

THE ISSUE OF GRANTING AUTOCEPHALY AS A CHALLENGE TO ORTHODOXY'S UNITY

The article discusses the issue of granting autocephaly in the context of historical and modern contradictions in the inter-Orthodox dialog. The thesis is revealed about the existence of two models of obtaining autocephalous status for one or another local church – Greek and Moscow, which inevitably involves the emergence of various kinds of contradictions and conflicts outside the boundaries of this issue, namely – the right to serve one's flock in the diaspora, which means creating in its own organizational structures – parishes, dioceses, metropolitans, exarchates, independent decision-making on granting autocephaly to their part, and therefore none of the other churches has the right to interfere in the internal affairs of another autocephalous church. It is substantiated that the contradictions surrounding this issue are conditioned both historically and in the context of church law. If we talk about the first, during the centuries of existence of the Orthodox Church, a kind of "international" church law was not developed regarding the generally accepted mechanism of granting autocephaly through the concept of the Pentarchy, which emphasized the exclusive closure of the ancient Patriarchate. As for church law, in this context, two scenarios are distinguished: the victory of one sovereign over another (when one side, that is, one or another local church significantly prevails over the other). In this case, one of the parties loses its sovereignty and recognizes the supreme authority of the other party. The second is reaching a compromise, which is expressed in the conclusion of an agreement between the parties. However, the second option does not mean that this agreement cannot be violated, since there is no body that monitors the implementation of agreements. Therefore, it is proven that the space of relations between autocephalous Churches is the space of clash of sovereign wills, and therefore the problem arises in the development of a new ecclesiological concept that will make contradictions within Orthodoxy impossible.

Keywords: autocephaly, World Orthodoxy, local church, church law, Greek model of granting autocephaly, Moscow model of granting autocephaly.

The relevance of this study due to the fact that today, the topic of autocephaly is not limited to issues its provision / acquisition (as well as abolition), but also includes such issues as: the possibility of interference in the internal affairs of an autocephalous local church; management of parishes outside the canonical territories of autocephalous churches (that is, in the Orthodox diaspora); the functioning of pan-Orthodox (supra-autocephalous) institutions and their necessity in inter-Orthodox relations.

The issue of autocephalous status is a complex and sometimes contradictory topic in the Orthodox Church. Autocephaly concerns the self-governing status of the Local Orthodox Church, which is recognized as other Orthodox churches and can freely manage itself in accordance with its own traditions and practices. Thus, the question of autocephaly is a question of supreme power, and therefore of sovereignty. If it is declared that the autocephalous church has a source of power in itself and is independent of other churches, then there can be no power over it, and it is sovereign. Therefore, what is called autocephaly in the church corresponds to what is understood in the political interstate sphere as sovereignty.

During the first centuries of Christianity, the church hierarchy was quite simple, and all decisions could be adopted by church cathedrals, where representatives of all regions were present. At the same time, with the spread of Christianity among different peoples, separate churches with their own characteristics, mainly national and political system differences and independent governance, appeared among them. Hence, as the church expands and the formation of various national and cultural groups, there was a need for more independent management of the church organization in each region. Therefore, the foundations of autocephaly lie in the original structure of the Church because, each individual church community that had its own bishop was an independent and independent Church, even if it was small and consisted of one village. In the organization of the Church, these separate Churches-parishes united in the Union and created the organization of the Ecumenical Church.

Hence, we stand on the positions, which followed metropolitan J. Zizioulas and other canonist theologians "who logically prove that the term "κατ' οίκον εκκλησία" in the New Testament does not refer to a purely family

gathering; it extends to the entire gathering of believers in the city, who hold meals-services as guests in a particular house. As already mentioned above, in the early Christian period there could practically not be more than one such house church in each city. We confirm the trivality of this conclusion at least by the fact that there is no evidence of any serious organizational difficulties that would have taken place in the early church based on "domestic churches". Not only this phenomenon itself, but even the term "house church" is disappearing very quickly, and with it a circumstance that could become an alternative to those when the identification of the early local church with the city church is observed" [8, p. 251–253].

