

## Toward an Ecclesial Self-Identity for the Ukrainian Greco-Catholic Church

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### Резюме

У статті п.з. „До Церковного самоозначення Української Греко-Католицької Церкви,” о. Андрій Чировський заторкує проблему самозрозуміння цієї Церкви як продовження старинної Києво-галицької Митрополії. Автор застосовує історичні та тематичні підходи щоб довести, що Українська Греко-Католицька Церква завжди вважала себе частиною великої Київської Церкви, яка перебуває в повній та видимій єдності з римським Апостольським Престолом.

Трудність полягає в тому, що ця ідентичність не завжди ясно очеркувалася в документах чи титулах, частинно через різні історичні обставини, а частинно через питому скромність українських владик які, пристосовуючись до завжди нових ситуацій, дозволяли на вжиток різної термінології, щоб тільки могли виконувати душпастирську працю. Та все таки збереглася свідомість про свою ідентичність, навіть серед трудних обмежень та серед нових обставин діаспори.

Автор трактує самозрозуміння Київської Церкви в домонгольській добі, відтак переходить до проблеми перебування київських митрополитів в північно-руських князівствах та пов'язаного з цим питання означення осідку митрополії. Даліше в статті студіюється проблему назовництва в завжди нових для Київської Церкви обставинах. Тут трактується після-флорентійський поділ митрополії на вищу (московську) та нижчу (київську – в границях польсько-литовської держави) та положення цієї нижчої митрополії в часах Берестейської Унії та пізніше, в обставинах поступового скасування Унії Царською Росією.

Дальше розглядається питання тягlosti між київською та львівсько-галицькою митрополіями в австрійській імперії.

Вкінці, автор розглядає питання поступового обмеження прав львівсько-галицьких митрополитів, як рівнож постання церков-дочок в діяспорі та модерні змагання за помісність і патріархат, в контексті революційних переопінок в католицькій еклезіології від Другого Ватиканського Собору. Трактуються болючі питання ватиканського „ост-політік” і канонічного обмеження всіх східних католицьких Церков поняттям територіальности. Відтак автор подає оцінку надзвичайних синодів ієрархії УГКЦ, які відбулися в 1980-их роках за Папи Івана Павла II-го. Трактуються нові обставини Церкви, яка виийшла (для декого зовсім несподівано) з підпілля. Стаття закінчується короткою аналізою Львівського Синоду 1992-го року та дальше нерозв'язаних питань території та ціліности УГКЦеркви. Автор ставить заключення, що УГКЦерква щораз ясніше себе розуміє як ту частину старинної Київської Митрополії, яка перебуває в повній та видимій єдності з Римом.



The sometimes difficult relations which obtain between the Ukrainian Greco-Catholic Church of Kiev and the Roman Curia or between the former and certain Orthodox Churches are due in part to a lack of clarity in the self-understanding of the Ukrainian Greco-Catholics. The current vogue for speaking of the worldwide Catholic Church as a communion of Churches *sui iuris* makes it easier for Ukrainian Greco-Catholics to see themselves as precisely such an autonomous Church, the Church of Kiev in full and visible communion with the See of Rome, and to describe themselves as such to others. The situation has not always been thus, however. It is the aim of this paper to emphasize that Ukrainian Greco-Catholics have had some intimations of this identity throughout the ages, even if historical circumstances hindered the clear formulation of such an identity. I hasten to emphasize the very preliminary nature of the present study, which will attempt to bring together a combination of historical and thematic approaches.

The significance of such a study is obvious to anyone who has followed the news of the Roman Curia's demands for more proof before recognizing more than a tiny portion of Ukraine (three or

four of twenty five *oblasts* or provinces) as the canonical "home territory" of the Synod of Ukrainian Greco-Catholic Bishops. Suggestions have been made by certain Roman officials<sup>1</sup> that the title of the head of this Church can only be that of L'viv, in Western Ukraine, rather than the title which nearly all Ukrainian Greco-Catholics prefer, that of Kiev and Halych, signifying all of Ukraine, East and West, and perhaps other lands which in earlier centuries belonged to the Kievan Metropolia, and now lie far beyond the borders of the Ukrainian state.<sup>2</sup>

In dialogues with the Orthodox, the idea that Ukrainian Greco-Catholics constitute a Church and not simply an ethnic "branch office" of Roman Catholicism with certain liturgical and canonical concessions is simply crucial.<sup>3</sup> The identification of the Ukrainian Greco-Catholic Church as that portion of the Church of Kiev which

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<sup>1</sup> See the confidential Address of the Papal Nuncio to Ukraine, Archbishop Antonio Franco at the February, 1994 Synod of Bishops of the Ukrainian Greco-Catholic Church in L'viv. The text of the speech was leaked to the press and first published in the June, 1994 issue of *Патріархат*, the organ of the Ukrainian Patriarchal Society. Since then it has been reprinted in several places, notably Chicago's *Церковний Вісник* [The Church Herald] 27:13 (26 June, 1994), 6-9, 12-14. See also an important response to the publication of this confidential speech: Марко Томашик, "Відкритий лист до редакції журналу «Патріархат»" *Світло* 42 (1994), 295-97.

<sup>2</sup> There is a list of episcopal sees, ordered according to precedence, dating from the 1170s. In this list the metropolitanate of Rus' stands in sixty second place. It includes eleven suffragan sees dependent on Kiev: Bilhorod, Chernihiv, Novgorod, Polotsk, Volodymyr, Pereyaslav, Suzdal', Turiv, Kaniv, Smolensk, and Halych. Thus, the Kievan Metropolia included lands in what is now Ukraine, Bielarus and Russia. See Jean Darrouzès, *Géographie ecclésiastique de l'Empire byzantin*, Vol. 1. (Paris, 1981), 367.

<sup>3</sup> As late as 1990 the Moscow Patriarchate was hoping to identify the Ukrainian Greco-Catholics as "communities of Catholics of the Byzantine Rite" rather than as the Ukrainian Greco-Catholic Church. Presumably these people would be deprived of their own hierarchy and subject to Roman Catholic Bishops. Apparently, at least some in Rome were willing to go ahead with such ideas in order to resolve the thorny "uniate problem" which was bringing Orthodox-Catholic rapprochement to a halt. The complete failure of the so-called Quadripartite Commission in March, 1990, and the June 1990 visit to Rome of the formerly underground Ukrainian Greco-Catholic hierarchy for the final extraordinary (diaspora) Synod in June, 1990, signalled the end of such plans. The Ukrainian Greco-Catholic Church was formally recognized as canonically functioning in its own territory as a Church *sui iuris* in the Catholic Communion.

is in communion with Rome helps to draw lines of inheritance between Daughter-Church (Kiev) and Mother-Church (Constantinople).<sup>4</sup> Even if this daughter is today estranged from her mother through the vicissitudes of history, it is important to recognize these relationships, so that eventually reconciliation might occur, or that it might at least be pursued.

If the Ukrainian Greco-Catholic Church, dispersed today throughout the world, sees itself as none other than the Church of Kiev in communion with Rome, then it is important to see what arguments are adduced for the claim of such continuity. The study must begin with the self-understanding of the Church of Kiev in the pre-Mongol period.

### *The Kievan Church's Self-Identity in the Pre-Mongolian Period*

The Church of Kiev had a rather clear ecclesial self-identity during the first two-and-a-half centuries of its existence.<sup>5</sup> From the official Christianization of Kievan Rus' in 988 until the sack of Kiev during the devastating Tartar invasions in 1240, the Kievan Metropolia simply was. It did not have to identify itself against any other large or otherwise threatening ecclesiastical body. It had a sometimes uneasy relationship with the Great Church of Constantinople, which, as Kiev's Mother Church sent in all but two metropolitans of this early period.<sup>6</sup> That these "Greeks" were sometimes resented as foreigners is clear from the episodes of the princes installing natives on the Metropolitan's throne, and the difficulties that surrounded these cases.<sup>7</sup> For the most part, the relationship with the Constantinopolitan Church seemed to have been

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<sup>4</sup> Orthodox participants of the first Oxford Consultation of the Kievan Church Study Group voiced pleasant surprise when Ukrainian Greco-Catholics identified their Church as daughter to the Great Church of Constantinople.

<sup>5</sup> For an excellent recent contribution to the history of the Kievan Church in this period see Sophia Senyk, *A History of the Church in Ukraine*, Vol. I: To the End of the Thirteenth Century, *Orientalia Christiana Analecta* 243 (Rome: Pontifical Oriental Institute, 1993).

<sup>6</sup> Ilarion (1051–1054) and Klym Smoliatych (1147–1155?).

<sup>7</sup> See Senyk, *A History*, 98–118.

reasonably good, especially since Kievan Rus' feared no further intrusion by the Byzantine Empire, which in those centuries was not in any position to threaten the large and powerful Kievan realm. Having Greek Metropolitans was probably a convenient tool for diplomatic and cultural exchange for the Kievan rulers and for the better part of this era the practice went unchallenged.

There is enough evidence of Bulgarian influence on the Church of Kiev, especially in terms of religious literature and liturgy in the Old Church Slavonic Language, to have merited a whole stream of historiography that proposes the "Ochrid theory" of Christianity coming to Rus' from Bulgaria rather than from Constantinople.<sup>8</sup> The evidence is clearly not strong enough to do away with the notion of Constantinopolitan provenance of ecclesiastical jurisdiction, especially in light of the almost constant presence of Greek Metropolitans in Kiev. But the Bulgarian connection strongly moderates Greek cultural and religious hegemony over the Kievan Church. The point is that the Church of Kiev was in an environment that was stable enough politically and culturally, that it did not see itself as being under any significant threat from any quarters. The surprisingly confident relations that were intermittently fostered with Rome and other Western Christian centres by the Kievan princes<sup>9</sup> (at a time when the Greek Metropolitans could not have been pleased by these developments) give further evidence of a Church that essentially lived its own life.

When one applies the criteria of a Particular Church *sui iuris* possessing its own theology, liturgy, spirituality and discipline, the pre-Mongolian Kievan Church shows itself to be developing

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<sup>8</sup> Among the first to present this line of reasoning was M. D. Priselkov, *Ocherki po tserkovno-politycheskoy istorii Kievskoi Rusi X-XII vv.* (St. Petersburg, 1913) Reprint edition, The Hague, 1966. But see Senyk, *A History*, 90-92 who dismisses Tmutorokan' and Cherson as well as Roman theories of the beginnings of hierarchical organization in Rus'.

