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RUSSIA: Alternative Orthodox denied church property

By Geraldine Fagan, Forum 18 (<https://www.forum18.org>)

Although True Orthodox communities can normally gather in private homes and do not require a worship building, Forum 18 News Service has found indications that local authorities sometimes bar attempts to acquire or maintain worship buildings by the True Orthodox, as well as other Orthodox groups opposed to the Moscow Patriarchate. In Moscow, this problem has existed since the early 1990s, when the City Council decided that pre-revolutionary Orthodox church buildings may be returned only to the Moscow Patriarchate. A spokesman for the City Council has claimed to Forum 18 that, before 1990, alternative Orthodox groups "did not exist."

According to True Orthodox Archbishop Amvrosi (von Sievers) of the Goths, his communities are normally able to gather in private homes and do not require a worship building. Forum 18 News Service has found indications, however, that local authorities sometimes bar attempts to acquire or maintain worship buildings by groups adhering to the True Orthodox tradition, as well as other Orthodox opposed to the Moscow Patriarchate. There have also been indications that local authorities sometimes bar attempts by these groups to gain state registration (see F18News 25 March http://www.forum18.org/Archive.php?article_id=287).

The True Orthodox Church emerged in the wake of the 1917 Revolution, when sections of the Orthodox hierarchy and laity within the Soviet Union refused to accept their Patriarchate's recognition of the new atheist regime. A particular target of religious persecution, they claim to have preserved legitimate apostolic succession via a series of largely undocumented episcopal consecrations. None of the various groups who today claim to have inherited the True Orthodox tradition are recognised by the Moscow Patriarchate, and many do not accept the legitimacy of one another.

On 24 March Forum 18 spoke to Fr Georgi Novakovsky the day after he attended the fifth hearing in a case at Stavropol regional arbitration court brought to defend his parish's right to its church building in the town of Zheleznovodsk. On 3 October 2003 the mayor of Zheleznovodsk, Anatoli Zubtsov, issued a decree annulling the parish's right to the plot of land beneath St Olga's Orthodox Church, originally allocated to Fr Georgi's parish in 1993. St Olga's parish belongs to the Suzdal-based Russian Orthodox Autonomous Church, whose leading hierarch, Metropolitan Valentin (Rusantsov), broke away from the Moscow Patriarchate in 1990.

The parish's legal predicament worsened on 20 December 2003, when Stavropol regional department of justice wrote to another priest at the church asking why the parish's recent annual confirmation of its continuing activity required by Russia's 1997 religion law failed to mention Mayor Zubtsov's decree. As a result of this decree, Fr Georgi told Forum 18, the Stavropol department of justice no longer recognises the parish's legal address, and the region's registration office is refusing to confirm the Orthodox community's right to the church building.

Fr Georgi fears that, should his parish's case against the registration office prove unsuccessful, the next step in the authorities' action will be to take control of St Olga's Church itself, and transfer it to the Moscow Patriarchate. The Russian Orthodox Autonomous Church website claims that the Moscow Patriarchate's Metropolitan Feofan (Ashurkov) of Stavropol and Vladikavkaz vowed to use all measures necessary to obtain St Olga's Church at a deanery meeting on 27 June 2003, and Fr Georgi maintained to Forum 18 that the group of lawyers opposing his parish includes representatives of both the state and the Moscow Patriarchate. However, according to Fr Georgi, the church building was built by his parishioners in 1989 and has never been documented as the property of a particular church jurisdiction. "When we pay tax, electricity and heating costs to the state, we exist," he complained, "but not otherwise."

Contacted by Forum 18 on 26 March, Valeri Novikov, a consultant at Stavropol regional administration's Department for Relations with Religious Organisations, maintained that the situation in Zheleznovodsk was a purely "internal matter" between two registered religious organisations, in which state officials were in no way involved. "It is outside our area of competency and will be resolved in accordance with the law," he remarked. Claiming to be unaware of the local Zheleznovodsk decree, Novikov recommended that Forum 18 contact the local Moscow Patriarchate diocese for further information regarding the case. When Forum 18 telephoned later the same day, however, a diocesan representative declined to comment.

