

New Approaches in Ecclesiology? Reflections Induced by the Ukrainian Crisis

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The events around the establishment of the Orthodox Church of Ukraine (OCU) and the granting of autocephaly to it by the Ecumenical Patriarchate (EP) with all the consequences concern mainly questions of politics, church politics, and church structures. There is no difference whatsoever between the churches involved in questions of faith, like the understanding of God, of salvation, of sacraments, and so on. The liturgy is also basically the same in all churches in question. A random visitor to an Orthodox church service in Ukraine must pay close attention to a few small details if s/he wants to identify the denomination of the church which s/he is attending. Even the language used is not a reliable indicator.¹ Still the set of beliefs behind these smaller differences is basically identical, as is how the belief is expressed in forms of piety.

Despite these fundamental likenesses in so many areas, the events in Ukraine carry a lot of consequences in a theological field which has been much discussed in the last decades: ecclesiology. The discussions in all churches have touched upon the idea of “Eucharistic ecclesiology,” and, prompted by ecumenical dialogues, the relationship between synodality and primacy as well.² In these debates, there appears to be a double movement: on the one hand, Orthodox ecclesiology managed to emancipate itself from Western patterns of thinking which have been dominant for a long time.³ This refers above all to an institutional understanding

¹ For this issue, see Nadieszda Kizenko’s contribution in this volume.

² The latter issue played an important role in the official dialogue between the Orthodox and the Catholic Churches. The documents of Ravenna, *Ecclesiological and Canonical Consequences of the Sacramental Nature of the Church: Ecclesial Communion, Conciliarity and Authority* (October 13, 2007) and of Chieti, *Synodality and Primacy during the First Millennium: Towards a Common Understanding in Service to the Unity of the Church* (September 21, 2016) are the most important results, see: <http://www.christianunity.va/content/unitacristiani/en/dialoghi/sezione-orientale/chiese-ortodosse-di-tradizione-bizantina/commissione-mista-internazionale-per-il-dialogo-teologico-tra-la/documenti-di-dialogo.html>. The Saint Irenaeus Joint Orthodox-Catholic Working Group also published a document on synodality and primacy: *Serving Communion: Re-thinking the Relationship between Primacy and Synodality* (Graz, 2018), see: https://de.moehlerinstitut.de/pdf/texte/kommunikues/2018_graz_serving_communion.pdf.

³ “Western” means in this context mainly Catholic; the potentially important contributions of Protestant theology to both Orthodox and Catholic thinking still have to be researched in depth; see Jennifer Wasmuth, *Der Protestantismus und die russische Theologie: Zur Rezeption und Kritik des Protestantismus in den Zeitschriften der Geistlichen Akademien*

of the Church. The concentration on historical research, the experience of Orthodox theologians who lived in the diaspora, and the re-discovery of the patristic heritage led to a new evaluation and apprehension of the local Church. Eminent theologians like Nicholas Afanasieff and Ioannis Zizioulas have contributed to that understanding. On the other hand, there has been a mutual rapprochement between Eastern and Western ecclesiology. Orthodox theologians have discussed the presence of primatial elements in synodal structures, and Catholic theologians have found in Orthodox ideas of synodality helpful elements for their own ecclesiology.⁴ These developments form the context of any ecclesiological evaluation of the latest events in Ukrainian Orthodoxy.

This contribution seeks to reflect upon key ecclesiological aspects connected to these events. Although it will concentrate on their significance for Orthodox ecclesiology, many aspects are also valid for the Catholic understanding of the Church. The first section will lay out the principles of contemporary ecclesiology. Secondly, the question of the territorial organizational form of the Church will be discussed, as “territory” plays an important role in the Ukrainian case. Since the granting of autocephaly was also of central significance for that case, the category of autocephaly will be taken into account as well. Concluding thoughts will try to offer alternative ideas for how to think about ecclesiology in a way which might help solve the problems Orthodoxy and Catholicism alike had already before the debate about Ukraine, but which are still unsettled.

Traditional Principles in Modern Orthodox Ecclesiology

Most theologians would agree that there is basically only one larger difference between the Orthodox and the Catholic churches, namely the understanding of the role and of the competences of the Roman bishop. That pertains most of all to jurisdictional questions: the nomination (and deposition) of bishops, resolving issues of discipline for the universal Church, and others. Behind these privileges lies the centralized organization of the Roman Church which had its culmination in the infallibility which the Catholic Church attributed to the Pope at Vatican Council I (1869–70). It is not acceptable for the Eastern churches, nor for any

an der Wende vom 19. zum 20. Jahrhundert (Göttingen: Vandenhoeck & Ruprecht, 2007) as an important step in this endeavor. This Orthodox-Catholic juxtaposition makes it understandable that “primacy” plays such an important role in these debates.

