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CANONICAL PRINCIPLES OF THE AUTOCEPHALOUS SYSTEM OF THE ECUMENICAL CHURCH SN THE ADMINISTRATIVE STRUCTURE OF THE BYZANTINE EMPIRE

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The article analyzes the body of legal norms of church law, which regulates the autocephalous principle of the church. The vector of modern transformation of autocephalous issues determines the revision of traditional approaches and reflects the ecclesiological dimension of modern Orthodoxy. The article reveals the essence of the earthly rule of the "heavenly Church", which is subordinated to the church's mission in finding the way to salvation. It is proved that the internal church system is of practical importance for the process of autocephaly of the new national local churches, which gained independence in the late nineteenth and twentieth centuries. The article examines that the church canons adopted and endorsed by the emperor in the Code of Justinian the Great in the era of the Ecumenical Councils, are relevant today. These rules, which are universally binding, may be repealed by the new All-Orthodox Council. This is important for a number of modern national churches that defend their canonical rights for independence and universal recognition. The study found that since the Byzantine Empire, state power has imposed its own principle of administrative division and management methods. Already in the II-III centuries a clear hierarchical structure of church management was formed, which led to the formation of ancient patriarchates. However, the founding of the first apostolic communities took place solely on the basis of the autocephalous principle.

It is concluded that Orthodox ecclesiology offers an alternative approach to church-administrative management. It is proved that only the autocephalous system is the only acceptable variant of the existence of the Universal Orthodoxy. Therefore, the struggle of a number of national churches for independence and recognition is fair. The lack of clear regulation of the procedure for proclamation of a new autocephalous church is specified. Therefore, further scientific explorations of autocephalous topics and the canonical work of the Holy Fathers will complement the research.

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КАНОНІЧНІ ЗАСАДИ АВТОКЕФАЛЬНОГО УСТРОЮ ВСЕЛЕНСЬКОЇ ЦЕРКВИ В АДМІНІСТРАТИВНІЙ СТРУКТУРІ ВІЗАНТІЙСЬКОЇ ІМПЕРІЇ

А. Р. Кобетяк, О. В. Чаплінська

У статті проаналізовано корпус юридичних норм церковного права, якими регламентується автокефальний принцип існування церкви. Вектор сучасної трансформації автокефальної проблематики, зумовлює перегляд традиційних підходів і відображає еклезіологічний вимір сучасного православ'я. У статті розкрито суть земного управління "небесною Церквою", яке підпорядковується церковній місії у пошуку шляху до спасіння. Доведено, що внутрішній церковний устрій має практичне значення для процесу автокефалізації нових національних Помісних церков, які отримали незалежність у кінці XIX–XX ст. У статті доведено, що церковні канони прийняті та завізовані владою імператора у Кодексі Юстиніана Великого в епоху Вселенських соборів, є актуальними для сьогодення. Дію цих правил, які є загальнообов'язковими, може скасувати лише новий Всеправославний собор. Це важливо для сучасних національних церков, які відстоюють свої канонічні права за незалежність та Вселенське визнання. Встановлено, що з часів Візантійської імперії державна влада нав'язувала власний принцип адміністративного поділу та методи управління. Вже у II–III ст. формується чітка ієрархічна структура управління церквою, яка призвела до формування древніх патріархатів. Проте заснування перших апостольських спільнот відбувалося винятково на основі автокефального принципу.

Зроблено висновок, що православна еклезіологія пропонує альтернативний підхід церковно-адміністративного управління. Доведено, що лише автокефальний лад є єдиноприйнятним варіантом існування Вселенського православ'я. Тому боротьба низки національних церков за незалежність та визнання є справедливою. Констатується відсутність чіткої регламентації процедури проголошення нової автокефальної церкви. Відтак, подальші наукові розвідки автокефальної тематики та канонічної творчості Святих Отців доповнять виконане дослідження.