<sup>9</sup> Teofil Kostuba makes much of the lack of condemnation of St. Volodymyr by Roman authorities in order to prove his good standing in the Catholic Church. See Теофіл Коструба, *Нариси з Церковної Історії України – X-XIII ст.*, [Sketches in the Church History of Ukraine, 10<sup>th</sup>-13<sup>th</sup> centuries], second revised edition, (Toronto: Dobra Knyzhka, 1955), 1-10. But see S. Senyk, *A History*, 298-326, for a more cogent analysis of the varied sources.

steadily in all these areas. The kenotic spirituality of the Kievan Monastery of the Caves (Pechers'ka Lavra)<sup>10</sup> and the cult of such figures as the Holy Passionbearers Borys and Hlib<sup>11</sup> demonstrate a flourishing adaptation of the Gospel to the popular imagination. While there are a few noteworthy theological contributions during this time period, mostly in the form of preaching,<sup>12</sup> and the liturgical and canonical developments of the Kievan Church point to a healthy young Church with a mind of its own, it is clearly in the realm of spirituality and specifically kenotic spirituality, that the Kievan Church puts forth its best efforts, which will sustain it for centuries to come.

The incredibly destructive Mongol invasions of the 13<sup>th</sup> century, combined with internecine strife among the ruling class of Kievan Rus' left the empire, the capital, and the Kievan Church in shambles. What made matters worse was the fact that the Great Church of Constantinople was not in the best position to render outward assistance to its Daughter-Church in Kiev, due to its own difficulties with the Latin invasion.<sup>13</sup> It is at this point that we see a herald of things to come. A beleaguered representative of the Kievan Church, one Bishop or Archbishop Petro Akerovych appears in the West, at the Council of Lyons, begging for assistance for his devastated Church.<sup>14</sup> Never again will Constantinople be

<sup>10</sup> See *The Paterik of the Kievan Caves Monastery*, trans. Muriel Heppell. Harvard Library of Early Ukrainian Literature: English Translations, Vol.1, (Cambridge: Harvard Ukrainian Research Institute, 1989).

<sup>11</sup> Their story and that of other saints of the era is related in *The Hagiography of Kievan Rus'*, trans. with an introduction by Paul Hollingsworth. Harvard Library of Early Ukrainian Literature: English Translations, Vol. 2 (Cambridge: Harvard Ukrainian Research Institute, 1992).

<sup>12</sup> *Sermons and Rhetoric of Kievan Rus'*, trans. with an introduction by Simon Franklin. Harvard Library of Early Ukrainian Literature: English Translations, Vol. 5 (Cambridge: Harvard Ukrainian Research Institute, 1991).

<sup>13</sup> I mention outward assistance specifically, since the Great Church did possess a powerful force in the form of the hesychast revival sweeping its monasteries at the time.

<sup>14</sup> He is mentioned in the *Chronica Maiora sive Historia Maior* under the year 1244. The *Annales Burtoniensis* under the year 1245 specify that he spoke of the Tatar invasions at the Council of Lyons. See Микола Чубатий, *Історія Християнства на Русі-Україні* Vol. 1 [to 1353], (Rome: Ukrainian Catholic

strong enough to render significant outward assistance to the Church of Kiev. And so, naturally, the eyes of that Church begin to turn to the West and to the North (with quite diverse results) as the Kievan Church enters upon three-quarters of a millennium of ragged survival rather than confident growth.

Some of the difficulties which arose after the Mongol invasion amid the radically different historical circumstances of the Kievan Church revolved around identifying the ecclesiastical See to which the faithful of the once clearly defined Kievan Church belonged. Others emanated from a new position as a minority religion in the Polish-Lithuanian Commonwealth or other empires that conquered Ukrainian lands. In both cases the willingness of the Kievan Church to *adapt to new situations* rather than to *stubbornly hold on to the past* proved to be a source of many unforeseen troubles.

### *Difficulties in Identifying the See*

After the sack of Kiev by the Tatars in 1240, in the westernmost reaches of the Kievan realm, a successor state, the Kingdom of Halych and Volyn' continues the tradition of Kievan Rus'. It is clear that such figures of this realm as King Danylo perceive themselves not only as the rulers of Red or Western Rus', but also as inheritors of the Kievan prerogatives and aspire to include the ancient capital as part of their kingdom.<sup>15</sup> Since the Kievan Metro

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University, 1965), 603–12. See also С. Томашівський, „Предтеча Ізидора: Петро Акеревич, незаний митрополит руський (1241–1245),” *Analecta OSBM* 2 (1927), 221–313.

<sup>15</sup> Orest Subtelny, *Ukraine: A History* (Toronto: University of Toronto Press, 1988), 61–63. Subtelny emphasizes that Danylo was interested in the idea of a European crusade against the Mongols to be organized by Pope Innocent IV. In exchange for this Danylo agreed to accept papal jurisdiction. For this Danylo received coronation as King from a papal legate. “Thus,” says Subtelny, “he sounded what would become a major and recurrent theme in Galician history – the relationship of West Ukrainians to the Church of Rome.” This last remark could be somewhat misleading. While today it is Western Ukraine that is predominantly Greco-Catholic, the Florentine and Brest Unions were concluded by Kievan Metropolitans, not by Western Ukrainians, who were the last to join the Brest arrangement. For more on Danylo see also Michael Hrushevsky, *A History of Ukraine*, ed. by O.J. Fredriksen (New York: Archon, 1970), 108–111. See also

politans have taken refuge among the Northern princes,<sup>16</sup> those who rule from Halych decide to institute a Metropolitanate of Halych. Thus the Metropolitans of Kiev reside in Vladimir, Suzdal' or Moscow, while claiming to administer the Kievan Metropolia. The authority of the Metropolitans of Halych seems to overlap with those of the Kievan Metropolitans in the southern principalities of Rus'.<sup>17</sup> Much later, after the Florentine Union, when the Metropolia of Halych has been suppressed, and the vast Kievan Church is divided into two Metropolitanates, Northern and Southern,<sup>18</sup> the Muscovites in the north begin to use the term "Metropolitan of

Nicholas L. Fr.—Chirovsky, *An Introduction to Ukrainian History* Vol. 1: Ancient and Kievan-Galician Rus' (New York: Philosophical Library, 1981), 166–73.

<sup>16</sup> See М. Чубатий, *Історія*, 643–62 for an incisive analysis of the reasons for the move northwards of the Kievan Metropolitans Cyril II and Maksym.

<sup>17</sup> Chubatyi explains that after the death of the first Metropolitan of Halych, Nifont, in 1305, the Patriarch of Constantinople made sure that the next Galician candidate for this post, Petro, would agree to be Metropolitan of both Kiev and Halych, with residence in Vladimir on the Kliazma, and later Moscow. While others have surmised that the Metropolia of Halych thus ceased to exist, Chubatyi's contention that Metr. Petro actually held two titles seems most reasonable. One should also keep in mind the creation of the encroaching Lithuanian Metropolia in 1317 and the resulting demands of the Galician co-rulers Lev and Andrii that the Metropolia of Halych be more than simply a theoretical reality ruled from afar. See Чубатий, *Історія*, 673–680.

<sup>18</sup> Pius II in the Papal Bull *Decens reputamus* of 3 September, 1458, makes it clear that he is carrying out the plans of his predecessor Callixtus III in appointing as Kievan Metropolitan Hryhorii, the co-worker of the now retired Metropolitan of Kiev, Isidore (of Florentine fame), and announces the division of the old Metropolia of Kiev into upper Rus' (Muscovy) and lower Rus' (Ukraine and Belarus). One must remember that the Florentine Union had not yet died in the territories under Lithuanian and Polish rule. In Muscovy that Union was never received at all. The new Kievan Metropolitan of lower Rus' was consecrated by the exiled, pro-Florentine Patriarch of Constantinople, Gregorios Mammias. As the Russian historian Kartashev notes, Hryhorii's competitor, Metropolitan Jona in Moscow, (elevated to the Metropolitanate as a counter-move to Isidore, without the blessing of the Ecumenical Patriarch on December 15, 1448), calls a synod in Moscow in 1459 where the first mention of the Church of Moscow is made and the authority of the Patriarch of Constantinople is rejected. The reign of Jona is the *de facto* beginning of the autocephaly of the Church of Moscow. See the extended discussion of these events in М. Чубатий, *Історія*, Vol. II, Part I (Rome: Ukrainian Catholic University), 235–250.



Moscow and all Rus'.<sup>19</sup> The Southern Metropolitan, with jurisdiction over the Ruthenians (modern Ukrainians and Belarusians) of the Polish-Lithuanian Commonwealth, who only occasionally reside in Kiev, take on the nomenclature "Metropolitan of Kiev, Halych and all Rus'."<sup>20</sup> Thus, while Moscow sees itself as a *replacement or successor* to the See of Kiev, the Metropolia of Halych *fully identifies with* the Kievan See. The two Sees of Kiev and Halych are in symbiotic relationship. When the Greco-Catholic Metropolia of Kiev is effectively prevented from functioning adequately by the tsars in the late 18<sup>th</sup> century,<sup>21</sup> the Metropolia of Halych is reconstituted by the papacy, with specific mention of its continuation of all of the prerogatives of the Kievan Church in union with Rome.<sup>22</sup> Thus it is that the Greco-Catholics, reduced by

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<sup>19</sup> Metropolitan Jona still used the title "Metropolitan of Kiev and all Rus'." His successor Feodosii begins to use the title "Metropolitan of Moscow and all Rus'." For a view from the Ukrainian Orthodox perspective see Ivan Wasowsky, *Outline History of the Ukrainian Orthodox Church*, Vol. I. (Bound Brook, N.J.: Ukrainian Orthodox Church of the USA, 1971), 115, where we read: "If the Florentine Union contributed to making Moscow independent of Constantinople, then it had the opposite effect on the Ukrainian Church. The appointing of a uniate metropolitan from Rome, designed to split the Ukrainian church from Constantinople (which had in 1451 anathematized the union of 1439) served rather to bring about a closer union between the Ukrainian Church and its Mother Church." Incidentally, Metropolitan Hryhorii Bolharyn, appointed by Rome, was confirmed in his office by the (non-Florentine) Ecumenical Patriarch Dionysius in 1470.

<sup>20</sup> Wasowsky offers a list of Metropolitans who styled themselves "of Kiev and Halych" starting with Metropolitan Iosif II Soltan (1507–22), *Outline History*, 266.

<sup>21</sup> See Іриней Назарко, *Київські і Галицькі Митрополити: Біографічні нариси* [1590–1960] (Toronto: Basilian Press, 1962), 112–137 for information on the Kievan Metropolitans under Russian rule. The last Metropolitan in the Russian Empire who was in communion with Rome was Josaphat Bulhak (1817–1838). Dmytro Blazejovskyj, *Byzantine Kyivan Rite Metropolitanates, Eparchies and Exarchates: Nomenclature and Statistics* (Rome: Ukrainian Catholic University, 1980) gives an interesting overview of the varied nomenclature used for the sees of Kiev and Halych during the last three centuries. He shows how the *Annuario Pontificio* and its antecedents link the Sees in their official lists. See especially pp. 14–16.