- 4 The accentuation of synodality in the Catholic Church by Pope Francis must also be understood in this context, above all his Apostolic Constitution *Episcopalis communio* (September 15, 2018), see: https://www.vatican.va/content/francesco/en/apost_constitutions/documents/papa-francesco_costituzione-ap_20180915_episcopalis-communio.html, and his announcement of a Synodal Process for the Catholic Church all over the world in May 2021.

other Church, but papal infallibility is not a central issue for the *organization* of the Church. It could be interpreted in a way that would be acceptable for other churches, if it were to emphasize the role of the Pope as a servant to the unity of the Church in matters of belief (with a proper definition of his “*ex cathedra*” competences). The Pope as a bishop with universal jurisdiction who can interfere in any diocese, however, reveals a fundamental difference between the two approaches of how to understand “Church.”

But behind these differences there is an astonishingly high degree of consensus between both churches. The reason for that is that both churches refer to the ecclesiology as it developed during the first centuries, when a local Church was led by an *episkopos*, a bishop. He was supported by *diakonoi*, deacons, and *presbyteroi*, priests. The bishop was the only one who could transfer any ordination, and only he and the priests could preside over the celebration of the Eucharist. Nevertheless, the deacons had a very important role for a long time as they were responsible for charitable activities, which also meant for the finances of the local Church.⁵

According to the thinking based on the ancient tradition, the Church manifests itself as the congregation gathered around the bishop for the celebration of the Eucharist. The Eucharist creates the Church. When the Christian communities grew to the point where they could no longer gather together in one place with the bishop, priests began to celebrate the Eucharist with other congregations, but always on behalf of and in agreement with the bishop. The liturgical commemorations (prayers for or mentioning of the local bishop, and sometimes also of the first hierarch of the Church) are up to this day a sign for the meaning of the bishop for the local Church and an expression of church communion. One is in communion with the bishop who is commemorated in a Eucharistic celebration. When a bishop is not commemorated anymore, he is ex-communicated, he is no longer regarded to belong to one's own Church. Although many people nowadays all over the world experience their parish—i.e., the place where they celebrate the Eucharist—as the local Church, and not the eparchy/diocese to which they belong, and although most faithful only rarely have even distant contact with “their” bishop, both Orthodox and Catholic theology define the local Church as the one which is led by a bishop, i.e. the eparchy/diocese. The New Testament shows evidence for such an understanding; the word *ekklesia* is used there originally and primarily as the local congregation, and only in later texts as a supra-local entity.

An important question which follows from these premises is the relationship of the local Church to the universal Church. If the congregation around a bishop is *the* Church, then how does it relate to the other churches, and how is the Church

5 Protestant Churches have sometimes similar titles for their ministers, but most of them do not know an essential difference between these ministries, since in Holy Scripture, which is normative according to the principle *sola Scriptura*, such differences cannot be found.

composed? The Latin tradition speaks (relatively late) about *ecclesiae particulares*, particular churches, which form parts of the universal Church, but which are deficient in themselves. That presupposes, of course, the idea that the Church in union with the Roman Pope is *the* Church, and that there cannot be any churchhood, any ecclesiality, outside of it. The question arises: which of these two levels has the priority, the local/particular Church, or the universal Church?⁶ In Orthodox theology, the idea has prevailed that each local Church is *the* Church, and that all churches together form the Body of Christ, i.e. the universal Church. The term “all churches together” must however not be understood in a cumulative or additive sense, but rather in an ontological one. The one Church consists of and in the many churches. Moreover, although the Church is organized hierarchically, it is first of all a communion. The ambiguity of the word *ekklesia* is reflected also in this understanding: there is only one Church, one *ekklesia*, worldwide as well as locally, in the different *ekklesiai*.

This understanding of the Church led to a lot of consequences and shaped the actual form of the Church in the first centuries. The concentration on the bishop made him the central figure in ecclesiology. The idea of one Church in one given place brought along the principle of clearly defined territories for which the respective bishop was in charge. No other bishop could interfere in his territory (eparchy, or diocese). These territories from the start were shaped in accordance with the political borders of the Roman Empire. When overarching ecclesial structures emerged—which also were formed according to existing political entities—they were called metropolitanates and patriarchates. But the role of the single bishop in his diocese was never questioned. No metropolitan or patriarch could intervene in a bishop’s government of his local church.⁷

At the same time, it was clear that the bishops were not monads, but were connected to each other and belonged together within the one Church of Christ. Forms were found to express this connection, above all the custom that the neighboring bishops took part in the episcopal ordination of a new one. Being in communion with other bishops was an essential proof that a bishop and his flock belonged to the one Church of Christ. This communion was shown in different ways: by participation in ordinations (as mentioned), by letters which bishops sent after their election to the fellow bishops in their region (“irenic letters”), by

6 In the late 1990s, there was a debate about this question between two German theologians who worked as cardinals in the Roman Curia, Joseph Ratzinger and Walter Kasper. See Kilian McDonnell, “The Ratzinger/Kasper Debate: The Universal Church and Local Churches,” *Theological Studies* 63 (2002), 227–250; Paul McPartlan, “The Local Church and the Universal Church: Zizioulas and the Ratzinger-Kasper Debate,” *International Journal for the Study of the Christian Church* 4 (2004), 21–33.