Ключові слова: *автокефалія, еклезіологія, урбанізація, церква, православ'я, митрополія, кафедра, адміністративний устрій.*

Introduction of the issue. The Orthodox Church tradition, which was founded by the apostles and acquired its features during the Ecumenical Councils, was formed over two thousand years. However, this process in modern realities necessitates its rethinking. Today, as well as two thousand years ago, the Church has been forced to adapt to the conditions of coexistence with the state and a certain dependence on the authorities. Initially, this was manifested through the administrative-territorial division, which the church formed on the Byzantine model. Subsequently, the political component occupies a more important place in church life. The formation of large provinces with capitals leads to the establishment of new churches, which in fact were endowed with autocephalous status. Thus, the first independent church formations were formed with the support of the emperor and the heads of state dioceses.

The Church, as a unique living God-human organism, is dynamic because it changes with human generations. According to the Orthodox Catechism, God is eternal and unchangeable. The special grace of the Holy Spirit fills the Church. The Epistle to the Ephesians says of the Church: "And He humbled

all things under His feet, and gave Him above all things for the head of the church: and she was His body, the fullness of Him that filled all things!" (Eph. 1:22-23). But another component of the Church is man, and it is about both the living and the dead, because according to Orthodox teaching, the soul is immortal. In the everyday sense, the majority understands the term "church" as a religious building or a whole religious organization with which it identifies itself. For example, someone is a member of a Baptist church, or Orthodox, or a Christian in general, that is, it is a matter of denominations and denominations.

The relevance of the study is to highlight an important problem of the church system. Autocephalous status and the possibility of its acquisition was always the cornerstone of theological debate. The apostles, in founding separate communities and churches, did not know or foresee any other ecclesiastical administration and system than autocephaly. Each community, led by a bishop, was essentially self-sufficient. However, already in the II-III centuries the Church borrowed the administrative division and management of the Roman Empire. Finally, the church system was formed during the rise of the Byzantine Empire, when the emperor, in fact, was the head of the Church. The empire not only conquered the church, it washed it away. Undoubtedly, Christianity has received significant privileges and a powerful potential for quality development and inner content. This is a period of flourishing theology and church culture. But the church had to forget about political independence. The autocephalous principle of the church system is transformed from a basic imperative into a privileged state. The "golden age" of canonical creativity during the Ecumenical Councils practically ignored the problem of forming a new autocephalous church. The mechanism of such a process has not been developed. This led to significant upheavals of the Universal Orthodoxy in the future. Today there are 15 positions in the general diptych. Most of the Local Churches gained autocephalous status after a long struggle for their independence. In many cases, this was accompanied by the self-proclamation of a new ecclesiastical administrative unit and a period of severance of Eucharistic communion with the Mother Church, including the Russian and Bulgarian Orthodox Churches. The granting of the Tomos to the Ukrainian Church has once again intensified discussions on the possibility of acquiring autocephalous status and the procedure for recognizing a new administrative unit in the structure of the Universal Orthodoxy. Thus, Orthodoxy is getting into a dead end. On the one hand, in the absence of a mechanism for acquiring the autocephalous status of Orthodoxy, new Local Churches periodically appear, on the other hand, according to Orthodox ecclesiology, this status follows from the very nature of the church and its essence. The struggle for power in the church, even spiritual, runs counter to Christ's preaching of love and equality [1].

The issue of autocephaly is not only important and interesting for professionals, but also for the general public of those who are interested in religious issues, in particular in Ukraine. The signing of the Tomos caused a significant resonance in the world for the Ukrainian Church, and today only a part of the Local Churches recognized this act as legitimate. In addition, it needs to be addressed urgently due to the urgent demands of modern society for the independence of individual national churches.

The aim of the article is to analyze the interdependence of the state-administrative division of the Byzantine

Empire and the formation of ancient autocephalous churches. The autocephalous structure of the Universal Orthodoxy is inextricably linked with the apostolic teaching and the ecclesiological tradition of the ancient Eastern Churches. The nature of the church, according to Orthodox ecclesiology, must be independent of any attempts to usurp church power. Therefore, the study focuses on the very phenomenon of the Church in its historical retrospect.

Results and discussion. The state of scientific development of the chosen topic should be characterized in two ways. On the one hand, there are hundreds of speeches, public statements and official letters from theologians and hierarchs of various Local Churches on autocephalous issues. The surges of such activity coincide with the proclamation of another national autocephaly in the twentieth century. Most of these documents and statements are polemical. On the other hand, the scientific substantiation of autocephalous issues in connection with the signing of the Tomos for the Ukrainian Church was significantly intensified again.

