Brest Union. And despite the restoration of the Orthodox hierarchy in 1620, the state of the Orthodox Church and the Ukrainian state was very difficult. The Cossack elders were trying to find external allies. But because of internal intrigues among the elders there was no unity. Bohdan Khmelnytsky was surrounded by a lot of "Moskvophiles" who inclined him to the relevant agreement. Although from historical sources, we see that such sentiments in certain circles of the Ukrainian people had already been in the time of the Brest Union [25, p. 79 – 83].

With the signing of the agreement between Yuri Khmelnytsky and the Tsar of Moscow, the situation is changing. The rights and powers of the Hetman and the Zaporozhian Army are limited, while the Kyiv Metropolitan is ordered to be subordinate to the Patriarch of Moscow. It was from this time that the Moscow Patriarchs began to be titled "Patriarchs of all Veliky, and Malia, and Belia Rus". However, this was a violation on the part of the Moscow Tsar and the Patriarch, since Pereiaslav agreements on the subordination of the Kyiv Metropolitanate of Moscow were not discussed. The subject of such a re-submission could only be discussed with the Ecumenical Patriarch. Therefore, the Ukrainian clergy did not fulfill the demands of Moscow and did not accept Russian bishops. And even official Russian historiography confirms that the Ukrainian Church was not something that voluntarily became subordinate to the Russian one, but also openly rejected such attempts by Moscow. This was confirmed by Metropolitan Macarius (Bulgakov). When the hetman Ivan Vyhovsky signed the Hadiach Treaty, then Metropolitan Dionysius (Balaban) left Kyiv and moved to Chyhyryn. "Orthodox dioceses of the left-bank Ukraine remained without a pastor. And for them in 1659 Moscow was appointed local librarian Lazar (Baranovich) (On what grounds, if this is not their jurisdictional territory?). Thus, the beginning of a kind of ecclesiastical dual power was laid "[26, p. 532].

Metropolitan Macarius wrote about the following events: "The Moscow Council of 1666-1667, in which Chernigiv Bishop Lazar

(Baranovich) and Locum tenens of Metropolitan Throne Methodeus (Filimonovich) attended, among other issues also considered the issue of subordination of the Kyivan Metropolitanate to the Moscow Patriarchate. But the Oriental patriarchs of the Paissius of Alexandria and the Macarius of Antioch present at the Council refused to discuss this issue, explaining that they have no right to interfere in another's eparchy. Despite this, the Bishop of Chernigov, Lazar (Baranovich), was raised to the rank of archbishop, and his diocese became an archbishopric, which was a direct intervention of the Council (Moscow) in the affairs of the Kyivan Metropolitanate, and the Patriarch of Constantinople recognized this decision as unlawful "[27, 533, 534]. However, this does not stop Muscovites and they continue to make attempts to subordinate the Kyivan Metropolitanate.

Implementation of the idea of subordination of the Kyivan Metropolitanate was held in 1686. About this, Metropolitan Macarius (Bulgakov) wrote: "The question of subordination of the Kyivan Metropolitanate to the Moscow Patriarch they managed to solve due to the interest in Hetman Ivan Samoilovich and the Moscow Patriarch Joakim in this case" [28, p. 536]. For this purpose, on July 8, 1685, an electoral council was held in Kyiv, on which the metropolitan (convenient for Moscow) should first have to be elected. Lutsk Bishop Gideon (Svyatopolk-Chetvertynsky) was the candidate acceptable to Moscow.

The election of the Metropolitan must take place at the Council, which, in the first place, must include bishops and representatives of the clergy, with the participation of representatives of power and laity. But there was not a single bishop in this Council. And from the clergy, if there were any representatives, then only those who were subordinate to the Kyivan Metropolitanate of Moscow. However, they themselves, apparently, did not have any authority in the Church and were little known. Otherwise, Hetman Ivan Samoilovich and others interested in this case would definitely have mentioned them. Due to the lack of clergy, the Council chooses Metropolitan Gideon (Svyatopolk-Chetvertynsky) unanimously. Hetman Ivan Samoylovych himself was acquitted before the king that "the clergy was afraid to get involved in this case, not knowing how the Constantinople Patriarch would react to it, and from the kings there was no" commanding and calming certificate "[29, p. 332].

