

ROC publishes theological clarification on non-canonicity of OCU



The Synodal Biblical and Theological Commission of the Russian Orthodox Church published a clarification on invalidity of ordinations and non-canonicity of the OCU.

On October 7, 2019, an explanatory memorandum by the Secretariat of the Synodal Biblical and Theological Commission of the Russian Orthodox Church “On the invalidity of ordinations of the Ukrainian schismatics and non-canonicity of the ‘Orthodox Church of Ukraine’” was published, the ROC DECR website reports.

The document discusses the problems of apostolic succession among schismatic “hierarchs”, the limits of application of the oikonomia principle, issues of the lack of legitimacy of the OCU, the distortion of the role of the first bishop in the Orthodox Church, and explains the suspension of Eucharistic communion.

The Synodal Biblical and Theological Commission emphasizes that “the unilateral actions of the Patriarchate of Constantinople in Ukraine, which eventuated the signing in January 2019 of the so-called Tomos on autocephaly contrary to the will

of the episcopate, clergy, monastics and laity of the Ukrainian Orthodox Church provoked heated discussion in the church community,” including among the Local Orthodox Churches.

This has to do with “justified alarm about maintaining the intact apostolic succession in the Church due to the receiving into Eucharistic communion by the Synod of the Patriarchate of Constantinople of the persons who do not have legal consecration.” It is underscored that most of the ordinations of the episcopate of the Orthodox Church of Ukraine (OCU – Ed.) come from anathematized ex-metropolitan of Kiev and All Ukraine Filaret Denisenko, who was excommunicated from the Church.

The clarification notes that “the primary and absolutely necessary condition for applying oikonomia when admitting schismatic bishops or clergy to the Church is their repentance.”

At the same time, “it is fundamentally important that the principle of oikonomia to schismatics is applied providing that another ancient principle is observed, by which canonical sanctions can only be abrogated by the subject of church authority which imposed these sanctions.”

In this regard, “the unilateral decision of the Patriarchate of Constantinople on reinstatement in the current rank of the Ukrainian dissenters cannot be recognized as legal,” the Russian Orthodox Church stresses.

Speaking about the lack of legitimacy of the OCU, the Biblical and Theological Commission explains that historically the proclamation of autocephaly of the Church and the involvement in this matter of national authorities is necessitated by the emergence of a sovereign state, but at the same time the legitimacy of the new autocephalous Church has to be supported by the overwhelming majority of the population.

“The defeat of Petro Poroshenko in the presidential election in spring 2019, who made proclamation of Ukrainian autocephaly as one of the main points of his election program, only confirmed that the claims of the Orthodox Church of Ukraine for the status of national church are groundless,” the commentary says.

Below is the full text of the document.

Commentary by the Secretariat of the Synodal Biblical and Theological Commission of the Russian Orthodox Church.

The unilateral actions of the Patriarchate of Constantinople in Ukraine, which eventuated the signing of the so-called “Tomos of autocephaly” in January 2019, contrary to the will of the episcopate, clergy, monastics and laity of the Ukrainian Orthodox Church, caused heated discussion in the church community. An insight into publications on the topic shows that for many participants in the discussion, the Ukrainian issue is directly related to such key concepts for Orthodox ecclesiology as apostolic succession, oikonomia and its boundaries, dispensation of the Orthodox Church at the universal level, catholicity and primacy. A justified alarm about maintaining the intact apostolic succession in the Church due to the receiving in the Eucharistic communion by the Synod of the Patriarchate of Constantinople of persons who do not have legal consecration is traced down in the works of a number of authors, including Greek-writing.

The key points furnished by the Patriarchate of Constantinople in support of its actions in Ukraine have already been examined in detail by the Synodal Biblical and Theological Commission in the commentary on the letter of Patriarch Bartholomew to Archbishop Anastasios of Albania of February 20, 2019, published by the Patriarchate of Constantinople. Bearing in mind the ongoing discussion of the Ukrainian ecclesiastic issue among the episcopate, clergy and laity of some Local Orthodox Churches, the Secretariat of the Commission publishes its comments on the most important topics of the debate.