For definite valuable research work Ukrainian Church historians and canonists I. Vlasovsky, A. Kyrydon, O. Lototsky, Yu. Mulyk-Lutsyk and others. They draw attention to the process of the creation of the Autocephaly Institute. Special mention should be made of scholars who studied the period of formation of the canonical code of the Orthodox Church in the period of early Christianity and the Ecumenical Councils.

It is necessary to note separately the modern dissertation researches of V. Butynsky, M. Gergelyuk, A. Didkivsky, which reveal the process and essence of autocephalous formation of Orthodox churches. It is important that in the research of modern domestic scholars there is a qualitative analysis of autocephalous issues in the key of the Ukrainian church issue. The scientific work of the famous theologian Archimandrite Cyril (Govorun) is relevant. In particular, his ecclesiology monography; much attention is paid to the problem of autocephaly and its ecclesiological conditionality. A fundamental study is a four-volume book by V. Bolotov on the history of the formation of the ancient Church, which reveals the growth of the parish network and the internal structure of Orthodoxy of the early and cathedral periods.

Despite the significant scientific and theological aspect of the urgency of this issue, today there are a number of unresolved issues regarding the harmonization of the autocephalous structure of the Ecumenical Church with the norms of canon law and Orthodox ecclesiology, as well as with the urbanization of the Byzantine-Roman Empire. In addition, in scientific works there is no clear link between the ecclesiological model of the ideal church of Christ and the modern administrative system of church life. The presence of a number of little-studied scientific problems concerning the autocephalous arrangement of the Ecumenical Church significantly actualizes the chosen topic.

One of the main problems affecting the interests of all church organizations today is the high level of politicization of religion. The church has become an instrument of influence of the state or individual political groups on the people. This is especially noticeable before the next election or a significant event that requires public evaluation. As for Christianity, from the first centuries of its existence it has largely shown commitment to the state and political factors. One of the important factors of subordination to the state is the borrowing of the administrative division of dioceses and autocephalous

churches according to the state management of the imperial lands. From the moment of the apostolic preaching to the growth of individual territorial communities, a short period of time passed. Each of these individual house churches, which grew into a community in a certain area, needed spiritual design and participation in church sacraments. For this purpose, a hierarchical institution of the priesthood was established: deacons - priests - bishops. The bishop (from the Greek "overseer"), as a senior hierarchical rank could not formalize each community personally. As a rule, the first prototypes of modern dioceses were formed, uniting several neighboring communities. Such a unified church unit was headed by a bishop. Over time and new conquests of the Roman Empire, new provinces and metropolises of state division of government were formed. In turn, the church tried to adapt its own structure to the hierarchical management of the state. At the same time, the role of large cities, especially the capitals of entire provinces and regions, is growing. Urbanization (from the Latin *urbanus*) has led to a significant increase in urban population. As a result, a significant part of the economy and, consequently, material goods was concentrated in the cities. A similar situation was observed in church life. The church has always been people-oriented. Accordingly, where the population is more densely concentrated, there are more communities. It was on this principle that the first church associations were formed, which in the modern sense corresponded to the dioceses. The city could better provide for the wealth and cultural, spiritual and physical needs of citizens. Thus, one of the main principles of formation of administrative division and management of the ancient church was the dependence on the factor of growth of the role of cities and population.

Turning to the history of the formation of the first autocephalous churches, which were formed as a result of the unification of several dioceses (bishoprics), we see that they were all formed according to the 34th Apostolic Rule, which states that bishops of a particular territory must know the first among themselves, that is, the Primate. Such were the provincial churches of Lycia, Egypt, Pontus and Bithynia [2: 40]. These were the first Local Churches in the theological and ecclesiological sense, i.e. they were located "in place" in a particular area. Over time, the term "local" is identified with the autocephalous, i.e. independent church. This is a church unit that is completely self-governing, located in a specific area where a certain people live, and an important condition is its unity in the doctrine and the Eucharist with other Orthodox churches in the world [3: 91]. Over the course of history, the first metropolitanates and archdioceses were formed in the capital cities, such as Rome, Antioch, Alexandria, and Cyprus. Later, they were transformed into the first patriarchates, which have the highest ecclesiastical authority today.

