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Autocephaly and the Conflict of Moscow and Constantinople**

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THE DISCURSIVE CONSTRUCTION OF THE PAST: THE 1686 RESUBORDINATION OF THE KYIV METROPOLITANATE, UKRAINIAN AUTOCEPHALY AND THE CONFLICT OF MOSCOW AND CONSTANTINOPLE

By Denys Shestopalets

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Abstract

This article focuses on the key historical aspect of the clash between the Moscow Patriarchate and the Constantinople Patriarchate in autumn 2018. It analyzes the conflicting representations of the re-subordination of the Kyiv Metropolitanate from the jurisdiction of Constantinople to the purview of Moscow in the second half of the 17th century. The study explores pivotal historical narratives and argumentative strategies employed by the two patriarchates (and, additionally, by the main ideologues of the Ukrainian autocephalist movement) for framing the events of 1686 and for shoring up their contemporary agendas with regards to the autocephalous status of the Orthodox Church in Ukraine.

Introduction

The strained relations between the Constantinople Patriarchate (CP) and the Moscow Patriarchate (MP) have long been a major feature of Eastern Christianity. Manifesting itself both in latent tensions and open conflicts, the continuous rivalry between these major religious actors has turned into a multifaceted phenomenon which encompasses a range of historical, theological, and political aspects.¹ Equipped with their own hegemonic claims,² the two

¹ See on this, e.g.: S. Keleher, "Orthodox Rivalry in the Twentieth Century: Moscow Versus Constantinople," *Religion, State and Society* 25, no. 2 (1997): 125-38; L. Fajfer and S. Rimestad, "The Patriarchates of Constantinople and Moscow in a Global Age: A Comparison," *International Journal for the Study of the Christian Church* 10, no. 2-3 (2010): 211-227; A. Curanović, *The Religious Factor in Russia's Foreign Policy: Keeping God on Our Side* (London: Routledge, 2012), 187-194; L. Leustean, "The Ecumenical Patriarchate," in *Eastern Christianity and Politics in the Twenty-First Century*, ed. L. Leustean (London: Routledge, 2014), 28-35.

² The special status of the Ecumenical Patriarch as *primus inter pares* among Eastern Christian primates historically goes back to the middle of the first millennium when the CP came into prominence as the state church of the Byzantine Empire. Although generally considered to be merely "honorary," this status was nonetheless enshrined in church canons and at the current stage allows the CP to claim the role of the primary "custodian" of Orthodoxy and such prerogatives as the exclusive right to summon ecumenical councils, to cancel court decisions

patriarchates have engaged in power struggles for domination in global Orthodoxy, attempting to assume an exclusive leadership role and exert influence over Orthodox communities in different parts of the world. Apart from its intra-Orthodox repercussions, this competition has been closely intertwined with international relations and conflicts between various geopolitical players, both during the Cold War and in the post-Soviet period.³

Given the contentious character of their relationship, it is not surprising that, in the past several decades, the MP and the CP have regularly found themselves on a collision course. There have been a number of incidents where the background tensions between the two spilled over into serious confrontations, such as the dispute about the jurisdiction of the Orthodox Church in Estonia in 1996.⁴ In the second half of the 2010s, however, this slow-burning opposition finally reached its tipping point, resulting in a complete severing of ties.

In the summer of 2016, days before the beginning of the Pan-Orthodox Council in the Isle of Crete, the Russian Orthodox Church (ROC) and three other churches suddenly withdrew from participation in the event, de facto sabotaging what could become the key landmark in the development of Eastern Christianity since the first seven Ecumenical Councils. Each of the four churches cited its own reasons for taking this drastic step on such short notice, and the MP was the last of the group to announce its decision not to send a delegation.⁵ Nonetheless, as Lucian Leustean points out, in this case the sudden religious solidarity of Bulgaria, Syria, and Georgia showed “the long arm of Moscow’s geopolitics.”⁶ One can argue that, from Moscow’s perspective, the success of the Council conducted under the auspices of the Ecumenical

of other Orthodox churches or to grant autocephalous status (Keleher, “Orthodox Rivalry,” 125). In the historical perspective, the idea of a special supreme mission of Russian Orthodoxy was encapsulated in the ideological doctrine of “Moscow is the Third Rome” (see on this, e.g.: D. Strémooukhoff, “Moscow the Third Rome: Sources of the Doctrine,” *Speculum* 28, no. 1 (1953): 84-101; P. Duncan, *Russian Messianism: Third Rome, Revolution, Communism and After* (London: Routledge, 2000), 11-12). In the 20th century the hegemonic orientation of the MP stemmed from its self-representation as a transnational Orthodox structure encompassing the largest number of religious believers (Keleher, “Orthodox Rivalry,” 135). These ambitions were also closely intertwined with various political and geopolitical factors, i.e., consistent attempts of the Soviet and, subsequently, Russian state authorities to use the church as a key instrument of foreign policy (H.J. Psomiades, “Soviet Russia and the Orthodox Church in the Middle East,” *Middle East Journal* 11, no. 4 (1957): 371-381).

³ See on this, e.g.: P. Kitromilides, “The Ecumenical Patriarchate,” in *Eastern Christianity and the Cold War, 1945-91*, ed. L. Leustean (London: Routledge, 2010), 221-239; N. Şeker, “The Greek Orthodox Patriarchate of Constantinople in the Midst of Politics: The Cold War, the Cyprus Question, and the Patriarchate, 1949-1959,” *Journal of Church and State* 55, no. 2 (2013): 264-285; L.N. Leustean, “Eastern Orthodoxy, Geopolitics and the 2016 ‘Holy and Great Synod of the Orthodox Church’,” *Geopolitics* 23, no. 1 (2018): 201-216; D. Shestopalets, “Religious Freedom, Conspiracies, and Faith: The Geopolitics of Ukrainian Autocephaly,” *The Review of Faith & International Affairs* 18, no. 3 (2020): 25-39; N. Kazarian, “The Ecumenical Patriarchate of Constantinople: Power and Geopolitics,” in *Coping with Change. Orthodox Christian Dynamics between Tradition, Innovation, and Realpolitik*, ed. S. Rimestad and V.N. Makrides (Berlin, Peter Lang, 2020), 173-190.

⁴ See on this, e.g.: K. Richters, *The Post-Soviet Russian Orthodox Church: Politics, Culture and Greater Russia* (London: Routledge, 2012), 75-95.

⁵ Leustean, “Eastern Orthodoxy,” 209-211.

⁶ Leustean, “Eastern Orthodoxy,” 210.

Patriarch could strengthen his international image, not just as an obscure *primus inter pares*, but as the actual leader of the Orthodox world. Consequently, while the MP did not offer any substantial reasons for its withdrawal, in subsequent statements the Synod of the ROC, as well as its spokespersons, strongly emphasized that the Council of Crete could not be regarded as truly “Pan-Orthodox.”⁷ In other words, the undermining of the Council’s significance fully aligned with the MP’s agenda of preventing the ubiquitous recognition of the CP’s status as the primary custodian of the Eastern Christian Church’s tradition.

Given these events, in April 2018, the CP decided to go onto the offensive, and reasserted its positions vis-à-vis the MP by getting directly involved in the Ukrainian Orthodox conflict, which was ongoing since the early 1990s.⁸ Responding to numerous, insistent appeals from the past and present Ukrainian state authorities,⁹ Ecumenical Patriarch Bartholomew I launched the process of establishing a Ukrainian autocephalous church—a move that, first and foremost, presupposed a canonical legitimization of the two primary ecclesiastical opponents of the Moscow Patriarchate in Ukraine, viz. the self-proclaimed Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) and the Ukrainian Autocephalous Orthodox Church (UAOC).¹⁰ As a result of this, in autumn 2018, the latent tensions between the two patriarchates finally culminated in a rift, designated by some researchers as potentially a “new great schism” in Christianity.¹¹

This Orthodox crisis was of a greater magnitude than other similar incidents and disputes; the CP delivered a powerful blow to the very heart of the MP’s religious and political interests, threatening what the latter considered to be the historical core of its canonical territory and the place of origin for “Holy Rus’,” the pivotal ideological myth of Russian Orthodoxy.¹² No less importantly, the CP’s move threatened to deprive the MP of a substantial part of its flock, thus dramatically weakening the validity of its claim to a special place in global

⁷ Leustean, “Eastern Orthodoxy,” 212.

⁸ As has been noted by Chibisova, the desire to ensure the MP’s full cooperation regarding the organization of a new pan-Orthodox Council could serve as a major deterrent for the CP from getting involved in the Ukrainian Orthodox crisis in the early 2010s (A. Chibisova, “Ukrainskii vopros v otnosheniiakh Konstantinopolia i Moskvy v nachale XXI v.” *Vestnik PSTGU I: Bogoslovie. Filosofiia* 55, no. 5 (2014), 19-20). Thus, the actions of the MP with regards to the Council of Crete may have become a decisive factor which contributed to the CP’s eventual decision to arrange Ukrainian autocephaly singlehandedly and in a way that could cause substantial damage to the global prestige of the ROC.

⁹ See more on this, e.g.: V. Ielens’kyi, *Relihiia pislia komunizmu* (Kyiv: NPU im. Drahomanova, 2002); Chibisova, “Ukrainskii vopros.”

¹⁰ On the contemporary crisis in Ukrainian Orthodoxy, see, e.g.: N. Denysenko, *The Orthodox Church in Ukraine: A Century of Separation* (DeKalb, IL: Northern Illinois University Press, 2018).

¹¹ J. Kormina and V. Naumescu, “A New ‘Great Schism’? Theopolitics of Communion and Canonical Territory in the Orthodox Church,” *Anthropology Today* 36, no. 1 (2020): 7-11.

¹² On the concept of “Holy Rus’,” see, for example: M.D. Suslov, “‘Holy Rus’: The Geopolitical Imagination in the Contemporary Russian Orthodox Church,” *Russian Politics and Law* 52, no. 3 (2014): 67-86.

Orthodoxy based on the criteria of sheer size.¹³ Finally, by establishing a canonical autocephalous church in Ukraine, the CP could reasonably expect to obtain another loyal ally, supporting Constantinople's paradigm of power distribution in Orthodox Christianity against Moscow's leadership ambitions.

Thus, apart from the declared aim of resolving the long-term crisis in Ukrainian Orthodoxy, the actions of the CP pursued a clear strategic goal of tipping the scales of the rivalry in its favor and undermining the authority of the MP by putting it, to use a chess term, in *zugzwang*, i.e., a situation where any new move by a player leads to a significant weakening of their position. Taking advantage of the ongoing Russian-Ukrainian crisis, and the special eagerness of President Poroshenko to harness the religious factor in his election campaign, the CP vividly demonstrated the inability of the MP to block the proclamation of Ukrainian autocephaly as well as to effectively impede the subsequent recognition of the newly created Orthodox Church of Ukraine (OCU) by other autocephalous centers. Moreover, in retaliation, the MP was yet again forced to resort to unilaterally breaking communion ties with the CP in October 2018. In this respect, if the majority of other churches formally accept the OCU, this could eventually result in the self-isolation of the ROC and its supporters.

