

RELIGIOUS STUDIES

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AUTOCEPHALIC SYSTEM OF THE ECUMENIC CHURCH AND DETERMINATION OF ORTHODOX DIASPORA STATUS

The article analyzes the vector of formation of the Orthodox diaspora, which occurs due to the forced migration of the population in the late XIX – early XX centuries. It is established that the carriers of the Orthodox faith did not assimilate among infidels, maintaining their own self-identification among immigrants. Each of the Local Churches (considering guardianship of the faithful as its duty) have founded parishes, which were developed into dioceses, in Western Europe, North and South America. It is proved that the coexistence of different mutually recognized Local Churches in the same territory contradicts a number of canons and traditions of the Orthodox Church. These processes are directly dependent on religious tenets and canons, which were formed in the Byzantine period of the heyday of Christianity. It has been determined that the excessive politicization and dependence of the church on the imperial power led to the proclamation of a number of contradictory canons and the division of the primacy of honor between ancient Rome and capital Constantinople chair.

Keywords: autocephaly, canon law, diaspora, tenets, orthodox church, patriarch.

The relevance of the topic is determined by the need for in-depth study of the process of formation and development of the churches of the Orthodox diaspora, as the question of their status in the XX century has become one of the most important problems of world Orthodoxy, and it remains unresolved. The unregulated church administration of the diaspora has created problems with the subordination of these churches. Hence, the Orthodox diaspora was part of various jurisdictions, which does not correspond to the autocephalous principle of the church organization and management and contradicts the Orthodox tradition and canons. However, during the last century there were constant conflicts over jurisdictional subordination. The expansion of the diaspora has led to the appearance of a unique ecclesiological model in the church system, when the bishops of different Local Churches operate in the same territory at the same time. In addition, several mutually recognized hierarchs may share the same title. Such order does not correspond to the traditions of the church, but was justified by the needs of the time and special historical conditions.

The main arena of confrontation between the various churches in the question of subordination of the churches of the Orthodox diaspora was Western Europe and North and South America. This is where the main disputes over the jurisdiction of diaspora churches have been unfolded. The events that took place on these continents determine the nature of the development of the church structure of diasporas in other parts of the world. Therefore, the main attention of scientific research is focused on the study of the peculiarities of the formation of Orthodox jurisdictions in Western Europe, North and South America.

The autocephalous structure of the Ecumenical Church was not definitively stated during the Ecumenical Councils. A number of canons devoted to this subject only state the existence of five ancient cathedras, which were given the patriarchal status. Churches that could theoretically appear outside the Byzantine-Roman Empire, that is among the "barbarians", would have the prospect of gaining the autocephalous status. However, there are separate canons that allow churches to be governed outside the jurisdiction of the Ecumenical Patriarch. Already during the empire times, this caused a number of canonical and theological misunderstandings and disputes in the international political arena.

The purpose of the research is to implement the philosophical and religious analysis of the subordination problems of the churches of the modern Orthodox diaspora in the context of the formation of the autocephalous principle of the church-wide administration.

Geographical boundaries cover the territory of both continents of America and Western Europe. This is where the main part of the Orthodox diaspora lives, as well as the largest number of Orthodox church units were established and the main conflicts over the jurisdiction of churches in the diaspora has happened.

There are a number of studies devoted to the main problems of the formation of the churches of the Orthodox diaspora among Ukrainian and foreign historiography. The analysis of the literature on this problem allows us to conditionally classify it into two groups: historically-religious and denomination ones.

The first group of literature combines monographs, analytical articles by Ukrainian and foreign historians and theologians, in which the issues of formation of the church system of the Orthodox diaspora are covered from the standpoint of academic religious studies and historical science. This block of literature is not represented by a large number of studies, as the question of the subordination of the churches of the Orthodox diaspora did not attract much attention from secular authors. Instead, these works describe the general history of the development of the Orthodox Church and its individual parts. Some aspects of the research topic are presented in the monographic studies of well-known foreign authors M. Angold, K. Lindbergh, A. Hastings. The studies of stated authors are of a general informational nature in relation to Orthodoxy in general, and the question of the canonical justification of the church in the diaspora remains a bit aside. R. Robertson was able to gather information about all the Orthodox Churches in one reference edition, which makes it possible to find statistics and other information about churches in different regions.