<sup>22</sup> The Papal Bull of Pope Pius VII *In universalis Ecclesiae regimine* of 1807 responded to the new political situation created by the partition of Poland by restoring the Metropolitanate of Halych, separating three western eparchies (L'viv,

persecution to a geographical concentration in the province of Halych, still maintain a Kievo-Galician consciousness, a self-understanding as the Church of Kiev. That is why Ukrainian Greco-Catholics today feel justified in establishing a Kievo-Galician Patriarchate. The see of Halych (with residence in L'viv) is not seen as a reality that is separate from or even clearly distinct from the See of Kiev. The Metropolia of Halych is a convenient way of referring to the remnant of the Kievan Church in communion with Rome. The ancient city of Halych has been reduced by history to the status of a small town. Its Metropolitan has traditionally resided in L'viv, receiving the title of Archbishop of L'viv. This has caused further confusion, because the Father and Head of the Ukrainian Greco-Catholic Church is now referred to by the Vatican as "Major Archbishop of L'viv for the Ukrainians."<sup>23</sup> The difficulty lies in the fact that in the minds of the faithful of his Church, this prelate is in fact none other than the Metropolitan of Kiev, the head of the Kievan Church, who has for historical reasons accepted other titles, some of which are now used by legalists in an attempt to confine him to a much smaller territory than that which justly belongs to him. As borders shift throughout history, the Kievan Church, in its adaptability and its kenotic spirit, is ready to accommodate itself to new realities by accepting new ways to identify the ecclesiastical See which is the center of this Church. As we shall see, this adaptability will leave it prey to nearly unstoppable expansionist forces from the outside.

Whereas the Kievan Metropolitans in the pre-Mongolian period clearly exercised jurisdiction over the whole of Rus' proper and *Rus'kaya Zemlya* (the empire of Rus'), the post-Florentine Metropolitans agreed to the limitation of their jurisdiction to only the

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Kholm and Peremyshl') from the Kievan Metropolia, and making them subject to the renewed Metropolia of L'viv and Halych. Pius VII explicitly mentions that he recognizes the right of the L'viv-Halych Metropolitans to the same authority in nominating and confirming Bishops as his predecessor Clement VIII had recognized in the case of the Metropolitan of Kiev at the time of the Union of Brest. Athanasius Welykyj, ed., *Documenta Pontificum Romanorum historiam Ucrainae illustrantia*, Vol. 2 (Rome, 1955), 315-18.

<sup>23</sup> D. Blažejovskij, *Byzantine Kyivan Rite*, 14.

territory of the Polish-Lithuanian Commonwealth.<sup>24</sup> While one might argue that this was only reasonable, given the new political boundaries, history has proven this acceptance of reduced territory to be disastrous for the Kievan Church. In fact, the Muscovite Church, indisputably the daughter of the Church of Kiev, would turn around and reduce its Mother Church to a position of ecclesiastical dependence from 1686 to the present.<sup>25</sup> The Church of Moscow, styling itself the Church of all Rus', still claims authority over its Mother Church to this day.<sup>26</sup> What is amazing is that the

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<sup>24</sup> Perhaps they had little choice, practically speaking. Wasowsky, *Outline History*, Vol. 1, 115 recounts that King "Casimir IV of Poland, possibly in hopes of introducing the union into the Ukrainian Orthodox Church, accepted the new [Rome-appointed - A.C.] Metropolitan. He also wrote to Moscow asking that he be accepted there in place of Iona, but received in reply the unequivocal statement that 'there would never be a metropolitan from Rome there.' Iona sent letters into Lithuania-Rus' urging that Hryhoriy be rejected. The same was done by a council of bishops held in Moscow in 1459.

"At first the Ukrainian bishops would not recognize Hryhoriy. In the end they did so and it must be thought not only on compulsion from the king but perhaps because of some promise by Hryhoriy to abandon the union. Only Yevfymiy, Bishop of Chernihiv, refused to be reconciled and left for Muscovy, where he became bishop of Suzdal. In 1470 Hryhoriy actually turned to Dionysius, Patriarch of Constantinople, who united him to Orthodoxy and confirmed him in his office."

<sup>25</sup> In the documents issued by the Muscovite tsars Ivan and Peter and the Patriarch of Moscow Joachim, for the first time, the title of the Metropolitan of Kiev is changed from "Kiev, Halych and all Rus'" to "Kiev, Halych and all Little Russia." For an excellent survey of the Ukrainian, Russian and Soviet historiographical interpretations of the legality of the incorporation of the Kievan Metropolia into the Moscow Patriarchate, see Roman Yereniuk, "Підпорядкування Київської Митрополії Московській Патріархії 1685-86," in Wolodymyr Janiw, ed., *Zbirnyk Prats' Yuvileynoho Kongresu*, (Munich: Komitee Des Wissenschaftlichen Kongresses zum Millennium der Christentums in der Ukraine, 1988), 732-749. For some insight into the varied titles used see Andrei Pliguzov, "On the Title 'Metropolitan of Kiev and all Rus'," *Harvard Ukrainian Studies* 15 (1991), 340-353.

<sup>26</sup> The Church of Moscow, of course, clings to the interpretation that the ancient Kievan Metropolitans moved north and that the Kievan Metropolitans from the period after the Florentine Union were illegitimately separated from the jurisdiction of the real inheritors of the Kievan prerogatives, now in Moscow, and participators in the mythical "gathering of the Russian lands." See Alexander Schmemmann, *The Historical Road of Eastern Orthodoxy*, trans. Lydia Kesich, (Chicago: Regnery, 1966), 302-305, for a Russian account that at least recognizes the possibility that Lithuanian Rus' was also a legitimate inheritor of the

other Christian Churches often fail to react clearly and directly to this anomaly. It would be quite helpful were the Great Church of Constantinople to make some unequivocal statements in this regard. Unfortunately, those among the Ukrainian Orthodox who seek canonical autocephaly from Moscow only confound the matter further. How could it be in any way conceivable for a Daughter Church to grant its Mother Church autocephaly?

The Greco-Catholics of the Church of Kiev have also suffered because of their lack of pretensions in questions of territory. They have suffered the same indignities as their Orthodox brothers at the hands of the Moscow Patriarchate which in its expansion throughout Ukraine and Belarus has always used the argument of reconstituting the Church of all Rus'. It is in response to this threat from the Patriarchate of Moscow supported by tsarist or Soviet armies, and most recently by certain misguided Roman ecumenists who seemed to have been ready to accede to Moscow's expansionism in return for an ecumenical deal, that the Greco-Catholic Church of Kiev has sought to establish itself as the Patriarchate of Kiev, Halych and all Rus'.<sup>27</sup>

In May of 1992 the Ukrainian Greco-Catholic Bishops gathered in L'viv at their first Synod under the new terms of the *Code of Canons for the Eastern Catholic Churches*. One of the tasks before them was the delineation of the jurisdictional territory

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Kievan tradition and, in some measure, of the Kievan Metropolia. As of the date of the writing of this article, the Kievan Metropolia is considered an autonomous Church by Moscow. There is talk of autocephaly, but little clarity over the question of who is to grant it. Two autocephalous jurisdictions, as yet unrecognized by any of the Orthodox Churches, have chosen the route of self-proclamation.

<sup>27</sup> See *De constitutione patriarchali Particularis Ecclesiae Catholicae Ucrainorum (Ruthenorum)*, (Castelgandolfo: Editones "Litterae Nuntiae particularis Ecclesiae Catholicae Ucrainorum," 1974), which offers a preliminary constitution for such a patriarchate. The text is offered in Ukrainian, Latin, English and Italian. See also Jean Madey, *Le patriarcat ukrainien: vers la perfection de l'État juridique actuel* (Rome: Opera Theologicae Societatis Scientificae Ucrainorum, 1971), and Victor J. Pospishil and Hryhor M. Luzhnycky, *The Quest for an Ukrainian Catholic Patriarchate*, (Philadelphia: Ukrainian Publications, 1971). These are but a few of the many publications which illustrate the struggle for a Ukrainian Catholic Patriarchate of Kiev-Halych.

of this Church. Although they were advised repeatedly by several theologians and canonists to claim the entire Kievan Metropolia, which would include lands in several countries, the Ukrainian Bishops, in typical modesty, chose to define only Ukraine in its present political boundaries as the territory of their Church. What is the result of this unpretentiousness? The most ancient of all the functioning eparchies of this Church, Peremyshl', has been separated from the Galician Metropolia and is incredibly treated as a diaspora jurisdiction only aggregated to the Greco-Catholic Church. Until an uproar ensued, it was administratively subjected to the Latin rite ecclesiastical province of Warsaw, because it is allegedly impossible for an ecclesiastical province (in this case L'viv) to extend beyond political boundaries. On the other hand, the Eparchy of Mukachiv was made, at least temporarily, subject directly to Rome, even though it is within the borders of Ukraine. The claim of the Synod to the territory of all of Ukraine within its current borders has been returned by the Roman Curia to the bishops for further clarification and proof.<sup>28</sup> It now appears that there are efforts to reduce the territory of the Greco-Catholic Church of Kiev to the territory of the two pre-World War II eparchies of L'viv and Stanyslaviv. The irony of this is clear to anyone who knows the history of the Union of Brest. This territory is the only part of the Church of Kiev whose bishops initially rejected the Union of 1596 and did not join it until over one hundred years later!<sup>29</sup> This is the result of the modest proposals of the Greco-Catholic Bishops in Synod. The *kenosis* of the Kievan Church seems to be its most stable element.

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<sup>28</sup> See the Address of Papal Nuncio Antonio Franco to the L'viv Synod of 1994, *op. cit.*

<sup>29</sup> For a study of the acceptance of the union of Brest in the Western eparchies of the Kievan Metropolia see Josef Macha, SJ, *Ecclesiastical Unification: A Theoretical Framework, Together with Case Studies from the History of Latin-Byzantine Relations*, *Orientalia Christiana Analecta* no. 198, (Rome, 1974), 285-303.

### *Difficulties in the Terminology Used to Identify the Church*

The ecclesial self-identity of a Church can be influenced by the terminology used to designate it. As was stated above, until the Mongol invasions, the Church of Kiev was precisely that, the Kievan Metropolitanate. There was no need for further designations. After the demise of the Galician-Volynian Kingdom, when the Southern and Western portions of Rus' came to be ruled by the Lithuanians who later developed ever closer ties with the Roman Catholic Poles, and the Metropolitans of Kiev were residing in a neighbouring state, the faithful of the Kievan Church began to accept a designation which allowed the authorities to differentiate between those Christians who owed allegiance to Rome and those who did not. The Kievan Christians were called people of the Greek faith, Greek law or Greek rite. The Christian world by then was divided into Greeks and Latins, who were forever polemicizing. This designation assisted in the reduction of the Orthodox Ruthenians to second-class standing in the Polish-Lithuanian State. People of the Greek faith were effectively barred from certain positions in the government and bureaucracy, and from some types of land ownership.<sup>30</sup>

The two types of Christians were to be treated as absolutely equal according to the application of the Union of Florence, as we see from the proclamations of Metropolitan Isidore upon his voyage through the Polish-Lithuanian realm.<sup>31</sup> What Isidore did not calculate into the picture was that the Latin hierarchy of that state was largely aligned with the Conciliarist party of Basel and looked with deep cynicism on the decisions of the papist Council of Ferrara-Florence.<sup>32</sup> The Union of Florence was short-lived, at least in official terms. There are indications that of all the areas where an attempt was made to promulgate the Florentine Union, the recep-

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<sup>30</sup> See Borys Andrij Gudziak, "Crisis and Reform: The Kievan Metropolitanate, the Patriarchate of Constantinople, and the Genesis of the Union of Brest" (Unpublished Harvard University Ph.D. Thesis, 1992), 109-115.