7 That does not mean that such attempts did not happen, and that bishops could be deposed, above all because of heresy. But theologically, the bishop remained the highest authority in his eparchy.

participation in local meetings of bishops ("synods"), by liturgical commemoration,⁸ and also by the possibility for believers who were travelling to participate in the liturgy and to receive communion in other places: they carried letters from their bishop which opened them the church gates.

However, this system never functioned fully. Bishops might be in conflict with each other and not accept communion with one another. A bishop might maintain communion with two other bishops who were not in communion among themselves. Theologians and their bishops might fall out with each other over dogmatical questions. When synods could not resolve such problems, the communion broke, and the Church split. That led to the establishment of several churches in the same city, on the same territory, which competed with one another and did not recognize each other. Therefore, the position of the secular authorities became more important: they had an interest in preserving the unity of the Church for political reasons.

From the 5th century on, the Roman bishops claimed a more decisive role for themselves. The Roman bishop as "Patriarch of the West" had a specific position for the Latin Church, given that he had the only Apostolic See in the West. Over the centuries, in the West the conception became more important that this position related also to the Christian East which, however, mostly refused this idea and insisted on its autonomy. Thus, both the Eastern and the Western churches grew apart until the papal claims led (at least indirectly) to the separation between the churches in the 11th century. Western ecclesiology took its own path after that and developed the idea of papal primacy in much more elaborated forms.

In the Eastern Church, the idea developed that the five patriarchates (Rome, Constantinople, Alexandria, Antioch, and Jerusalem) guaranteed the unity of the Church and of the faith, the so-called pentarchy. After the split-off of Rome, Constantinople occupied the first rank. When the Church in Muscovy became a patriarchate in 1589, the number of five was completed again, but the idea of a pentarchy was not revived. In the 19th century, parallel to the dissolution of the Ottoman Empire, the ascent of nationalism, and the formation of national states, more independent ("autocephalous") Orthodox churches were established (above all in Greece, Serbia, Bulgaria, and Romania). By the end of the 20th century, some fourteen churches were generally recognized within Orthodoxy, one (the "Orthodox Church in America") was recognized only by the Russian Orthodox Church (ROC), and a few others claimed autocephaly but were not in communion with the other ones. The autocephalous churches have become an important factor in Orthodox ecclesiology. That means also that the first hierarchs (not all heads of autocephalous churches are patriarchs), and the respective synod as the decisive body in many autocephalous churches, have gained much more significance and authority. Though the role of the single bishop is still stressed, his independence is much more limited by the autocephalous Church to which he belongs. He is

8 See Vera Tchentsova's contribution in this volume.

frequently not so much regarded as the bishop of X, but rather as a bishop of the autocephalous Church of Y. Thus, the intermediate level between the local (episcopal) Church and the universal Church had obtained a weight which in fact has only a very weak foundation in ecclesiology.

The authority of the bishop within his diocese is absolute. While there are many forms, both in the Catholic and the Orthodox Church, of participation of lower clergy and laity in the administration of the diocese, in the end, it is the bishop who can decide and who cannot be outvoted. Therefore, the bishop is the key figure in all churches which have an episcopal constitution and claim to be in the apostolic succession.

These ecclesiological principles had become overshadowed over the centuries. It was only in the 20th century that they were rediscovered again. The “Eucharistic ecclesiology” according to which the Church constitutes itself in the Eucharistic celebration received new attention and recognition after the works of renowned theologians as Nicholas Afanassieff, Georges Florovsky, and Ioannis Zizioulas. Perhaps it is not by chance that all of them worked for a long period of their lives in the diaspora where they indeed experienced Church much more as an assembly of faithful who gather for the Eucharist than as an overarching organization—in fact, different Orthodox jurisdictions fought frequently about territories in the diaspora. Catholic ecclesiology, as it is expressed in the decrees of Vatican II, was significantly influenced by these Orthodox approaches.⁹ It always had to integrate the doctrine about the Roman bishop,¹⁰ but nevertheless it took a good deal of inspiration from Orthodoxy.

The Question of a Territory

From early times on, the realm of a bishop was clearly marked. When overarching structures (metropolitanates and patriarchates) emerged, they too had a clear territory. And when the local churches led by a bishop were split into smaller units, i.e. parishes, the latter ones had a determined territory, too. This territorial principle is valid and visible on all levels of the church structure. Roman Catholic

9 Here above all Afanassieff played an important role. See Pavlo Smytsnyuk, “The Teaching of Vatican II and Eucharistic Ecclesiology: Did Orthodox Theology Influence Vatican II?,” in *Revisiting Vatican II: 50 Years of Renewal*, vol. 2, ed. Shaji George Kochuthara, (Bangalore: Dharmaran Publications, 2015), 197–205; Anastacia Wooden, “Eucharistic Ecclesiology of Nicholas Afanasiev and Catholic Ecclesiology: History of Interaction and Future Perspectives,” *Journal of Ecumenical Studies* 45 (2010), 543–560.

