

Study Paper: The Territory of the Ukrainian Greco-Catholic Church¹

Резюме

Наступний документ складається з матеріалів, які відносяться до визначення сьогодишньої територіальної юрисдикції єпископів УГКЦ в Україні. Він був підготовлений експертами для попередньої дискусії Греко-Католицьким Єпископатом на Синоді, що відбувся у Львові в лютому 1994 р. Первісний, український текст уже був надрукований (див.: „Матеріали до вивчення території УГКЦ”, *Наша Мета* 46:29-33, Торонто, вересень-жовтень, 1994). З метою познайомити ширші кола зацікавлених із змістом цього винятково важливого документу, подаємо неофіційний англійський переклад. Він друкується за особистим дозволом Глави УГКЦ, Блаженнішого Мирослава Івана Кардинала Любачівського.



¹ This study paper was drafted for discussion at the Synod of the Ukrainian Greco-Catholic Bishops in L'viv in February, 1994. It brings together materials, arguments and documents regarding the question of the territorial jurisdiction of the bishops of the Greco-Catholic Church in Ukraine today. The Ukrainian version of this important document entered the public domain earlier this year. See "Матеріали до вивчення території УГКЦ", *Наша Мета* 46:29-33 (Toronto, September-October, 1994). The present English-language version is an unofficial translation. Most place names have been transliterated according to modern Ukrainian usage only to reflect the original Ukrainian text, not to suggest political desiderata.

Introduction

The Synod of Bishops of the Ukrainian Greco-Catholic Church, held in L'viv on 16–31 May 1992, resolved:

- a) To petition the Holy Father that he recognize the resolutions of the Second Vatican Council and create a Kievan-Halych Patriarchate for the Ukrainian Greco-Catholic Church (add. 1, prot. n. 28)
- b) The territory of the particular Ukrainian Greco-Catholic Church is the territory which includes the contemporary political boundaries of Ukraine and those eparchies which were part of the Kiev and Halych Metropolitanates.
- c) The jurisdiction of the Major Archbishop, meaning Patriarch, extends to this territory.
- d) Consequently, the future Patriarch should have the title of Kiev and Halych.

His Beatitude Myroslav Ivan signed this resolution on 31 May, 1992 and personally submitted it to Pope John Paul II during a private audience on 15 June, 1992.

In a letter dated 21 July, 1992, (n. 85/92), the Prefect of the Congregation for the Eastern Churches, Achille Cardinal Silvestrini informed His Beatitude Myroslav Ivan of the following:

- (1) First of all, it appears prejudicial to the solutions of various provisions taken by the Synod of Bishops of the Ukrainian Church that one proceeds to the determination of the territory of the same Major Archbishopal Church. It is noted that the Synod identifies the canonical territory of the Major Archbishop of L'viv with the territory of the entire independent state of Ukraine; the Synod is therefore invited to clarify and justify this position in accordance

with the CCEO can. 146 §2, providing all arguments considered necessary or useful.²

In the same letter, Cardinal Silvestrini stated:

(7) – *Recognition of the Patriarchate of Kiev and Halych and all Rus'-Ukraine.* The erection of a Patriarchate is reserved to the Supreme Authority of the Church (CCEO, Can. 57 §1) in its full freedom of decision. Although this freedom remains firmly in place and is not subject to any appeal, even the hypothesis of a possible examination of the problem presupposes the prior determination of the territory of the Major Archbishop of L'viv as was expressed in point 1.³

According to this statement, it is first of all necessary to resolve the question of the territory of the Ukrainian Greco-Catholic Church, and on that basis, to renew separately the request for the recognition of the Patriarchate of Kiev and Halych and all Rus'-Ukraine. The Synod of Bishops of the Ukrainian Greco-Catholic Church should therefore present to the Holy Father a study of the issues of territory, jurisdiction and the title of the head of the Ukrainian Greco-Catholic Church. The present document is such a study.



² “Innanzitutto, appare pregiudiziale alla soluzione di vari provvedimenti presi dal Sinodo dei Vescovi della Chiesa Ucraina che si proceda alla determinazione del territorio di codesta Chiesa Arcivescovile Maggiore. Si è notato che il Sinodo fa coincidere il territorio canonico dell'Arcivescovato Maggiore di L'viv con il territorio dell'intero Stato indipendente dell'Ucraina; il Sinodo è pertanto invitato a chiarire e motivare questo atteggiamento, attenendosi al CCEO Can. 146 §2 e favorendo tutte le argomentazioni che siano ritenute necessarie o utili.”

³ “7 – *Riconoscimento del Patriarcato di Kiev e Halycz e di tutta la Rus'-Ucraina.* L'erezione di un Patriarcato è riservata alla Suprema Autorità della Chiesa (CCEO, Can. 57 §1) nella sua piena libertà di decisione. Ferma restando tale libertà, non sindacabile da nessuna istanza, anche l'ipotesi di un possibile esame del problema è subordinata alla previa determinazione del territorio dell'Arcivescovo Maggiore di L'viv, secondo quanto esposto al punto N.1.”

When discussing the Ukrainian “Greek” Catholic Church, we must first consider the various terms that were used by the Prothierarchs of the Church of Rus’ throughout the centuries to designate their position: Metropolitan, Archbishop, Primate, Archbishop and Metropolitan, Metropolitan and Archbishop. Nevertheless, the Prothierarchs of this Church were always aware that they were heads of a particular local Church. The term “archbishop” as it is used in the Latin Church does not necessarily have the same connotation in one or another Eastern Particular Church. This also applies to the other titles indicated above.⁴

The Prothierarchs of the Ukrainian Greco-Catholic Church were equally recognized as such by Rome and Constantinople. Therefore, when discussing the questions of territory, structure and the titles of the Prothierarch of the Church of Rus’-Ukraine, we must take into account that this is a particular Church *sui iuris*. This means that the Church has one Head and one Rite (*ritus*, in the canonical sense). We emphasize this because an incomplete understanding of Eastern Canonical discipline and terminology often leads to an erroneous understanding of these concepts.

Historical Perspective

The Metropolitanate of Rus’ exists from the time of the Baptism of Kievan Rus’ under Volodymyr the Great (988). The Metropolitan was sent – and the Metropolitanate established – by Constantinople. The Metropolitan always had his See in Kiev. Until the Mongol invasions (in the mid-thirteenth century), all his signatures and seals bear the title “Metropolitan of Rus’,” and never “Metropolitan of Kiev.”

The territory of the Kievan Metropolitanate was vast. The metropolitan had jurisdiction over all of Rus’; covering all Eastern Slav lands: Ukraine, Belarus and Russia. The unity of jurisdiction was maintained for as long as possible and whenever possible, and

⁴ Compare the Code of Canon Law for the Latin Church (*Codex iuris canonici* – 1917), *Cleri sanctitati* (1957) and the *Codex Canonum Ecclesiarum Orientalium* (1990).