

Church–State Relations in Ukraine

Current Legislative Initiatives Which Address Ideological Threats to Sovereignty

Oleksandr Sagan*, Mechyslav Yanauer**

Summary

A 2024 Ukrainian law on religious organizations and national security has sparked heated debate at home as well as criticism abroad, amid warnings of an illiberal drift. This article situates the law within Russia’s full-scale invasion and the accompanying “Russian world” ideology, and assesses its purpose, content and projected effects. A doctrinal analysis of the statute suggests that its adoption through transparent legislative procedures is primarily intended to sever a key conduit for the expansionist doctrine. The study disentangles legal terms that have been misrepresented in public discussion, distinguishing the “termination” of an organization’s legal personality (worship is still permitted) from the far more severe “cessation of activities”. It finds that enforcement is court-centred, protected by multiple levels of appeal, and aimed at institutional affiliation rather than theology. Methodologically, it examines the legal text alongside a snapshot of contemporary Ukrainian Orthodoxy identifying the continuing threat posed by the spread of the “Russian world” narrative.

While technical refinements to the law may be necessary, the article concludes that generally speaking Ukraine’s approach is consistent with international human rights law, mirrors solutions recently adopted in neighbouring states, and stands in sharp contrast to the documented closures, confiscations and violence inflicted on faith communities in Russian-occupied territories.

Keywords: church–state relations; “Russian world” ideology; Ukrainian orthodoxy; politicization of religion; freedom of conscience

* Oleksandr Sagan, Ph.D., Professor, Head of the Religious Studies Department at the Philosophy Institute of the Ukrainian Academy of Sciences. Address: 4 Tryokhsviatytytelska Street, City of Kyiv, Ukraine, 01011. ORCID iD: <https://orcid.org/0000-0003-4177-5809>. E-mail: ol.sagan@gmail.com

** Mechyslav Yanauer, Ph.D. Student, Religious Studies Department, Dragomanov Ukrainian State University. Address: 9 Pyrohova Street, City of Kyiv, Ukraine, 02000. ORCID iD: <https://orcid.org/0009-0008-2717-0145>. E-mail: 20a.m.yanauer@std.npu.edu.ua

Introduction

Russia's full-scale invasion of Ukraine on February 24, 2022 fundamentally altered the legal environment in which religious organizations operate. The hostilities caused widespread damage to places of worship and highlighted the possibility that church structures could convey narratives that supported military aggression. These developments raised an immediate policy question: how can a state protect constitutional order and public safety while upholding the guarantees of freedom of religion or belief enshrined in the Ukrainian constitution and international treaties?

International discussion of Ukraine's response has been characterized by allegations — often made in the Russian media and diplomatic channels — of systematic violations of freedom of conscience. Particular attention has been focused on the Law of Ukraine №3894–IX »On the Protection of the Constitutional Order in the Field of Activities of Religious Organizations« (Zakon, 2024), adopted on August 20, 2024. Critics often describe the law as overly restrictive, but many commentaries are based on partial readings or overlook procedural safeguards such as judicial review and multi-level appeals. Clarification of the factual and legal context in which the law was adopted is therefore essential for an informed assessment of its compatibility with international human rights standards.

Comparable legislative adjustments have been made in several neighbouring states, suggesting a broader regional trend towards considering “spiritual security” as a component of national defence. The Ukrainian situation, however, is characterized by active armed conflict and the documented destruction or closure of numerous religious sites, factors that increase the need for a coherent legal framework. Against this background, the present study analyses the motives, structure and anticipated effects of Law № 3894–IX, situating it within the contemporary debate on the balance between safeguarding public order and protecting religious freedom in times of armed conflict.