10 Smytsnyuk (see n. 9), 199 mentions the perception of the bishop as part of the college of bishops in Vatican II’s constitution *Lumen Gentium*, which shows this attempt of integration.

canon law explicitly requires the territorial delimitation of dioceses and parishes.¹¹ How that is organized frequently depends on the concrete circumstances in a given country. In some countries, the registration of the membership of a parish and therefore of a diocese is even regulated by the state authorities (as in Germany, because of the system of church taxes). In other countries, the members known to the parish are those who actively take part in services and in the church life, and who register with the church. But legally everybody who is Catholic belongs to the parish on the territory of which he or she lives, even if he or she does not take part in any kind of church life. All these organizational differences do not contest the territorial principle; everybody can clearly know or learn to which parish his or her place of residence belongs. That also excludes the possibility that two local churches are in charge of the same place, according to the old ecclesial principle that there must be only one bishop in a city.

However, the churches do not stick completely to that territorial principle. The same canon 518, which requires the territorial delimitation of Catholic parishes, continues: "When it is expedient, however, personal parishes are to be established determined by reason of the rite, language, or nationality of the Christian faithful of some territory, or even for some other reason." And indeed, in many dioceses there are parishes which are not organized according to a territory, but to some feature of the members (e.g., belonging to a migrant community, with services and pastoral care in the respective language). This possibility can be a helpful tool in many cases of pastoral need—but it also brings with it ecclesiological questions. On the level of the diocese, too, the territory is not always the most important criterion. The canon mentions "rite." A Catholic who belongs to another rite than the Latin can be under the jurisdiction of another bishop than his fellow Catholic who lives next door. In some places, several Catholic bishops of different rites reside in the same city. Several towns in Ukraine have a Roman Catholic and a Greek Catholic bishop so that the question "Who is the Catholic bishop in charge of Odessa?" cannot be answered properly.¹²

Even when according to the canonical principles a person belongs to a given parish, there are many cases in which Catholics attend another parish church (or several others, from time to time), whether out of convenience, or because they prefer the priest or the way mass is celebrated, or because of the church itself or of the music, or for any other reason. In the perspective of the canon law, they belong to the parish of their residence. But as a matter of fact, they live in another one, and their parishes even might belong to different dioceses.

11 See *Codex Iuris Canonici*, can. 372, §1 for the diocese, and can. 518 for the parish: "As a general rule a parish is to be territorial, that is, one which includes all the Christian faithful of a certain territory." Here, "Christian faithful" is used in the sense of "members of the Catholic Church".

12 L'viv even has three Catholic bishops: A Ukrainian-Catholic, a Roman-Catholic and an Armenian-Catholic.

The Orthodox Church does not have a generally accepted and elaborated code of its canon law. Nevertheless, the same principles outlined for the Roman Catholic case also apply to Orthodox—and so do the exceptions. When concentrating on the eparchy as the local Church, one can find several cases in which the territorial principle is not observed:

- 1) Dioceses have vicar bishops, because of their size and the need of more clerics who can exercise episcopal duties. The ROC has a special Statute “on the eparchial vicariates,”¹³ which describes the duties of the vicar bishops, but which also reveals the problems connected with this institution. It says that the highest authority in the vicariate belongs to the eparchial bishop, and thus shows a tension between the two bishops in question—even if they work together in best accord and without any problems, there remains an ecclesiological tension since in such cases there are in fact two bishops on one territory. The Russian Church tries to diminish the problems and to make clear that the eparchial bishop is the highest authority in the vicariate, and that the vicar bishop acts as a delegate of the eparchial bishop. But the vicar bishop is commemorated (together with the eparchial bishop) in the liturgy, he has a cathedral in the place after which he bears his title, and in fact he leads the vicariate in the same way an eparchial bishop leads the eparchy. In addition, there can be vicar bishops who do not have a territorial responsibility, but who are in charge of specific realms in the administration of an eparchy, or of the Patriarchate.
- 2) In the diaspora, i.e. in countries where there is no Orthodox Church of its own, several bishops and their dioceses exist on the same territory. The list of participants of the “Holy and Great Council” on Crete in 2016 includes three bishops who are in charge of Germany (Metropolitan Augoustinos (Lambardakis) from the EP, Bishop Sergije (Karanović) from the Serbian Patriarchate, Metropolitan Serafim (Joanta) from the Romanian Patriarchate);¹⁴ if the Russian Church had participated, with Archbishop Mark (Arndt), a fourth one would have been on the list.¹⁵ That indicates that in many diaspora countries,

13 See Russian Orthodox Church, *Regulations on the diocesan vicariates of the Russian Orthodox Church (Polozhenie o eparhial'nykh vikariatstvakh Russkoi Pravoslavnoi Tserkvi)* (December 28, 2011), <http://www.patriarchia.ru/db/text/1909320.html>.