Some Ukrainian researchers also address the issue of the jurisdictional development of the Orthodox diaspora. The monograph of the theologian O. N Sagan is one of the best scientific investigations of world Orthodoxy among the domestic scientific literature. It pays special attention to the unregulated status of the Orthodox "scattering" as one of the important issues of the Ecumenical Church in the XXI century. Part of the monograph is devoted to a separate study of the phenomenon of ethno-denomination syncretism, which is one of the explanations for the emergence of a large number of independent institutions of the Orthodox diaspora.

The origin and formation of Ukrainian church communities in the diaspora are considered in detail in the work of O. Khomchuk. The author criticizes the activities of Ukrainian churches in the diaspora, which, instead of uniting all Ukrainian church groups and reaching independent existence, tried to gain the recognition of other churches. It is worth noting that the monograph contains only fragmentary evidence of the activities of other national church diasporas.

As for denominationally oriented literature, it is widely represented in most Local Churches. It is obvious that theologians and hierarchs of different churches, by appealing to canonical rules and traditions, try to justify their own right to the possibility of guardianship of a particular group of churches in the diaspora. In other words, the representatives of the Local Churches defend their interests. Therefore, most denominational studies cannot claim to be objective. However, it should be noted that a number of works are written at a high scientific level and contain a description of conflict events, following a neutral objective analysis, as far as it can be allowed to a representative of a particular denomination.

The work of Metropolitan Callistus (Uer) "Orthodox Church", where there is a separate section on the Orthodox diaspora, can be considered as One of the best studies of the history of the Orthodox Church.

Much of the research is devoted to a detailed examination of separate jurisdictions abroad. In particular, the works of P. Bozhyk, I. Vlasovsky, R. Yerenyuk, T. Minenko, Y. Mulyk-Lutsyk, N. Plichkovsky, S. Savchuk, and P. Yuzyk are valuable in the study of the history of the Ukrainian church diaspora. A series of articles by the modern Ukrainian researcher I. Verstyuk is an attempt to systematize the main events in the development of the Orthodox diaspora.

Theological interpretation of the phenomenon of the Orthodox diaspora and analysis of its significance for world Orthodoxy is presented in the articles of S. Troitsky, O. Kleman, L. Kishkovsky, Metropolitan Panteleimon (Rhodopoulos), A. Schmemann.

A review of the literature shows that the question of the historical development of the jurisdictions of the Orthodox diaspora and the canonical conflicts associated with it has been of interest to many foreign and domestic researchers. However, when highlighting the problems in the activities of diaspora jurisdictions, many authors demonstrate a pronounced denominational approach. Therefore, there is a need for a deeper objective study that could present materials on the history of the formation of the "scattering" churches from the academic religious studies point of view.

Orthodoxy has traditionally been considered an "Eastern religion" because its location covers Eastern Europe, the Middle East and North Africa. At the same time, migration processes led to the resettlement of Orthodox bearers outside the designated territories. Thus, groups of people professing the Orthodox faith began to form among the non-Orthodox population. Such ethno-denominational groups are commonly referred to as "diaspora".

The word "diaspora" is of Greek origin and originates from the Bible. The term "διασπορά" literally translates as "scattering". The books of the Old Testament mention Jews and proselytes who lived "scattered" among infidels, i.e. pagans. A similar interpretation is found in the Gospel of John (John 7:35; John 12: 20-29). Initially, the diaspora was understood to mean Jews who did not live in Israel (James 1: 1). Over time, Christians who live in countries with a predominantly non-Christian population began to be considered under that term. Therefore, not only the geographical but also the denominational component of the concept of "diaspora" was formed¹.

In the twentieth century, in connection with the active migration of the population to the American continent and Western Europe, the concept of "Orthodox diaspora" was introduced into scientific terminology. The new type of "Orthodox scattering" took on broad forms and significant numbers. In scientific and religious literature, the term "Orthodox diaspora" means a part of the Orthodox population that emigrated from the traditional zone of spread of Orthodoxy to countries where the non-Orthodox population predominates, so the Orthodox are forced to form a religious minority.

We generally don't find clear guidelines for the organization of diaspora churches when turning to the canons and rules of the Church. However, there are several canons of different Councils, which indirectly regulate church life outside the Byzantine Empire of that time. In particular, we are talking about the 6th canon of the Council of Nicaea and the 2nd canon of the First Council of Constantinople. Although the "diaspora" and the "scattering" churches were not directly mentioned, the notion of "barbarian lands" was introduced, which were located outside the empire and were apparently inhabited by non-believers. The Byzantine-Roman Empire was considered "οικουμενε", i.e. the absolute universe, and everyone who was outside it were considered to be barbarians who did not know the Christian faith. It follows that the boundaries of the Ecumenical Church, and hence the (Ecumenical) Patriarch of Constantinople were apparently limited to the territory of the empire. In fact, the migration of the population at that time led to the emergence of churches outside Byzantium, so the first diaspora communities were formed².