1. The ideology of the “Russian world” as a threat to Ukrainian and European security

Since February 2014 (when the Russian Federation launched military action and thereby occupied parts of Ukrainian territory), mitigating the threat posed by the spread of the “Russian world” concept in Ukraine has become one of the main ideological tasks of the Ukrainian government. This doctrine is often characterized as a form of chauvinistic nationalism, in that it rejects the distinctiveness of Ukrainian culture, language, history and statehood. The concept of the “Russian world” draws on several interrelated theses intended to substantiate the cultural, historical, and spiritual unity of nations that, according to its proponents, share a common heritage. One of its central ideas is the so-called “common baptismal font of the Dnipro”: the notion that the Christianization

of Kievan Rus' irrevocably linked today's Ukraine, Russia, and Belarus on both cultural and spiritual grounds. This myth, rooted in the imperial doctrine of the "Holy Triune Rus'," was officially recognized in the Russian Empire and later rejected during the Soviet period, but has experienced a resurgence in contemporary Russia.

Among the more recent figures amplifying the "Russian world" doctrine is Patriarch Kirill of Moscow. Although he is not its primary philosophical architect, his ecclesiastical authority has lent the ideology added weight. In his speeches, Patriarch Kirill has explicitly claimed that Russia, Ukraine and Belarus form a single Holy Rus', equating any political division between these states with the sin of dividing the Holy Trinity, thus elevating geopolitical discourse to the level of fundamental Christian dogma. In particular, Patriarch Kirill frequently refers to the statements attributed to Venerable Lavrentiy of Chernihiv¹ in support of this position.

The reference is to apocryphal ideas first published in the book »Teachings and Prophecies of Elder Lavrentiy of Chernihiv« edited by Kheruvym Dehtiar, issued in Moscow in 1994 by the »Russian Spiritual Centre«. Historian Vitalii Shumilo provides the following full quote from the aforementioned book which is widely cited by proponents of the "Russian world,": »Kyivan Rus' was united with Great Russia. Kyiv without Great Russia and separate from Russia is unthinkable in any circumstance... Just as it is impossible to divide the Most Holy — Trinity Father, Son, and Holy Spirit, who are one God — so it is impossible to divide Russia, Ukraine, and Belarus. Together they are Holy Rus'«² (Shumilo, 2022). Patriarch Kirill has repeatedly invoked and endorsed these fabricated prophecies attributed to Lavrentiy of Chernihiv, for instance stating: »The core of the Russian world today consists of Russia, Ukraine, Belarus, and Saint Lavrentiy of Chernihiv expressed this idea with the famous phrase: 'Russia, Ukraine, Belarus — this is Holy Rus'.' This very understanding of the Russian world is embedded in the modern self-designation of our Church«³ (Patriarchia.ru, 2009). Or: »I recall the celebration of the 1020th anniversary of the Baptism of Rus' in Kyiv, on Khreshchatyk, when thousands of people proclaimed the words of Saint Lavrentiy of Chernihiv: 'Ukraine, Russia, Belarus — we are together Holy Rus'!'«⁴ (Patriarchia.ru, 2022).

1 Venerable Lavrentiy of Chernihiv (Luke Proskura, 1868–1950) was canonized by the Russian Orthodox Church in 1993 and quickly gained broad veneration among both Ukrainian and Russian faithful, lending him symbolic traction in discourses on shared Eastern Slavic spirituality. His reputation for prophetic insight further endowed him with moral authority, making his image particularly effective for affirming civilizational unity. Patriarch Kirill has strategically exploited these elements — Lavrentiy's cross-border veneration and perceived prophetic legitimacy — to authenticate and reinforce the ideology of "Holy Rus'" within the framing of the "Russian world".

2 Translated from Russian to English by Mechyslav Yanauer.

3 Translated from Russian to English by Mechyslav Yanauer.

4 Translated from Russian to English by Mechyslav Yanauer.

However, contemporary scholars have found no historical evidence to confirm that Lavrentiy of Chernihiv ever articulated such views (Shumilo, 2024, 133–147). The same scholars therefore suggest that these statements represent a deliberate construction and subsequent propagation of ideological concepts associated with the “Russian world”, emphasizing that the figure of Lavrentiy of Chernihiv was not chosen by chance. Indeed, the idea of Triune Holy Rus’, if articulated by an ethnically Russian religious figure, would probably have been less convincing than when attributed to Lavrentiy, who was ethnically Ukrainian.