In what appears to be a similar case in Noginsk, Moscow region, a church belonging to the Kiev Patriarchate (whose leading hierarch, Patriarch Filaret (Denisenko) of Kiev and all Rus', broke away from the Moscow Patriarchate in 1992) was seized by

special police forces in 1997 and turned over to the Moscow Patriarchate. "From 1992 it was ours – they took it via the arbitration courts," Metropolitan Adrian (Starina) of Dnepropetrovsk and Krivoi Rog told Forum 18 from Ukraine on 24 March. "It looks like we'll never get it back." While the Kiev Patriarchate built and retains a church and convent in Noginsk, "where is the guarantee that the Moscow Patriarchate won't seize them too?" Metropolitan Adrian asked. Maintaining that ten historical church buildings in Moscow were built by Ukrainian entrepreneurs, Metropolitan Adrian complained that they had all been given to the Moscow Patriarchate. The Kiev Patriarchate parish of St Panteleimon has successfully registered and re-registered in Moscow in accordance with the 1997 religion law, he said, "but they can't get land – they've been asking since 1992."

Also in Moscow, Bishop Nikon Lamekin told Forum 18 that his "Moscow community of the True-Orthodox Church" had made more than ten unsuccessful attempts to acquire a church building in the city. "Mayor Luzhkov gives them only to the Moscow Patriarchate," he claimed. When the 30-strong community built a church on the territory of a private Moscow market with the owner's permission (but reportedly without that of the authorities) in 1999, this was pulled down, he added. Bishop Nikon said that he had not received direct refusals to requests for allocation of land, but cited one 1999 response in which his parish was given a plot "ten kilometres outside the city limits in a potholed field with neither access road nor power supply. We took that as a 'no'."

One of the only Orthodox groups in Moscow with a historical church building who do not belong to the Moscow Patriarchate, the parish of St Philip, Metropolitan of Moscow of the Russian Orthodox Catholic ("Kafolicheskaya," or catholic with a small "c") Church has had use of a pre-revolutionary house church in a complex of buildings at the site of the House of Writers in central Moscow since 1999. According to Fr Aleksii Kurakhtin, his parish currently rents the church from the municipal authorities in accordance with a contract which may be altered only with both parties' consent. The parish's December 2000 request to be given the building is still under consideration, he added. "But the authorities said that there is a rival claim from the Moscow Patriarchate citing historical proof of ownership." According to Fr Aleksii, however, this alleged proof consists merely of a statement that the house church belonged to "Moscow diocese" prior to the 1917 revolution. In common with other Orthodox groups in Russia who do not belong to the Moscow Patriarchate, the Russian Orthodox Catholic Church argues that the Moscow Patriarchate is not the legal heir to the pre-revolutionary Church. In particular, Fr Aleksii claims that his own Church's title accords more closely with the pre-revolutionary legal description of the state confession as "Christian Orthodox Catholic Eastern."

Speaking to Forum 18 on 26 March, the press secretary of Moscow City's Committee for Relations with Religious Organisations, Konstantin Blazhenov, said that he was unaware of any claim by the Moscow Patriarchate to the house church in the House of Writers complex, which he saw as the subject of a complicated legal dispute between various commercial structures. Asked why Orthodox communities in the Russian capital who are unrecognised by the Moscow Patriarchate had not received historical church property from the municipal authorities, Blazhenov pointed to a decision made by Moscow City Council in the early 1990s, in accordance with which pre-revolutionary church buildings may be returned only to the Moscow Patriarchate. Before 1990, he remarked, alternative Orthodox groups "did not exist."

For more background information see Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=116

A printer-friendly map of Russia is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>

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