Regarding the correlation between the concepts of "barbarian lands", which is found in the canons of the Ecumenical Councils and the modern "diaspora", it is worth agreeing with the statement of the Metropolitan Damaskinos Papandreou about its synonymous nature. In fact, Christians who lived in "barbaric countries" were the Orthodox diaspora of the Byzantine Empire. However, the synonymous nature of these concepts does not solve the conflict situation that has developed around guardianship of diaspora churches. After all, the canons show that the leadership of the diaspora "should be done according to the practice of the Church Fathers"³. This statement leaves room for misunderstandings and speculation. No single common practice had existed before the All-Orthodox Council in Crete in 2016, which will be discussed further.

It is important that such "barbaric" lands or nations had included some dioceses of Alania and Kyivan Rus', until the time it has been baptized⁴. The 29th canon of the Council of Chalcedon states that there are other "barbarian lands." That is why, taking this rule into mind, the lands of the American continents, Australia, and all others outside the Local Churches were theoretically included in the notion of "barbarian." Such boundaries were established solely on the geographical basis, not national one. Everything that was located outside the empire, theoretically fit this concept⁵.

¹ Троицкий, С. (1947). О границах распространения права власти Константинопольской патриархии на "диаспору". *Журнал Московской патриархии*, 11, 34-45.

² Дамаскин (Папандреу) (1993). Доклад на заседании Межправославной Подготовительной Комиссии, Шамбези. *Never Was* <<http://www.orthodox-researchinstitute.org/>>. (2020, September, 26).

³ Книга правил (2010). *Книга правил Святых Апостол, Святых Соборов Вселенских и Поместных и Святых Отец*. (2010). Москва: Издательство святителя Льва, Папы Римского, 63.

⁴ Вальсамон (2012). Коментар на 28 канон Четвертого Вселенського Собору. RALLIS AND POTLIS, *Constitution of the Divine and Sacred canons. The Classics of Eastern Orthodox Canon Law. Never Was* <<https://zonaras.wordpress.com/2012/10/24/the-classics-of-eastern-orthodox-canon-law/>>. (2020, September, 26).

⁵ Пантелеймон (Родопулос) (2016). Територіальні юрисдикції відповідно до православного канонічного права. Феномен етнофілетизму у наш час. *Never Was*. <http://vira.in.ua/texts/rodopoulos_jurisdictions_ua.htm>. (2020, September, 26).

Domestic researchers who emigrated to Canada, such as S. Savchuk and Y. Mulyk-Lutsyk, give the following explanation to the above-mentioned canons. The notion of the "practice of the Church Fathers" implied the following algorithm of action: church leaders who were in the closest location to a certain "barbaric" territory, which according to canonical precepts was no man's land, sent their missionaries there. Thus the diaspora church was formed, which had to be supported and teach the faith in the early stages of formation. After the end of the period of growth of such a church in the diaspora, missionaries from the mother church had to cease their activities, as a new autocephalous church should be formed, and no other recognized local church could claim on its territory¹. These researchers believe, and the author agrees with them, that the "barbarian lands", in terms of canon law and church traditions, were "no man's land". Thus, each of the Local Churches could claim the guardianship over these lands. This is how the ideal of missionary work should theoretically be formed. Every nation has the right to preach the true faith to its neighbors. At the same time, according to the 34th apostolic rule, each of the nations has the opportunity to form its own autocephalous church².

It is worth mentioning that the ancient right of recognized Local Churches to the possibility of missionary activity outside the "οικουμενε" (the empire of those times) has not been abolished. Thus, even today the hierarchs of different churches have the opportunity to send the preachers of Orthodoxy to countries where the Protestant or Catholic population is heterodox³. Representatives of the Local Churches were guided by such provisions in the 19th and 20th centuries, when numerous parishes were founded outside their canonical territories. At the end of the XIX century there was a significant wave of immigration to North America.