Thus, theorists of the “Russian world” concept see its boundaries as extending well beyond the current borders of the Russian Federation, and even beyond what is called “historical Russia”. In practice, the concept of the “Russian world” is used to justify Russian expansionism by presenting the “restoration of the unity of the Russian people” as essential for both Russia’s survival and its successful development in the 21st century. Aleksandr Dugin,⁵ one of the central ideologues behind this notion, characterizes the “Russian world” as a unique civilization that unites diverse peoples around a common Russian cultural and spiritual core. According to Dugin, the “Russian world” is fundamentally focused on Russian civilization, but it also extends to other nations that share a common destiny with Russia — forming a dynamic confluence of ethnicities and cultures centred on the Russian people (Dugin, 2023). Ultimately, this ideology displays aggressive, expansionist tendencies that echo the characteristics of earlier totalitarian doctrines. It constructs a civilizational mission, blending ethnonationalism, religious messianism, and state absolutism — echoing the imperial ideology of “Orthodoxy, Autocracy, and Nationality” from Tsarist Russia. For example, Timothy Snyder warns that Putin’s regime has turned to neofascism in an attempt to regain its imperial glory, reviving totalitarian frameworks that fuse elite cults, propaganda, and militarism (Snyder, 2022). Meanwhile, philosopher Mikhail Epstein describes the current governing ideology as “schizophrenic fascism” — a paradoxical mix of archaic myths, xenophobic chauvinism, and cynical state violence — where apocalyptic rhetoric and religious symbolism sanctify aggression (Epstein, 2022, 475–481). This ideological constellation aligns with classic traits of totalitarian movements — monolithic narrative control, demonization of the Other, glorification of war, and fusion of Church with state power — revealing a quasitheocratic apparatus mobilizing religious authority to justify expansionist violence. The above ideas create a favourable environment for the formation of a social consciousness that tends to perceive the Russian people — and Russia as a whole — as the bearers of a special spiritual mission. Within this worldview, Ru-

5 Aleksandr Dugin has emerged as a central ideologue of the “Russian world”, portraying it as a unique, organic civilization that transcends state borders and unites disparate peoples under a common Russian spiritual and cultural core. By sacralizing statehood and positioning Russia as the guardian of a civilizational mission, Dugin’s rhetoric lends pseudotheological legitimacy to military aggression, making the “Russian world” doctrine a potent vehicle for irredentism and geopolitical subversion. Critics label his ideology as neofascist, warning that it legitimizes imperial aggression — most notably against Ukraine.

ssia is portrayed as the “last stronghold of spirituality” or as a special “katechon”⁶ charged with protecting the world from moral and spiritual decline (Byrd, 2024, 574–576).

Following Russia’s full-scale invasion of Ukraine in 2022, these concepts have evolved in a more radical, pseudo-theological direction. In particular, Patriarch Kirill of Moscow openly referred to Russia’s military aggression against Ukraine as a “holy war” and even expressed the view that Russian soldiers who died in this conflict could receive forgiveness of their sins without repentance, provided they had participated in this “holy war” (Euronews, 2022). Such position is highly unusual within traditional Christian theology and has certain parallels with Islamic concepts such as ghazawat or jihad. As a result, the theological discourse promoted by the leadership of the ROC has come to include controversial assertions that not only call into question the Church’s adherence to Orthodox canonical norms but also raise broader questions about its alignment with fundamental Christian teachings. Some Ukrainian theologians emphasize that the current version of the “Russian world” ideology has already crossed the borders of Ethnophyletism heresy and is rapidly diverging from Christian doctrine. In essence, this system tends towards dualistic religions — Zoroastrianism, Manichaeism or certain Gnostic movements — in which a single evil principle dominates in a constant struggle against the good (KOTA, 2024). In effect, the Moscow Patriarchate is now constructing a new theology of war that increasingly resembles the creation of a civil religion. This framework intertwines the cult of the Russian state and the Triune Rus’, deliberately marginalizing Christian values in order to serve the aggressive aims of the political leadership of the Russian Federation.