14 See Holy and Great Council, *Delegations* (Pentecost 2016), <https://www.holycouncil.org/delegations>.

15 See Pan-Orthodox Cathedral, *The composition of the delegation of the Russian Orthodox Church for participation in the Pan-Orthodox Council approved (Utverzhden sostav delegatsii Russkoi Pravoslavnoi Tserkvi dlia uchastiia vo Vsepravoslavnom Sobore)* (May 4, 2016), <http://sobor2016.patriarchia.ru/db/text/4460274.html>. After the reunification between the Moscow Patriarchate and the Russian Orthodox Church Outside of Russia, in May 2007, and until the death of Archbishop Feofan (Galinski) in 2017, the ROC had even two “Archbishops of Berlin and Germany.” Feofan’s successor was named “Administrator

the principle of one bishop in one city cannot be maintained. The Orthodox Church has acknowledged this problem. In 2009, at the Panorthodox meeting in Chambésy (Switzerland), the representatives of the churches decided that bishops' assemblies be established in countries which do not belong to the exclusive jurisdiction of one church, but where bishops of several autocephalous churches were present.¹⁶ These assemblies should illustrate that the member bishops are in communion with each other, and not competing, on the same territory.

- 3) In predominantly Orthodox countries, too, there were and there are cases in which Orthodox churches claim a territory as their own, deny the jurisdiction of another church, and eventually break communion over a dispute—Ukraine being the most prominent example. However, in other cases churches may argue over a certain territory and install parallel hierarchies but still stay in communion with each other. There are several such disputes, most of minor character, with Moldova being probably the most important. Both the Russian and the Romanian Orthodox churches regard it as belonging to their jurisdiction, and both churches have dioceses and parishes in the country. But nevertheless, the Moscow and Bucharest patriarchates stay in communion. In Moldova itself, some faithful attend parishes of both churches, and some priests even concelebrate. That is not official, of course, and the bishops from each side claim that they are in charge, and not the other ones, but we have the fact that in a given territory more than one bishop from different churches claim responsibility, without a break of communion between their churches.

So what we can see is a twofold situation. On the one hand, the Orthodox churches try to uphold the idea of having only one bishop for a given place. They do that by ordaining vicar bishops to dioceses which do not exist,¹⁷ or by forming bishops' assemblies in the diaspora. On the other hand, they tolerate a departure from this principle in many cases, mostly for practical reasons—dioceses are so large that a vicar is needed, the diaspora requires new solutions. In some cases, it has led to a break of communion between the churches involved. In the dispute about

of the diocese of Berlin and Germany," and given a title of a diocese in Russia, in order to avoid such a duplication.

- 16 See Greek Orthodox Archdiocese of America, *Communiqué of the 4th Pre-Conciliar Pan-orthodox Conference* (Chambésy-Geneva, June 6–12, 2009), <https://www.goarch.org/-/chambesy-communique>. There is also a draft for Regulations of Episcopal Assemblies on the same website.
- 17 But it is clear that the dioceses of vicar bishops—in the Orthodox Church frequently named after places on the territory of the eparchy, in the Catholic Church after a historical diocesan see which does not exist anymore—are in fact on the territory of another bishop who is in charge for that place. The vicar does not exercise jurisdiction, but he is consecrated as the bishop of X. But X is situated (even if there are no Christians anymore, as frequently in the Catholic case) in the diocese of someone else.

Orthodoxy in Estonia, in 1996, there was a schism between Moscow and Constantinople which lasted for four months. After the Russian Church broke communion with Constantinople in the fall of 2018 over Ukraine, the interruption of the communion has already lasted for years.¹⁸

The territorial principle carries significant weight in Orthodox ecclesiology, but it does not work, or one could even say, the Church does not stick to it, for valid reasons. However, once one goes beyond the question of the role of a parish and of a diocese, one sees that the territorial principle had a consequence which is a dominant feature in Orthodoxy today: it contributed to the establishment of autocephalous churches. It is worth taking a closer look at them.

Autocephaly as a Decisive Category

Not only the debate on Ukraine, but earlier inner-Orthodox events and developments, have already underlined the significance of the autocephalous churches. The Holy and Great Council of Crete was in fact much more a meeting of autocephalous churches than a meeting of the Orthodox Church, as was also the decades-long process which led to it. That can be clearly seen in the organizational rules, the voting procedures, etc.¹⁹ They are all concentrated on the autocephalous churches or on their first hierarchs who represented them. The right to vote was given to churches, not to bishops. The votes had to be cast by the first hierarchs of each Church. Dissenting opinions of bishops were possible, but they were regarded as an internal matter of the church to which the respective bishops belonged.