Thus, we can see that the first of the problems of a canonical and ecclesiological nature, due to the historical development of Christianity is the definition of the "locality" of the church. As for the term "local church" itself, it is Church Slavonic. The Greek concept "τοπική ἐκκλησία" should be translated into Ukrainian as "local church", because "τοπική" literally means "local" – i.e. "that which concerns a certain place" (or "locality", "region" – τόπος). The adjective "local" refers primarily to the territorial principle of the organization of the Orthodox Church. The desire of some Ukrainian-speaking (as well as Russian-speaking) authors to make a strict and often artificial distinction between the concepts of "local church" and "local church" is unjustified, since such a distinction does not exist either in Greek or in other languages [1]. Also, it should be noted on the "Kyriarchal Church" – (from Ancient Greek κύριος, "lord", and ἀρχι- – "main", "senior") – a church term used to designate the Mother Church in matters of a canonical and ecclesiological nature.

Therefore, the term "local church" has a double meaning. On the one hand, it is each individual community of Christians (diocese) headed by a bishop. Based on this, such a "local church" cannot possess the fullness of spiritual authority and the perfection of the canonical system, because it does not possess the main feature of its own perfected structure – an independent council of bishops with the so-called "first bishop", – the Head of the Church. The dependence of the eparchy on the council of bishops lies in the fact that it is the Council that appoints a successor to the deceased diocesan bishop, and such

appointment is impossible without the Council. Therefore, the most complete and etymologically dominant meaning is the interpretation of the local church as an autocephalous church, completely administratively independent from other Orthodox churches. Signs of local (autocephalous) status are the presence in it of at least three bishops, who make up its episcopal council.

The term "bishop of a metropolis" was also considered valid, that is, a metropolitan, a bishop occupying an ancient autocephalous see. After the Council of Nicaea, the territorial principle of granting autocephalous status to a particular church was finally established. Church division fully corresponded to the imperial state-administrative system. Therefore, the most ancient autocephalous churches, such as Ephesus, Corinth and other provincial capitals, disappeared from the church map. In addition, according to the state model, church-administrative units received their own names, such as the metropolis and the diocese [4, p. 19].

Thanks to administrative innovations, two or three nations were united into one autocephalous church, which was contrary to the apostolic decrees (denies the 34th canon of the apostles). This contradiction of state laws with the apostolic decrees was shrouded in the most famous legal list of laws of the "Civil Law Corps" of Justinian I.

According to the 34th Apostolic Rule, one of these bishops is chosen by the Council independently and without any interference or coordination with any of the local churches as the head of this autocephalous church. Another important aspect of the problem of locality is that the concept of locality is built taking into account the fact that the Eucharist is celebrated in a clearly defined place. However, due to its catholicity, it unites all members of the Church who are in a clearly defined territory. Therefore, the relevance of the Church is seen in:

- a) the Catholic nature of the Eucharist;
- b) the geographical nature of the Eucharist.

The first means that every Eucharistic gathering should include all members of the Church of a certain place, regardless of their profession, gender, race, language, age, etc. The second is the Eucharistic gathering, and through it the Church is always the community of some place (Church in Thessalonica, Corinth, etc.) [7, p. 201].

However, as the church expands and the formation of various national and cultural groups, there was a need for more independent management of the church organization in each region. The first autocephalous church was the Alexandria Church, which received its status in the 4th century. Later, other churches, including Constantinople, Antioch, Jerusalem and Russian Churches, also received autocephaly. Thus, autocephaly was introduced to ensure more effective management of the church organization, taking into account the cultural and national characteristics of each regional church, as well as to maintain the unity of faith and doctrine as a whole.

At the same time the issue of autocephaly has become a source of disputes and conflicts in the Orthodox Church: some churches accused the Ecumenical Patriarchate of exceeding powers and others sought more autonomy. However, the Orthodox Church remains a community of churches that are united by common faith and tradition, despite the differences in management and practice.