In a foreign country, the Orthodox population was united not only by national but also by confessional factor. Thus, numerous Orthodox parishes were formed in the lands of non-believers. Naturally, priests were invited to such parishes from their own countries of origin. Representatives of the Greek diaspora were especially active, with forming 138 parishes in the United States in just 20 years⁴. The development of the parish network forced the establishment of the first dioceses. As parishes were created chaotically, there was no territorial division. Thus, representatives of different Local Churches formed parallel dioceses in one territory. This led to a violation of the 8th rule of the First "Let there be no two bishops in one city", and the 12th rule of the Fourth Ecumenical Council "Let there be no two bishops in one city"⁵.

Historically, a situation has been formed, when different jurisdictions coexisted in the same territory, which is directly contrary to church traditions and canons. However, in fairness, this situation was justified to some extent, as it had objective reasons. The fundamental reason for this is the transformation in the relationship between national and ecclesiastical jurisdiction. Leading French theologian Olivier Clement asserts that the situation with the diaspora was due to a change in the church paradigm in the XIX century. Prior to that, it was believed that the national comes through the church, and at the end of the XIX – XX centuries the following approach was formed: the church through the national⁶. As the emigrants had a much sharpened sense of national consciousness and memory, their native church was transformed into a basic element of culture. While the identification of the population by religious affiliation dominated in the Homeland, then in the new conditions – national consciousness and culture. The domestic theologian O. Sagan notes in this vein. Over the centuries of existence in different countries, the church life has been assimilated with the traditions and language of nations. The cosmopolitan nature of Orthodoxy was gradually lost in the twentieth century. One way or another, the Orthodox Church has become a national-state institution. The phenomenon of "Ukrainian", "Bulgarian", "Greek" Orthodoxy was formed, which in theory does not correspond to the traditions of the church⁷. Therefore, the names Bulgarian Orthodox Church or Russian Orthodox Church and others are incorrect. It would be correct to say the Orthodox Church in Bulgaria.

¹ Савчук, С., Мулик-Луцик, Ю. (1985). *Історія Української Греко-Православної Церкви в Канаді. Період зародження ідеї оснування Української Греко-Православної церкви в Канаді*, 2. Вінніпег: Екклесія, 12.

² Лист судді Михайла Стечишина до архипресв. д-ра С. В. Савчука від 9 липня 1962 року. Мулик-Луцик, Ю. (1987). *Історія Української Греко-Православної Церкви в Канаді. Українська греко-православна церква в Канаді в юрисдикції митр. Германоса*, 3. Вінніпег: Екклесія, 336.

³ Савчук С., Мулик-Луцик Ю. (1985). *Історія Української Греко-Православної Церкви в Канаді. Т. 2. Період зародження ідеї оснування Української Греко-Православної церкви в Канаді*. Вінніпег: Екклесія, 22.

⁴ FitzGerald, T. (1995). *The Orthodox Church*. Westport: Greenwood Press, 26.

⁵ Книга правил (2010). *Книга правил Святых Апостол, Святых Соборов Вселенских и Поместных и Святых Отец*. (2010). Москва: Издательство святителя Льва, Папы Римского, 36, 57.

⁶ Клеман, О. (1998). *Роль и значение православной диаспоры в Западной Европе. Соборность: Сборник избранных статей из журнала Содружества св. Албания и преп. Сергия*. Москва: Библиейско-богословский ин-т св. апостола Андрея. *Never Was* <<http://www.religare.ru/article2252.htm>>. (2020, September, 26).

⁷ Саган, О. (2004). *Вселенське православ'я: суть, історія, сучасний стан*. Київ: Світ Знань, 149.

It happened so, that people in exile identified themselves not just with Orthodoxy in general, but with a specific Local Church, to which they belonged in the Homeland. Therefore, parishes were not created by missionaries, but were initiated by the laity themselves. In turn, the church leadership considered it their duty to meet the needs of the faithful, and therefore appointed priests from the Homeland.

Another important factor that led to the formation of parallel jurisdictions in the Orthodox diaspora was significant political and social transformations. The two world wars, the communist regime in a number of countries, and in particular in the USSR, the formation of socialist power led to the loss of a stable link between the diaspora and the mother church. In addition, the world situation did not contribute to the establishment of dialogue and conciliar life between the Local Churches, and sometimes made it completely impossible.

The above factors have established the poly-jurisdiction of the churches of the Orthodox diaspora as a stable phenomenon. The prevailing situation confused the representatives of most Local Churches. Accordingly, there was a need to develop canonical ways to overcome the church crisis, as well as to address the important issue of subordination and administrative structure of the diaspora.