Thus, a category has gained significance which according to the ecclesiological tradition does not belong to the nature of the Church. Autocephaly is not identical with the structures of metropolitanates and patriarchates which developed in the 4th and 5th centuries. The processes of obtaining autocephaly were very different:²⁰ The ancient patriarchates of Constantinople, Alexandria, Antioch, and Jerusalem were never formally given an autocephaly—they developed in parallel to the structures of the early Church. The Church of Cyprus traces its autocephaly back to a decision of the Ephesus Council (431) according to which “the Rulers

18 There were questions raised whether it is really a schism since the Ecumenical Patriarch still commemorates the Moscow Patriarch, but that can be neglected here. It is without question that the communion is broken, even though only from one side.

19 See Synaxis of the Primates of Orthodox Churches, *Organization and Working Procedure of the Holy and Great Council of the Orthodox Church* (Chambésy, January 21–28, 2016), <https://www.holycouncil.org/-/procedures>.

20 A discussion of this topic in greater length can be found in Thomas Bremer, “Autocephaly: A Challenge for both Orthodox and Catholics,” in *Autocephaly: In Search of Unity in Diversity*, ed. Edward G. Farrugia and Željko Paša (Rome, forthcoming).

of the holy churches in Cyprus shall enjoy, without dispute or injury, according to the Canons of the blessed Fathers and ancient custom, the right of performing for themselves the ordination of their excellent Bishops.”²¹ The ROC got its autocephaly by a decision of the EP in 1589, which was confirmed by the other ancient patriarchates. All other autocephalies were granted in the 19th century or later; they almost all referred to states with an Orthodox population, which had become independent after these states had been part of larger ones—concretely, of the Ottoman or the Russian Empires. The independence of the Church, i.e. the autocephaly, was seen as an ecclesial supplement to the political independence. All this happened in the context of the rise of national consciousness. Those newly founded states were national states in which mostly the titular nation prevailed. So, there are very different types of autocephaly, and it is difficult to use the term homonymously. They represent very different phenomena, notwithstanding the fact that each autocephalous Church is ontologically, i.e. as an autocephalous Church, identical with the others. That means that each of them has the same rights as the other ones (e.g., in the procedures of the Crete Council); their only ecclesiological difference is in their rank in the canonical order of the churches. It is another matter that this order is itself disputed (the list of Constantinople and the one used in Moscow differ in some places; Moscow recognizes the Orthodox Church in America as autocephalous, whereas Constantinople mentions since 2019 the Orthodox Church of Ukraine). In addition, it is not clear what that order means. Frequently, it is called an order of honor, which means that the Patriarch of Constantinople, or his representative, has the right to preside in meetings, or to be the main celebrant in liturgies, etc. According to the Russian Church, that primatial position does not imply any juridical consequences. The EP and many theologians from the Greek tradition, however, claim that the Ecumenical Patriarch has the right to convey autocephaly to churches who apply for that.

It would be incorrect to reduce the conflict in Ukraine to this divergent interpretation. Though that point was made in the debates around the autocephaly issue, the Church of Constantinople claimed the right to grant autocephaly in Ukraine not because it has that right *in general*, but because Ukraine belonged—according to the standpoint of the EP—to its canonical territory. The rights given to the Moscow Patriarch in the late 17th century were revoked,²² and thus the temporary administration of Ukraine by Moscow ceased and came back to Constantinople which then had the right to grant the autocephaly. For the discussion of the legitimacy of the action undertaken by the EP in 2018/19, then, the point is not primarily the prerogatives of the first church, but rather the question whose canonical territory Ukraine was in late 2018—did it belong to Constantinople, or to Moscow?

21 *The Canons of the Council of Ephesus (431)*, can. 8, https://earlychurchtexts.com/public/ephesus_cansons_431.htm.

22 For the events of 1686, see the contribution of Vera Tchentsova in this volume.

In addition, in almost all cases of autocephalies which were granted after antiquity, the newly autocephalous churches had belonged to the EP.²³ That was the case with Russia, Serbia, Romania, Bulgaria, Greece, and Albania. Cyprus drew its ecclesial independence from an Ecumenical Council. The three remaining cases—Georgia, Poland, the Czech Lands and Slovakia—are special. The latter two emerged as the result of shifting of borders in the 20th century which resulted in a significant number of Orthodox faithful living in the newly created countries for whom a church was organized in the period between the World Wars, and eventually given autocephaly. In the case of Georgia, the Church had had a *de facto* autocephalous status, which was abolished when Russia conquered Georgia and subordinated the Church under the ROC. As soon as it became possible after the 1917 revolution, the Georgian bishops declared the autocephaly of their Church. In antiquity, the Georgian Church had belonged to the Patriarchate of Antioch, not to Constantinople. It is indicative that each of these three churches received two confirmations of autocephaly, one from the Moscow Patriarchate and one from the EP. The one from the Russian Church came at a time when it was under the Soviet regime, and it served Soviet interests to exercise political influence in Poland, Czechoslovakia, and (the Soviet republic of) Georgia, respectively, via the Orthodox churches.