The problem of apostolic succession among schismatic “hierarchs”

Most “ordinations” of the episcopate of the “Orthodox Church of Ukraine” originate from the former metropolitan of Kiev and All Ukraine Filaret Denisenko, who was banned from priesthood by the Ukrainian Orthodox Church on May 27, 1992, and disgowned by the Russian Orthodox Church on 11 June 1992. Due to the lack of repentance from the monk Filaret and his continued schismatic activity, including in the territory of other autocephalous Churches, he was excommunicated from the Church through anathematization by the Bishops’ Council of the Russian Orthodox Church on February 18-23, 1997. Despite his repeated appeals to the Patriarch of Constantinople, his anathema was documented by the Constantinople Patriarchate and other Local Orthodox Churches.

In October 2018, the Patriarchate of Constantinople unexpectedly announced the

consideration of another appeal of the monk Filaret and reinstated him in his rank as the “former metropolitan of Kiev”. However, there was no repentance on the part of Denisenko, and the decision of the Holy Synod of the Patriarchate of Constantinople was not stipulated by a new consideration of the materials of his case and the charges against him. Five months after the granting of the “Tomos of autocephaly”, M. Denisenko alongside several “bishops” separated from the “Orthodox Church of Ukraine”, recognized by Constantinople, and announced the re-establishment of the “Kiev Patriarchate” having ordained new “bishops” for it.

It’s noteworthy that the institution of schism was one of the main but not the only reason for the deposition of Filaret. In the Judicial Act of the Council of June 11, 1992, the following offences are indicated, inter alia: “authoritarian methods of governance ... complete disregard for the conciliar voice of the Church”, “oath-crime”, “deliberate distortion of the genuine decisions of the Council of Bishops”, “sole appropriation of the sovereign authority”. The validity of these accusations was apparently rejected without investigation by the Synod of Constantinople, but was soon proved by Filaret himself who caused a split this time inside the newly created structure, i.e. accomplished almost the same thing, for which he was deposed almost thirty years ago. Thus, the only hierarch of the former “Kiev Patriarchate”, who at one time had canonical ordination, left the new “autocephalous church” and publicly rejected the so-called “Tomos of Autocephaly”.

Also, the hierarchy of the so-called “Ukrainian Autocephalous Orthodox Church” was completely reinstated in the “episcopate” of the “Orthodox Church of Ukraine”, which was based on the “consecrations” performed in 1990 by the former bishop of Zhitomir Ioann Bodnarchuk (in 1989, he was deposed by the decision of the Holy Synod of the Russian Orthodox Church) and former deacon Viktor Chekalin (deposed for his immoral actions in 1988), an impostor who pretended to be a hierarch but in reality never even had a schismatic ordination as a bishop. The attempts of the dissenters to “prove” with the help of falsified evidence that another bishop, besides Bodnarchuk, was supposedly involved in the ordinations of the first “bishops” were thoroughly investigated on the basis of archival materials and turned out to be completely false.

Part of the “hierarchy” of the “Ukrainian Autocephalous Orthodox Church” was re-ordained by Filaret Denisenko; however, “ordination” of some “bishops” of this structure, including the one of Makariy Maletich, belongs to Chekalin’s “hierarchy”. Without even formal apostolic succession, former archpriest Makariy Maletich was “reinstated” by the Patriarchate of Constantinople in the rank of “former

metropolitan of Lvov". This fact confirms that the Holy Synod of the Patriarchate of Constantinople decided to justify both leaders alongside their "hierarchies", without examining the circumstances of their backsliding into schism, their condemnation and the succession of schismatic "ordinations" – without even being familiar with the basic facts of their biography.

Boundaries of application of the oikonomia principle

The primary and absolutely necessary condition for applying oikonomia when receiving schismatic bishops or clergy to the Church is their repentance. St. Basil the Great in his 1st rule orders "to correct those in unauthorized gatherings with proper repentance and conversion and bring them back to the Church" and testifies that "even those who have different church ranks and become renegades joining the rebellious are often restored in the same rank if they repent." The need for repentance is indicated in the interpretations of the above rule by three authoritative Byzantine canonists: Ioann Zonara, Theodore Balsamon and Alexei Aristin. The 8th rule of the First Ecumenical Council, dedicated to the canonical reception of those who return from the Novation schism, prescribes to admit them only after they bring a written certificate that they will follow the dogmata of the One Catholic Church in everything. Finally, the VII Ecumenical Council received into Eucharistic communion iconoclastic bishops only after each of them had read out their renunciation of previous errors (1 Act of the VII Ecumenical Council).