Against this backdrop, the central premise of the CP's strategy for arranging an autocephalous church in Ukraine became the formal cancellation of its own Patriarchal and Synodal Act of 1686, i.e., the key historical document that laid the foundation for what until 2018 had been generally regarded as the transfer of the Kyiv Metropolitanate (KM) from the jurisdiction of Constantinople to the purview of Moscow.¹⁴ Preparing canonical grounds for uniting all Ukrainian Orthodox churches into a single entity, on 11 October 2018, the Synod of

¹³ At the same time, it is important to note that the conditions of the 2019 tomos clearly re-stated the CP's claims to all Orthodox diasporas in the world and prohibited the OCU from establishing its own parishes abroad. In this way, the CP prevented the possibility of its own numerical decrease due to the potential separation of its two constituent parts, the Ukrainian Orthodox Church of the USA and the Ukrainian Orthodox Church of Canada that might want to unite with the newly created canonical Ukrainian autocephalous church into a single international entity for the Ukrainian Orthodox.

¹⁴ As a separate entity, the KM emerged in the early 11th century after the Baptism of Kyivan Rus' (988), arranged according to the Eastern Christian rite under the auspices of the CP. Despite the subsequent religious and political changes in these territories over the next centuries, the KM remained formally recognised in the Orthodox world as a canonical territory of the CP. However, taking advantage of the new political circumstances of the middle of the 17th century and, especially, the absorption of the Ukrainian state established by Bohdan Khmel'nyts'kyi by Muscovite Russia, the MP undertook a number of steps to seize full control over the KM. After the ordination of a new Kyiv Metropolitan without permission from the CP in 1685, the Muscovy mission to the CP used political pressure, diplomatic means, and financial stimuli for obtaining documents which, from Moscow's perspective, officially confirmed the transfer of the KM under its canonical jurisdiction. An overview of the KM's history in English can be found in, e.g.: I. Wlasowsky, *Outline History of the Ukrainian Orthodox Church. Volume 1* (New York: Ukrainian Orthodox Church of USA, 1974); A. Brüning, "Orthodox Autocephaly in Ukraine: The Historical Dimension," in *Churches in the Ukrainian Crisis*, ed. Andrii Krawchuk and Thomas Bremer (N.p.: Palgrave-Macmillan, 2016), 79-102.

the CP issued a brief statement that, among other things, revoked the “legal binding” of the 1686 Act and restored the pre-1686 affiliation of Ukrainian Orthodoxy.¹⁵ While officially reclaiming present-day Ukraine as his canonical territory, the Ecumenical Patriarch also assumed the right to decide the fate of all Orthodox bodies there, including their canonical recognition and autocephalous status. It is evident that, by taking such a step, the CP aspired not only to confirm the ordinations received by the hierarchs of the UOC-KP and the UAOC, but also to delegitimize the UOC-MP by depriving it of the previously held position as the only canonical structure representing global Orthodoxy in the Ukrainian lands.¹⁶

In light of these developments, the understanding of the chain of events and various canonical documents which accompanied the change of the Kyiv Metropolitanate’s jurisdiction more than three centuries ago became a key point of contention in the new cycle of rivalry between the CP and the MP. Given that this issue has already been a subject of close scrutiny by a number of historians and theologians,¹⁷ the determination of the actual “historical truth”

¹⁵ “Ecumenical Patriarchate Grants Autocephaly to Ukraine,” *Livyi bereh*, October 11, 2018, https://en.lb.ua/news/2018/10/11/6632_ecumenical_patriarchate_grants.html.

¹⁶ Already in November 2018 Archbishop Job (Getcha), one of the key spokespersons of the CP on Ukrainian matters, stated in his interview that after the October 2018 decisions of the CP’s Synod the UOC-MP technically “ceased to exist” (“Spodivaiemosia, Moskva pryde do rozumu.” Konstantynopol’s’kyi iepyskop pro ukrains’ku avtokefaliu,” *BBC News Ukraina*, November 2, 2018, <https://www.bbc.com/ukrainian/features-46069423>). In the same vein, Bartholomew himself asserted on several occasions that in the wake of the 2018 Unification Council, the UOC-MP’s bishops, including their primate Metropolitan Onufrii (Berezovs’kyi), were formally considered by him as merely “titular” hierarchs of the ROC which were being “temporarily tolerated” in Ukraine (“Vselens’kyi patriarch Tserkvariumu: ukrains’ki iierarkhy pid Rosiieiu ne ie mistsevi pravliachi iepyskopy,” *Cerkvarium*, October 30, 2020, <https://cerkvarium.org/dokumenty/tserkovni/vselenskij-patriarkh-tserkvariumu-ukrajinski-ierarkhi-pid-rosieyu-ne-e-mistsevi-pravlyachi-episkopi>; “Vselens’kyi Patriarkh Varfolomii zvernuvsia lystom do Mytropolyta Onufriia,” December 7, 2018, <https://andriyivska-tserkva.kiev.ua/vselenskij-patriarx-varfolomij-zvernuvsia-listom-do-mitropolita-onufriya/>).

¹⁷ See on this, e.g.: S. Ternovskii, “Izslodovanie o podchinenii Kievskoi mitropolii Moskovskomu patriarkhatu,” in *Arkhiv Iugo-zapadnoi Rusi. Chast’ I. Tom 5. Akty, otnosiashchiesia k delu o podchinenii Kievskoi mitropolii Moskovskomu patriarkhatu* (Kiev, 1872), 1-172; O.M. Shevchenko, “Pro pidporiadkuvannia Kyivs’koi mytropolii Moskovs’komu patriarkhatu naprykintsi XVII st.,” *Ukrains’kyi istorychnyi zhurnal* 1 (1994): 54-60; M.V. Kharyshyn, *Istoriia pidporiadkuvannia Ukrains’koi pravoslavnoi tserkvy Moskovs’komu patriarkhatu* (Kyiv, 1995); V.M. Lurie, *Russkoe pravoslavie mezhdru Kievom i Moskvoy* (Moskva: Tri kvadrata, 2009); K. Vetochnikov, “La ‘concession’ de la métropole de Kyiv au patriarche de Moscou en 1686: Analyse canonique,” in *Proceedings of the 23rd International Congress of Byzantine Studies, Belgrade, 22-27 August 2016: Round Tables*, ed. Bojana Krsmanović, Ljubomir Milanović (Belgrade, 2016), 780-784; V.G. Chentsova, “Sinodal’noe reshenie 1686 g. o Kievskoi Mitropolii,” *Drevniia Rus’. Voprosy medievistiki* 68, no. 2 (June 2017): 89-110; K. Vetochnikov, “‘Transfer’ of the Metropolitanate of Kyiv to the Patriarchate of Moscow in 1686 Decision About the ‘Subordination’ of Metropolitanate of Kyiv to the Patriarch of Moscow,” in *Jurisdictional Status of the Kyiv Orthodox Metropolitanate in 1686: Theology, Canon Law and the Cultural and Historical Context*, ed. O. Sahan (Kyiv, 2019), 57-71; O. Kulchynskyy and Ö. Kul, “Kyiv Metropolia and Moscow Diplomacy: An Ottoman Viewpoint,” *Scrinium* 15 (2019): 256-76; V. Tchentsova, “A Patriarchal ‘Blessing of Release’ for the See of Kyiv Dated 1686: New Archival Material, New Interpretations,” *Canadian-American Slavic Studies* 54 (2020), p. 51-71; V. Chentsova, *Kievskaiia mitropoliiia mezhdru Konstantinopolem i Moskvoy. 1686* (Kyiv: Dukh i litera, 2020); *Vossoedinenie Kievskoi Mitropolii s Russkoi pravoslavnoi tserkoviiu. 1676-1686. Issledovaniia i dokumenty* (Moscow: Tserkovno-nauchnyi tsentr “Pravoslavnaia Entsiklopediia”, 2020); S. Rimestad, “Using History as a Weapon: Jurisdictional Conflicts in Diverse Orthodox Contexts,” in *Coping with Change. Orthodox Christian*

behind the 1686 resubordination goes beyond the scope of this article. Rather, this article aims to compare and contrast the clashing ideological representations of the past by the two patriarchates, bringing into relief their competing historical narratives and argumentative strategies in the context of the contemporary debates on Ukrainian autocephaly.

To effectively address the above-mentioned task, the article proceeds in the following way. It begins with an overview of the pivotal elements of the new perspective on the events of 1686 put forward by the CP in preparation for granting autocephalous status to the OCU. The next section deals with the MP's version of the past, designed to unequivocally confirm the status of the Kyiv Metropolitanate (KM) as an inseparable part of the ROC's canonical territory since the time of Kyivan Rus'. Although the MP's narrative chronologically predates the one currently adopted by the CP, for the purposes of this study it shall be analyzed second in order to fully account for the responses of the ROC's representatives to the new arguments of their opponents. Finally, the third, auxiliary section is included to corroborate the constructed nature of the MP's and CP's historical frameworks by investigating alternative perspectives on the change of the KM's status in 1686, as developed by various groups of Ukrainian autocephalists during the 20th century.

Partial, Conditional, Temporary: Constantinople's Perspective on 1686

As has been noted by scholars, the first clear harbinger of Constantinople's aspiration to reopen the question of the canonical belonging of the KM and contest the post-1686 status quo occurred already in 1924, in the *tomos* of autocephaly for the Polish Orthodox Church.¹⁸ In this document, the re-affiliation was designated by the CP as a "forcible separation" which "occurred contrary to the codes of canon law."¹⁹ Although this issue de facto remained dormant for a significant period of time after that, in the post-Soviet period it gradually came to the fore, specifically in relation to the 1992 division in Ukrainian Orthodoxy and the attempts of Ukrainian autocephalists to establish an independent national church. In this respect, citing an anonymous bishop from the close circle of the Ecumenical Patriarch, the Ukrainian newspaper *Den'* reported in April 2000 that the CP was preparing to revisit the decisions of 1686—a drastic move. This was possibly linked to Moscow Patriarch Aleksii II's earlier interview for a Greek

Dynamics between Tradition, Innovation, and Realpolitik, ed. Sebastian Rimestad and Vasilios N. Makrides (Berlin: Peter Lang, 2020), 200-203.

¹⁸ Keleher, 127; V.V. Burega, "Prisoedinenie Kievskoi Mitropolii k Moskovskomu Patriarkhatu: Kak eto bylo," *Bogoslov.ru*, August 6, 2008, <https://bogoslav.ru/article/315141>); S.F. Mikheev, S.N. Ostapenko, "Proiskhozhdenie sovremennoi pozitsii Konstantinopol'skogo Patriarkhata po interpretatsii dokumentov 1686 g. o perepodchinenii Kiyevskoi mitropolii," *Tserkov' i vremia* 88 (3), 2019, 161-235.