In the early XX century two main approaches to potentially resolving the conflict with the Orthodox diaspora were formed. The first provides an opportunity for each of the Local Churches to carry out missionary work in countries where Orthodoxy is absent (not dominant). In addition, the mother church should be able to take care of its faithful ones, even if they are outside the Homeland. Thus, this approach allows the possibility of existing for several parallel jurisdictions in one territory. Representatives of recognized churches preach the faith and establish parishes under the control of their mother church. Thus new dioceses are formed, the boundaries of which can be superimposed on similar diocesan formations of another Local Church. Although this contradicts the canons, the practice of the XIX – XX centuries confirmed such church experience as an acceptable one.

The second approach testifies to the exclusive right of the Patriarchate of Constantinople, as the first among equals, to take care of the churches of the diaspora. The Ecumenical Throne is based on certain decrees and rules of the ancient church. In particular, the 28th canon of the Fourth Ecumenical Council states: "...Therefore, only the metropolitans of the Pontic, Asian and Thracian regions, as well as bishops for foreigners ("barbarians") should be appointed by the above-mentioned Holy See of the Holy Church of Constantinople." Further, according to the text of the rule, it is a question of the possibility of episcopal ordination by the metropolitans of the respective regions, and the ordination of the metropolitans themselves should be carried out by the hierarch of Constantinople¹. Thus, the metropolitan is to some extent independent of the archiereus of the capital chair, he himself manages the church life in the country entrusted to him, but the appointment of the metropolitan himself already depends on Constantinople.

Based on this rule, which has not been repealed in any way, the hierarchs of the Ecumenical Patriarchate claim sole authority over the churches of the diaspora. Greek theologians understand the term "barbarian lands" to mean all territories that were not under the control of the Byzantine-Roman Empire at the time of the convening of the Fourth Ecumenical Council (at 451 year), and there were no Orthodox churches in them.

Thus, the two American continents and Australia fit the interpretation of "barbarian lands" precisely². In addition, the 2nd Rule of the Second Ecumenical Council, to which the Ecumenical Throne appeals, prohibits the bishop from extending power to other regions and performing sacraments there. The only exception is an invitation to episcopal ordination. Thus, the Patriarchate of Constantinople considers the formation of dioceses of Local Churches in the Diaspora (the territory of Western Europe, Australia and North and South America) as a direct violation of the above ecclesiastical resolutions.

The point of view of the Patriarchate of Constantinople on issues of the diaspora is shared by churches of Greek origin, such as the Throne of Alexandria. Its hierarchs believe that those regions that are geographically located outside the recognized autocephalous churches, jurisdictionally belong to Constantinople. The mother church, outside its territory, can include only those lands that were enlightened by Orthodoxy through missionary activity³.

The Russian Orthodox Church offers a radically opposite approach. In the middle of the last century, Professor S. Troitsky formed the main theses in which he substantiated the illegality of Constantinople's encroachments on the Orthodox diaspora. In particular, the essence of his opinion is that the "barbarians"

¹ Книга правил (2010). *Книга правил Святых Апостол, Святых Соборов Вселенских и Поместных и Святых Отец*. (2010). Москва: Издательство святителя Льва, Папы Римского, 63.

² Варфоломей (2008). *Приобщение к таинству: Православие в третьем тысячелетии*. Москва: Эксмо, 368.

³ Хомчук, О. (2002). *Церква поза церковною огорожею. Розколи і руйнації Української православної церкви в пошуках "константинопільського визнання"*. Чикаго, 125.

of the Ecumenical Councils times are not the whole world, but only the "barbarians" who lived in the Thracian, Pontic and Asian regions. Thus, relying on ancient commentators on conciliar decrees, Troitsky argues that the Fourth Council authorized the Patriarchate of Constantinople to take care of the diaspora in the East. At the same time, the powers of Constantinople do not prevent the representatives of other Local Churches from taking care of the diaspora in other "barbarian lands"¹. The professor believes that every Local Church not only has the right, but also it is its duty to send missionaries to preach in neutral territories where there is no Orthodox faith. This view is in line with the words of the Gospel: "Go and make disciples of all nations" (Matthew 28: 19-20). When a certain controversial situation arises regarding the jurisdiction of a particular parish or an entire diocese, the principle of prescription should be decisive here. The 17th rule of the Sixth Ecumenical Council states that the parish must be under the authority of the bishop if it has been subject to him for more than 30 years².