Of course, given that the Orthodox Church does not have a central administration, the existence of levels between the local Church (the eparchy) and the universal Church is very helpful and enables the local churches to act together in a coordinated way. A glance at the Oriental Orthodox churches shows that such processes are much more difficult there. It was in fact only when these churches met in the ecumenical movement that they started to organize meetings of their first hierarchs and to form common committees. That led to a situation like the one we have now in regard to the Catholic Church: since 1984, there is an agreement between the Syriac Orthodox Church and the Catholic Church about the mutual acceptance to communion in cases of pastoral need. When there is no priest of their own Church “materially or morally”²⁴ available, faithful are allowed to receive the sacraments of penance, Eucharist, and anointing of the sick from a priest of the respective other Church. The Syriac Orthodox Church is in full communion with the Coptic Orthodox Church. When Pope Francis and the Coptic Pope Tawadros II met in 2017, the latter signed an agreement that in case of a

23 It would be interesting to research autocephalies that existed historically but were abolished again, mostly in the Balkans, like Ohrid (Achrída) or Peć, but that is beyond the topic of this article.

24 *Common Declaration of Pope John Paul II and His Holiness Mar Ignatius Zakka I Iwas* (June 23, 1984), <http://www.christianunity.va/content/unitacristiani/it/dialoghi/sezione-orientale/chiese-ortodosse-orientali/relazioni-bilaterali/patriarcato-siro-ortodosso-dantiochia-e-di-tutto-loriente--damas/dichiarazioni-comuni/1984--papa-giovanni-paolo-ii-ed-il-patriarca-siro-ortodosso-danti/testo-in-inglese.html>.

conversion from one Church to the other baptism should not be repeated. But he could sign the statement only as an individual, not on behalf of his Church, since he did not have the support of his synod. That means that one Church of the Oriental Orthodox community is not sure whether Catholics are baptized at all, whereas the other recommends to their faithful to take communion there in case they have no access to a priest of their own Church. In the Eastern Orthodox churches, however, there was throughout history the awareness not only of belonging together, but also of acting together. The preparation process for the “Holy and Great Council” in 2016, which started decades ago, took place only because of the activities of the EP. Even though the ROC was frequently critical about the EP, it never disputed its right to take initiatives, to convoke meetings, and to preside at these meetings.

That shows that there are, of course, practical reasons for this emphasis on the autocephalous churches. Historically, they have shown their necessity. But in a strictly ecclesiological perspective, there is no real place for a level between the local and the universal Church. The Ukrainian dispute, however, was not about the local church, led by a bishop, but about the intermediary level of the autocephalous Church. Though these structures of autocephaly which arose historically do not easily fit into the prevailing ecclesiological scheme, they are a very important reality in church life today. The argument about Orthodoxy in Ukraine is about something that is theologically, i.e. from the point of view of *ecclesiology*, not that important at all. It is questions of power, influence, authority, and politics that play the most important role here.

Concluding Thoughts

What does all this mean for the future of ecclesiology, and for the future of the ecclesial situation in Ukraine? We saw that the competition of several jurisdictions over the same territory can be the cause for harsh inner-Orthodox fights—but we also saw that the co-existence of several jurisdiction for the same area does not necessarily lead to conflicts between churches and to interruption of communion.

One could ask whether a solution like the ones described, where the territorial jurisdiction is not clear (diaspora, Moldova), would fit for Ukraine—or rather whether departing from the system of territoriality altogether could be a solution. The principle of one bishop in one city comes from a time when mobility was much lower than it is today, and when adherence to a local community was much simpler. But most important: its rationale was completely different. The principle that there must be only one bishop in one city dealt in antiquity with competing bishops, i.e. with bishops from “heretic” or “schismatic” churches who would have churches and adherents in places where there were already bishops of the

Catholic Church. The idea was to make clear that the one bishop who had a succession lineage up to the apostles was right, not the other one, and it served to keep the faithful together. Obviously, it never worked, but that was the claim. The main goal was to prevent the faithful from going to another church which was led by another bishop. We cannot pretend that there was an ideal unity in the early Church where the "heretics" would have been clearly identified and ousted. It was rather a continuous fight for domination (in a city) which was underlaid with the claim of being the right one. Therefore, the principle was not about reserving certain areas to bishops and giving them the exclusive right to exercise jurisdiction there, but it was about keeping the Church in the right belief, not allowing dissenting churches to be established and to develop—a danger which was very much real and present in the first centuries. That means that when we apply a hermeneutical approach and ask what the idea behind that principle is, we will see that it is the preservation of the faith, not the organization of church structures. The latter is a consequence of the superior aim. In a situation like the one in our times when a church with a hierarchical structure, be it the Orthodox or the Catholic one, faces problems in organizing the pastoral care for its members, it could depart from the principle for the sake of a better provision of that care. The reality of the dioceses, the parishes, and the situation of the faithful is multifold nowadays, and only in a very few cases it does correspond to the situation we had in the first centuries of Christianity. A more open approach, therefore, could resolve many problems Orthodoxy has nowadays.