¹⁹ Keleher, "Orthodox Rivalry," 127.

news outlet in February of the same year, in which he asserted that there were no canonical obstacles for the MP to assume the exclusive leadership role in the Orthodox world and to make Moscow another pole of Christianity along with Rome.²⁰ Yet, up until the summer of 2018, the discourse of the CP on the matter was often tainted with ambiguity and equivocation.²¹

For example, in his statement during the meeting with President Yushchenko in March 2005, Archbishop of the Ukrainian Orthodox Church of the USA (which, in 1995, became a Metropolitanate of the CP) Vsevolod (Maidans'kyi) claimed that Constantinople recognized the bounds of the MP's canonical territory only as they were prior to 1686 because "the subordination of the KM to the Moscow Church was carried out by Patriarch Dionysius without consent and endorsement of the Holy Synod of the Great Church of Christ."²² However, during his visit to Ukraine in July 2008, Ecumenical Patriarch Bartholomew stated that, although the 1686 transfer of the KM in and of itself should be regarded as "annexation," it nonetheless constituted a vivid example of a situation where the CP *willingly* agreed to circumvent its canonical rights for the greater good of its flock.²³ In his speech on Sofiivs'ka Square, he de facto conceded that the Ukrainian Church had belonged to the Ecumenical Throne for 700 years *until* it was absorbed by Muscovy.²⁴ Representing the transfer as a pure gesture of good will on the part of the CP, Bartholomew related:

after Ukraine's annexation to Russia and under the pressure of Peter the Great, the Ecumenical Patriarch Dionysios IV judged as necessary for the circumstances of that time the ecclesiastical subordination of the Church of Ukraine to the Patriarchate of Moscow (1687), lest the troubles of the pious Ukrainian people worsen under the Orthodox political leadership—even though the Ukrainian Hierarchy opposed strongly and unanimously that decision, a decision that amounted to an obvious damage of the canonical rights of the Mother Church.²⁵

Likewise, commenting on the events of 1686 in the wake of Bartholomew's visit of to Ukraine, Bishop Job (Getcha) of Telmessos asserted that the Polish Orthodox Church received its *tomos* on the grounds that it once constituted a part of the CP's canonical territory *in the past*:

²⁰ K. Gudzik, "Vselens'kyi patriarkhat zbyraiet'sia revizuvaty istoriiu," *Den* ' 58 (2000), <https://day.kyiv.ua/uk/article/panorama-dnya/vselenskiy-patriarhat-zbiraietsya-revizuvati-istoriyu>.

²¹ Burega, "Prisoedinenie"; Chibisova, "Ukrainskii vopros."

²² "Vselens'ka Patriarkhia ne vyznaie faktu pidporiadkuvannia Kyivs'koi mytropolii Moskovs'komu Patriarkhatu u 1686," *RISU*, March 25, 2005, https://risu.ua/vselenska-patriarhiya-ne-viznaye-faktu-pidporiadkuvannya-kijivskoj-mitropoliji-moskovskomu-patriarhatu-u-1686-roci_n5016. See also on this: V. Iakovchuk, "Vzaiemnyy Ukrain's'koi Pravoslavnoi Tserkvy z Konstantynopol's'kym Patriarkhatom u 2006-2008 rr. u konteksti tserkovno-derzhavnykh vidnosyn," *Trudy Kuivs'koi Dukhovnoi Akademii* 33 (2020), 70-82.

²³ "Ecumenical Patriarch Bartholomew Delivers Speech to the Ukrainian Nation during 1020th Baptismal Anniversary of Kiev-Russia," *Order of Saint Andrew the Apostle*, n.d., <https://www.archons.org/-/ecumenical-patriarch-bartholomew-delivers-speech-to-the-ukrainian-nation-during-1020th-baptismal-anniversary-of-kiev-russia>.

²⁴ "Ecumenical Patriarch Bartholomew."

²⁵ "Ecumenical Patriarch Bartholomew."

The events of that period were purely political. Unfortunately, history cannot be mended. I think we need especially to remember that the KM existed in the bosom of the CP until the end of the 17th century. Naturally, if the Polish Autocephalous Orthodox Church could receive autocephaly on these grounds, then the UOC can receive it in due time as well.²⁶

Thus, while expressing general regret about the re-subordination or questioning the canonical soundness of the procedures that accompanied it, in the 2000s, representatives of the CP appeared to accept the very fact of the transfer, albeit only as a forced sacrifice undertaken under the pressure of political circumstances. The developments of 2016, however, signified a turning point in the aforementioned discursive strategy—a change which was arguably linked both to the controversy of the Council of Crete and to the active preparation of the Ukrainian authorities for the proclamation of an autocephalous church in Ukraine.

In particular, already in his interview given during an official visit to Ukraine in late July 2016, Bishop Job (Getcha) explicitly postulated that the CP never actually recognized the KM as a part of the MP's canonical territory.²⁷ Moreover, he confirmed that, in response to the June 2016 appeal of the Ukrainian Parliament which requested the cancellation of the 1686 Patriarchal and Synodal Act, the CP established a special committee tasked with finding a solution for the Orthodox division in Ukraine based on the precedent of the Polish Orthodox Church and its 1924 *Tomos* of autocephaly.²⁸

While at that time Bishop Job's statements were disregarded by the MP as a "one-bishop opinion," following the ground-breaking announcement by Ukrainian President Petro Poroshenko in April 2018, the CP officially adopted and expanded this standpoint. Besides the general claim that Ukraine was still being considered a canonical territory of Constantinople, its representatives started to voice the opinion that the pivotal historical event itself, i.e., the KM's transfer to the jurisdiction of the MP in 1686, never actually took place and as such was *never intended* by the CP.²⁹ This historical perspective—which directly legitimized the CP's

²⁶ "Vizyt Vselens'koho Patriarkha Varfolomiia vviide nazavzhdy v istoriiu iak pershyi krok do vyrishennia pytannia UPTs," *RISU*, August 18, 2008, https://risu.ua/quot-vizit-vselenskogo-patriarka-varfolomiya-vviyde-nazavzhdi-v-istoriyu-yak-pershiy-krok-do-virishennya-pitannya-upc-quot_n24345.

²⁷ T. Derkach, "Arkiepyskop Tel'mivs'kyi Konstantynopol's'koho Patriarkhatu Iov (Hecha): 'Terytoriya Ukrainy ie kanonichnoi terytoriei Konstantynopol's'koi Tserkvy,'" *RISU*, 1 August 2016, https://risu.ua/arhiyepiskop-telmiskiy-konstantinopolskogo-patriarkhatu-iov-gecha-teritoriya-ukrajini-ye-kanonichnoyu-teritoriyeyu-konstantinopolskoji-cerkvi_n80684.

²⁸ Derkach, "Arkiepyskop."

²⁹ See, e.g.: "Ecumenical Patriarch Bartholomew: 'As the Mother Church, It Is Reasonable to Desire the Restoration of Unity for the Divided Ecclesiastical Body in Ukraine,'" *RISU*, July 2, 2018, https://risu.ua/en/ecumenical-patriarch-bartholomew-as-the-mother-church-it-is-reasonable-to-desire-the-restoration-of-unity-for-the-divided-ecclesiastical-body-in-ukraine_n91562.

right to act freely in Ukraine without applying for permission from the MP or negotiating the latter's consent for any changes in the status of the Ukrainian church—gained a special prominence in September 2018, in the wake of the fruitless meeting between the Ecumenical Patriarch and Patriarch Kirill of Moscow. It was promoted by Ecumenical Patriarch Bartholomew himself, as well as elaborated upon further in media interviews, articles, and public statements by a number of other hierarchs, such as Bishop Makarios of Christoupolis, Bishop Daniel (Zelins'kyi), and Bishop Job (Getcha).³⁰ However, in the most structured and comprehensive form, the official position of the CP on the alleged transfer of the KM can be found in the document *The Ecumenical Throne and the Church of Ukraine. The Documents Speak* (henceforth, *The Ecumenical Throne*).³¹

The core arguments of the aforementioned document derive from a number of recent publications by historians and theologians, whose critical approaches to the interpretation of the historical events and written sources related to the 1686 transfer strongly challenged the predominant narrative of Russian historiography. In this respect, the new standpoint of the CP heavily relied upon the ideas of Grigorii Lurie, Konstantinos Vetochnikov, and Vera Chentsova.³² The publication also included two historical documents, namely the oldest surviving copy of “The Patriarchal and Synodal Letter to the most Holy Patriarch of Muscovy” (preserved in the Codex of Patriarchal Letters from the Historic and Paleographic Archives of the Educational Institute of the National Bank) and the “Patriarchal Letter to the

³⁰ See, e.g.: Bishop Makarios, “A Different Approach to the Ecclesiastical Discussion about Ukraine,” *RISU*, September 25, 2018, https://risu.ua/en/a-different-approach-to-the-ecclesiastical-discussion-about-ukraine_n93281; Ihor Myrevs'kyi, “Arkhiiepyskop Tel'mivs'kyi Iov (Hecha): Ukraina zavzhdy bula kanonichnoiu terytoriei Vselens'koho patriarkhatu,” *Glavkom*, September 17, 2018, <https://glavkom.ua/interviews/arhiepiskop-telmiskiy-iov-gechabr-ukrajina-zavzhdi-bula-kanonichnoyu-teritorijeyu-vselenskogo-patriarhatu-528418.html>.

³¹ *The Ecumenical Throne and the Church of Ukraine. The Documents Speak*, September 2018, https://uocofusa.org/news_181003_1.

³² Lurie, *Russkoe pravoslavie*; Vetochnikov, “La ‘concession’”; Chentsova, “Sinodal'noe reshenie.” For example, already in his 2009 book, Lurie was the first one to assert explicitly that the alleged subordination of the KM to the MP in 1686 should be considered as merely an “historical myth” (Lurie, *Russkoe pravoslavie*, 223). Likewise, in his conference presentation in August 2016 Vetochnikov argued that, from a strictly canonical perspective, the CP did not concede its formal rights to Ukrainian Orthodoxy as a canonical territory (Vetochnikov, “La ‘concession’ de la métropole de Kyiv”). For a polemical overview of these works, see S.F. Mikheev, S.N. Ostapenko, “Proiskhozhdenie sovremennoi pozitsii Konstantinopol'skogo Patriarkhata po interpretatsii dokumentov 1686 g. o perepodchinenii Kiyevskoi mitropolii,” *Tserkov' i vremia* 88 (3), 2019, 161–235. Another recent article in support of the pro-Constantinople interpretation of the 1686 situation: Kulchynskyy and Kul, “Kyiv Metropolia.” A concise pro-Constantinople interpretation of the Greek texts of the core 1686 document was also offered by Ukrainian theologian Cyril Hovorun (C. Hovorun, “Kommentarii k konstantinopol'skim sinodal'nym gramotam 1686 goda,” *Relihiia v Ukraini*, November 8, 2018, https://www.religion.in.ua/zmi/ukrainian_zmi/41604-kommentarii-k-konstantinopolskim-sinodalnym-gramotam-1686-goda.html).

Kings of Russia” from the collection of documents in the Russian State Archive of Ancient Acts (RGADA).³³

Besides drawing upon academic literature and primary sources, in order to reinforce their position on the matter, the author(s) of *The Ecumenical Throne* also argued that certain principles of Roman law formed the only suitable framework for the proper understanding of the true meaning of the 1686 Patriarchal and Synodal Act. The document axiomatically stated that “the authority that issues an Act has absolute priority in the interpretation of that Act” and that “failure to adhere to the terms of any Act renders this Act invalid in its entirety.”³⁴ In the same vein, according to another Roman law presupposition used in *The Ecumenical Throne*, reflecting the logic of church canons, “what never existed from the start is not affirmed with the passage of time.”³⁵ One can argue that these principles were employed to preemptively discard any potential polemical attempts of the MP to defend the current status quo by appealing to certain canons or to the text of the Patriarchal and Synodal Act itself. While framing the matter as essentially a *legal* dispute (and not just an abstract theological or historical debate about some distant past), the CP simultaneously claimed for itself an exclusive right to determine at its own discretion the precise meaning of the letters sent by Ecumenical Patriarch Dionysius IV to the Patriarch and the tsars of Muscovy in the 17th century.