Doctor of Church History Konstantin Skurat also criticized the claims of the Patriarchate of Constantinople for a special role in the management of the diaspora. While analyzing the book of the hierarch of the Church of Constantinople, Metropolitan Maxim of Sardinia, K. Skurat argues with the author about the primacy of the Patriarch of Constantinople in the management of the diaspora. In particular, the Russian church historian believed that the "primacy of honor" did not give the Patriarch of Constantinople the prerogative of power and authority as a universal arbiter³.

A similar view is held by representatives of the ancient Church of Antioch. In particular, the first hierarch of the Antioch Orthodox Church in North America, Philip (Saliba), believes that the already mentioned 28th rule of the Fourth Council was due to the political and religious circumstances of that period. Constantinople, as the capital's chair, certainly had a considerable influence on the general church policy. After the fall of Constantinople and the whole empire, Fanar could not claim leadership in the ecclesiastical sphere. The Metropolitan is in solidarity with the position of the Russian Church that Constantinople was endowed with powers only in a few "barbaric" regions, and not in the whole world. The bishop proposes the administrative unification of the representatives of all diaspora churches into a single independent Local Church. The existence of parallel jurisdictions is unacceptable because it violates the apostolic tradition and the rules of the councils. The problem of the diaspora is complex and needs a conciliar solution. However, as long as the Ecumenical Throne appeals to a historical primacy that is long gone today and is irrelevant in today's geopolitical and religious context, it will be impossible to do so.

One of the possible ways out of the prevailing situation is the universal conciliar recognition of the currently existing diaspora churches of canonical origin. It means that, for example, in Canada, the Orthodox Church of Canada must be recognized as autocephalous one, and its jurisdiction in this country must include all dioceses of those churches that are already recognized and are part of the Orthodox diptychs. The management of such a newly established church must be transferred to the local Council of Bishops, which must include the clergy of all the Local Churches represented in the area. Then it will be possible to carry out the apostolic decrees when there is one bishop in one city. Such a newly created autocephalous church will have a number of features, as it will be multicultural and national. But there should be no prohibitions for the use of the national language of worship and the formation of ethnic groups that would be united by one church organization, but would preserve their culture and ritual customs⁴.

The Romanian Patriarchate takes an alternative position, which is to grant the right to each of the Local Churches to carry out missionary activity in non-Orthodox countries. In addition, the mother church must take care of its emigrants wherever they may be. The existence of national churches, which appeared in the XIX – XX centuries, allows each of them to be guided by a national rather than a territorial principle. Thus, the mother church cannot deprive taking care of parishioners who have emigrated or become adherents of this church as a result of its missionary activity. Belonging to a particular nation is the main criterion of the autocephalous structure of the Ecumenical Church. The position of the Romanian Patriarchate is based on a peculiar interpretation of the 34th Apostolic Rule, which testifies to the existence of one church leader for each nation and population. Even if a certain nation is scattered, this does not invalidate the apostolic rule.

¹ Троицкий, С. (1947). О границах распространения права власти Константинопольской патриархии на "диаспору". *Журнал Московской патриархии*, 11, 41.

² Там само, 39.

³ Скурат, К. (1989). Константинопольский патриархат и проблемы диаспоры. *Журнал Московской патриархии*, 10, 48.

⁴ Хомчук, О. (2002). *Церква поза церковною огорожею. Розколи і руйнації Української православної церкви в пошуках "константинопільського визнання"*. Чикаго, 124.

This opinion is defended at the last All-Orthodox meetings by the famous theologian S. Liviu. The Ecumenical Patriarch has equal rights with other Local Churches in the formation and management of the Orthodox diaspora, as each ethnic group seeks its own preservation and self-identification, including in ecclesiastical matters. Emigrant churches are a requirement of the new time, which must be solved to reduce tension between local churches¹.

Western European and American theologians and hierarchs defend their right for the church autocephaly. In the territory of the New World countries, their own church organizations should be formed, which are called to unite representatives of different cultures, emigrants from different lands into a single independent church and elect their Primate on the basis of Orthodox tradition and canons. "Diaspora consciousness" must be a thing of the past. Orthodoxy is experiencing a deep crisis today, so the proclamation of the autocephaly of the churches of America and Western Europe will lead to a new stage in the development of the Ecumenical Church. This will potentially increase the level of Orthodox consciousness and its presence in the world. The current situation around the Orthodox diaspora contradicts the teachings of the Church Fathers. Missionary activity in such countries is not focused on the conversion of new adherents, but on the struggle for supremacy and the right to form one's own jurisdiction in that territory. It is necessary to take concrete steps and self-sacrifice an ambition in order to preserve interfaith peace and adhere to the Orthodox tradition².