2. *The Regional structures of the Moscow Patriarchate as tools for spreading the ideology of the “Russian world”*

While the ideological foundations and political implications of the “Russian world” have been widely studied, less attention has typically been paid to the mechanisms that facilitate its practical dissemination. One of the most influential channels through which this ideology is promoted in practice is through religious institutions, particularly the Moscow Patriarchate of the Russian Orthodox Church (ROC). Because of its widespread presence, historical legitimacy and extensive network throughout the post-Soviet region, the Moscow Patriarchate serves as an effective vehicle for embedding and promoting the “Russian world” within religious communities beyond Russia’s borders.

6 The term *katechon* (from the Greek κατέχων, “the one who restrains”) originates from 2 Thessalonians 2:6 — 7, where it refers to a mysterious force or figure that holds back the appearance of ultimate evil or the Antichrist. Dugin and his patron Konstantin Malofeyev established the Katechon Analytical Centre in Moscow — named directly after the theological concept of the katechon. The centre’s title is not merely symbolic: it explicitly evokes the katechon’s role, positioning Russia as the “restrainer” in contemporary geopolitical narratives promoted by Dugin’s ideological network.

Consequently, the regional branches of the Moscow Patriarchate are sometimes the only institutions with the potential to effectively disseminate the “Russian world” ideology as the Moscow Patriarchate remains the only centralized institution covering a substantial part of the post–Soviet region. Another important aspect is the Moscow Patriarchate’s long–standing claim that most of the post–Soviet territories constitute its canonical domain, thereby providing a conceptual and ideological framework that can be exploited by political figures with imperial aspirations. By designating vast regions — especially those beyond the current borders of the Russian Federation — as within its canonical domain, the Church implicitly reinforces narratives that favour the expansion of the “Russian world”. This link between religious authority and political ambition underscores the extent to which ecclesiastical structures can lend legitimacy to broader projects aimed at restoring or expanding a Russian or Soviet empire. In this way, the notion of an “Orthodox area” transcends purely spiritual considerations and becomes a potent instrument for consolidating and extending geopolitical power.

In this context, it is important to recognize that the Kremlin has consistently used religion as a tool within its broader strategy of hybrid warfare. In the case of Ukraine, the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC–MP), while possessing a degree of administrative autonomy, remained formally linked to the Moscow Patriarchate and thus seemed ideally suited to fulfil this role. Beginning in 2014, coinciding with the beginning of Russian military aggression against Ukraine, the UOC–MP leadership adopted an ambiguous stance on the conflict. The position of the UOC–MP in relation to the hostilities has been the subject of considerable public debate and scrutiny. Rather than clearly aligning itself with Ukraine’s efforts to regain control of its eastern territories and Crimea, the leadership of the UOC–MP adopted a so–called neutral stance, refraining from explicitly supporting either side. This position was articulated, for example, by Metropolitan Onufriy (Berezovsky), who described the conflict as fratricidal in nature, echoing narratives also expressed by Patriarch Kirill of Moscow, suggesting an internal rather than external character of the conflict (Anisimov, 2014).

Throughout the conflict, prior to the full–scale Russian invasion in 2022, the leadership of the UOC–MP generally avoided directly condemning Russian military action or explicitly rejecting the narratives promoted by Russian propaganda about alleged threats to religious freedoms or the Russian–speaking population in Ukraine. Moreover, several actions and gestures by senior members of the UOC–MP, such as their notable refusal to participate in official ceremonies honouring fallen Ukrainian soldiers, were widely interpreted in Ukrainian society as implicit disapproval of the Ukrainian government’s defensive measures (UNI–AN, 2015). At the local level, even after Russia’s full–scale invasion of Ukraine in 2022, reports continued of certain priests within the UOC–MP refusing to hold funerals for fallen Ukrainian soldiers and denying the use of church facilities for related ceremonies (Opanasenko, 2023).