<sup>31</sup> *Ibid.*, 65-7.

<sup>32</sup> *Ibid.*

tion of the Council was least negative and rather positively remembered in the Kievan Church, or at least in the post-Florentine Metropolia of Kiev, from which the Metropolitanate of Moscow had now been separated. There is evidence of several Kievan Metropolitans in the century following Florence attempting to maintain some sort of loose relations with both Rome and Constantinople,<sup>33</sup> a matter of considerable interest for our own Kievan Church Study Group. With little interest in such reconciliation from the Latin Poles, and with impeded communications with Constantinople due to the Ottoman victory, such a complicated process had little chance of success. The people of the Greek faith in the Polish realm remained in their second-class status. In an age before modern nationalism, people were identified either by the language they spoke (or the alphabet they used) or by their faith. At first there were two Christian faiths: Latin and Greek, Catholic and Orthodox. This would change, of course, with the Reformation.

There was a tremendous wave of interest in Lutheran, then Calvinist, then anti-trinitarian (Socinian) teachings in the Polish kingdom.<sup>34</sup> For precisely these reasons this area becomes the focus of a major thrust by the forces of the Catholic Counter-Reformation, specifically the Jesuit order.<sup>35</sup> While these Catholic forces initially focus their attention on Protestantism, they soon see another target which constitutes rather easy prey at this time: the Kievan Church. Several vehement attacks on the "errors of the Ruthenians"<sup>36</sup> are published by Latin authors anxious to prove the

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<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*, 68–90.

<sup>35</sup> О. Сушко, „Зсуїти в заведеню Унії на Руси в доберестейській добі”, *Альманах русько-українських богословів* (Львів, 1902), 117–93.

<sup>36</sup> Among them the *Elucidarius errorum ritus Ruthenici* by the rector of the Cracow Academy, Jan Sacranus, reprinted many times during the sixteenth century. Benedikt Herbst would continue the attack on the Ruthenians with his *Indication of the Way* (1567), *Exposition of the Faith of the Roman Church and History of the Greek Captivity* (1586). Among the Vilnius Jesuits, Piotr Skarga was the most vehement critic of the Ruthenians, with his widely disseminated *On the Unity of the Church of God and on the Greek Separation from that Unity*

teachings of the Latin Church as the only truth in a world that had suddenly begun to question nearly everything. This was not a time of toleration for diversity. Disputes, debates, and confrontations on religious issues were the order of the day, and the Christians of the Greek faith in the Polish realm often felt themselves woefully unprepared for such encounters. Borys Gudziak has illustrated how disappointed many lay leaders were with the fact that neither their own hierarchs nor visiting prelates from the Great Church or other Eastern Churches were of much help in this dilemma.<sup>37</sup> The tide would soon turn, and the religious free-for-all in the Polish-Lithuanian Commonwealth would change in favor of the Counter-Reformation. Roman Catholicism, a newly reorganized, centralized, efficient Latin Christianity was now in a stronger position than ever. It operated on a principle of soteriological exclusivism. Anyone not institutionally integrated into the Church of Rome was beyond the scope of salvation.

It is precisely at this moment in history that the bishops of the Kievan Metropolia choose to re-establish full communion with Rome. It is not a time that smiles upon diversity in a Catholic Church, which is still very much on the defensive. The Kievan Church approaches Rome with Florentine models on its mind.<sup>38</sup> Its representative bishops arrive in Rome with a set of 33 guarantees that they require in order to establish union with Rome.<sup>39</sup> Russel Moroziuk has demonstrated how these 33 articles were interpreted

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(1577). For a brief analysis of these and other polemical tracts see B. Gudziak *Crisis*, 124–133.

<sup>37</sup> *Ibid.*, 156–251.

<sup>38</sup> Ihor Monchak, *Florentine Ecumenism in the Kyivan Church*, (Rome: Ukrainian Catholic University, 1987) goes so far as to suggest that the Florentine Union did not in fact cease in the Kievan Metropolia, but his case is somewhat overstated. For a discussion of how the Kievans' Florentine approach to the *filioque* was received by Roman theologians on the eve of the Union of Brest, see Russel P. Moroziuk, *Politics of a Church Union*, (Chicago: Church Herald, 1983), 24–5.

<sup>39</sup> For the Polish original and a Latin translation see *Monumenta Ucrainae Historica*, Vol. 9–10 (Rome: Ukrainian Catholic University, 1971) 157–170. For an English translation of the thirty three articles see Moroziuk, *Politics*, 17–22.



by Roman theologians.<sup>40</sup> Their demands were not taken seriously because the one notion underlying the negotiations was that the Kievan Church needed to be in communion with Rome for the sake of its salvation. It was treated as a repentant schismatic body submitting itself to Roman authority rather than a Sister-Church entering into a relationship of equality.<sup>41</sup> Most of the envoys' requests were left simply unanswered, a convenient way for the nearly all-powerful authorities in Rome to act. However, two aspects were conceded by the Vatican: the integrity of the Kievan variant of the Byzantine liturgical tradition, and an astounding ecclesiological compromise: at a time of ascendant centralism in the Catholic Church, it is conceded to the Metropolitan of Kiev by Pope Clement VIII (*Decret Romanum Pontificem*, 1596)<sup>42</sup> that the authority to confirm the election of bishops in the newly united Metropolia of Kiev belongs to the Metropolitan of Kiev, who needs only to notify Rome of such elections. (He confirms these nominations in the name of the Holy See, but he does not need to confer with Rome.) This is of the utmost importance because, in many ways, this last vestige of ecclesial autonomy will become the seed for future rediscovery of an ecclesial self-identity for the Church of Kiev. This Church will soon lose almost all theological terms of reference for such an identity. It is its rather wounded liturgy and this weakly exercised power of confirming bishops along with its tradition of married clergy that will form, in large measure, the basis for an ecclesiological re-awakening in the Kievan Church in the twentieth century.

As I have repeatedly emphasized, the names that are used to describe a reality play a part in creating that reality. After the Union of Brest, the faithful of the Kievan Church, instead of being

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<sup>40</sup> *Ibid.*, 24–34.

<sup>41</sup> Ernst Suttner refers to this as “*reductio in obedientiam*.” See his *Church Unity: Union or Uniatism?* (Rome: Centre for Indian and Inter-religious Studies, 1991), 26–35, 62–65. The papal nuncio uses this kind of language in his letter of 1 July, 1595: “*la riduzione delli scismatici Rutheni alla unione*” *Monumenta Ucrainae Historica*, *op. cit.*, 170.

<sup>42</sup> Latin text in *Monumenta*, 217–19.

called people of the "Greek religion," are now referred to as "the united."<sup>43</sup> The former term, narrow and limiting as it was, at least emphasized a heritage, some sort of positive self-identity. The new designation emphasized not the Church's own identity, but rather the fact of the allegiance that it owed. At best it was a grasping at equality with the dominant Roman Catholics. It demonstrated the lack of self-confidence which had seized the hearts of these people. At the hands of both the Orthodox who refused to be "united" and the disdainful Polish Latins, who treated their new co-religionists essentially as a tool for the gradual polonization of the Ruthenian masses, the term "united" became "uniate," with all the negative connotations the word possesses to this very day.

While incorporation into a state where the dominant religion was Latin Catholicism was difficult enough for the Kievan Church in the fifteenth century, as it meant becoming a minority Church, the transition to union with Rome caused even further loss of social standing, rendering this Church a double minority. It now had the dubious distinction of being a minority in the Catholic world because it was Eastern, and a minority among the Eastern Churches because it was Catholic. While minority status can have its positive fruits, frequently it gives rise to inferiority complexes. When there is overt abuse by the dominant majority, these inferiority complexes can be inverted into a certain combativeness as well. The "united" Ruthenians experienced such abuse from both the Catholic Poles and their Orthodox brethren (the Kozaks and later the Tsars).<sup>44</sup> The more despised a minority is, the more likely it is to adopt unhealthy ways of surviving.

The two things about the Roman Catholic Church which have traditionally been the most attractive to Ukrainians are the effective administration of this Church and the high level of education it exemplified in its clergy. Thus it is no surprise that these are two areas in which the "united" Kievan Metropolia was quite ready to allow itself to be taught by the Latins. In the area of theological

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<sup>43</sup> *Monumenta*, 252.

<sup>44</sup> W. Lencyk, *The Eastern Catholic Church and Czar Nicholas I*, (Rome: Ukrainian Catholic University, 1966).

education the “united” Ruthenians were in a completely vulnerable position. The basic theological principle which undergirded their union with Rome was soteriological exclusivism. Only Rome could offer salvation. Only Rome’s theology could serve as the basis for the renewal of the clergy through education. As a result, from the early 1600’s until the Second Vatican Council, the Church of Kiev almost entirely loses contact with its own theological tradition. Latin Scholasticism in general, and Thomism in particular, become the dominant mode of theologizing.<sup>45</sup> This happens as well in that part of the Church of Kiev which refused communion with Rome, best exemplified by Metropolitan Petro Mohyla and the thinkers of the Kiev-Mohyla Academy who have been blamed for the “pseudomorphosis” of Orthodox theology.<sup>46</sup> But the combination of this theological captivity with Roman administrative centralism and a sometimes unstated, but sometimes official teaching on the priority of the Latin liturgical tradition in the Catholic Church<sup>47</sup> will prove to be nearly fatal for the newly “united” Ruthenians. “Nearly fatal” sounds quite dangerous, but we must remember that we are dealing with a Church whose spirituality is grounded in *kenosis*. There still is hope!

In recent years attempts have been made, especially among scholars in Poland, to examine the ecclesiology of the post-Brest Church.<sup>48</sup> These efforts are still in their infancy, but it seems

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<sup>45</sup> Even such “Easternizing” Ukrainian Catholics as the twentieth-century leaders Metropolitan Andrey Sheptytsky and Patriarch Josyf Slippy, especially after Pope Leo XIII’s 1879 bull *Aeterni Patris*, felt constrained to use Thomistic categories of thought.

<sup>46</sup> See James Cracraft, “Theology at the Kiev Academy During its Golden Age,” *Harvard Ukrainian Studies* 8 (1984), 71–80. This is a special issue of HUS devoted to the Kiev-Mohyla Academy on the 350th anniversary of its founding. See A. Schmemmann, *The Historical Road*, 326–7 for a brief description of the westernized Orthodoxy which was brought from Kiev to Muscovy. The term “pseudomorphosis” was coined by Georges Florovsky to describe this reality. It is found in his *Пути русского богословия* (Paris, 1937), 56.