It is fundamentally important that the oikonomia principle to schismatics is applied providing that another ancient principle is observed, by which canonical sanctions can only be abrogated by the subject of church authority which imposed these sanctions. The 5th rule of the Ecumenical Council determines that "about those whom the bishops in each diocese have removed from church communion, whether they belong to the clergy or to the category of laity, the following rules must be kept in judgment whereby the excommunicated by one church authority cannot be received by others" (see also the 32nd Apostolic rule, the 6th rule of the Council of Antioch). Moreover, according to the 2nd rule of the Sixth Ecumenical Council, which approved the relevant resolutions of the Carthage Council, the excommunicated by the Council of their Church do not have the right to appeal to the court of the Patriarch of any other Church. Thus, the question of removing punishments from the schismatics and admitting them in an existing dignity can be positively resolved either by the Church that imposed these punishments or by the Ecumenical Council, but with the obligatory participation and consideration of the position of the Local Church being directly affected by the activities of the

schismatics. A typical example is a precedent of applying oikonomia to the Melethian bishops who split the Local Church of Alexandria. The case was considered by the First Ecumenical Council. However, the decision of the Council was made with direct participation and account of the position of the Bishop of Alexandria Alexander who, as recorded in the council acts, “was the main figure and participant in everything that happened at the Council.” In recent history, a similar thing was done to heal the schism in the Bulgarian Orthodox Church at the Pan-Orthodox Council in Sofia in 1998, which by virtue of oikonomia reinstated schismatic hierarchs in their rank after the latter repented and reunited with their rightful Primate, Patriarch Maxim of Bulgaria.

Therefore, the unilateral decision of the Patriarchate of Constantinople to reinstate the Ukrainian schismatics in their current rank cannot be recognized as legal even on the basis of the principle of oikonomia, since two most important conditions for its application have not been fulfilled: the repentance of schismatics and their reconciliation with the Church, from the unity with which they fell away and which banned them from priesthood.

It is essential that throughout its history, the Orthodox Church in all cases of applying oikonomia to schismatics dealt with persons whose ordination even formally, through the laying-on of hands, was associated with the bishops who once had canonical ordination. History does not know any precedents of reinstatement of the persons, whose ordination was initially performed by impostors, who had never had any episcopal ordination. In this regard, in relation to the majority of “hierarchs” of the so-called “Ukrainian Autocephalous Orthodox Church”, which was mentioned above, even the very formulation of the issue of applying oikonomia appears to be absolutely impossible.

Lack of legitimacy of the “Orthodox Church of Ukraine”

In the history of the Orthodox Church (including recent history), there are cases of direct participation of the state and political authorities in the proclamation of autocephaly. In this way in the XIX – early XX centuries most of the modern autocephalous Churches were formed. These processes, as a rule, were eventuated by the emergence of a sovereign national state (in Greece, Bulgaria, Romania, Serbia) and were considered as an element of national building. The legitimacy of the new autocephalous Church was supported by the vast majority of the population.

The project to create an autocephalous Ukrainian Church, proposed in 2018 by

former president of Ukraine Petro Poroshenko, also relied on the idea that, if not all, then a significant majority of Ukrainian believers will support the idea of autocephaly in any case. In his public speeches, Patriarch Bartholomew of Constantinople, apparently trusting the information received from the Ukrainian authorities, also expressed confidence that the majority of the Orthodox population of Ukraine would join the “united church”, if not all.

However, subsequent events firmly convinced that the idea of an “autocephalous church” in reality does not have support among most Orthodox in Ukraine. The structure created by the Patriarchate of Constantinople was almost entirely composed of representatives of the two breakaway groups. Of the 90 bishops of the canonical Church, only two moved into the new organization. Led by Metropolitan Onuphry of Kiev and All Ukraine, the Ukrainian Orthodox Church remains the largest denomination in the country both in terms of the number of bishops, clergy and parishes and the number of believers. Thus, we can say about another historical testimony to the word from the District Epistle of the Eastern Patriarchs of 1848: “The guardian of piety is the very Body of the Church, i.e. the people themselves who always want to keep their faith unchanged.”

The defeat of Petro Poroshenko in the presidential election in spring 2019, who made proclamation of the Ukrainian autocephaly one of the main points of his election program, only confirmed that the claims of the “Orthodox Church of Ukraine” for the status of national church are groundless.