If we apply these ideas to Ukraine, then it could be the case that there would be two jurisdictions and two Orthodox churches in communion with each other (the latter is not the case at the moment, of course). People could choose to which they belong and where they attend services. The ones would prefer the use of Ukrainian as a liturgical language, others might like Church Slavonic much more. Some faithful would feel connected to a certain bishop, or monastery, or church building, and worship respectively. Since the two churches would be in communion with each other, people could also make spontaneous decisions and attend one service one day, another one the next day or week.

This idea can only be applied to a situation in which the churches involved are in communion (as in Moldova, for example). It does not relate to churches of different "confessions," like the Orthodox and the Catholic ones. Historically, for churches not in communion, it was clear that the other one was "wrong," that it was schismatic or heretical, that it was even not a Church. As long as a Church does not acknowledge others as churches, it can easily disregard the existence of any other church organization on its territory. To recognize other churches without being in communion with them is a relatively modern phenomenon which came only when churches and their territories expanded, and above all when the churches developed kind relations towards each other in the ecumenical movement. That brought along new problems—if they saw in the other not an adversary

anymore, but a fellow Christian community with elements of ecclesiality, what would that mean?²⁵ However, in our context, the problem of territoriality is discussed between local churches within one Church.

The situation described above is already the reality for many Orthodox in Ukraine.²⁶ It is in contradiction to the ecclesial prescriptions since both churches are not in communion with each other, but it happens, and sometimes even with the consent (the “blessing”) of priests. Metropolitan Symeon (Shostats’kyi), one of the leading figures in the OCU and one of two bishops who had left the UOC in favor of the newly created Church, said in an interview that he prays for the bishops in the UOC, and that he heard that they also pray for him.²⁷ There were also voices in Greek Orthodoxy who interpreted the situation as a kind of normality. Metropolitan Ignatios (Georgakopoulos) of Demetrias said in 2019 that Metropolitan Onufrii (Berezovs’kyi), the head of the UOC, is still in communion with the Ecumenical Patriarch, as the latter commemorates in his liturgies the Russian Patriarch Kirill (Gundiaev), who is in communion with Onufrii.²⁸ That seems to indicate a situation that there are two legitimate churches in Ukraine which are in different ways (via Constantinople and via Moscow) connected to world Orthodoxy. The autocephalous churches which have not recognized the new OCU are in communion with both adversary patriarchates, a situation which shows that there is no strictly logical explanation for the given situation.

25 One could see these problems very clearly in 2002 when the RCC established four dioceses in Russia, and the ROC reacted harshly, claiming Russia as its canonical territory. The RCC approach was a kind of a market model: everybody can offer everywhere what he has to present, and people can make a choice. Therefore, Churches compete everywhere with each other. The argument behind it was religious freedom. The ROC had the canonical territory approach: Russia is its territory, Catholics can have parishes (and sometimes individual Russians convert), but the RCC should not have structures, charitable organizations, schools, dioceses etc. The ROC argued that it has dioceses in the West only for pastoral care of its faithful, but no other structures there. This means in the end the recognition of the other side as a Church. In principle, the RCC offers salvation to everybody and everywhere, by belonging to it. And the ROC says it offers salvation to faithful on its canonical territory, but people in the West can and will be saved by the RCC. This model is much more “ecumenical,” it acknowledges the RCC as *the* Church in the West which is the RCC’s canonical territory. In the end, the world is divided between Orthodoxy and the RCC.

26 See the contribution of Lozova and Kalenychenko in this volume.

27 See the interview with Metropolitan Symeon, *Metropolitan Simeon: “The only autocephalous Orthodox Church in Ukraine will be during my lifetime!”* (Mitropolit Simeon: “Edina avtokefal’na Pravoslavna Cerkva v Ukraini bude – za moho zhittia!”) (January 15, 2021), https://risu.ua/mitropolit-simeon-yedina-avtokefalna-pravoslavna-cerkva-v-ukrayini-bude---za-mogo-zhittya_n115105.

28 See Metropolitan Ignatios of Demetrias, “Ukrainian Autocephaly and Responsibility Toward the Faithful,” *Public Orthodoxy* (2019), <https://publicorthodoxy.org/2019/10/23/ukrainian-autocephaly-and-responsibility>: “Thus, he [Patriarch Bartholomew] continues for his part to be in communion with Onufriy.”

A shift of the ecclesiological paradigm would be a bold step, to be sure. But it is not something that would be impossible. The territorial principle is not necessarily inherent to the Church. It was developed historically, with good and understandable reasons, and it is fully possible that it might disappear again, especially given that the reasons for its introduction do not exist any more, and that there are already now so many exceptions to the rule, in both the Catholic and the Orthodox Church. The changes that such a shift would bring along are not so drastic, since in many regards, we have them already as a fact. But it would not only help to resolve a major ecclesiological problem: it would also present a solution for the complicated situation in Ukrainian Orthodoxy.