<sup>47</sup> Benedict XIV, *Etsi pastoralis* in *Opera Omnia*, vol.15: *Bullarium*, I (Prati, 1845), 202.

<sup>48</sup> Waclaw Hryniewicz, O.M.I., “Unia bez Zniszczenia: Memorial Unijnij Metropolity Piotra Mohyły (1644-45)” *Studia i Dokumenty Ekumeniczne* 9 (1993), 21-32. See also Waclaw Hryniewicz, “The Florentine Union – Reception

reasonable to assume (unless someone can demonstrate the contrary) that the basic ecclesiological optimism which allowed the Kievan Church to switch allegiances from Constantinople to Rome is lost once that switch is made. It is not possible to switch allegiances again once one has grasped the terrible logic of the exclusivist soteriology of post-Tridentine Catholicism. In this theological framework it is not possible for the "united" Ruthenians to consider any further unilateral moves.<sup>49</sup> They have surrendered their autonomy of action on theological grounds, though not yet in the disciplinary realm, where the autonomous confirmation of episcopal nominations by the Metropolitan of Kiev still remains at least theoretically in force through the providential compromise of Clement VIII. Ironically, this soteriological stranglehold will be loosed by Rome at Vatican II,<sup>50</sup> precisely when a centuries-long process of administrative consolidation on the part of the Roman Curia will arrive at a critical juncture<sup>51</sup> which is perhaps more threatening to the real autonomy of the Kievan Church than even the earlier exclusivist soteriology. It is the extended process of curial consolidation of power that we need to examine next.

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and Rejection – Some Reflections on Unionist Tendencies among Ruthenians” in Giuseppe Alberigo, ed., *Christian Unity, The Council of Ferrara-Florence 1438–9 – 1989*, (Leuven: Leuven University Press, 1991), 521–54.

<sup>49</sup> Олександр Баран, „Спроби єдності Церков в католицькій перспективі”, in В. Янів, *Збірник праць*, 250–52.

<sup>50</sup> Theologians trace this change to the Vatican II phrase that “the unique church of Christ... subsists in the catholic church” (but need not be exclusively identified with it) in *Lumen Gentium*, 8. Norman P. Tanner, ed., *Decrees of the Ecumenical Councils*, Vol. 2: Trent to Vatican II (Washington: Georgetown University Press, 1990), 853–54.

<sup>51</sup> See *The Code of Canons of the Eastern Churches: Latin-English Edition*, (Washington: Canon Law Society of America, 1992). This first complete codification of Eastern Catholic law came into force on October 1, 1991. While it clarifies, as was sorely needed, some areas of autonomy for the Eastern Churches in full and visible communion with the See of Rome, its very promulgation by the Holy See as one general law for many very diverse Eastern Catholic Churches simultaneously signals a previously unheard-of centralization.

### *The Roman Curia and the Consolidation of Power*

The election of bishops in the Kievan Church under Polish rule seems to have consisted of a combination of ecclesial and political forces. Both the king and the other bishops were involved at times. On the strength of the acceptance by Clement VIII of the role of the Metropolitan of Kiev in this process, the Congregation for the Propagation of the Faith (under whose authority the "united" Ruthenians were placed) did not immediately interfere in the nomination of ordinary bishops. The Pope's ruling was to be respected. However, basing themselves on the fact that auxiliary and coadjutor bishops were not specifically mentioned in the papal decree, curial officials began appointing auxiliaries and coadjutors for Sees in the Kievan Metropolia.<sup>52</sup> They had not been mentioned because this institution was unknown in the Kievan Church until then. There was one other opening in the Clementine decree: translation of bishops was not mentioned either, and therefore not reserved to the authority of the Kievan Metropolitan. The legal eagles in the Curia seized the opportunity: auxiliaries could be appointed to one See, then translated to another as ordinaries. The whole operation could be executed while bypassing the Metropolitan of Kiev and still observing the letter of the law as expressed by Pope Clement VIII. The Kievan Church united with Rome was thus *de facto* stripped of its last vestiges of autonomy. *De jure* the consolidation of power on the part of the Curia would have to wait until the promulgation of the *Code of Canons of the Eastern Catholic Churches* in 1991, a time when the exclusivist soteriology of Rome is no longer in force.

### *After the Partitions of Poland*

Before we can get to that intriguing situation we need to examine the status of the Kievan Metropolia after the partitions of Poland in the late eighteenth century. By a special miracle of Divine

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<sup>52</sup> See D. Blažejovskij, *Byzantine Kyivan Rite Metropolitanates*, 14–15 for many examples of this.

grace, the Kievan Church united with Rome survived the period of direct Polish domination in the Polish-Lithuanian Commonwealth. Despite efforts to re-establish the unity of the Kievan Church (a project which several leading 17<sup>th</sup> century ecclesiastics referred to as “uniting Rus’ with Rus”),<sup>53</sup> the Metropolia now led a double life: Orthodox and Catholic. The study of the efforts to re-unite these two halves of the Kievan Church are interesting both from the standpoint of how they were hindered by lack of trust toward the Ruthenian Catholics by Roman curial officials and from the point of view of the Orthodox negotiators who obviously looked with some disdain upon their “united” brethren and believed they could get a much better deal from Rome. Both of these issues have been studied by Arkadiy Zhukovsky and others.

The Polish attitude toward the “united” Ruthenians alternated between military assistance in the establishment of control over church property (which earned the Ruthenian Catholics the outspoken hatred of many Orthodox)<sup>54</sup> and outright proselytizing among the youth and especially the leading classes of Ruthenian “united” society. However, in the end, the “united” Kievan Metropolia did survive and even prosper in Right-Bank Ukraine (west of the Dnipro) with an estimated eight million adherents.<sup>55</sup> Much of this success was due to the work of the Basilian order, the successor of ancient Ukrainian monasticism which had been re-organized in the early 1600’s on the model of more centralized Roman Catholic religious orders. From the 1650’s on the Muscovites began to encroach steadily upon Ukrainian and Belarusian territory. Inevitably, everywhere the Tsar’s armies went, the “united” Kievan Church was dismantled, by force or by intrigue, despite loud protes-

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<sup>53</sup> See Аркадій Жуковський, „Спроба єдності Церков у XVII ст. (православна перспектива), 208–235, and Олександр Баран, „Спроби єдності Церков в католицькій перспективі”, 236–268 in В. Янів, *Збірник праць*.

<sup>54</sup> One need only read, Митрополит Іларіон (Огієнко) *Українська Церква за часів руїни* (Winnipeg: Ukrainian Orthodox Theological Society, 1956) to get a taste of this sentiment, which often remains unabated to our own day.

<sup>55</sup> W. Lencyk, *The Eastern Catholic Church*, 15.

tations about religious freedom on the part of Moscow.<sup>56</sup> It was the lot of most of Western Ukraine to be assigned to the governance of the Hapsburg Empire. That, in fact, was the last portion of the Kievan Metropolia to accept union with Rome, a century later than the Eastern Ukrainian and Belarusian eparchies. For a while, it would be the only place where the "united" Kievan Church was protected from the destructive power of Moscow (which, it must be added, had succeeded in reducing the Orthodox Metropolia of Kiev to the status of a third-rate see within the Muscovite Church, starting in the 1680's).

In the Austro-Hungarian Empire, the Hapsburgs would place the Poles between themselves and the Ruthenians as a convenient way of maintaining control. This meant that all of the Polish pressure had not been removed with the change of political power. But enough breathing space was granted by the Austrians for the "united" Ruthenians to prosper.<sup>57</sup> It was for the sake of administrative clarity that Hapsburg emperors Maria Theresa and Joseph II began using the term "Greek-Catholic" starting 1774 in designating the "united" Ruthenians.<sup>58</sup> They were genuine Catholics, with all the rights and privileges pertaining thereto in an empire run by Catholic Austria. At the same time they were different from the Roman or Latin Catholics. The term was basically healthy. It harked back to the nomenclature of "Greek faith" and thus offered a positive statement of heritage. It acknowledged the theoretical equality of this community with the dominant Latin society through the use of the word "Catholic." The Hapsburgs encouraged a strong education for the clergy for reasons that fit their own conser-

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<sup>56</sup> *Ibid.*

<sup>57</sup> For valuable bibliographical information on the Church under Hapsburg rule, see Paul Robert Magocsi, *Galicja: A Historical Survey and Bibliographical Guide* (Toronto: University of Toronto Press, 1983), 81–84, 159–160.

<sup>58</sup> A. Velyky, "Greek Catholic Church" in Volodymyr Kubijovyc, ed. *Encyclopedia of Ukraine*, Vol. 2, (Toronto: University of Toronto Press, 1988), 93. See also John-Paul Himka, "The Greek Catholic Church and Nation-Building, 1772–1918," *Harvard Ukrainian Studies* 8 (1984), 428.

vative social agenda.<sup>59</sup> The Greek-Catholic Church thrived. It was now the Metropolia of Halych, restored in 1807, after the borders had changed and Moscow had made it impossible for the Metropolitanate of the "united" Ruthenians to function or – eventually – even exist in Kiev.<sup>60</sup> The documents on this re-founding (Pius VII, *In Universalis Ecclesiae*, 24 February, 1807) emphasize its status as successor to the Kievan Metropolia. Since the "united" Metropolitan of Kiev had only occasionally resided in that city, it was no surprise to anyone that the Metropolitan of Halych actually lived in L'viv. In fact, the list of his ecclesiastical titles included the Archbishop of L'viv and the Bishop of Kamianets' Podil's'ky. In time, especially after the national reawakening which swept Europe and the Hapsburg Empire in 1848, one thing became very clear to the Metropolitans of Halych: they represented the last vestige of ecclesial autonomy for the once glorious Kievan Church. Their Orthodox counterparts in Kiev had been reduced to minor functionaries in the imperial Russian Church. For some time the see of Kiev was occupied by ethnic Muscovites who showed overt disdain towards the Ukrainian language and culture and considered the Kievan Church simply a part of the Church of Moscow. The mantle of preserving and developing the ecclesial identity of the Church of Kiev had clearly fallen upon the shoulders of the chief hierarch of the Greco-Catholic Church, the Metropolitan of L'viv-Halych, heir to the Metropolitans of Kiev and in effect also now the ethnarch of the Ruthenian-Ukrainian people. After centuries of theological and administrative domination by the Latins, the Metropolitans of Halych had precious little in the way of tools for this daunting task. The *kenosis* of the Kievan Church had progressed quite far. It was time for another miracle, since there was no possibility for human prowess to solve the difficulties of this Church.

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<sup>59</sup> *Ibid.*, 429–430. See also John-Paul Himka, "Priests and Peasants: The Greek Catholic Pastor and the Ukrainian National Movement in Austria, 1867–1900," *Canadian Slavonic Papers* 21(1979), 1–14.

<sup>60</sup> W. Lencyk, *The Eastern Catholic Church*, 17–23.