Based on the aforementioned sources and theoretical presuppositions, the CP put forth a set of closely intertwined arguments, aimed to justify its chosen course of action in Ukraine in 2018. First and foremost, it emphasized that, from a *de jure* point of view, Constantinople never formally ceded its fundamental canonical rights to the Orthodox Church in Ukraine.³⁶ Citing the most ancient available copy of the relevant documents, the author(s) of *The Ecumenical Throne* argued that the exact wording of the Patriarchal and Synodal Act of 1686—i.e., the key canonically significant text to be taken into account—did not mention any changes to the canonical territory of the Moscow Patriarchate as it was previously delineated in 1589 without the KM.³⁷ Moreover, although this and other documents (especially, “The Patriarchal Letter to the Tsars of Russia”) did use the notion of “subjection” for defining the hierarchical relationship between the KM with the MP, the scope of power and control originally conveyed by it should be understood in a *restricted* sense only, i.e., as a limited right of ordaining

³³ *The Ecumenical Throne*, 24-39. The Greek text and a Russian translation of this Patriarchal and Synodal Act can be found in: Chentsova, “Sinodal’noe reshenie 1686 g.,” 100-104.

³⁴ *The Ecumenical Throne*, 20, 22.

³⁵ *The Ecumenical Throne*, 15.

³⁶ *The Ecumenical Throne*, 22.

³⁷ *The Ecumenical Throne*, 17. Also see on this: Myrevs’kyi, “Arkhiepyskop.”

Metropolitans of Kyiv “in the name of the Ecumenical Patriarch.”³⁸ In particular, according to the CP, the 1686 Act clearly formulated this system of subordination in the following passage:

Thus, in recording this with the hierarchs of our holy synod, our most honorable and beloved brothers and concelebrants in the Holy Spirit, we resolve: That the most holy Eparchy of Kyiv should be subjected to the most holy patriarchal throne of the great and God-saved city Moscovy, *by which we mean* that the Metropolitan of Kyiv should be ordained there, whenever such need arises, by His Beatitude the Patriarch of Moscovy as the one elected by those in that eparchy....[italics added].³⁹

Furthermore, the author(s) of the CP’s publication asserted that another clear and undeniable token of the CP’s intentions to retain full canonical rights over Ukrainian Orthodoxy can be found in the fact that the 1686 Act prescribed the Metropolitan of Kyiv to continue commemorating the Ecumenical Patriarch “among the first,” i.e., as his highest canonical authority regardless of the direct subordination to the MP.⁴⁰ According to this line of argument, an intentional, fully fledged transfer of a canonical territory to another autocephalous church would necessarily make such a commemoration of the former primate superfluous, or would even violate the canonical principles of the autocephalous order.⁴¹ In addition to this fundamental point, *The Ecumenical Throne* also argued that even the very *format* of the 1686 Patriarchal and Synodal Act as a “Letter of Issue” (*ekdosis*)—which is functionally different from such a major document as a “*tomos*”—was intentionally used by the Ecumenical Patriarch Dionysius IV in this case to underscore that the MP received merely a “permission for the performance of an ordination” of the Kyiv Metropolitan, and not a *carte blanche* for “the complete incorporation of a canonical territory into another autocephalous Church.”⁴²

Thus, appealing to the principles of Roman law described earlier, the CP argued that, as long as the transfer of canonical territories to another church *de jure* did not happen (and was not intended as such), the extensive time period of the MP’s control over the KM since 1686 was not sufficient a reason for recognizing it as a legitimate status quo in the present.⁴³ Moreover, the CP claimed that even the limited rights that the MP obtained under the “Letter of Issue” itself had in fact been invalidated long ago, due to the flagrant violation of the basic—yet fully mandatory and binding—conditions set by the Patriarchal and Synodal Act in exchange for the permission to ordain Kyiv Metropolitans. In this respect, apart from the “autocratic

³⁸ *The Ecumenical Throne*, 9-10.

³⁹ *The Ecumenical Throne*, p. 30-31.

⁴⁰ *The Ecumenical Throne*, 11.

⁴¹ *The Ecumenical Throne*, 19. Also see: Bishop Makarios, “A Different Approach.”

⁴² *The Ecumenical Throne*, 18.

⁴³ *The Ecumenical Throne*, 15.

abolition” of the practice of commemoration of the Ecumenical Patriarch by Kyiv Metropolitans during liturgies, the CP also imputed the MP with a conscious violation of another essential condition, i.e., the obligation to observe the institutional autonomy of the KM, manifesting in the procedures of electing the primate strictly by the local clergy and laity.⁴⁴ In other words, according to the CP’s reasoning, both these conditions were, yet again, *deliberately* included by the Ecumenical Patriarch for securing the KM’s status as its canonical territory in the long run and precluding any attempts at “administrative assimilation” or “integration, division or abolition” of the Kyivan See by Moscow.⁴⁵ Hence, the eventual absorption of the KM by the MP after the transfer of 1686 was retrospectively designated by the CP as an illegal “appropriation” and as a sufficient pretext for cancelling the Patriarchal and Synodal Act of 1686 “in its entirety” in the present day.⁴⁶

In light of the previous arguments, it is significant that the pro-CP authors strongly advocated the view that the Patriarchal and Synodal Act of 1686 was originally conceived of as not only a strictly conditional measure, but also an essentially temporary move that concerned only a specific part of the KM’s territory. Although the primary document did not define specific time limits for the affiliation of the KM to the MP, it was stated in *The Ecumenical Throne* that this decision was provisional by default due to the very principle used to justify it, i.e., the principle of *ikonomia*, translated literally as “for the present need.”⁴⁷ In this regard, the decision to delegate the right of ordaining Kyiv Metropolitans was represented by the CP as imposed by the difficult socio-political circumstances of the time and hence “enforceable so long as the reasons for which it was granted still prevailed.”⁴⁸ In this framework, as long as the circumstances akin to those of the 17th century no longer existed, the MP’s guardianship over Ukrainian Orthodoxy on behalf of the CP was no longer required. Supplementing this line of argument in one of his interviews, Bishop Job (Getcha) stated that the 1686 Act, with all its conditions, spatially applied merely to those parts of the Kyivan See which were under the political rule of Muscovy; the rest of the KM’s eparchies, especially those of Right-Bank Ukraine under Polish control, were meant to continue to stay under direct supervision of the CP.⁴⁹

⁴⁴ *The Ecumenical Throne*, 15.

⁴⁵ *The Ecumenical Throne*, 11.

⁴⁶ *The Ecumenical Throne*, 22.

⁴⁷ *The Ecumenical Throne*, 18.

⁴⁸ *The Ecumenical Throne*, 18.

⁴⁹ Myrevs’kyi, “Arkhiepyskop.”

Finally, answering to the criticism from the MP's camp regarding complete silence on the matter for more than two hundred years, the CP argued that the matter of the KM was never actually forgotten or ignored by Ecumenical Patriarchs—only the CP's own difficult situation perforce prevented it from raising this issue earlier than 1924.⁵⁰ The CP's spokespersons also indicated that the recognition of the *tomos* to the Polish Orthodox Church meant that, already in the early 20th century, all Orthodox churches in the world (with the exception of the ROC) acknowledged the true rights of the CP to the KM.⁵¹ In this respect, Bishop Job (Getcha) also asserted that the 1686 act was in fact cancelled already by the 1924 *tomos*.⁵²

Reunification of the Indivisible: Moscow's Perspective on the 1686 Transfer of the KM

While the aforementioned historical paradigm of the CP emerged only in the 2010s, the essential elements of the MP's position regarding the proper canonical belonging of the KM were delineated already by Moscow Patriarch Joachim (1674-1690) in 1685, during the preparation of documents for the diplomatic legation that aimed to settle the matter of the transfer with the CP formally.⁵³ At that time, however, the Patriarch's arguments remained in the background as instructions for the head of the mission, envoy Nikita Alekseev, to be presented for the Ecumenical Patriarch verbally in case the need arose.⁵⁴ Instead, the primary strategy of Muscovy's diplomacy was to foreground the pressing practical and pastoral considerations for the move, thus avoiding the risk of affronting the sensitivities of the CP and triggering a prolonged polemical exchange.⁵⁵

In contrast to this, after the period of 2016-2018, the CP gradually adopted a radically re-evaluated version of the 1686 events as a basis for reclaiming Ukrainian Orthodoxy; the Synod of the ROC, its leading theologians as well as a number of pro-MP academics were forced to swiftly respond to this challenge by publishing official statements, interviews, and research articles which reasserted the MP's standpoint regarding the past and also directly addressed the new arguments of the opponents. The highest point of this activity can be found in a voluminous collection of historical documents from Russia's archives, *Vossoedinenie*

⁵⁰ *The Ecumenical Throne*, 20-21.

⁵¹ *The Ecumenical Throne*, 20.

⁵² Myrevs'kyi, "Arkhiiepyskop."

⁵³ See on this: *Vossoedinenie*, 499, 615- 619, 635-638.

⁵⁴ *Vossoedinenie*, 637.

⁵⁵ For a detailed overview of the Muscovy government's requests to the CP in the letters sent by the patriarch and the tsars, see: B.N. Floria, K.A. Kochegarov, N.P. Chesnokova, M.R. Yafarova, "Kievskaiia mitropoliia, Moskovskii patriarkhat i Konstantinopol'skii patriarkhat v 1676-1686 godakh," in *Vossoedinenie Kievskoi Mitropolii s Russkoi pravoslavnoi tserkviu. 1676-1686. Issledovaniia i dokumenty* (Moscow: Tserkovno-nauchnyi tsentr "Pravoslavnaia Entsiklopediia", 2020), 103-114.

Kievskoi Mitropolii s Russkoi pravoslavnoi tserkoviiu. 1676-1686. Issledovaniia i dokumenty, published under the auspices of the *Pravoslavnaia Entsiklopedia* project.⁵⁶ While for academic purposes this volume was intended by the authors as a more comprehensive alternative to the collection of sources published by Sergei Ternovskii in 1872, it was also projected as providing conclusive evidence in favor of the historical framework of the transfer advocated by Moscow.⁵⁷

On the most general level, the key arguments advanced by the MP for undermining the claims of the CP revolved around the construction of an overarching meta-narrative for the understanding of both the history of Orthodoxy in the region and the specific historical factors that, from the MP's perspective, naturally predetermined the unavoidable change of the KM's jurisdiction in the second half of the 17th century. The core premise here is the notion of *Russkaia Tserkov'* ("the Rus' Church"), which emerged after the Baptism of Kyivan Rus' in 988 and continued to exist as a single entity in the centuries that followed despite the fact that the Kyivan state was torn asunder by internal power struggles and foreign invasions.⁵⁸ According to this perspective, by the 14th century, this unity had become perceived by the local bishops and clergy as the only *normal* status quo, or an "ancient tradition" ("*drevnee predanie*") that should be cherished and protected at any cost.⁵⁹

Based on these presuppositions, in the contemporary discourse of the MP, *Russkaia Tserkov'* turned into, to use Benedict Anderson's term, an "imagined community" of the Russian, Ukrainian and Belarusian Orthodox people, while the precept of its absolute, indivisible unity was elevated to the status of an ideological axiom, or an unquestionable vantage point for the interpretation of both the past and the present. It is significant, though, that the MP consistently represented itself as the only heir of the Kyivan Rus' Baptism and the

⁵⁶ *Vossoedinenie*.