Distortion of the role of the first bishop in the Orthodox Church

The members and experts of the Synodal Biblical and Theological Commission in their above mentioned Comments on the letter of Patriarch Bartholomew examined in detail the theses, which in total indicate the exclusive authority of the Patriarchs of Constantinople in the universal Orthodox Church. Among these provisions there is the following:

- a) the doctrine of “over-boundary responsibility” of the Patriarch of Constantinople in matters of the ultimate solution of various canonical situations arising in other Local Churches, i.e. the right to intervene in the internal life of any Local Church;
- b) the doctrine of the right “as a guardian” and “as a judge” to resolve disputes between Local Churches, to “strengthen”, on his own initiative, those actions of the Primate of Autocephalous Churches which he considers insufficient;

c) the idea of the “primacy of power” of the Patriarch of Constantinople at the universal level as an absolutely necessary condition for the existence of the Church, similar to the primacy of the authority of the bishop in his diocese and the Primate within the Local Church;

d) the right to determine and change the boundaries of the Local Orthodox Churches, remove dioceses, bishops, clergy and laity from the sacred church jurisdiction, strictly protected by the holy canons of one Local Church, and re-subordinate it to another; the right to independently proclaim autocephaly of parts of other Local Churches even against the will of their supreme church authority;

e) the right to receive and make final judgments on appeals submitted by bishops and clergy of any autocephalous Church.

The listed aspects of this new doctrine contradict the Holy Tradition of the Church of Christ, grossly distort the patristic ecclesiology, lead the hierarchs and theologians of the Patriarchate of Constantinople who are in favor of this doctrine to create a model of church governance in the Orthodox East which is close to medieval papism. The Holy Fathers of Orthodoxy, hierarchs and theologians of the ancient Eastern Patriarchates took a lot of confessional efforts in the fight against the idea of papacy. The Russian Orthodox Church now strictly follows what these fathers defended in a polemic with papism in past centuries. It will not be amiss to once again recall the words of the District Patriarchal and Synodal Epistle of the Church of Constantinople in 1895, cited in the aforesaid Commission’s commentary, in which the Holy Church of Constantinople testifies to the Orthodox vision of primacy it used to share at that time:

“From this rule [28th rule of the Fourth Ecumenical Council] it appears that the bishop of Rome is equal in honor to the bishop of the Church of Constantinople and to the bishops of other Churches, and neither a single rule nor a single father implies that the bishop of Rome is a sole head of the Catholic (conciliar – Ed.) Church and an infallible judge of bishops of other independent and autocephalous Churches.”

The Russian Church adopted this faith from her Mother, the ancient Church of Constantinople, continues to stand in faith and to object to any distortions or innovations.

Suspension of Eucharistic Communion

Due to the non-canonical actions of the Patriarchate of Constantinople in Ukraine, the Russian Orthodox Church was forced to break off the Eucharistic communion with it, guided by the explicit instruction of the holy canons to terminate the communion with those who themselves would “communicate with the excommunicated” (2nd rule of the Council of Antioch). It is appropriate to recall how during the V Ecumenical Council, the holy emperor Justinian called on the fathers of the Council to stop commemorating Pope Vigilius, “no longer mentioning his alien name to Christians in the sacred diptychs, so as not to become accomplices in the wickedness of Nestorius and Theodore.” If continuing communication with a person who supported the doctrine condemned by the Church meant sharing his ungodliness with him, then what should be the response to the receiving into the Eucharistic communion by hierarchs and clergy of the Church of Constantinople of those who until recently have been recognized as the graceless schismatics and self-ordained by the plentitude of Orthodoxy? Is this not a sin against the Church and the Holy Eucharist?

Having stopped the commemoration of the Pope, Emperor Justinian emphasized that despite this fact, “we maintain unity with the apostolic throne ... because even a change for the worse on the part of Vigilius or anyone else cannot harm the world of the Churches” (Acta Conciliorum Oecumenicorum. IV, 1. P . 202). Therefore, the Russian Church did not separate and does not separate from anything holy and truly ecclesiastical in the Church of Constantinople; however, it does not consider it possible to participate in the non-canonical deeds of its Primate, hierarchs and clergy, trying to protect their faithful children from this. Consequently, the forced refusal to participate in the sacraments of the Patriarchate of Constantinople, which entered into the full church communion with the persons deprived of apostolic succession, is dictated by reverence for the Divine Eucharist and impossibility to even indirectly share the sanctity of the Sacrament with schismatics.

The forced break off in communion with the Church of Constantinople is dictated by the concern to maintain the purity of faith and strict adherence to church tradition.

We offer fervent and persistent prayers in the Holy Trinity to the One Glorious Lord for an immediate end to the dissension brought about by the Patriarchate of Constantinople, as well as for the restoration of unity of mind and love in the Orthodox Church.

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