According to the 34th Apostolic Rule, the first hierarch of a separate region, i.e. the local autocephalous bishop, is "the first" in a particular national church. Such a statement can be deduced from the apostolic positions themselves. If there is a specific separate Christian nation, then according to the canons it must have a "first bishop", i.e. the head, the leader of church life. And if there is both an episcopate and their leader, then such a church formation, according to the already mentioned rule, must be independent, i.e. autocephalous. Thus, as early as the second and third centuries, the title of the city he headed

was added to the episcopal rank, for example, "Bishop of Alexandria" (6th canon of the First Ecumenical Council). The title and location of the chair of the ruling bishop is always associated with a particular city, mainly the provincial capital.

Since the First Council, the first hierarch has been called a metropolitan (6th canon of the First Ecumenical Council) or "bishop of the metropolis" (6th canon of the Council of Sardis) [4: 34]. Initially, autocephalous national churches existed exclusively within the Roman Empire (after the transfer of the Byzantine capital). In fact, these national churches became state-owned. Beginning with the reign of Constantine the Great, the church was implanted with the administrative-territorial principle of governing the empire. Since the whole empire was divided into provinces (regions), and according to state law there could be only one autocephalous church in one region, several national churches were united into a single metropolitanate. Such state regulation directly contradicted the 34th Apostolic Rule. However, it was the territorial, not the national principle (through state influence) that formed the basis for the formation of the first large autocephalous churches [5: XIX]. That is why the names of significant historical areas (provinces) were identified with specific autocephalous churches. The principle was one territory - one church. In ancient times, such a church unit was called the diocese (from the Greek region). Today, such a term refers only to the diocese. The 39th canon of the Council of Carthage indicates that the term "ruler", by analogy with the state nomenclature, also referred to the local bishop.

The Code of Civil Law of Justinian the Great clearly names autocephalous churches as regions that unite several nations, which violates the aforementioned apostolic rule of the first bishop for each individual nation. Similar to the state laws on the autonomy of an individual regional governor, the autocephalous first hierarch of a church region was also not subject to any external influences from the bishop of another church. Thus, the autocephaly of certain regions was not directly mentioned in the resolutions and canons of the Councils (except in a few cases), but it follows from the state acts of that time and the Corps of Civil Law of Justinian [5: XIX]. In general, this imperative confirms Rule 2 of the Second Ecumenical Council, which states that bishops of oblasts, that is, autocephalous churches, may not extend power to churches outside their borders.

This canon refers to specific autocephalous churches, such as Alexandria and Antioch, and also mentions the autocephalous churches of the East [4: 41]. Although they are not explicitly mentioned, their existence has never been denied. One such famous Eastern Church was the Carthaginian Autocephaly. Due to state regulation of administrative division, including ecclesiastical, individual national churches were united into one large metropolis. Such state reform began under Constantine the Great, and reached its apogee under Theodosius the Younger.

It was under Theodosius that the formation of the general ecclesiastical structure of the Byzantine Empire was completed, which led to the emergence of five ancient patriarchates (Rome, Constantinople, Alexandria, Antioch, and Jerusalem). The term "patriarch" enters church usage [6: 338]. Initially, this title was unofficially awarded to especially revere hierarchical elders who worked especially hard to preach Christ. In particular, one of the first was officially titled Archbishop of Constantinople John Chrysostom (Chrysostom). Finally, the title of

patriarch was approved by a decree of Justinian in the "Corpus juris civilis". In the same code, the first hierarch of Constantinople is given the title of "Ecumenical" [7: 144]. Since all the churches within the Byzantine Empire were state-owned, the title of Ecumenical Patriarch was accepted by the Local Churches without objection, because the law signed by the emperor could not be challenged. The first to officially use the title of Ecumenical Patriarch was John Postnyk.

The transformation of the administrative structure of the church led to the former metropolitan first hierarchs, after the unification of the metropolitanates into a single patriarchate, became exarchs in their ecclesiastical regions. This is evidenced by the canons of the Fourth Ecumenical Council. The most famous exception to the rule that all churches of apostolic origin became patriarchates is the Church of Cyprus, which still retains its autocephalous status in the rank of archbishopric. Historically, the island of Cyprus belonged to the jurisdiction of the Antioch state center. According to state law, the Church of Cyprus was to be subordinate to the Archbishop of Antioch, but at the Third Ecumenical Council, the delegates of Cyprus refused to comply with this decree, appealing to their own ancient traditions and apostolic origins. Their demands were met [5: XXI].