⁵⁷ *Arkhir Iugo-zapadnoi Rusi. Chast' 1. Tom 5. Akty, otnosiashchiesia k delu o podchinenii Kievskoi mitropolii Moskovskomu patriarkhatu* (Kiev, 1872). Indeed, Ternovskii's collection was based only on one specific codex titled "Ikona" (the early 18th century) and thus could not provide an exhaustive source of materials for researchers. No less importantly, though, in his analysis of the documents Ternovskii repeatedly furthered the existence of strong opposition among the episcopate of the KM to the perspective of joining the MP at different time periods. In this respect, his publication became an important source of arguments for the Ukrainian autocephalists of the early 20th century, who tried to prove the uncanonical and involuntary nature of the 1686 transfer.

⁵⁸ See on this, e.g.: "Statement of the Holy Synod of the Russian Orthodox Church Concerning the Uncanonical Intervention of the Patriarchate of Constantinople in the Canonical Territory of the Russian Orthodox [Church]," September 14, 2018, <http://www.patriarchia.ru/en/db/text/5268290.html>; "Statement by the Holy Synod of the Russian Orthodox Church Concerning the Encroachment of the Patriarchate of Constantinople on the Canonical Territory of the Russian Church," October 15, 2018, <https://mospat.ru/en/2018/10/15/news165263/>; M. Zheltov, "Istoriko-kanonicheskie osnovaniia edinstva Russkoi Tserkvi," *Tserkov' i vremia* 84, no. 3 (2018): 29-95; M. Zheltov, "Stanovlenie i razvitie idei edinstva mitropolii vseii Rusi v vizantiiskuiu epokhu," in *Vossoedinenie*, 7-32; Mitropolit Volokolamskii Ilarion, "Predislovie," in *Vossoedinenie*, 5-6.

⁵⁹ Zheltov, "Stanovlenie," 17, 23.

true embodiment of this *Russkaia Tserkov'*, whose center was originally in Kyiv but, with Constantinople's endorsement, was later transferred "irreversibly and forever" to the north-east.⁶⁰ To reinforce the validity of the axiom in the light of the clash over Ukrainian Orthodoxy, the ideologues of the MP also asserted that the very idea of indivisibility was first created and then enthusiastically defended throughout the 11th-14th centuries by the CP itself.⁶¹ Moreover, though, after returning to the jurisdiction of Constantinople in 1467, Kyivan metropolitans refused to recognize the legitimacy of the independent Moscow Metropolitanate, they, nonetheless, continued to uphold the same "old Byzantine idea" about the indivisibility of the *Russkaia Tserkov'* as a "single organism," albeit with the center in Kyiv.⁶² In other words, the attribution of this idea to the CP appears to serve as an additional instrument of its historical legitimization; it also implies that, by arranging an independent Ukrainian autocephalous church in 2018, the CP de facto violated its own ancient sacred order which Moscow was merely trying to protect.

Thus, combining all arguments reviewed above, the MP claimed that its actions regarding the change of the KM's jurisdiction in 1685-1686 should be viewed only as measures intended to restore of the *original* status quo for the Orthodox church in the region. MP spokespersons consistently promoted the view that the 1686 event should be conceptualized only as a *reunification* ("vossoedinenie") of two parts of the same religious entity which were artificially divided and forcibly kept apart by rival political actors. Approaching the issue from this angle, the MP's standpoint was that, fundamentally, the transfer itself and the prior consecration of Kyiv Metropolitan Hedeon (Sviatopolk-Chetvertinskii) in 1685 without consulting the CP could not be in principle deemed as an "unlawful annexation" of another church's canonical territory but rather as the return of the "rightful property." One of the key commentators on the matter on behalf of the MP, priest Mikhail Zheltov, professor at the Moscow Theological Academy and a member of the Synodal Biblical-Theological Committee of the ROC, argued that at the time the MP did not actually need to obtain any permissions from the CP for ordaining Kyiv metropolitans: the subsequent request for endorsement was only a formal gesture of good will intended primarily to secure full compliance of the Ukrainian clergy and laity after the prolonged period of their direct subordination to the CP.⁶³

⁶⁰ Zheltov, "Istoriko-kanonicheskie osnovaniia," 41.

⁶¹ Zheltov, "Stanovlenie," 12-13.

⁶² Zheltov, "Istoriko-kanonicheskie osnovaniia," 50.

⁶³ Zheltov, "Istoriko-kanonicheskie osnovaniia," 68.

While upholding this overarching historical framework, which bolstered Moscow's rights to the KM vis-à-vis those of Constantinople, various spokespersons for the MP also completely rejected the arguments of the CP offered in *The Ecumenical Throne*. For example, while avoiding the discussion of the exact Greek wording or syntactic structure of the key passage of the 1686 Patriarchal and Synodal Act per se, Metropolitan Hilarion (Alfeev) stated in his interviews that this document did not contain any mention of the CP's aspirations to keep the KM as its canonical territory or that the 1686 re-subordination was conceived of as strictly temporary.⁶⁴

Likewise, to countervail Constantinople's claims that the canonical territory of the ROC was de facto solidified without the Kyiv See in 1589 simultaneously with the establishment of its patriarchal status, priest Zheltov asserted that the emergence of the Patriarchate in Moscow should be viewed not as a single event but as a process involving several documents.⁶⁵ The most significant of them, according to him, was the resolution of the 1593 Council of Constantinople, which reflected a joint decision of all eastern patriarchs and thus finalized the emergence of the MP.⁶⁶ This shift of focus from one event to another, or the "stretching" of the formation of the MP over the period of several years, was crucially important because, according to Zheltov's perspective, it is the document of 1593 that recognized the canonical rights of Moscow to the eparchies of the "West Russian Metropolitanate" and, moreover, gave Russian tsars and Moscow Patriarchs "all the necessary instruments" for overcoming the separation of these eparchies from the MP in accordance with Rule 17 of the 4th Ecumenical Council.⁶⁷ Based on this, Zheltov cast doubt on the canonical status of the Patriarchal and Synodal Act of 1686 itself and downplayed its significance in the process of the transfer of the KM.⁶⁸

Overall, here as well in other places Zheltov closely reproduced the 17th century argumentative strategy of Moscow Patriarch Joachim, postulating that, by consecrating a new Metropolitan in Kyiv and taking control over the KM in general, the MP merely sought to implement the will of the Ecumenical Patriarch Jeremiah II (c. 1536-1595), who, from Joachim's point of view, saw the conferral of patriarchal status on Moscow as a means of reuniting the artificially divided Rus' Church.⁶⁹ The establishment of the MP, thus, takes on a

⁶⁴ "Metropolitan Hilarion: Current Situation Creates a Threat of Schism for Universal Orthodoxy," September 8, 2018, <https://mospat.ru/en/2018/09/08/news163536/>.

⁶⁵ Zheltov, "Istoriko-kanonicheskie osnovaniia," 66-67.

⁶⁶ Zheltov, "Istoriko-kanonicheskie osnovaniia," 66.

⁶⁷ Zheltov, "Istoriko-kanonicheskie osnovaniia," 67.

⁶⁸ Zheltov, "Istoriko-kanonicheskie osnovaniia," 70-71.

⁶⁹ See on this: *Vossoedinenie*, 635-638.

higher teleological meaning than a dramatic enhancement of the hierarchical status of the church of Muscovy as a major Orthodox state and a major donor of the Eastern patriarchates. The KM's episcopate is positioned in this framework as a rebellious group that knowingly refused to accept the decision of Patriarch Jeremiah and against his will continued to subordinate to the CP. Hence, in the context of the developments of 1685-1686, by sending an envoy to the Ecumenical Patriarch, Patriarch Joachim requested the assistance of the CP in bringing the KM clergy to order, i.e., accepting the status they should have accepted already in 1593.⁷⁰ This is another case where the actions of Moscow are represented as deriving legitimacy from the alleged intentions of the CP itself.

It must be noted that in his extensive polemical article in *Tserkov i vremia*, Zheltov also responded to the *de jure* arguments of the CP concerning the 1686 transfer as directly predicated upon the observance of specific conditions by the MP. For example, discarding the requirement of commemoration of the Ecumenical Patriarch as a precondition of the overall validity of the Patriarchal and Synodal Act, he asserted that it was not an actually binding contractual clause but only a *wishful request* (“*blagopozhelanie*”) on the part of the CP.⁷¹ Stressing that the document itself mentioned no sanction in case of its violation or other real administrative means of control of the CP over the KM, Zheltov also argued that, from a technical point of view, Moscow was also free to not follow this request because it never formally *agreed* to such a caveat, i.e., it was not a result of mutual consensus by the two sides.⁷² Overall, Zheltov concluded that, while only the Kyiv Metropolitan himself had to commemorate the CP (i.e., not other bishops or rank-and-file clergy), this “condition” should be viewed as too insignificant to impact the validity of the whole document.⁷³

Finally, an important component of the MP's argumentative strategy for asserting the legitimacy of the 1686 transfer was framing the latter as dictated not by Moscow's power ambitions or expansionist aspirations but solely by the need to fix the disastrous situation in local Orthodoxy, especially in areas of Polish lands where the population was coerced to convert to Catholicism. By consistently representing the state of affairs in the KM as bordering on a complete demise, the MP positioned itself as *forced*, or *obligated* by the circumstances, to act as a savior of local Orthodoxy from imminent extinction in accordance with its moral

⁷⁰ See on this: *Vossoedinenie*, 638.

⁷¹ Zheltov, “Istoriko-kanonicheskie osnovaniia,” 72.

⁷² Zheltov, “Istoriko-kanonicheskie osnovaniia,” 72-73.

⁷³ Zheltov, “Istoriko-kanonicheskie osnovaniia,” 72-73.

responsibility.⁷⁴ Explaining the logic of its actions in 1685-1686, the MP also strongly stressed the failure of the CP to care for its flock as the primary factor justifying the violation of certain canonical procedures. In line with this, Metropolitan Ilarion (Alfeev) emphasized that the re-subordination of the KM not only averted its complete collapse and stabilized the position of the Orthodox population but also swiftly resulted in its new revival and flourishing under the MP's oversight.⁷⁵ Pursuing a similar discursive strategy, a number of pro-MP historians also argued that the driving force of the transfer was not the MP itself but the local Ukrainian clergy, nobility (*shliakhta*), and Hetman Samoilovych himself.⁷⁶ This position was especially pronounced in the 2020 collection of documents which aimed to disprove the CP's claim that the KM was forcibly annexed by the MP against the will of the Kyivan bishops and clergy.

In sum, to achieve the desirable ideological effect of the complete legitimacy of the KM transfer in 1686, the MP framed the entire history of Orthodoxy in the region as a perpetual struggle for preserving the indivisible unity of the *Russkaia Tserkov'*. This overarching idea was de facto sacralized by the MP and, taken out of its historical context, elevated to the status of the highest religious priority in the 21st century as well.⁷⁷ Moreover, by attributing the authorship of the idea to the CP, the MP endeavored to shift the locus of responsibility for the contemporary church crisis, and to prove that, by maintaining control over Ukrainian Orthodoxy in the past centuries, it did not pursue any power agenda, but rather upheld the order established by Constantinople itself. In this respect, however, one can also argue that the MP de facto appropriated the hegemonic agenda of the CP (which, in the 11th-15th centuries, attempted to preserve the unity of the Rus' Church to salvage its own control over these territories) and turned it into a mandatory precept of contemporary church life for the Ukrainian Orthodox.