After Russia's full-scale invasion of Ukraine, the UOC–MP publicly declared its autonomy and independence from the Moscow Patriarchate at the Council held in Feofaniia, Kyiv, on May 27, 2022.⁷ However, despite these public declarations by the Church leadership, practical measures to achieve ecclesiastical independence have remained largely formal or symbolic, lacking substantive canonical steps to fully sever institutional ties with the ROC. As a result, numerous scholars and religious experts, both in Ukraine and internationally, have raised questions about the extent and authenticity of the proclaimed separation (Hovorun, 2024; Vasin, 2024). The incomplete nature of the UOC's independence has also been highlighted by some participants in the Feofaniia Council itself, who have expressed concern about the interpretation of its decisions as a definitive canonical break (Pankratov, 2024). Similarly, an independent government commission investigating the current status of the church reached a similar conclusion, explicitly stating that the UOC–MP still effectively functions as part of the ROC's ecclesiastical structure (SEFC, 2023). Although the UOC–MP officially rejects such assessments, the majority of scholarly opinion continues to recognize significant continuing canonical and institutional links between the UOC and the Moscow Patriarchate.

An illustrative example is the liturgical practice, initiated by Metropolitan Onufriy, of commemorating primates of other local Orthodox Churches during divine services. It is noteworthy that this practice was introduced unilaterally, without any formal communication or request for mutual recognition from the primates being commemorated. Given that mutual commemoration in Orthodox ecclesiology typically signifies the theological principles of unity, conciliarity and mutual recognition, the unilateral and non-reciprocal nature of Metropolitan Onufriy's commemoration appears to be more of an internal symbolic gesture than a genuine step towards full ecclesiastical independence.

Moreover, the UOC–MP leadership has shown only limited resistance to the systematic incorporation of its dioceses in the Russian-occupied territories into the administrative structures of the ROC (Burega, 2023). For example, the official responses published by the UOC–MP to the decisions of the Moscow Synod regarding dioceses in occupied territories — such as those in Berdiansk and Kherson — do not explicitly condemn or even directly refer to these actions. Although a notable open letter issued by a significant group of UOC–MP bishops on October 31, 2024 condemned the annexation of the Donetsk diocese by the ROC, this statement lacked the support of key UOC–MP leaders, including Metropolitan Onufriy (Zayava arkhieriyiv, 2024). As a result, this statement does not represent the official position of the Church, further highlighting internal ambiguities regarding its canonical relationship with Moscow. By compari-

7 The Feofaniia Council (May 27, 2022) was convened by the UOC–MP leadership in Kyiv as an emergency response to Russia's full-scale invasion. The Council adopted amendments to the Church statute, proclaiming independence from Moscow and ceasing commemoration of the Patriarch of the ROC. However, no formal request for recognition of autocephaly was made, and most experts consider the decisions largely declarative rather than canonical.

son, the Latvian Orthodox Church, facing similar canonical challenges, formally applied to the Moscow Patriarchate for autocephaly in October 2022, following legislative changes in Latvia that mandated its independent status (LOC, 2022). In contrast, the UOC–MP has not yet taken comparable formal steps to achieve recognized canonical independence. The current situation thus leaves the UOC–MP in a state of perpetual ambiguity — “at best” a posture of cautious observation, and at worst a deliberate reluctance to completely renounce ties with the ROC. As a result, both domestic and international audiences may continue to perceive Ukraine as remaining within the canonical territory claimed by the ROC, a view that has significant implications for Ukraine’s national security.

3. Adoption of the Law of Ukraine »On the Protection of the Constitutional Order in the Field of Activity of Religious Organizations« as an objective necessity

Based on the concerns outlined above, the Ukrainian legislature recognized that the continued presence of religious organizations with ambiguous or undeclared links to the Moscow Patriarchate posed a direct threat to national security. As these institutions could be used to spread the ideology of the “Russian world” and undermine Ukraine’s sovereignty, legislative action became increasingly urgent. Against this background, the Law of Ukraine »On the Protection of the Constitutional Order in the Sphere of Religious Organizations« (Zakon, 2024) emerged as a crucial response. This legislative act was designed to protect the public sphere from foreign influences exploiting religious structures and to ensure that no external power could covertly manipulate Ukraine’s ecclesiastical institutions for expansionist or ideological purposes.