As for the dependence of the autocephalous system on the growing role of individual cities and provincial capitals, it is necessary to give an example of the dependence of the formation of autocephaly on the status of an individual city. This is the new capital of the empire – Constantinople. Note that other ancient departments had an undoubted apostolic origin and a long (300 years) history of the formation of Christian communities, such as in Rome or Alexandria. After the founding of the city of Constantine, the emperor endowed the "capital's first hierarch" with special powers. Rule 3 of the Council of Constantinople gives the capital's chair a second place in the diptych after Rome, as the new capital is New Rome. Finally, the leadership of the Constantinople chair in the Christian world was established at the Council of Chalcedon. The 28th rule of which (Roman Catholics do not recognize it) indicates equality between Rome and New Rome in all rights [4: 63]. Pope Leo I the Great believes that it is inappropriate to make a relationship between the capital and church privileges. The church department has been cultivating its own tradition and history for centuries, and the capital is an artificial state formation, so the increasing role of Constantinople is not ecclesiastical, but secular [8: 201]. In the end, this rule violated the rights and ancient privileges of Alexandria and Antioch, which were moved in the diptych to one position, respectively. In addition, this canon was formed in violation of Rule 6 of the Council of Nicaea. The rights of the ancient metropolitanates of Pontus, Asia and Thrace, which lost their independence and were forced to receive episcopal ordinations from Constantinople, were violated. Leo the Great urged the emperor not to do so, as the status of the capital should not be associated with church issues. This leads to anarchy in the church structure and arbitrariness in management [9: 284].

Another important historical precedent of direct ecclesiastical dependence on the status of the city took place during the reign of Justinian the Great (527-565). The emperor issued a decree to build his native village into a powerful city – New Justinian. He then granted the bishop of this city an autocephalous charter and the title of archbishop. The jurisdiction of the new first hierarch included several neighboring dioceses. Thus, two important conclusions can

be drawn. First, the emperor's power in ecclesiastical affairs reaches its apogee. Without the patriarch and the Council, the emperor alone decides to form a new independent church unit. Secondly, again in ecclesiastical matters rises the capital or hometown of the ruler. Church life and administration directly depends on the status of the city or a particular province [8: 201].

After the fall of Constantinople in 1453 and the decline of Byzantium, with its cultural and religious heritage, Eastern Christianity underwent significant changes. In the first place, this has had a negative effect on the level of theology, which has virtually disappeared. On the other hand, at the All-Orthodox level, the role of the Moscow Empire and the Russian Church is growing. The theological idea of equality and parallel existence of the Local Independent Churches is gradually developing, replacing the ancient theory of the "Pentarchy" (power in the church is concentrated in the hands of five patriarchs). In addition, in the context of Muslim expansion, the idea of a symphony of state and church made no sense. It can be argued that Orthodoxy has ceased to play a major cultural component of the population of the former powerful empire [8: 224]. This significantly affected religious and national self-identification. The Greeks faced a total threat of assimilation among the Muslim world. It can be argued that in such conditions Orthodoxy is transformed from a purely religious to a national sign of identity. This led to the fact that in the minds of the heirs of the Byzantine Empire, Greek Orthodoxy lost its universal character, acquiring narrow signs of nationality.

Today, in scientific and theological discourse, the question of interpretation of the canons and decrees of the Ecumenical Councils and prominent church fathers remains an important problem. Including it is actual in the context of subjects of our research. The canonical and dogmatic work of the period of the Ecumenical Councils leaves us very little material on autocephalous topics. Only a few separate resolutions of the Councils directly point to specific autocephalous churches, and more precisely to the fact of their existence and peculiarities of titling. The mechanism of formation of a new autocephalous church is absent in the sacred canons. Therefore, it is necessary to study in detail the insignificant available baggage of the canonical work of the holy fathers concerning the autocephalous theme.