At the Council itself, the question arose where the Metropolitan was to receive an ordination and from whom to be dependent on – Constantinople or Moscow. From the clergy of the Kyivan Metropolitanate, a protest was made to ordain the Metropolitan in Moscow [30, p. 332]. This fact testifies to the event that the clergy held its own,

separate Council and it was known to it that the purpose of holding the electoral council and the election of Metropolitan Gideon, is the subordination of the Kyivan Metropolitanate to Moscow. The appointment of the bishop of Gideon (Svyatopolk-Chetvertynsky) was held in Moscow on November 8, 1685, in the Assumption Cathedral, where he made an oath of obedience to the Moscow Patriarch and the Council of Russian Bishops. However, the appointment of the Metropolitan occurred provided that the kings and the patriarch would settle the matter with the Patriarch of Constantinople. And the second: according to the Kyiv Metropolitan, as well as the clergy, all the rights and freedoms that they enjoyed up to this time were preserved. As for the latter, the kings promised everything to be preserved, but Patriarch Joachim missed these points in his letter of passage.

In parallel with the election of a convenient person to the Kyiv Metropolitan, the Moscow Patriarch and the kings negotiate with the Patriarch of Constantinople. In October 1685, Patriarch of Moscow wrote a letter to Patriarch Jacob of Constantinople, in which he did not just ask for the transfer of the metropolis, but tried to prove that he had these rights historically. So, he writes: "because it (the Kyivan Metropolitanate) once separated from Moscow because of the feudalism of some people" [31, p. 338]. But how could one separate from something that in nature did not exist?

To obtain consent from the Patriarch of Constantinople, the boyars Alexeyev and Lysytsia try to secure the support of the Jerusalem Patriarch Dositheus, a well-known canonist of that time, but he did not recognize such Moscow claims to the Kyivan Department, even despite financial assistance from Moscow, as not canonical.

In parallel, they are trying to secure the support of the Turkish vizier, that he ordered the Ecumenical Patriarch to concede the Kyivan Metropolitanate to the Moscow Patriarch. In view of the fact that Turkey then waged war with Austria, Poland and Venice, and it was important for her to maintain friendly relations with Moscow, he orders it to the patriarch. Therefore, due to the above reasons, Dionysius, who replaced Jacob on the Patriarchate of Constantinople, issues a letter of intent. Dionysius himself speaks of financial encouragement from the Moscow Patriarch: "They accepted the alms of your holy kingdom from the envoy sent by your master Nikita Alekseevich three forties of sables and two hundred of reds (banknotes/money)" [32, p. 341], which is condemned by the rules of the Church as a sin of simony (2 pr 4th centuries BC).

However, if we talk about the letter of the patriarch Dionysius, in fact the Kyivan Metropolitanate is not transferred to the Moscow

Patriarchate as a property. They only, under given the circumstances, have the right to supply the Kyiv metropolitans, and in some cases, if they choose not a bishop as a candidate, to fulfill his episcopal ordination. All other rights and privileges should have been kept. And the fact that the patriarch Dionysius demanded that the Kyivan Metropolitan should commemorate him first on the Divine Liturgy and only then the Moscow Patriarch, confirms this. But Moscow was not going to adhere to any rules, and later simply abolished not only the metropolitan status of the Kyiv See, but even the Kyivan diocese for a long time. And the fact that this action, in Moscow interpretation, was not canonical, it was unambiguously said in Tomos of the grant of autocephaly to the Polish Orthodox Church of November 13, 1924. Who violated the canons in Tomos [33, p. 610 – 612] has not been said, however, we see that at first Moscow, and then Constantinople, having been seduced and taken Moscow sables and red banknotes (money), allowed the violation of the canons. Consequently, if a violation has occurred, then it must not be accepted, but corrected, regardless of how much time passed.

As for the Hetman, Ivan Samoylovych for such a service from the king received as a gift a charter of gratitude and a golden chain and two diamonds of kleynod with it. But, as we see, royal grace is deceitful. As soon as the need for it disappeared, he was accused of the failures of the Turkish campaign, and in the same 1686, he and his son were arrested, and all the property was confiscated. A year later, while in exile in Tobolsk, Ivan Samoilovich died [34. c. 30].

Summing up, we came to the conclusion that the norms and canons were formed even during the time of the holy Apostles and have eternal and unchanging character; in this respect, they can be compared with dogmatic truths. Indeed, according to St. Justin (Popovich), "the holy canons are the holy dogmas of faith, which are used in the active life of a Christian, they urge the members of the Church to embody the holy dogmas in the daily life – the sunny heavenly truths that are available in the earthly world through the Church of God's Human Body Of Christ" [35, p. 264]. Therefore, in order to restore historical and canonical justice, we are addressing to the Patriarch of Constantinople with the hope that he would reject all subjective admonishment not only in words, but in fact, he will take a decisive step and give Tomos of the autocephaly to the Ukrainian Church, which will be the guarantee of its peace, stability and prosperity, and it will serve the salvation of its faithful and for the good of the Ukrainian state.

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