The law »On the Protection of the Constitutional Order in the Sphere of Religious Organizations« is intended to regulate relations between the Ukrainian state and foreign religious organizations. Specifically, it prohibits the activity of such organizations in Ukraine if they meet the criteria set forth in Article 2, Paragraph 2. Under these provisions, foreign religious organizations are prohibited if they are in a country that is recognized as having committed or is currently committing armed aggression against Ukraine and/or has temporarily occupied part of its territory; and directly or indirectly (including through public statements by their leaders or governing bodies) support armed aggression against Ukraine. Many religious centres in Russia — including Orthodox, Islamic and Buddhist institutions — meet these criteria and probably will be added to the list soon, but currently, the law explicitly refers to one such institution. Paragraph 1 of Article 3 states: »Since the ROC represents an ideological continuation of the regime of the aggressor state and is complicit in war crimes and crimes against humanity committed in the name of the Russian Federation and the “Russian world” ideology, its activities in Ukraine are prohibited« (Zakon, 2024). Although this church is not directly active in Ukrainian-controlled territory at this moment, this

provision is intended to come into effect with the future liberation of Ukrainian lands. In the occupied territories, the Moscow Patriarchate has already annexed most of the dioceses of the UOC–MP, placing them directly under the authority of Patriarch Kirill.

Furthermore, the law stipulates that any religious organization operating in Ukraine with its leadership centre in a state recognized as an aggressor is considered to be affiliated with that foreign institution. This affiliation is determined by a number of criteria. For example, if the organization is directly integrated into or has a formal relationship with a foreign religious organization whose activities are prohibited (as referred to in Article 3), it meets the condition of affiliation. Similarly, if its official documents or governing charters contain explicit references to such a relationship, or if the foreign entity exerts direct influence over its administrative or canonical decisions — for example, by mandating the participation of its representatives in its governing structures or by participating in the appointment of its leaders — then the local organization is considered to be affiliated. In essence, the presence of one or more of these indicators necessitates the severance of canonical or organizational ties, as required by law.

If a religious organization operating in Ukraine does not sever its ties with a banned foreign religious centre, the designated state authorities will initiate court proceedings to revoke its legal status. The law grants the organization a grace period in which to terminate its affiliation, with the earliest legal action to be taken nine months after the publication of the law. Notably, “termination” does not mean the physical cessation of the organization’s activities, but rather its removal from the state register, resulting in the loss of its legal entity status. Consequently, the organization loses its ability to rent state or municipal property, enter into contracts, maintain bank accounts, and existing property issues will be decided upon by the court on a case-by-case basis. However, the community may continue to function in practice, as Ukrainian legislation allows religious groups to operate without legal entity status.

In addition, the law introduces a definition of the “Russian world” doctrine, which is a significant innovation for both Ukrainian and international law practice. According to Article 20 of the law, this doctrine advocates the destruction of Ukraine, the genocide of the Ukrainian people and the non-recognition of the sovereignty of Ukraine and other states. It also seeks to forcibly expand a Russian supranational imperial space by asserting the so-called special civilizational right of Russians to engage in mass killings, state terrorism, military invasions, territorial occupation and specifically the extension of the canonical territory of the ROC beyond the borders of the Russian Federation. Ultimately, the last norm deserves special attention as it is arguably the most destructive provision against Ukraine but also the easiest to monitor. While other provisions may be subject to ambiguous interpretation, this one stands out as the most straightforward to track.

Under the new law, enforcement is carried out in several stages. First, the State Service of Ukraine on Ethnic Policy and Freedom of Conscience (SEFC)

conducts an investigation to determine whether a religious organization is linked to a banned foreign religious centre located in a state recognized as an aggressor. If the organization is found to be institutionally affiliated to the banned entity — for example, through the participation of its hierarchs in the governing bodies of the Moscow Patriarchate — the SEFC will issue an administrative order requiring the organization to publicly sever such links. The organization will then have nine months from the publication of the law to rectify its affiliation. If it fails to do so within this period, the SEFC is empowered to initiate legal proceedings.

It is important to note that a guilty verdict will result in the removal of the organization from the state register and the consequent loss of its legal status, rather than a complete cessation of its religious activities. As Viktor Yelensky, the current head of the SEFC, has pointed out, »only the court, as is appropriate in a democratic society, can terminate the religious community« (Yelensky, 2025). This judicial procedure also allows for appeals to higher courts or even the European Court of Human Rights, thus underlining the legislative initiative's adherence to democratic principles.