Canons are the main source of canon law, because they contain the most reliable information on church issues and ways to solve them by the Church. However, the assessment of canons, as a source of canon law, involves an objective approach and taking into account the historical epoch of their origin [10: 18]. After all, each of the canons had a specific objective need for its origin. Therefore, it is necessary to distinguish between temporal preconditions and the literal historical reason for the exact content of the canons. The revelation of God, which is expressed in canonical creativity, has been in effect for a long time. It is obvious that the historical context has changed, so when interpreting a rule, it is necessary to take into account its "eternal and ideal" meaning, as well as the specific historical content. Such a difference can be made only on the basis of historical and canonical research. To do this, it is necessary to consider and evaluate other sources of the history of the Church and to take into account some basic ecclesiological preconditions, without which a correct interpretation of the rules is impossible. On the one hand, each of the canons must be interpreted separately, and on the other – most of the rules should be reduced to a certain group of canons

and to the completeness of the whole canonical tradition and spiritual experience of the Orthodox Church [11].

Such strict rules of interpretation of canons concerning autocephalous subjects are not accidental. After all, each of them, such as the 28th rule of the Council of Chalcedon, had a specific historical load and context, but all the decisions of the Councils are eternal and unchangeable. Therefore, they are universal and binding in the XXI century. For such a distinction (concrete and eternal) a priori a clear division must be made between the historical basis of a particular canon and the general spirit of the canonical tradition. The interpretation of the canons cannot be deduced from the essence of legislative empiricism alone or a specific goal. Then there is the danger of absolutizing the letter of the canon, and a significant number of canons have historically outlived themselves, for example, the rules forbidding to wash in the bath with a Jew, or to be treated in him, and the 4th rule of the Council of Chalcedon, which forbids monks to interfere in church affairs and public life [12: 61]. This is especially true of the problem of autocephaly of the new Local Church. Each of the canons relating to this subject belongs to a particular church and area of its administration, and does not indicate the universality of such a prescription. In addition, the study should reveal all the historical causes and purpose of specific canons, special legislative trends of the historical epoch, the general state of the Church, the importance of issues addressed by canons, their relationship with existing church problems, canonical terminology used in that time, authority of adoption of canons by church bodies, the following procedures of their state approval and regulation, as well as general church support [11].

Thus, the interpretation of the canonical heritage requires painstaking work and the use of many methods of scientific research. Those rules and resolutions of the Ecumenical Councils concerning the question of autocephaly must be studied precisely through the prism of all ecclesiastical experience and the existing canonical tradition. Most of the canons of autocephalous issues have not lost relevance today, but their application in practice is unrealistic. During the Council period, the church fathers did not develop an algorithm for forming a new autocephalous church, which caused a significant number of canonical conflicts and misunderstandings between the Local Churches in the future.

Conclusions and research perspectives. Summarizing the above, we note that despite the long history of the formation of the Orthodox tradition and doctrine, which is expressed in canon law, in Orthodoxy there is no clear regulation of the procedure for proclaiming a new autocephalous church. The Church did not form a unified approach to the procedure of proclamation of a new autocephalous church, despite the fact that periodically (especially at the turn of the XIX - XX centuries) new national churches were built. The "Golden age" of theology and canonical dogmatic creativity in the Middle Ages did not consider autocephalous issues as a priority area of the church-administrative system. The rules of the Ecumenical Councils state the existence of already formed historically ancient patriarchates, consolidate their status and highlight the powers of the capital's Constantinople chair along with ancient Rome.

In addition, one of the main principles of the formation of administrative division and management of the ancient church was the dependence on the growing role of

cities and population. Authorities united individual nations into one region, the metropolitanate, which was governed by a single governor. According to state law, there could be only one autocephalous church in one such province, in violation of the 34th Apostolic Rule, which instructed each nation to have its own first hierarch, and therefore an independent church.

The problem of the canonical conditionality of the autocephalous status of churches depending on the growing role of capital cities in the Byzantine Empire has further prospects for development. Interpretations of ancient canons and rules relating to autocephalous issues require a thorough scientific understanding. Canonical work does not directly indicate the mechanism of formation of a new autocephalous church, but some canons clearly fix the permanent order of management of the Ecumenical Church of the ancient autocephaly available in the Conciliar period. Although the canonical corpus is much outdated, it has not lost its relevance in the XXI century. Therefore, further scientific explorations of autocephalous topics and the canonical work of the holy fathers of the Ecumenical Councils will significantly complement our study.

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