In light of the above-mentioned representations of the 1686 events, it is noteworthy that the official UOC-MP for the most part avoided involvement in this historical debate and focused instead on criticizing the "new ecclesiology" of the Phanar. Although in November 2018 its Holy Synod rejected the cancellation of the 1686 Patriarchal and Synodal Act as a move driven by a "speculative interpretation of church history,"⁷⁸ the debunking of the CP's

⁷⁴ Iu. Pushchaev, "Vossoedinenie Kievskoi mitropolii s Russkoi tserkoviu: kak eto bylo i pochemu," June 28, 2019, <http://www.patriarchia.ru/db/text/5461627.html>.

⁷⁵ Mitropolit Volokolamskii Ilarion, "Predislovie," 5;

⁷⁶ See, e.g.: V.I. Petrushko, "Ob obstoiatel'stvakh vossoedineniia Kievskoi mitropolii s Moskovskim Patriarkhatom v kontse XVII v.," December 9, 2009, <https://bogoslov.ru/article/519696>.

⁷⁷ Zheltov, "Stanovlenie," 32.

⁷⁸ "Resolution of the Council of Bishops of the Ukrainian Orthodox Church of November 13, 2018," November 14, 2018, <https://news.church.ua/2018/11/14/resolution-of-the-council-of-bishops-of-the-ukrainian-orthodox-church-of-november-13-2018/?lang=en>.

version of the past did not figure prominently in the public discourses of the UOC-MP's key spokespersons. For example, Dean of the Kyiv Theological Academy, Bishop Silvestr (Stoichev), rather cautiously noted that the 1686 question "is very complex and requires additional investigation."⁷⁹ Making no mention of the CP's *The Ecumenical Throne* document, he argued that the primary problem with the CP's decision was that it was passed in a "medieval spirit," i.e., as a brief media statement and without any preliminary discussion.⁸⁰

Nonetheless, it is clear that the basic perception of the situation by UOC-MP episcopate and clergy closely followed in the footsteps of the ROC's narrative.⁸¹ For example, in his article for an official periodical of the UOC-MP *Pastyr i pastva*, Andrei Vlasov acknowledged that the convoluted and contradictory sources of the 1686 transfer allow for a multitude of interpretations, ranging from "reunification" to "illegal sale."⁸² Reproducing the standard "salvationist" narrative of the pro-Moscow historians, he postulated that, given the socio-political context of the time, the 1686 transfer of the KM was "an absolutely natural historical event," because the MP alone could protect Ukrainian Orthodoxy from the advancement of the "uniates."⁸³

A notable exception, however, was an article by a cleric of the Luhans'k eparchy, Archimandrite Feognost (Pushkov), who dismissed the arguments of Zheltov and overtly claimed that "the documents of 1593 and 1686 did not grant Moscow the rights of jurisdiction over Kiev, i.e., to put it simply, did not transfer the KM to the MP."⁸⁴ At the same time, though, he asserted that the MP should be fully credited for rebuilding Orthodoxy in the Ukrainian

⁷⁹ "Ob avtokefalii, priniatii iz raskola I novoi ekklesiologii Konstantinopol'skogo Patriarkhata. Beseda s episkopom Silvestrom (Stoichevym)," *Pravlife*, December 21, 2020, <https://pravlife.org/ru/content/ob-avtokefalii-prinyatii-iz-raskola-i-novoy-eklesiologii-konstantinopolskogo-patriarhata>.

⁸⁰ Ibid.

⁸¹ See, e.g., statements by Metropolitan Mytrofan (Iurchuk), Head of the Department of External Relations of the UOC-MP, Metropolitan Arsenii (Iakovenko) of Sviatohir'k and Metropolitan Luka (Kovalenko) of Zaporizhzhia: "Holova Viddilu zovnishnikh tserkovnykh zviazkiv UPTs prokomentuvav dyskusii navkolo dii Konstantynopol's'kykh ekzarkhiv," September 26, 2018, <https://news.church.ua/2018/09/26/golova-viddiluzovnishnikh-cerkovnykh-zvyazkiv-upc-prokomentuvav-diskusiji-navkolo-dij-konstantinopolskix-ekzarxiv/>; "Sinaksis v Stambule gotovit 'Varfolomeevskuiu noch' v Ukraine," September 6, 2018, <https://pravlife.org/ru/content/sinaksis-v-stambule-gotovit-varfolomeevskuyu-noch-v-ukraine>; "Patriarckh Varfolomei zaigralsia v pravoslavnoho papu," November 22, 2018, <https://monasterium.ru/publikatsii/intervyu/patriarkh-varfolomey-zaigralsya-v-pravoslavnogo-papu/>.

⁸² Andrei Vlasov, "Peredacha Kievskoi mitropolii v 1686 godu: kak eto bylo i vozmozhen li obratnyi khod?" *Pastyr i pastva* 3, no. 3 (2018), <http://svsobor.com/peredacha-kyevskoi-mytropolyy-v-1686-hodu-kak-jeto-bylo-y-vozmozhen-ly-obratnyi-khod/>.

⁸³ Vlasov, "Peredacha." The same narrative can be found also in a brief official survey of the KM's history published by the UOC-MP in 2021: *Ukrains'ka pravoslavna tserkva: vikhy istorii* (Kyiv: UPTs Kievskaiia mitropoliiia, 2021), 72-75.

⁸⁴ O. Feognost (Pushkov), "Vopros o granitsakh yurisdiktsii Moskovskogo Patriarkha soglasno aktam Konstantinopol'skogo sobora Vostochnykh Patriarkhov 1593 g., gramoty Konstantinopol'skogo Patriarkha Dionisiya IV 1686 g. i na osnovanii 17-go kanona IV Vselenskogo Sobora," *Studia Humanitatis* 4 (2018), <http://st-hum.ru/content/o-feognost-pushkov-vopros-o-granichah-yurisdiktsii-moskovskogo-patriarha>.

lands after a period of rapid decline and for elevating the Orthodox Church in Ukraine to the status of the country's predominant religious organization.⁸⁵ Taking this into account, Archimandrite Feognost emphasized that, in the past three hundred years, the MP de facto *gained* the “right of ownership,” or “the right of jurisdiction,” over Kyiv based on such a principle of law as “acquisitive prescription,” whereas the official CP's virtual silence on the matter canonically meant its agreement with the re-subordination.⁸⁶ In other words, Archimandrite Feognost responded to the CP pivotal appeals to principles of Roman jurisprudence as a framework of cancelling the 1686 Act with his own legal argument, rooted in Roman law's *usucapio*, or the acquisition of ownership through possession.

The above-mentioned standpoint appears to represent a “hybrid” approach which combines the recognition of the interpretation of the 1686 documents offered by the CP with the traditional narrative of the MP. Similar perspectives had also been offered by other Ukrainian theologians before the 2018 conflict. For example, in his article from 2007-2008, Volodymyr Burega, current Vice Dean of the Kyiv Theological Seminary, explicitly acknowledged that the MP's actions in 1685-1686 with regard to the ordination of the new Kyiv Metropolitan Hedeon (Chetvertins'kyi) were guided by Moscow's self-realization as a major political power and hence constituted an unquestionable violation of church canons.⁸⁷ He also argued that the methods of the transfer of the KM could not be recognized as “normative,” i.e., in accordance with the established canonical procedures.⁸⁸ In this light, Burega interpreted the motives of the Ukrainian autocephalists of the 20th century, as well as various representatives of the CP, in expressing overtly negative opinions of the event sympathetically.⁸⁹ At the same time, he pointed to the fact that the CP for some reason never officially revoked the letter of 1686 nor challenged the legitimacy of hierarchy ordained by the ROC in Ukraine—a state of affairs that for him should be interpreted as a token of the CP's acceptance of the KM's jurisdiction as legitimate. For his part, Burega subscribed to the view that postulated the unavoidability of the KM's re-subordination in the 17th century due to the change of political circumstance in Ukraine. Moreover, shifting the perspective on the very

⁸⁵ Ibid.

⁸⁶ Ibid. It is noteworthy that, in Feognost's view, after receiving documents from Constantinople in 1686 Metropolitan Hedeon did follow the basic conditions indicated in them and continued to commemorate the Ecumenical Patriarch before the Moscow Patriarch. In this respect, he also points out that the issue of the actual jurisdictional belonging of the KM may have remained unclear throughout the eighteenth century; therefore, it is significant that the CP never challenged the KM's belonging to the MP in the 1800s, i.e., when the violation of its canonical rights could no longer be overlooked.

⁸⁷ Burega, “Prisoedinenie.”

⁸⁸ Ibid.

⁸⁹ Ibid.

meaning of canonicity, he argued that “for Orthodox church consciousness, the criterion of canonicity is not the procedure of making a decision, but the Church’s reception of the changes that took place.”⁹⁰

Between Moscow and Constantinople: Ukrainian Autocephalists and the Events of 1686

The previous sections discussed the argumentative strategies and historical interpretations that informed the CP’s and the MP’s respective courses of action regarding Ukrainian Orthodoxy in the present. However, the constructed nature of their approaches to the 1686 events can be further brought into relief by examining the ideas of the representatives of the Ukrainian autocephalist movement, such as Ivan Ohienko (Metropolitan Ilarion) and Oleksandr Lotots’kyi, who advocated the political necessity and canonical legitimacy of the autocephalous status of the Orthodox church in Ukraine already in the first half of the 20th century.⁹¹ On the one hand, as Mikheev and Ostapenko argued, it was Ohienko who, as a member of the Directorate government, maintained regular contacts with the CP in 1919-1921; by sharing his critical perspectives on the history of Ukrainian Orthodoxy, he could give the CP a strong incentive for reconsidering its standpoint on the KM’s re-subordination in the 1924 *tomos* for the Polish Orthodox Church and for rekindling aspirations of returning Ukraine under its influence.⁹² On the other hand, as will be demonstrated further, although the autocephalists sought the assistance of the CP for undercutting the MP’s domination, in their approaches to history, they clearly endeavored to distance Ukrainian Orthodoxy from Constantinople as well, so as to prevent the latter from any attempts at restoring the pre-1686 status quo on a permanent basis.

The basic presupposition of the historical framework advanced by the autocephalists was the view that, from the time of its establishment in the early 11th century, and until 1686, the KM de facto existed as a completely self-governing, quasi-autocephalous entity.⁹³ As Ohienko argued, in this period the Kyivan See was subjected to the Constantinople Patriarchate only symbolically, due to an obscure and mostly unrecognized canonical precept (Rule 28 of the Fourth Ecumenical Council) which by default designated the whole region of Thrace

⁹⁰ Ibid. This view was also reproduced by Vlasov who asserted that the subsequent acceptance of the 1686 transfer by the KM’s clergy and lack of major protests against it should be regarded as a more important factor of the event’s legitimacy than the 1686 Patriarchal and Synodal Act itself (Vlasov, “Peredacha”).

⁹¹ On the Ukrainian autocephalist movement in the first half of the 20th c., see: I. Vlasovs’kyi, *Narys istorii Ukrain’s’koi Pravoslavnoi tserkvy*. Vol. 4 (New York: Ukrainian Autocephalous Orthodox Church, 1990); N. Denysenko, *The Orthodox Church*.

⁹² Mikheev and Ostapenko, “Proiskhozhdenie,” 161-162.

⁹³ Brüning, “Orthodox Autocephaly,” 93–94; Charyshyn, *Istoriia*.