It should be emphasized that, contrary to some claims, the law does not categorically ban the UOC–MP. Instead, it may oblige this Church to dissociate itself from the Moscow Patriarchate, which is seen as an ideological ally of the aggressor state. The Ukrainian government does not require the UOC–MP to join another Church, change its liturgical practices or adopt another calendar, but only to sever its ties with Moscow. This demand is based on the claim that subordination to the Moscow Patriarchate undermines Ukraine's sovereignty, culture and language and is not a core element of Orthodox doctrine. Notably, despite the UOC–MP's public declarations that it is independent of the Moscow Patriarchate, even the latest events contradict this stance — for example, Metropolitan Filaret Zvyeriev of the Novo–Kakhovska and Henichesk dioceses participated in a synodal meeting of the ROC on March 20, 2025 without any protest from the UOC–MP leadership (RISU, 2025). Such actions underline the continuing institutional ties that this legislation seeks to settle. Ultimately, the law not only addresses the ideological and organizational challenges posed by foreign religious affiliations but also requires any group retaining such links to demonstrate its disaffiliation through transparent and verifiable processes.

It is important to note that the law is not confined to the UOC–MP alone. It also encompasses other religious organizations in Ukraine with historical or ideological links to Russia. For example, even before the law was passed, the Old Believer Church⁸ took decisive steps to distance itself from the Moscow centre. In addition to changing its name to the Old Orthodox Church of Ukraine, it issued a public, unequivocal statement that it had severed all ties, including ca-

8 Old Believer Church in Ukraine represents communities who separated from the main Orthodox Church during 17th-century reforms, maintaining their traditional liturgical practices. While the term "Old Believers" is commonly used, they often refer to themselves as Ancient Orthodox Christians. Several Old Believer communities exist in Ukraine, with notable concentrations in the Odessa region and other areas.

nonical ones, with its former leadership (Balakyr, 2023). Consequently, this step effectively removed it from the scope of government sanctions.

Ultimately, this legislation upholds democratic principles by imposing restrictions on religious organizations through due process and judicial oversight. While scholars may debate specific provisions — an expected and constructive practice in a democratic society — there is general recognition of the law’s core objective as a necessary measure arising from current circumstances. For instance, questions have been raised regarding the appropriateness of certain affiliation criteria (Yanauer, 2025, 158) depicted in the law. Nonetheless, even after its enactment, religious freedom in Ukraine remains more robust than in most other post–Soviet states — especially when compared to Russia, which according to the U.S. State Department and the U.S. Commission on International Religious Freedom, is designated as one of the world’s worst violators of religious freedom (RFE/RL, 2021). Meanwhile, as Maksym Vasin observes, »the law should not be viewed purely theoretically« (Vasin, 2025, 121), underlining that Russian religious centres can in fact function as political or governmental structures, rather than purely religious entities. From this perspective, the legislation serves to separate the political from the religious sphere. Judicial measures are thus intended to be used only against particularly radical elements and only as a last resort. Ideally, religious communities affected by the law would voluntarily remove any signs of affiliation that could endanger Ukraine’s national security, thereby preserving their ability to function without posing a broader threat.

Viewed within a broader regional context, Ukraine’s recent legislative measures align with parallel initiatives undertaken by other states acknowledging the threat of “Russian world”. For example, the governments of Estonia and Latvia have adopted legislative and organizational measures aimed at limiting the influence of the Moscow Patriarchate, including restricting its activities and severing the formal ties of the regional Orthodox structures with its governing centre as well (Rohmets, Teraudkalns, 2024). Despite nuances in legal frameworks, these actions converge around a shared imperative: to prevent religious structures from serving as conduits for external propaganda or justifications for armed aggression. The Ukrainian law should therefore be understood as part of a broader pattern of defensive state responses aimed at safeguarding national security and constitutional order.