The miracle came in a most unexpected form, the nomination of the young (36 year-old) Count Andrey Sheptytsky to the Metropolitan See of Halych. It was unexpected not only in terms of youth (and accompanying vigour) but more so in terms of his personal background. While the Sheptytsky family had counted among its ranks several Ruthenian hierarchs, even a Metropolitan of Kiev, it had since become thoroughly Polonized and Latinized. The new metropolitan was seen by nationalist Ukrainians as a Polish plant whose mission was the further weakening of their Church.<sup>61</sup> It took a number of years, including incarceration by the Russians and the Poles, but Metropolitan Andrey won the hearts of his people. A papalist to the core, Sheptytsky generally adhered to the exclusivist soteriology of Rome, but he had three other tools at his disposal. He personally loved the Byzantine liturgy and was devoted to its restoration,<sup>62</sup> he knew of the ecclesiological compromise of Clement VIII and was not afraid to use the powers adhering thereto, and he was himself the very epitome of Kievan kenoticism.<sup>63</sup> Thus, of the four characteristics of a Particular (Autonomous) Catholic Church, as later defined by Vatican II, (their own theology, liturgy, spirituality and governance) he had providentially combined in his own person the ability to offer his Church at least three. His theological training was still purely Latin, but his love for the Greek Fathers and the Byzantine liturgical tradition and his basic trust in Eastern Christianity rendered his personal theology a mixture of Thomism

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<sup>61</sup> See John-Paul Himka, "Sheptyts'kyi and the Ukrainian National Movement before 1914," in Paul Robert Magocsi, ed. with the assistance of Andrii Krawchuk, *Morality and Reality: The Life and Times of Andrei Sheptyts'kyi*, (Edmonton: Canadian Institute of Ukrainian Studies, 1989), 29–46.

<sup>62</sup> See Peter Galadza, "The Theological Foundations of the Liturgical Work of Metropolitan Andrei Sheptytsky" (Unpublished University of St. Michael's College Ph.D. Dissertation: Toronto, 1994).

<sup>63</sup> Софія Сетик, *Духовний аспект життя і діяльності Митрополита Андрія Шептицького* (L'viv: Metropolia of Kiev-Halych, 1990), 17–20. See also the slightly emended French version of this article, "Le Métropolitain André Šeptyc'kyj: Dimension spirituelle de sa vie et de son oeuvre," *Irenikon* 44 (1991), 57–71. See also Andriy Chirovsky, *Pray for God's Wisdom: The Mystical Sophiology of Metropolitan Andrey Sheptytsky* (Ottawa: Sheptytsky Institute, 1992), 1–36 for a *Biographia spiritualis*.

and an emerging neo-byzantinism.<sup>64</sup> In a sense, it was his devotion to exclusivist soteriology that drove him to pioneer new approaches to unionsitic efforts. His belief that every Christian needed to be in institutional administrative union with the Pope of Rome, along with a deep-seated integrative sophiological mysticism drove him to study the heritage of the Eastern Churches, in order to bring about a more positive encounter between East and West.<sup>65</sup> As he studied, he realized that without a return to its Eastern roots his own Church, which united with Rome amid hopes of universal reconciliation between Orthodoxy and Catholicism would be an obstacle to reconciliation.<sup>66</sup> Thus it is that Metropolitan Andrey initiated the modern Ukrainian Catholic return to the Eastern sources. After Metropolitan Andrey's death in 1944, that cause will be continued by another unlikely candidate, Josyf Slipyj, the man Jaroslav Pelikan has characterized as a "Thomist in a *klobuk*."<sup>67</sup>

These two men also oversaw another quantum shift in the history of the Kievan Church in communion with Rome: its transformation into a worldwide Church which now numbers over fifteen eparchies and exarchates outside of Ukraine and a total population of six to seven million faithful. They also led the Church into and through its greatest kenotic exercise: its survival in the catacombs.<sup>68</sup>

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<sup>64</sup> A.Chirovsky, *Pray*, 116–118.

<sup>65</sup> *Ibid.*, 218–23.

<sup>66</sup> See his correspondence with Metropolitan Antony Khrapovitskii cited in P. Galadza, *The Theological Foundations*, 293–94.

<sup>67</sup> See his *Confessor Between East and West: A Portrait of Ukrainian Cardinal Josyf Slipyj*, (Grand Rapids: Eerdmans, 1990), 104.

<sup>68</sup> See Serge Keleher, *Passion and Resurrection: The Greek Catholic Church in Soviet Ukraine, 1939–1989*, (L'viv: Stauroregion, 1993). See also Богдан Боцюрків, „Українська Греко-Католицька Церква в катакомбах – 1946–1989” in *Кочез*, no. 1 (Львів: Інститут Історії Церкви, 1993) 113–52.

*The Rise of Kiev's Daughter Churches*

The foundation and development of Kiev's modern Daughter-Churches in the twentieth century and the response of the Roman Curia is the topic to which we must turn next. At the end of the nineteenth century economic conditions in Western Ukraine were difficult enough to prompt hundreds of thousands of Greco-Catholics to emigrate to the United States, Canada, Brazil, and other countries. The twentieth century saw further migrations to France, Belgium and Argentina, as well as the formation of significant Ukrainian Greco-Catholic communities in England, West Germany, and Australia after World War II. The earlier emigré communities were also augmented by the last great tide of refugees from war-torn Europe. All of these communities required pastoral care. The first pleas for pastors came from the U.S.A. and Canada in the 1880s and 1890s. These requests went not to Rome, but to L'viv, to the Mother Church.<sup>69</sup> Priests were dispatched, but among them there were inevitably married men or at least widowers. This was viewed as entirely unacceptable by many Roman Catholic bishops who could hardly deal with these strange immigrants who claimed to be Catholics, but carried customs that were clearly foreign. At the height of Vatican I centralism these Roman Catholics prided themselves on the fact that everywhere in the world, Catholics celebrated the same Latin liturgy. There was suddenly a diversity for which they were ill-prepared. Suffice it to say that in certain cases Roman Catholic bishops showed themselves less than tolerant, far less than helpful.<sup>70</sup> There were cases of extremely intelligent and pastorally prudent bishops, especially

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<sup>69</sup> See the 1884 letter of Ukrainian immigrants in Shenandoah, Pennsylvania to Metropolitan Syl'vester Sembratovych of L'viv, cited in „Про руську еміграцію,” *Свобода* (10-го жовтня, 1984), 1.

<sup>70</sup> Bohdan P. Procko, *Ukrainian Catholics in America: A History*, (Lanham, Md.: University Press of America, 1982), 11–14.

in Canada.<sup>71</sup> But then the pastorally sensitive never attract as much attention as the boorish.

Complaints from scandalized Latins and from persecuted Greco-Catholics flooded Rome; something had to be done. In addition, the Russian tsars were encouraging and financially backing "missionaries" who were sent among the often poorly educated and unsophisticated Greco-Catholics in the U.S.A. and Canada.<sup>72</sup> The people were happy to have a priest who could serve the Byzantine Liturgy they loved, not paying much attention to the ecclesiastical allegiances of the clergy. Presbyterians and other Protestants began concerted efforts to proselytize among the Greco-Catholic immigrants as well.<sup>73</sup> Where the complaints did not move curial officials into action, the threat of apostasy did. Here the exclusivist soteriology of the pre-ecumenical age encouraged some attention to the pastoral needs of these unfortunate immigrants. The efforts of Metropolitan Andrey Sheptytsky to have bishops appointed for the immigrant Greek Catholics of North America were implemented in a slow and sometimes painful fashion. In the United States, Bishop Soter Ortynsky was at first only given jurisdiction delegated to him by each Latin bishop where his people lived.<sup>74</sup> The arrangement was totally unworkable and later underwent revision.<sup>75</sup> The situation in Canada was far more agreeable for Bishop Nykyta Budka.<sup>76</sup> The incredibly complex developments

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<sup>71</sup> See Bohdan Kazymyra, "Sheptyts'kyi and Ukrainians in Canada" in P. Magocsi, ed., *Morality and Reality*, 329–348.

<sup>72</sup> B. Procko, *Ukrainian Catholics*, 37–41.

<sup>73</sup> John Bodrug, *Independent Orthodox Church: Memoirs Pertaining to the History of a Ukrainian Canadian Church in the Years 1903–1913* (Toronto: Ukrainian Canadian Research Foundation, 1982).

<sup>74</sup> See *Ea Semper*, the Bull of Pius X of June 14, 1907.

<sup>75</sup> On May 28, 1913 Bishop Ortynsky finally received full ordinary jurisdiction over Ruthenian Catholic faithful in the United States. See the August 25, 1913 letter of Archbishop Bonzano, Apostolic Delegate in the United States, published in *The Ecclesiastical Review* 49 (October, 1913), 473–474.

<sup>76</sup> Bohdan Kazymyra, "Sheptyts'kyi and Ukrainians in Canada" in P. Magocsi, ed., *Morality and Reality*, 329–48. See also B. Kazymyra, B. Kazymyra, „Правила Української Католицької Церкви в Канаді 1915 року Єпископа-Ісповідника Никити Будки,” *Логос* 34 (1993), 601–22.

surrounding these episcopal appointments are beyond the scope of this paper. What we need to emphasize here is that the Greco-Catholic community was so happy to have received a bishop and the ability to organize their Church life around that bishop, that they paid little attention to the long term question: by whom was the bishop appointed and to whom were his loyalties due. Far from their ancient homeland, and understandably unconscious of the ecclesiological compromise of Pope Clement VIII, Greco-Catholics in North America rejoiced that they were given bishops by the Roman Curia, with little understanding that an alternative form of episcopal nomination could even exist. By this time even the faithful in Ukraine were unaware of the tradition of such autonomy. It had long since been eroded.

It is clear that on occasion Rome intervened with the Latin hierarchies of North America on behalf of Greco-Catholics, and it is indisputable that much good was done for them by the central administration of the Catholic Church, but all of this came at a definite price: the further erosion of the sense of ecclesial identity of the Greco-Catholics. Each new bishop, each new exarchate or eparchy throughout the world, was individually constituted in dependence upon the Congregation for the Eastern Churches, with its predominantly Latin officers, rather than upon the Mother Church in Ukraine. Even the achievement of the two Metropolias of Winnipeg and Philadelphia would be under this shadow, which was not at the time clear to anyone in the Greco-Catholic Church. In this period some of the Greco-Catholics in North America began to think of themselves as "Catholics of the Eastern Rite," and sometimes even "Roman Catholics of the Eastern Rite." They belonged to Rome directly, rather than to some vaguely remembered Kievan Church.

Between the 1946 Soviet liquidation of the Greco-Catholic Church and the 1963 exile to Rome of Metropolitan Josyf Slipyj, it would not have been possible to establish any clear dependence on the hierarchy in Ukraine, since the Church was in the Catacombs. I do not, of course, believe that the curial encroachment on the ecclesial integrity of the Ukrainian Greco-Catholic Church was some "evil plot" on the part of a "Latin" conspiracy bent on world domination at any cost. That would be a wildly

paranoid assessment. The Roman Curia acted as any efficient organization acts when it extends its activity to a new sphere. It made sure the lines of authority were quite clear. The Ukrainian Greco-Catholics outside Ukraine were happy to have been saved from the terror of the Bolsheviks and saw every Vatican creation of ecclesial structures for them as a benevolent gift, and more often than not, as a kind of surrogate statehood – a guarantee that they would not be obliterated by the Russian onslaught. It was not important that there were strings attached to these gifts in the form of curial control. Greco-Catholics were too overjoyed by the gifts themselves.