The Greek model of solving the issue of autocephalous status is based on the recognition of the Ecumenical Patriarchate of the Ecumenical Patriarchate "the first among the equal" among the Orthodox churches and the promotion of the cathedral approach to decision-making. According to this model, the Ecumenical Patriarchate has the authority to grant autocephalous status to new Orthodox churches after consultation with other autocephalous churches and with the

consent of the relevant local church. This approach emphasizes the importance of unity and consensus within the Orthodox Church and seeks to avoid the creation of new autocephalous churches without approving a broader Orthodox community. At the same time, this model recognizes the important role of the Ecumenical Patriarchate in the history of the Orthodox Church and confirms its status as the spiritual center of Orthodoxy [2, p. 89].

In general, the Greek model of solving the issue of autocephalous status seeks to balance the need for unity and consensus with the need for local autonomy and self-government within the Orthodox Church. The primacy of honor in this model becomes the basis for various power prerogatives that go beyond the management of the Church of Constantinople, among which: the management of the entire Orthodox diaspora (including the right to unilaterally take into one's jurisdiction dioceses and parishes of the diaspora under the jurisdiction of other autocephalous churches); granting and abolition of autocephaly; supreme arbitration in inter-Orthodox disputes; convening pan-Orthodox meetings, meetings of heads and representatives of autocephalous local churches and, finally, a pan-Orthodox council, as well as presiding over all meetings convened by it. As chairman, the primate in honor becomes the voice of the pan-Orthodox assemblies he leads and a symbol of the unity of the Church. All the additional powers listed above place the Patriarch of Constantinople in a completely unique place in the system of general church administration, making him the only sovereign in the Orthodox Church.

The second, Moscow model describes the position of the Russian Church, which, as a rule, is joined by the so-called new patriarchates. This approach is based on the idea of the fundamental equality of all autocephalous local churches. According to the second model, each autocephalous local church exercises power within its own boundaries, which extends to the Orthodox diaspora as well, since believers in the diaspora want to have a direct connection with the historical mother church.

Hence, "adherents of this model, emphasizes P. Rodopoulos, consider that the exclusive right of the Patriarch of Constantinople to single-handedly grant autocephaly to any church has no other source than his own will, confirmed by the Council of the Church of Constantinople. In the canonical tradition of the Orthodox Church, there is no "right to grant autocephaly". The only exception is Canon 8 of the Council of Ephesus, which confirms the autocephalous status of the Cypriot Church. However, this rule does not introduce any norms regulating the procedure for proclaiming and recognizing autocephaly, as well as defining the criteria by which a particular church can be considered autocephalous" [6, p. 19].

Instead, supporters of the Moscow model emphasize that the autocephalous church has the right to minister to its flock in the diaspora, which means creating its own organizational structures in it – parishes, dioceses, metropolitanates, exarchates, etc. In addition, each autocephalous mother church independently decides on granting autocephaly to its part and without her consent, legitimate autocephaly is impossible. The Moscow model assumes that no one has the right to interfere in the internal affairs of an autocephalous church. The convocation of a general church council, whose power may exceed the power of autocephaly, occurs through the consent of all autocephalous churches.

The supreme power of a general church council in this case arises through a joint volitional act of all church autocephalies represented at the council by full-fledged and authorized church delegations. The voice and symbol

of the unity of the Orthodox Church in this case is not its chairman, but the cathedral itself. The lack of consensus allows the dissenting sovereigns not to recognize the decisions made by the council, which deprives it of the authority of a church-wide authority.

In the absence of a system of legal regulation at the pan-Orthodox level, relations between autocephalous churches are built on a completely different basis. The source of the organization of the ecclesial order is not the common law for all participants, but the unrestricted will of autocephalous churches, which act here in the role of various sovereigns 10. Such a modern fragmentation of views on the structure of Orthodoxy provokes all sorts of conflicts between different local churches.

Accordingly, conflicts that arise between churches cannot be resolved within the framework of general church law, since it does not exist. Thus, the Orthodox Church in America, dual jurisdiction in Estonia, the Council of Crete, the controversy associated with the status of the Macedonian Church, the emergence of a new Autocephalous Orthodox Church of Ukraine, the ups and downs of the Archdiocese of Russian Orthodox Churches in Western Europe, many Orthodox dioceses existing in parallel on one territories, transfers of parishes from one jurisdiction to another... All the situations and problems associated with these and other events indicate that there are practically no canonical mechanisms for resolving such conflicts [5, p. 182].