Summing up, we note that the modern structure of the Ecumenical Church has a number of shortcomings. Each of the ecclesiastical regions founded by the apostles was inherently independent. Over time, following the example of the state-administrative system, the church has developed its own division of government. Today, the Ecumenical Church, being united in its essence, is divided into independent autocephalous churches, each of which is self-governing and has clear boundaries of jurisdiction. At the same time, the concept of "barbarian lands" has been emerging since the time of the Fourth Ecumenical Council, which correlates with the modern diaspora. The borders of the Byzantine-Roman Empire were clearly divided between the five ancient patriarchates, which, having formed the theory of "pentarchy", hoped for a lifelong rule of the universal church. However, with the discovery of new continents and with the proclamation in the XIX century of the concept of new national churches, the situation in the Orthodox world changed dramatically.

As a result of significant migration of the population in the XIX-XX centuries, a number of churches were formed, which do not have a direct apostolic origin, but are daughter formations of the mainland mother churches. Today in the world such a phenomenon is agreed to be considered the "Orthodox diaspora". Each of the recognized churches claims the care of its own church in the diaspora. The relationship between the "lands of the barbarians" and the modern "diaspora" is considered differently by different Local Churches. The Greek churches prefer the primacy of the anteriority of the Ecumenical Patriarch, who, based on several rules of the Ecumenical Councils, has the right to register believers who lives outside the empire. In terms of the XXI century, a significant number of Local Churches, such as the Antioch Orthodox Church, the Russian Orthodox Church, and the Romanian Orthodox Church, believe that the claims of the Patriarch of Constantinople are unfounded. Today he has lost the prerogative of the capital's chair, and accordingly, the canons that gave him precedence in matters of guardianship of "barbarian lands" cannot apply today. Most Local Churches insist on convening a special meeting of the Primates or the Ecumenical Council to help resolve the diaspora issue. The Great All-Orthodox Assembly, which took place in Crete in 2016, did not provide a clear answer to the question of the jurisdiction of the Orthodox diaspora. Despite the adopted document "Orthodox Diaspora", the problem of the diaspora remains relevant, as it directly violates a number of canons, the main of which is the presence of several hierarchs with the same titles in the same territory. The collegial advisory body proposing the creation of the Council of Crete will not resolve the canonical conflicts in any way. Therefore, the problem of jurisdictional registration of the Orthodox diaspora in the XXI century remains open, so it needs further scientific research.

Naturally, Constantinople defends its own historical prerogative in this matter. It is opposed by a number of churches, led by the Moscow Patriarchate, which promotes the possibility of missionary activity of any recognized local churches. Each of them has the right to register emigrants and parishes formed as a result of their missionary work. Modern theologians and uninvolved hierarchs are inclined to believe that the formation of new autocephalous churches instead of diaspora churches is necessary, and that will solve problems and canonically resolve the current situation in the Ecumenical Church.

¹ Ливиу, С. (1951). Православная диаспора. *Журнал Московской патриархии*, 6, 27.

² Кыржелев, А. (2003). Проблемы церковного устройства современного православия. *Континент. Never Was*. <<http://magazines.russ.ru/continent/2003/117/kyrl16.html>>. (2020, September, 26).

References:

1. Damaskin (Papandreu) (1993). Doklad na zasedanii Mezpravoslavnoy Podgotovitelnoy Komissii [Report at the meeting of the Inter-Orthodox Preparatory Commission]. *Pravoslavnyaya diaspora* [Orthodox diaspora]. <<http://www.orthodox-researchinstitute.org>>. (2020, September, 26). [in Russian].
2. FitzGerald, T. (1995). *The Orthodox Church*. Westport: Greenwood Press. [in English].
3. Khomchuk, O. (2002). *Cerkva poza cerkovnoyu ogorozheyu. Rozkoly i rujnacyi Ukrayinskoyi pravoslavnoyi cerkvy v poshukakh "konstantynopilskoho v'znannya"* [Church outside the church fence. Split and destruction of the Ukrainian Orthodox Church in search of "Constantinople recognition"]. Chikago. [in Ukrainian].
4. Kleman, O. (1998). Rol i znachenije pravoslavnoy diaspory v Zapadnoy Yevrope [The role and significance of the Orthodox diaspora in Western Europe]. *Sobornost*, 228-242. <<http://www.religare.ru/article2252.htm>>. (2020, September, 26). [in Russian].
5. Kniga pravil (2010). [The book of rules]. *Kniga pravil Svyatykh Apostol, Svyatykh Soborov Vselenskikh I Pomesnykh i Svyatykh Otets* [The book of rules of the Holy Apostles, Holy Councils of the Ecumenical and Local and Holy Fathers]. Moscow: Publishing Lev, Papa Rimsky. [in Russian].
6. Kyrzhelev, A. (2003). Problemy tserkovnogo ustroystva sovremennogo pravoslaviya [Problems of the church structure of modern Orthodoxy]. *Kontinent*, 117. <<http://magazines.russ.ru/continent/2003/117/kyrl16.html>>. (2020, September, 26). [in Russian].
7. Stechishin, M. (1962) *Istoriya Ukrayinskoyi Greko-Pravoslavnoyi Cerkvy v Kanadi: Ukrayin'ka greko-pravoslavna cerkva v Kanadi v yurysd'kciyi mytr. Germanosa* [History of the Ukrainian Greek Orthodox Church in Canada: The Ukrainian Greek Orthodox Church in Canada under the jurisdiction of Mitr. Germanos]. Vinnipeg: Yekkleziya, 3, 336-337. [in Ukrainian].
8. Liviu, S. (1951). Pravoslavnyaya diaspora [Orthodox diaspora]. *Zhurnal Moskovskoy patriarkhii* [Journal of the Moscow Patriarchate], 6, 22-31. [in Russian].
9. Mulik-Lutsik, Yu. (1987). *Istoriya Ukrayinskoyi Greko-Pravoslavnoyi Cerkvy v Kanadi* [History of the Ukrainian Greek Orthodox Church in Canada]. *Ukrayinska greko-pravoslavna cerkva v Kanadi v yurysd'kciyi mytr. Germanosa*. [The Ukrainian Greek Orthodox Church in Canada under the jurisdiction of Mitr. Germanos]. Vinnipeg: Yekkleziya, 3. [in Ukrainian].
10. Panteleymon (Rodopulos) (2016). Terytorialni yurysdykciyi vidpovidno do pravoslavnogo kanonichnogo prava. Fenomen etnofiletizmu u nash chas [Territorial jurisdictions in accordance with Orthodox canon law. The phenomenon of ethnophiletism in our time]. *H-SPHERE* <http://vira.in.ua/texts/rodopoulos_jurisdictions_ua.htm>. (2020, September, 26). [in Ukrainian].
11. Sagan, O. (2004). *Vselenske pravoslavya: sut, istoriya, suchasny stan* [Ecumenical Orthodoxy: essence, history, current state]. Kyiv: Svit Znan. [in Ukrainian].
12. Savchuk, S., Mulik-Lutsik, Yu. (1985). *Istoriya Ukrayinskoyi Greko-Pravoslavnoyi Cerkvy v Kanadi* [History of the Ukrainian Greek Orthodox Church in Canada]. Period zarodzhennya ideyi osnuvannya Ukrayinskoyi Greko-Pravoslavnoyi cerkvy v Kanadi [The period of origin of the idea of founding the Ukrainian Greek Orthodox Church in Canada]. Vinnipeg: Yekkleziya, 2. [in Ukrainian].
13. Skurat, K. (1989). Konstantinopolskiy patriarkhat i problemy diaspory [The Patriarchate of Constantinople and Diaspora Problems]. *Zhurnal Moskovskoy patriarkhii* [Journal of the Moscow Patriarchate], 10, 45-49. [in Russian].
14. Troitskiy, S. (1947). Granitsakh rasprostaneniya prava vlasti Konstantinopolskoy patriarkhii na "diasporu" [On the boundaries of the extension of the right of power of the Patriarchate of Constantinople to the "diaspora"]. *Zhurnal Moskovskoy patriarkhii* [Journal of the Moscow Patriarchate], 11, 34-45. [in Russian].
15. Valsamon (2012). Komentar na 28 kanon Chetvertogo Vselens'kogo Soboru [Commentary on the 28th canon of the Fourth Ecumenical Council]. *The Classics of Eastern Orthodox Canon Law*. <<https://zonaras.wordpress.com/2012/10/24/the-classics-of-eastern-orthodox-canon-law>>. (2020, September, 26). [in Russian].
16. Varfolomey (2008). *Priobshcheniye k tainstvu: Pravoslaviye v tretyem tisyacheletii* [Communion with the Sacrament: Orthodoxy in the Third Millennium]. Moscow: Eksmo. [in Russian].