(“*Frakia*”) as belonging to the purview of the Ecumenical Patriarch.⁹⁴ In practice, he asserted, the great distances between Kyiv and Constantinople and the perpetual instability of communication allowed the KM to enjoy such a wide autonomy in managing its affairs that rendered it a fully-fledged autocephaly.⁹⁵

Substantiating this line of argument in his magnum opus, *Avtokefaliia*, Oleksandr Lotots’kyi also provided a range of specific examples for the KM’s extensive institutional independence, such as frequent instances of electing and enthroning Metropolitans without endorsements from the CP, a relative rarity of the Kyivan clergy’s appeals to the church court in Constantinople, as well as only an insignificant number of special acts issued by the CP for managing the Church of Rus’.⁹⁶ Even more importantly, while evaluating the fundamental relationship between the two churches, Lotots’kyi stressed that the subordination of the KM to the CP was not in fact formally registered in any canonical documents, and thus was maintained only on the basis of “mutual moral trust,” or by the force of tradition and circumstances.⁹⁷ Pushing this idea to the extreme, Lotots’kyi stated that “the superior status of the Byzantine church over the Ukrainian church stemmed from [the former’s] unjustifiable expansionism and as such constituted an indisputable fact of usurpation.”⁹⁸ He also argued that Constantinople was well aware of this ambiguous situation and recognized the special status of the KM by sending to Metropolitans of Rus’ letters sealed with a tin seal (i.e., as to autocephalous bishops), rather than with wax seals, which were reserved for ordinary metropolitans of the CP.⁹⁹

Another key element in the autocephalists’ historical framework was the idea that, in the period of its quasi-autocephalous existence prior to 1686, the KM developed into a unique Eastern Christian phenomenon and a truly *Ukrainian* church which featured a number of special traits, radically separating it from the Orthodox tradition of Muscovite Russia.¹⁰⁰ According to Ohienko, among such traits were the use of Ukrainian as a liturgical language, a well-balanced relations of bishops with various state authorities, the custom of managing internal affairs of the church through joint councils of the clergy and the flock (i.e.

⁹⁴ I. Ohienko, *Ideolohiia ukrains’koi tserkvy* (Kyiv: Nasha kul’tura i nauka, 2013), 73-74; I. Ohienko, *Ukrains’ka tserkva. Tom 1* (Prague: Vydavnytstvo Iurii Tyshchenka, 1942), 108.

⁹⁵ Ohienko, *Ideolohiia*, 74-75.

⁹⁶ O. Lotots’kyi, *Avtokefaliia. Tom 2. Narys istorii avtokefal’nykh tserkov* (Warsaw, 1938), 271-273.

⁹⁷ Lotots’kyi, *Avtokefaliia*, 273.

⁹⁸ Lotots’kyi, *Avtokefaliia*, 273.

⁹⁹ Lotots’kyi, *Avtokefaliia*, 274.

¹⁰⁰ For a detailed analysis of these special traits of Ukrainian Orthodoxy from a historical perspective, see: F. Sysyn, “The Formation of Modern Ukrainian Religious Culture: The Sixteenth and Seventeenth Centuries,” in *Church, Nation and State in Russia and Ukraine*, ed. G. A. Hosking (New York: Palgrave Macmillan, 1991), 1-22.

sobornopravnist’, or “conciliarism”), a highly respected status of the clergy among the population, and an especially high level of religious tolerance to other confessional groups.¹⁰¹ Based on this comparison, Ohienko concluded that Ukrainian and Russian religious traditions should be viewed no less than “two opposite poles of Orthodoxy.”¹⁰² In his view, while the Russian Church was dominated by the spirit of “the letter and the ritual (*obriadnist*’),” the Ukrainian church was guided by “the living spirit and the focus on the essence (*zmist*).”¹⁰³ Attempting to place Russian and Ukrainian Orthodoxies as far apart as possible, Ohienko emphasized that only an “enemy of Eastern Christianity” could mesh the two together.¹⁰⁴

Finally, combining the two elements reviewed above, Ohienko formulated another key point which radically contradicted the MP’s original narrative of the KM’s transfer from the 17th century. Given the de facto autocephaly of the KM and the cultural uniqueness of its religious tradition, the pre-1686 period was primarily framed by Ohienko as the “Golden Age” of Ukrainian Orthodoxy, i.e., the time of its flourishing and prosperity, when the Kyivan See enjoyed the status of the first and the strongest entity in the Orthodox world, both Slavic and non-Slavic.¹⁰⁵ As Ohienko asserted, the Ukrainian Church distinguished itself in this period by a special dogmatic and canonical purity, escaping the appearance of sectarianism on either of those two grounds.¹⁰⁶ He also designated the KM as “a fully European Church in the East” which exerted a significant influence over its neighbors, including the ROC.¹⁰⁷ This point became an essential element in the argumentative strategy of the autocephalists, aspiring to prove that Ukrainian Orthodoxy was not only *different* from the Russian one, but also essentially *superior* to it in all major respects, especially in terms of their theological and educational development.¹⁰⁸

Thus the framework of the KM’s history put forward by the Ukrainian autocephalists in the first half of the 20th century was constructed with a view to undermining the key points of the MP’s original “re-unification” narrative formulated in the letter of Moscow Patriarch Joachim to his counterpart in Constantinople. Where the MP chose to see a united and indivisible Orthodox space (temporarily and forcibly torn apart by some adverse political

¹⁰¹ See on this: Ohienko, *Ideolohiia*, 40, 58-59.

¹⁰² Ohienko, *Ideolohiia*, 29, 60.

¹⁰³ Ohienko, *Ideolohiia*, 29, 60.

¹⁰⁴ Ohienko, *Ideolohiia*, 30.

¹⁰⁵ Ohienko, *Ideolohiia*, 59, 130.

¹⁰⁶ Ohienko, *Ideolohiia*, 72.

¹⁰⁷ Ohienko, *Ideolohiia*, 59.

¹⁰⁸ A detailed overview of the influences of Ukrainian Orthodoxy on Russian Orthodoxy can be found in: I. Ohienko, *Ukrains’ka kul’tura. Korotka istoriia kul’turnoho zhyttia ukrains’koho narodu* (Winnipeg: Volyn’, 1970).

circumstances), the autocephalists placed a unique Kyivan tradition which was a complete opposite of Russian Orthodoxy. While, in its representations of the pre-1686 situation, the MP foregrounded the looming collapse of the KM, and credited itself for saving local Orthodoxy from imminent extinction, the autocephalists conceived of the 1686 transfer as an unlawful, treacherous seizure of a free and flourishing church by an inimical foreign actor. If the MP designated the 1686 transfer as a starting point for the KM's revival, the autocephalists saw it as the actual demise of Kyivan Christianity, its eventual assimilation as merely another part of the Muscovy Church, ruled by the iron fists of the monastic clergy and the state.

Simultaneously, however, it was important for the Ukrainian autocephalists to prove that the subjection of the KM to the CP in the period before 1686 was rather fragile, limited, and de facto voluntary. In the light of contemporary developments of 2016-2019, it is especially noteworthy that, at the time of writing his texts in the middle of the 20th century, Ohienko himself recognized that the Patriarchal and Synodal Act of 1686 issued by the CP indeed presupposed *complete subjection* of the KM to the MP and not merely a limited privilege of ordaining Kyiv Metropolitans.¹⁰⁹ Although he repeatedly stated that, due to numerous violations, the transfer itself was illegal and uncanonical, in retrospect, Ohienko found this change very beneficial for furthering the cause of Ukrainian autocephaly.¹¹⁰ He claimed that, as a result of the act of 1686, the CP did lose all of its canonical rights to the Ukrainian Church because—despite the unjust nature of the transfer—it continued to maintain friendly relations with the MP and never officially protested the transfer until the 1924 Polish *Tomos* of autocephaly.¹¹¹ Ohienko found one of the tokens of the CP's formal recognition of the transfer and the status of the KM as a part of the MP's canonical territory in the endorsement of the new Synodal organization of the MP, introduced by Peter the Great, in the CP's *Tomos*¹¹². Along with this, in stark contrast to the CP's position, Ohienko recognized the applicability of Rule 17 of The Council of Chalcedon to the 1686 transfer,¹¹³

In sum, these historical and canonical arguments were considered by Ohienko as providing sufficient grounds for the self-proclamation of autocephaly by the Orthodox Church in Ukraine. From his perspective, the transfer of the KM to the MP in 1686 was an illegitimate and forcible takeover which had no canonical validity and thus can be disregarded. At the same

¹⁰⁹ Ohienko, *Ideolohiia*, 32-33, 76.

¹¹⁰ Ohienko, *Ideolohiia*, 33-34. In particular, Ohienko claimed that the transfer was invalid from the start because it was arranged for political reasons under the severe pressure of the Ottoman and Muscovy authorities as well as in spite of the will of the Ukrainian clergy to keep the status quo.

¹¹¹ Ohienko, *Ideolohiia*, 33.

¹¹² Ohienko, *Ideolohiia*, 33.

¹¹³ Ohienko, *Ideolohiia*, 33.

time, due to its course of action after 1686, the CP also lost its rights to the KM. Hence, the Ukrainian church did not require canonical permissions to accept autocephalous status from Moscow or Constantinople.¹¹⁴ In other words, it was more advantageous for Ohienko to recognize the complete transfer as a loss of canonical territory by the CP because, along with other factors of his time period, it substantially simplified the legitimation of the self-proclaimed independence of Ukrainian Orthodoxy.

It must be noted that, in its most complete version, Ohienko and Lotots'kyi's historical perspective mostly survived in Ukrainian diasporas.¹¹⁵ In the post-Soviet period, the ultimate need of securing the cooperation of the CP in the struggle for the church independence of Ukraine against the MP prompted the local autocephalists to adjust the interpretation of the 1686 events developed in the works of Ohienko. This tendency particularly manifested itself in the discourse of Patriarch Filaret, one of the key founders of the UOC-KP and its official primate in 1995-2018. On the one hand, being the most notable speaker for the autocephalist cause in the Ukrainian public sphere, he fully embraced the core ideas of Ohienko and Lotots'kyi regarding the cultural and religious uniqueness of Kyivan Orthodoxy in the pre-1686 period. Filaret actively promoted their program of the total Ukrainianization of church life as well as establishing perfect symphony between an autocephalous church and an independent state.¹¹⁶ Likewise, Filaret fully subscribed to Ohienko's perspective that the KM was de facto forcefully annexed by the MP in flagrant violation of all canonical procedures.¹¹⁷ He consistently claimed that the KM's annexation by the MP should be treated as illegitimate and as a clear manifestation of "simony" because Moscow "bought" the former using bribery and political pressure.¹¹⁸

On the other hand, however, a tentative analysis of Filaret's interviews and public speeches demonstrates that he avoided mentioning the wide, quasi-autocephalous scope of independence of the KM from the CP in the pre-1686 period.¹¹⁹ Moreover, in stark contrast to Ohienko, Filaret did not argue that the transfer—as illegal and uncanonical as it was—deprived the CP of Ukraine as its canonical territory, or that the CP ceded it eventually by endorsing the

¹¹⁴ Ohienko, *Ideolohiia*, 36.

¹¹⁵ See on this, e.g.: N. Denysenko, "Explaining Ukrainian autocephaly: politics, history, ecclesiology, and the future," *Canadian Slavonic Papers* 62, no. 3-4 (2020): 433f.

¹¹⁶ See on this: I. Prelovs'ka, *Dzherela z istorii UAPTS* (Kyiv, 2013), 30; D. Shestopalets, "What Is God's and What Is Caesar's? Autocephaly, Schism and the Clash of Political Theologies in Ukrainian Orthodoxy," *Political Theology*, 24 May 2021, <http://dx.doi.org/10.1080/1462317X.2021.1925439>.