The situation of applying the canons in solving church problems is as follows: "Some churches can simply take out of the canonical piggy bank a rule that has long lost its historical meaning (but is not officially canceled, and therefore valid for the entire church fullness) and apply it to solve certain problems; in turn, other churches that disagree with this also turn to a multiple set of rules, from which they take out a formally valid, but essentially the same dead canon, on the basis of which they build their argument. Thus, we get a "canonical duel" in which both sides are both equally right and equally wrong" [5, p. 181].

"Options for resolving bilateral conflicts, as a rule, fit into two scenarios. The first scenario assumes the victory of one sovereign over another (when one power greatly outnumbers the other). In this case, one of the parties loses its sovereignty and recognizes the supreme power of the other side. The second is the achievement of a compromise, which is expressed in the conclusion of an agreement between the parties. However, the second option does not mean that this agreement cannot be violated, since there is no authority that monitors the implementation of agreements. Thus, the space of relations between autocephalous churches is the space of the clash

of sovereign wills, and it must be appropriately described in ecclesiological theory" [3, p. 67].

However, it should be noted that the conflict of modern Orthodoxy is not only between Moscow and Constantinople, but also within each of the local churches (implicitly or explicitly). For example, the autocephaly of the Orthodox Church of Ukraine, provided by the Ecumenical Patriarchate in 2019, did not recognize the ROC and some other Orthodox churches or Orthodox Church in America received autocephaly from the Russian Orthodox Church in 1970, but the tension between the two churches has been stored for many years.

Thus, in general, the issue of autocephalous status remains an important and permanent topic for discussion in the Orthodox Church, as the local churches continue to strive for independence and navigate the complexities of the Orthodox church hierarchy. The existence of two models of granting autocephalous status for one or another local church – Greek and Moscow, which inevitably involves the emergence of various kinds of contradictions and conflicts outside the boundaries of this issue, namely the right to serve one's flock in the diaspora, which means creating its own organizational structures – parishes, dioceses, metropolitans, exarchates, independent decision-making on granting autocephaly to their part, and therefore none of the other churches has the right to interfere in the internal affairs of another autocephalous church.

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ПИТАННЯ НАДАННЯ АВТОКЕФАЛІЇ ЯК ВИКЛИК ЄДНОСТІ ПРАВОСЛАВ'Я

Розглянуто питання надання автокефалії в контексті історичних і сучасних суперечностей у міжправославному діалозі. Розкрито тезу про існування двох моделей отримання автокефального статусу тій чи іншій помісній церкві – грецька та московська, що неминує передбачає виникнення різного роду протиріч та конфліктів поза межами цього питання, а саме: право служіння своїй пастві в діаспорі, що означає створення в ній власних організаційних структур – парафій, єпархій, митрополій, екзархатів, самостійне прийняття рішення про надання автокефалії своїй частині, а тому ніхто з інших церков не має права втручатися у внутрішні справи іншої автокефальної церкви. Обґрунтовано, що суперечності навколо цього питання обумовлені як історично, так і в контексті церковного права. Якщо говорити про перше, то за століття існування Православної церкви не було випрацьовано своєрідного "міжнародного" церковного права стосовно загальноприйнятого механізму надання автокефалії через концепцію Пентархії, яка наголошувала на виключній замкненості на стародавньому патріархаті. Щодо церковного права, то в цьому контексті виокремлюються два сценарії: 1) перемогу одного суверена над іншим (коли одна сторона, тобто та чи інша помісна церква значно переважає іншу). У цьому випадку одна зі сторін втрачає суверенітет і визнає верховну владу іншої; 2) досягнення компромісу, що виражається в укладенні угоди між сторонами. Однак другий варіант не означає, що цю угоду не можна порушувати, оскільки органу, який контролює виконання домовленостей, немає. Отже, простір стосунків між автокефальними Церквами є простором зіткнення суверенних волей, а тому постає проблема в напрацюванні нової еклезіологічної концепції, яка унеможливить протиріччя всередині Православ'я.

Ключові слова: автокефалія, Світлове Православ'я, помісна церква, церковне право, грецька модель надання автокефалії, слов'янська модель надання автокефалії.