These new eparchies, exarchates and metropolias were gifts indeed. The Eastern Congregation was in fact assisting the Ukrainian Greco-Catholics in establishing a worldwide network of legitimate ecclesial structures. This same Congregation was not a little surprised that the Ukrainian Bishops around the world had miraculously retained a sense of their oneness as a Church and that they were beginning to act on this through meetings with different levels of formality. These meetings began to be called Conferences of Ukrainian Catholic Bishops. As we shall see, later there will be attempts to call these gatherings “synods,” with all the deliberative and legislative authority implied by the term.

### *From “Greek Catholics” to “Ukrainian Catholics”*

By the first quarter of the twentieth century the Greco-Catholics had firmly established their identity as “Ukrainians” (as opposed to the older designation “Rusyn” or its Latin-based variant, “Ruthenian”). Since they were constantly required to establish the separate identity of the Ukrainian nation amid a public that often confused them with the Russians, these people were quite ready to relinquish their previous designation as “Greek-Catholics,” in favor of the new term “Ukrainian Catholics.” The reason usually given for this change is that Greek-Catholics were tired of explaining that they were not in fact of Hellenic extraction. They were Ukrainians and proud of it. Little did they know that this terminological change bore with it a tremendous setback in terms of ecclesial identity. The new name, gradually accepted by Rome

as well, emphasized an ethnic or national identity rather than an ecclesial identity. That clearly suited those in the Curia who saw Ukrainian Catholicism as a cultural concession to a particular ethnic group, with little universal value as a genuine ecclesial reality.

The confusion of ethnic and ecclesial identities is not something that is unique to Ukrainians. It is one of the major problems of Eastern Christianity. It has been known to occur among some Roman Catholic peoples as well, notably the Poles and the Irish. For the Ukrainian Catholics it would prove disastrous in the decades after the Second Vatican Council.

### *The Modern Striving for a Patriarchate*

In 1963 Metropolitan Josyf Slipyj was released from Soviet incarceration after 18 years of imprisonment. At Vatican II, on October 11, 1963, he raised the issue of a Ukrainian Patriarchate,<sup>77</sup> an idea that had been discussed in the seventeenth, nineteenth and early twentieth centuries with some vigour.<sup>78</sup>

The Council heralded a turning point for the Eastern Catholic Churches in a number of ways. Eastern Catholics were recognized as equal in dignity to the Latins and they were recognized unequivocally as being Churches, with their own theology, spirituality, liturgy and canonical discipline. The Catholic Church was described in at least some council references as a communion of Churches, each of which had not only the right but the duty to rule themselves.<sup>79</sup> This was nothing short of an ecclesiological revolution.

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<sup>77</sup> For an English translation of the crucial section of his first address to the Council, see J. Pelikan, *Confessor*, 204–205. The original text can be found in Joseph Slipyj, *Opera Omnia*, Vol. 12, 89–90.

<sup>78</sup> J. Madey, *Le Patriarcat Ukrainien*, 81–92.

<sup>79</sup> *Orientalium Ecclesiarum*, 5 in Tanner, *Decrees*, Vol. 2, 902.

### *Vatican II and the Ukrainian Catholic Church*

Let us look at the four characteristics of a Particular (autonomous) Eastern Catholic Church as delineated by the Second Vatican Council and see how they apply to the Ukrainian Church.

#### *Theology*

For centuries Ukrainian Catholics had been taught to think in Latin theological categories. The idea that the Ukrainian Church had its own theology was entirely new. Everyone in the Ukrainian Catholic Church at the time had been thoroughly trained in Thomism. It was difficult even to conceive what this could mean. A radical return to the sources of Eastern Tradition was necessary. The Church is still in the very first stages of an appropriate response.

#### *Spirituality*

Here the Ukrainian Catholics were on slightly more solid ground. Although various elements of the *devotio moderna* and later Catholic pietism had made their way into the Ukrainian Catholic Church, enough liturgical spirituality was in place to make this area at least readily identifiable. It needed to be bolstered, but it was there. The old Kievan kenoticism and a deep understanding of martyrdom were also present because of a difficult history.

#### *Liturgy*

This was the only aspect of the ecclesial self-identity of the Kievan Church that was theoretically defined and defended by Rome. From the Union of Brest on, the consciousness of being different in the realm of liturgy was the surest way to hold on to some vestige of ecclesial identity. Because of the Latinization of theo-



logical thought, a Latinization of liturgy was sure to follow<sup>80</sup> (partly self-imposed, partly fostered by the Latins). Still, there was much left that could be reinvigorated.

### *Canonical Discipline*

The autonomy of the Kievan Church had been stripped away over the centuries. Its particular legislation was an erratic mixture of the remnants of genuinely Eastern polity with a variety of sometimes healthy, sometimes overtly condescending, Roman decrees.<sup>81</sup> The ban on the ordination of married candidates to the priesthood is the best-known of these unfortunate rulings,<sup>82</sup> but the single most destructive intrusion into the life of the Eastern Catholic Churches in general and the Ukrainian Catholic Church in particular was the Roman ruling on the limitation of Eastern Catholic ecclesial autonomy (in the form of synodal rule) to traditional territories. The concept of territorial delimitation of Churches was in itself a perfectly traditional one. It was enshrined in the early Ecumenical Councils. What made it dangerous was the fact that Rome would only apply the notion to the Eastern Churches and not the ever-expanding Latin Church. This unequal application of the territorial principle has been viewed by many Eastern Catholic leaders as the single greatest threat to the future of their Churches.<sup>83</sup>

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<sup>80</sup> See Sophia Senyk, "The Ukrainian Church and Latinization," *Orientalia Christiana Periodica* 56 (1990), especially p. 167 where she states that the Ukrainian Church, "like the other Eastern Churches had preserved the rites and forms of the Greek Church, but, again, like its fellow Churches of the East, had lost the sources that give life to that rite."

<sup>81</sup> See Archimandrite Victor Pospishil, *Compulsory Celibacy for the Eastern Catholics in the Americas* (Toronto: Ukrainian Catholic Women's League, 1977), especially pp. 10–15.

<sup>82</sup> See the 1929 decree *Cum data fuerit*, which banned the ordination of married candidates to the priesthood in or for the Western hemisphere.

<sup>83</sup> See George A. Maloney, S.J., "The Present Canonical Status of the Ukrainian Catholic Church and its Future," in Thomas E. Bird and Eva Piddubcheshen, eds., *Archiepiscopal and Patriarchal Autonomy* (New York: Fordham, 1972), 51–2.

### *The Patriarchate and Synodal Rule versus Ostpolitik and Territoriality*

It was the strict application by the Vatican bureaucracy of the territorial rule to the Ukrainian Catholic Church at the height of its persecution by the Soviets that enraged many Ukrainian Catholics and engendered a reaction that began to discover the need for far-reaching changes in the way this Church was administered.<sup>84</sup> At the Second Vatican Council, the beleaguered Ukrainians, reeling from the Soviet Russian assault on their Church, were naively optimistic about their chances of receiving what the conciliar decrees promised: real autonomy and a patriarchal structure that would safeguard their Church from being swallowed up by another ecclesiastical unit (especially the Moscow Patriarchate).<sup>85</sup> They tried holding "Synods of the Ukrainian Catholic Bishops" to implement the autonomy so eloquently promised them at Vatican

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<sup>84</sup> See, for example, the intervention by Metropolitan Maxim Hermaniuk of Winnipeg at the Fourth World Synod of Bishops, in October, 1974. The published text can be found in *Litterae-Nuntiae Archiepiscopi Maioris Ritus Byzantino-Ucraini* 10 (1974), 17-19.

<sup>85</sup> One must remember that as late as 1990 the Moscow Patriarchate refused to recognize the existence of the Ukrainian Greco-Catholic Church as such. Even during the sessions of the unfortunate "Quadripartite Commission" in March, 1990, this terminology was purposely avoided. The commission, composed of delegates of the Vatican, the underground Ukrainian Greco-Catholic Church, the suddenly re-named Ukrainian Orthodox Church (until a few weeks earlier known as the Ukrainian Exarchate of the Russian Orthodox Church), and the Moscow Patriarchate consistently referred to "communities of Catholics of the Byzantine rite." Being an eyewitness to some of the workings of this flawed effort, I learned the meaning of such phraseology: *communities* of Ukrainian Greco-Catholics would be allowed to function (presumably under the jurisdiction of Roman Catholic bishops), but the Ukrainian Greco-Catholic *Church* as such could not exist, since it had been absorbed by the Moscow Patriarchate at the so-called Synod of L'viv in March, 1946. For documents from that obviously uncanonical gathering see *Діяння Собору Греко-Католицької Церкви у Львові 8-10 березня, 1946* (Львів: Президія Собору, 1946). Also see *Львівський Церковний Собор: Документи і матеріали, 1946-1981* (Львів: Патріарший екзарх всієї України, 1984). Moscow seriously underestimated the vitality of the Ukrainian Greco-Catholic underground, which was at that very moment emerging in startlingly large numbers.

II.<sup>86</sup> After all, Metropolitan Josyf was recognized shortly after his arrival in Rome as a Major Archbishop, equivalent in all but name to an Eastern Catholic Patriarch, with clearly stated rights to rule his Church through its Synod.<sup>87</sup> They were shocked to find out that the Congregation for the Eastern Churches did not share their enthusiasm.

There were two basic reasons for Rome's refusal to accept the Ukrainian request for a patriarchate and for synodal rule. The first was the *Ostpolitik* of the Vatican. Any initiative favouring the Ukrainians could hurt the new rapprochement with the Moscow Patriarchate, which was seen by curial diplomats as the real leader of the Orthodox world, despite courteous and respectful gestures towards the Ecumenical Patriarchate. This was sullied politics in the eyes of the Ukrainians and severely shook the trust of many of the faithful. What few of them could comprehend, because of their lack of ecclesiological finesse, was the second reason, which is clearly stated in the correspondence between Pope Paul VI and the Major Archbishop: recognition of such demands would constitute a violation of the territorial principle, since the head of the Ukrainian Catholic Church was outside of his See. He could not hope to be recognized as Patriarch. He could not even call a Synod. A portion of the Pope's letter of 7 July 1971 reads:

...the problems which could arise within the Catholic Church itself may be easily foreseen if such [personal – A.C.] patriarchal jurisdiction, detrimental to other existing canonical jurisdictions, were to be recognized in those territories. In addition, who could prevent other patriarchs from seeking to enjoy the same faculty of extending their

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<sup>86</sup> See John Madey, "The Rights of the Ukrainian Church at the time of the Union of Brest and Its Present Situation," in Thomas E. Bird and Eva Piddubcheshen, eds., *Archiepiscopal and Patriarchal Autonomy*, 40–43. See also Victor Pospishil, *The Quest for an Ukrainian Catholic Patriarchate* (Philadelphia, 1971).