¹¹⁷ Patriarkh Filaret, *Interviu. Tom 6* (Kyiv: Vydavnychy viddil UPTS Kyivs'koho Patriarkhatu, 2003), 54, 68.

¹¹⁸ Patriarkh Filaret, *Dopovidi. Tom 5* (Kyiv: Vydavnychy viddil UPTS Kyivs'koho Patriarkhatu, 2003), 429–443.

¹¹⁹ Patriarkh Filaret, *Interviu. Tom 6*, 326-327.

church reform of Peter the Great. Rather, he put a special emphasis on the fact that, in 1687, a Council in Constantinople dethroned Ecumenical Patriarch Dionysius IV on charges of bribery related to the re-subordination of the KM—a turn of events which, for Filaret, meant that the 1686 Patriarchal and Synodal Act was officially discarded by the CP already at that time.¹²⁰

Thus, based on these presuppositions, Patriarch Filaret actively promoted a view that, since the 17th century, and until the present day, Ukraine, without interruption, had remained a *de jure* canonical territory of the CP, not of the MP, and, consequently, that the former did not need to take any additional action for proving its canonical entitlements or for conferring autocephalous status on Ukrainian Orthodoxy.¹²¹ Filaret argued that the CP for its part also never actually made peace with the 1686 annexation, and privately continued to consider Ukraine as its canonical territory.¹²² He referred to a letter written by Ecumenical Patriarch Demetrious I and sent to the MP in January 1991, in which the Patriarch implied that the CP recognized the MP's canonical borders only as they were established in 1593.¹²³ This was the key part of the UOC-KP's discursive strategy which countervailed the repeated claims of the UOC-MP that the Ecumenical Patriarch officially recognized it as the *only* canonical Orthodox body in Ukraine.

It must be noted that, in the wake of the 2018 Unification Council, the CP's perspective on the 1686 events, derived from the works of Lurie and Vetochnikov, was fully adopted by the theologians of the OCU, such as priest Vitalii Klos and Metropolitan Oleskandr (Drabynko).¹²⁴ Likewise, it was picked up by Ukrainian church historians in their attempts at

¹²⁰ Patriarkh Filaret, *Dopovidi. Tom 5*, 170; Patriarkh Filaret, *Propovidi. Poslannia. Dopovidi. Promovy. Slova na vruchennia arhipastyr's'kykh zhezliv. Interviu. Tom 8* (Kyiv: Vydavnychi viddil UPTS Kyivs'koho Patriarkhatu, 2010), 233.

¹²¹ Patriarkh Filaret, *Propovidi. Promovy. Poslannia. Dopovidi. Interviu. Tom 7* (Kyiv: Vydavnychi viddil UPTS Kyivs'koho Patriarkhatu, 2007), 590-591.

¹²² Patriarkh Filaret, *Propovidi. Promovy...Tom 7*, 561, 682.

¹²³ Patriarkh Filaret, *Dopovidi. Tom 5*, 170; Patriarkh Filaret, *Propovidi. Promovy...Tom 7*, 397. In the context of this analysis, it is highly noteworthy that the letter in question was formally sent by Ecumenical Patriarch Demetrious in January 1991 as a token of support for the ROC in its struggle against various external and internal adversaries, especially the Greek Catholic and autocephalist movements in Ukraine. Condemning the autocephalists, Demetrious stated that the Ecumenical Patriarchate recognized only one canonical Orthodox Church, i.e., the ROC, within the bounds of the Moscow Patriarchate as they were established in 1593 ("Poslanie konstantinopol'skogo patriarkha Dimitriia o ppodderzhke RPTs (protiv avtokefalistov na Ukraine)," *Zhurnal Moskovskoi Patriarkhii* 5 (1991): 5). In other words, the letter appears implicitly to acknowledge Ukraine as a part of the MP's original, pre-1686 canonical territory. Thus, in the new socio-political reality of independent Ukraine, Patriarch Filaret effectively de-contextualized and reframed its key message in order to support his autocephalist agenda. This reference to the 1991 letter as a key argument in favor of the CP's historical paradigm was also picked up by Archbishop Job (Getcha) in his interview from September 2018 (Myrevs'kyi, "Arkhiepyskop").

¹²⁴ See on this: Mytropolyt Oleksandr (Drabynko), *Ukrains'ka tserkva: shliakh do avtokefalii* (Kyiv: Dukh i litera, 2008), 212–267; Protoierei Vitalii Klos, *Avtokefaliia ukrains'koi tserkvy: ohliad vid khreshchennia do synodal'noho tomosu* (Kyiv: n.p., 2019).

reimagining Ukraine's church history from a postcolonial perspective.¹²⁵ As they add no new arguments to the debate, these works will not be discussed here.

Conclusion

In the autumn of 2018, Ukraine officially became a new battleground in the continuous rivalry between Moscow and Constantinople. Numerous contradictions, accumulated in the strained relations between these religious centers during the past several decades, came to the fore in the question of which one of them was legitimately entitled to determine the current canonical status of Ukrainian Orthodoxy. Along with the theological polemics regarding the primacy and special privileges of the CP in the Eastern Christian Church, this clash also involved a fierce battle for the “past” (or “battle of the pasts”), specifically the conflict of representations of the change of the Kyiv Metropolitanate's jurisdiction in 1686. In this analysis, an attempt has been made to clarify the key historical narratives and argumentative strategies employed by various actors for framing this pivotal event, and, hence, for shoring up their contemporary agendas concerning the Orthodox church in Ukraine.

On the one end of the spectrum, the key strategic goal of the MP was to establish the view that, regardless of any alleged violations of canonical procedures or the ambiguities of wording in the key documents, its incorporation of the KM in the second half of the 17th century remains a fully legitimate and irreversible act. While appealing to canons that establish a clear “statute of limitations” for territorial disputes between different church entities, the proponents of Moscow's standpoint primarily resorted to the discursive strategy of *emplotment*—or infusing historical processes with a special, overarching meaning and orientation—in order to prove that the re-subordination of the Kyivan See was historically predetermined by a range of religious and political factors. In particular, the MP consistently used the “salvationist” narrative, foregrounding the idea that its actions in 1685-1686, undertaken out of necessity, averted the otherwise unavoidable demise of the Orthodox faith in the Ukrainian lands. On a more general level, though, it has been the MP's approach to postulate that the whole history of Orthodoxy in the region of former Kyivan Rus' should be viewed as driven by a single *metanarrative*, namely that the incessant struggle of the clergy and hierarchy for preserving the “sacred tradition” of the indivisible and inviolable unity of the ancient Rus' Church ensues in the face of ever-changing political circumstances. From this

¹²⁵ See on this: Iryna Prelovs'ka, Iurii Mytsyk, Vitalii Klos, Dmytro Hordiienko, *Istoriia ukrains'koi pravoslavnoi tserkvy* (Kyiv: Folio, 2019), 84.

perspective, the 1686 transfer is positioned by Moscow not as an act of acquisition of some *new* canonical territory from the CP, but as the *re-unification* of two churches, or restoration of their original status quo as a single canonical space.

At the current stage, these discursive constructs continue to serve as a powerful hegemonic tool employed by the MP for legitimating (and simultaneously concealing) its perpetual control over the Orthodox church in Ukraine after the collapse of the Soviet Union. As the MP claims to embody the historical church of the Kyivan Rus' period, any independent existence of Ukrainian Orthodoxy, including its autocephaly, is considered by it to be inherently impossible because it would directly violate the unquestionable axiom of the fundamental, sacred indivisibility of *Russkaia Tserkov'*.

On the other end of the spectrum, in order to arrange a canonical Ukrainian autocephaly, the CP needed to find and publicly establish an alternative version of the past which would directly challenge the centuries-old historical narratives of Moscow. Based on a radical re-evaluation of the meaning of the key canonical documents, and appealing to a range of historical precedents, this new framework claimed that the Patriarchal and Synodal Act of 1686 was *originally* intended by Constantinople not as a permanent ceding of canonical territory to the MP, but strictly as a partial, conditional, and temporary delegation of rights, related to one specific aspect of the KM's status, i.e., the permission to ordain Kyiv Metropolitans. In this respect, the CP aimed to prove that the phrasing of the 1686 Act, as well as all of its clauses (especially, the need to continue the commemoration of the Ecumenical Patriarch before the Moscow Patriarch during liturgies), were guided by the same overarching leitmotif—to underscore and secure the CP's supreme canonical authority over the KM in the long term.

Thus, the argumentative strategy employed by the CP presupposed that the MP deliberately disregarded or misinterpreted the true meaning of the documents received from Constantinople in 1686 and, hence, illegally annexed the KM using the auspicious political situation of that time. It is noteworthy that, in establishing this specific representation, the CP did not rely on its own historical tradition regarding the 1686 events or “internal memory” which could be traced back to that period in question, but, as a vivid example of interdiscursivity, heavily drew upon the works of contemporary historians and theologians of various confessional and academic affiliations. The uncovering of the “true past,” as well as claims about the alleged flagrant violation of the conditions of the 1686 Act by Moscow in the past three centuries, gave the CP a pretext to formally revoke the document in its entirety, and, hence, deprive the MP of any canonical grounds to continue its presence in modern day Ukraine.

The discursive nature of these patriarchates' conflicting perspectives is further illustrated by the views of the notable Ukrainian autocephalists of the 20th century, who also resorted to reimagining of the past—the same 1686 events—as a crucial step in their quest for proving the right of Ukraine to its own autocephalous church and the legitimacy of its self-proclamation. On the one hand, they emphatically asserted that the change of the KM's jurisdiction in 1685-1686 was completely illegitimate and thus did not give the MP any actual canonical rights over Ukrainian Orthodoxy. To bolster this perspective, the autocephalists advanced an alternative metanarrative of Ukrainian church history, involving the construction of a “Golden Age” myth, and the representation of the pre-1686 Kyiv Metropolitanate as a quasi-autocephalous, culturally unique entity, radically different from the Orthodoxy practiced in Moscow. On the other hand, pursuing their own agenda, the autocephalists also claimed that, although the 1686 transfer should be viewed as illegitimate, the CP also lost all its former canonical rights to the KM because of its subsequent actions. This interpretation allowed the early 20th century pro-autocephaly thinkers to represent the Orthodox Church in Ukraine as a canonical “no man's land,” and thus as fully entitled to self-proclaim autocephalous status without permission from either of the two major patriarchates. In the present-day situation, however, many of these views were abandoned or downplayed by the contemporary Ukrainian autocephalists in order to secure the cooperation of the CP. Moreover, the CP's perspective became fully incorporated in the historical framework of the OCU.

Overall, while the above-mentioned interpretations of the 1686 resubordination of the KM emerged at different time periods, they, nonetheless, reflect the same pattern of the ideological instrumentalization of history; they vividly demonstrate how the past can be discursively constructed and aligned with the specific institutional interests of competing churches engaged in continual struggles for hegemony and domination. In all these cases, religious actors find it necessary to revisit the past through a selective reading of sources, to emphasize or de-emphasize specific events, or to use the inherent rhetorical or structural ambiguities of historical texts for uncovering their “original meanings,” directly or indirectly legitimating each actor's preferred course of action in present-day situations. In actuality, these conflicts around history do not concern determining or defending “historical truth” per se: rather, they are aimed at ideological shaping and instilling specific collective memories as an indivisible part of believers' identities and religious worldviews.