<sup>87</sup> *Orientalium Ecclesiarum*, par. 7. This is a reaffirmation of what is stated in *Cleri Sanctitati* of June 2, 1957, the then-current Eastern Code of Canons relating to persons.

own competency beyond the limits of the territory and the prescriptions of canonical laws by which their authority is presently defined?...<sup>88</sup>

I find it difficult to interpret this passage in any sense other than that of a policy of containment of the Eastern Churches to prevent encroachment on the territory of the Latin Patriarchate, which is not itself bound by any territorial limitations because the Patriarch of the West holds a further level of primacy. I hope that I can be proven wrong.

It is unfortunate that most Ukrainians did not understand the subtleties of ecclesiological argument that were inherent in the papal refusal to recognize a Patriarchate of Kiev-Halych or the synodal rule of this Church. However they understood the political side of the question and responded with Ukrainian nationalism, which was entirely out of place in the discussion. Many within the Church were scandalized by such a politicization of the Church. It is true that some proponents of ecclesial autonomy saw it as a surrogate for independent Ukrainian statehood. That does not detract from the fact that this was fundamentally an ecclesiological question. The Church of Kiev had rediscovered its ecclesial identity and wanted, according to the dictates of Vatican II, to rule itself as it had in ancient times.

### *Pope John Paul II and the Extraordinary Synods of the 1980's*

By 1980 there was a new pope who knew the sufferings of the Ukrainian Catholic Church less theoretically than his predecessors. He also saw that this Church, now extended throughout the world, could no longer wait for some of its pressing pastoral needs to be addressed. The Ukrainian Catholic Bishops needed to meet in elective and legislative Synods in order to take care of these pastoral exigencies. He took a step that would be highly controversial, calling a series of Extraordinary Synods of Ukrainian Catholic

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<sup>88</sup> Letter of Paul VI to Josyf Cardinal Slipyj, *Archivum Patriarchale Sanctae Sophiae*, Università Cattolica Ucraina, Roma 40:204-7.

Bishops, not on the authority of the Major Archbishop (because the latter was outside of his territory), but on the authority of the Pope himself.<sup>89</sup> Many rejoiced that at long last the Synods could be held without interference from the Curia. Others were less ecstatic, emphasizing that the Pope had now intruded further into the everyday life of the Ukrainian Catholic Church than ever before in history. The agendas of these synods needed papal approval, as did their decisions. As the *terminology* of ecclesial autonomy was applied it simultaneously lost its *content*.

By this time the indomitable head of the Ukrainian Catholic Church, who since 1975 had constantly used the title "Patriarch Josyf I," was too old and too tired to counter effectively the latest moves of Roman centralism. The Ukrainian bishops, tired of the constant demands of the old warrior who was their "Father and Head," elected the mild-mannered Metropolitan Myroslav-Ivan Lubachivsky of Philadelphia as the first of three candidates to the post of coadjutor to the Major-Archbishop. Pope John Paul II then appointed him to the position. With the passing of Patriarch Josyf in 1984, Archbishop Myroslav Ivan became the head of the Ukrainian Catholic Church. No one in this Church or in the Vatican could have foreseen what was to transpire in less than a decade.

### *The Church in a Free Ukraine*

The liberation of Ukraine was accompanied by the legalization of the Greco-Catholic Church. Unlike its daughters throughout the world, the Church in Ukraine had never ceased using its name from the time of the Hapsburgs. Many in Ukraine were appalled by the new term "Ukrainian Catholic Church." It confused national and ecclesial categories, and it did not identify the non-Latin heritage of this Church. There was another issue. Property had been seized by the Soviets from the Greco-Catholic Church. Only a Church of the same name could hope to reclaim it. Certain Autocephalous

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<sup>89</sup> See the March 1, 1980 letter of John Paul II to the Major Archbishop and Bishops of the Ukrainian Catholic Church, *Archivum Patriarchale* 118:131.

Orthodox polemicists began to make the outrageous claim that the Greco-Catholic Church had been dissolved by Rome in the 1960's and that the Ukrainian Catholic Church was a new entity that had no right to claim the vast properties of the old Greco-Catholic Church.<sup>90</sup> For all of the above reasons the old name was retained.

Recently attempts have been made to adjust the English rendering of the term from "Greek Catholic" to "Greco-Catholic," in the belief that this better reflects the Greek-type heritage of the Church without confusing it with Hellenic nationality.<sup>91</sup> Since 1990 there has been a visible tendency to turn to the name "Ukrainian Greco-Catholic Church" both in and outside Ukraine. With the advent of Ukrainian-language Latin Rite liturgy among Roman Catholics in Ukraine, it is unlikely that the unspecific term Ukrainian Catholic Church will ever be accepted there.

1990 saw the Greco-Catholic Church emerge in force from the catacombs, to the delight of some and the chagrin of others who had gravely miscalculated its strength. With the emergence of this Church it became clear that for most Greco-Catholics their communion with a strong ecclesiastical centre in Rome was understood as a guarantee of the integrity of their Church in the face of the kind of government intrusion that had severely compromised the Moscow Patriarchate.<sup>92</sup> This turning to Rome for leverage against an interfering state power has been at the core of the self-understanding of the Kievan Church since the Union of Brest. The faithful understood their belonging to the Catholic Communion in terms of their own experience.

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<sup>90</sup> I heard this time and again in Ukraine, especially between 1990 and 1992. By then, with the Synod of Ukrainian Greco-Catholic Bishops meeting at St. George's Cathedral in L'viv, the claim became so ridiculous as to be quickly dropped from most polemical discussions. It still surfaces occasionally.

<sup>91</sup> That is the stated policy of *Logos*. See "A Note on Terminology," *Logos* 34 (1993), 7.

<sup>92</sup> For the sad story of the Moscow Patriarchate's cooperation with the Soviet secret police in the liquidation of the Ukrainian Greco-Catholic Church in the post-war period, see Іван Білас, „Московський Патріархат, каральні органи СРСР та знищення УГКЦ у 1940-их роках,” *Logos* 34 (1993), 532-76.

March of that year witnessed the catastrophic failure of the Quadripartite Commission, composed of representatives of the Vatican, the Ukrainian Greco-Catholic Church, the Moscow Patriarchate and the hastily re-named Ukrainian Orthodox Church dependent on Moscow. Its failure lay in the refusal of the Moscow Patriarchate to recognize the Ukrainian Greco-Catholic Church precisely as a Church and not just an assemblage of "communities of Catholics of the Eastern Rite." The Vatican representatives did little to counter this development and the Ukrainian Greco-Catholic Archbishop Volodymyr Sterniuk, leader of the underground Church, was forced to terminate the negotiations by walking out. There was one thing the confessors of the catacombs knew: they were a Church and not simply vague "communities." The ecclesial identity of this Church had been renewed in the fire of persecution.

### *The L'viv Synod of May, 1992*

In the fall of 1991, the new *Code of Canons of the Eastern Churches* took effect. In terms of ecclesial self-identity for Eastern Catholics, this Code is a two-edged sword. It brings to fulfillment the centuries-old consolidation of power by centralist forces in Rome, who have succeeded in redefining the Eastern Patriarchs as sharers in the super-episcopal power of the Pope rather than as the apex of the collegial authority of the patriarchal synods.<sup>93</sup> It has also enshrined their territorial limitation without requiring a similar confinement of the Latin Church. On the other hand, the Code offers the Eastern Catholic Churches clear modalities for some

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<sup>93</sup> *Codex Canonum Ecclesiarum Orientalium*, Canon 56 states that "A patriarch is a bishop who enjoys power over all bishops including metropolitans and other Christian faithful of the Church over which he presides according to the norm of law approved by the supreme authority of the Church." Canon 57, par. 1 states that "The erection, restoration, modification and *suppression* of patriarchal Churches is reserved to the supreme authority of the Church." (Emphasis mine).

On the question of the authority of the ancient Eastern Patriarchs see Wilhelm de Vries, S.J., "The Origin of the Eastern Patriarchates and Their Relationship to the Power of the Pope," in Thomas E. Bird and Eva Piddubcheshen, eds., *Archiepiscopal and Patriarchal Autonomy*, 14-28.

measure of autonomous rule and leaves room for the uniqueness of the particular canonical tradition of each Church.<sup>94</sup>

In 1991 the Father and Head of the Ukrainian Greco-Catholic Church, almost universally called Patriarch by the bishops, clergy and faithful of Ukraine, returned to his See of L'viv. In 1992, he convoked a well-prepared Synod of Bishops to meet within the Church's ancestral territory as the normal elective and deliberative body at the helm of the Ukrainian Greco-Catholic Church. This was a chance to implement finally all that Vatican II had promised. The same had been attempted in 1969, but with no success because of the Roman Curia's refusal to recognize that gathering and others that succeeded it in the 1970s, as true synods.

The fathers of the 1992 L'viv Synod called upon Rome to recognize the Patriarchate of Kiev-Halych, claimed the current boundaries of the Ukrainian state as the jurisdictional territory of their Church, elected bishops, erected dioceses, and mapped out strategies for solving the enormous legal and pastoral problems that had arisen over the decades. They worked on defining the particular law of their Church as well as proposals for the "*ius speciale ad tempus*," which according to the newly-promulgated Code of Canons of the Eastern Catholic Churches was to regulate the relations between the bishops outside Ukraine and the Synod in L'viv.

How the Vatican continues to respond to these initiatives will determine the further course of the recovery of the ecclesial self-identity of the Church of Kiev in communion with Rome. If the response from Rome is perceived as negative, the ecclesial identity of this Church will be fortified by reaction. If the response is positive, the Church will be strengthened accordingly.

After emerging from the crucible of persecution, it seems unlikely that the Greco-Catholic Church of Kiev will soon lose sight

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<sup>94</sup> In addition to the general law which can be found in the *Code of Canons of the Eastern Churches*, there is also the Particular Law of each Church *sui iuris* and a *ius speciale ad tempus*, which is a special set of rules to be enacted by the Pope for each Church individually, governing the relationship between the Eastern Churches in their ancestral territories, and their faithful and ecclesial structures outside the boundaries of these territories. See V. Pospishil, *Eastern Catholic Church Law*, 49-61.



of the fact that it is an ancient Church that is bound by the duty to rule itself while remaining in loving communion with Rome and the other Catholic Churches, and while seeking to re-establish full communion with its Sister-Churches of the Orthodox East. The rise of theological education in this Church, and the beginnings of its own ecumenical contacts seem to be a harbinger of good things to come. The ecclesial self-understanding of Ukrainian Greco-Catholics as the Church of Kiev, or at least as that part of the Church of Kiev which is in full and visible communion with the Roman See, appears to be on a path of clear consolidation.