Conclusions

The evidence reviewed in this article shows that the “Russian world” doctrine has evolved into a sophisticated instrument of hybrid warfare that threatens not only Ukraine’s territorial integrity, but also the stability of the wider European security order. Far from being a marginal cultural narrative, the concept functions as a self-legitimizing ideology that fuses ethno–nationalist myth, selective religious symbolism and overt geopolitical ambition. The Moscow Patriarchate has established itself as the main carrier of this ideology, endowing it with theological

authority and disseminating it through an extensive transnational ecclesiastical network. Within Ukraine, the UOC–MP occupies a liminal position: it publicly proclaims its independence but has not achieved a definitive canonical or institutional separation from the ROC. This unresolved status preserves avenues for ideological influence and perpetuates societal fears of covert collaboration with the Kremlin’s strategic objectives.

Against this background, the adoption of the law »On the Protection of the Constitutional Order in the Field of Activities of Religious Organizations« represents a calibrated legal response that seeks to protect the public sphere from hostile information operations while respecting international standards on freedom of religion. The law does not impose a blanket ban on the Orthodox faith, nor does it interfere in matters of dogma or worship. Instead, it bans the ideology of the “Russian world” and outlaws organizations that deliberately propagate it — at present, only the ROC is designated as such. Ukrainian religious organizations are only subject to legal sanctions if an independent court, acting on a complaint from the SEFC, finds that they have substantial links with the banned organization. Judicial oversight, the possibility of appeal within the national system, and recourse to the European Court of Human Rights provide procedural safeguards which distinguish the law from arbitrary administrative repression.

Although critics have pointed to technical ambiguities regarding evidentiary thresholds and enforcement deadlines, the prevailing consensus acknowledges the proportionality and logical coherence of the Ukrainian approach, particularly in wartime conditions. Moreover, analogous legislation in Latvia and Estonia confirms that Kyiv’s strategy is part of an emerging regional legal repertoire aimed at neutralizing the Kremlin’s use of ecclesiastical structures as vectors of imperial policy. Taken together, these measures signal a broader doctrinal shift in Eastern Europe: liberal democracies confronted with a Church that actively abets aggression may, *in extremis*, impose narrowly tailored restrictions on institutional autonomy in order to safeguard constitutional order, social cohesion and, ultimately, the very freedoms that pluralistic societies are supposed to protect.

Bibliography

- Anisimov, Vasiliy (2014). Mitropolit Onufriy: «Khristos — eto mir. I vse, kto s Nim, dolzhny prekratit’ bratskoye krovoprolitiye» [Metropolitan Onufry: ‘Christ is peace. And all those who are with Him must stop fraternal bloodshed’]. *RISU*. URL: risu.ua/mitropolit-onufriy-hristos-eto-mir-i-vse-kto-s-nim-dolzhny-prekratit-bratskoe-krovoprolitie_n70086
- Balakyr, Anna (2023). Pryklad dlya UPTs MP: yak staroobryadnyky ofitsiyno viddilylysya vid rosiys’koyi Tserkvy [An example for the UOC–MP: how the Old Believers officially separated from the Russian Church]. *Ekspress*. URL: expres.online/lyudi-i-problemi/priklad-dlya-upts-mp-yak-starobryadniki-ofitsiyno-viddililisya-vid-rosiyskoi-tserkvi
- Burega, Volodymyr (2023). Alhorytmy zakhoplennya Moskvou yeparkhiy UPTs na tymchasovo okupovanykh terytoriyakh [Algorithms of Moscow’s seizure of UOC dioceses in

- the temporarily occupied territories]. *LB*. URL: lb.ua/news/2023/12/30/591348_algoritmi_zahoplennya_moskvoyu.html
- Byrd, Dustin J. (2024). “From ‘We Want to Destroy the Regime’ to ‘We Want to Destroy the World Order’: Russian Multipolarity and the Enlistment of the Post–Arab Spring Dār Al–islām.” *Philosophy and Society* 35 (3): 563–584. DOI: doi.org/10.2298/FID2403563B
- Dugin, Aleksandr (2023). *Russkiy mir i ego Sobor* [The Russian World and its Council]. URL: izborsk-club.ru/24992?utm
- Epstein, Mikhail (2022). Schizophrenic fascism: on Russia’s war in Ukraine. *Stud East Eur Thought* 74, 475–481. DOI: doi.org/10.1007/s11212-022-09487-w
- Euronews (2022). Smert’ v Ukraine smyvaet vse grekhi? [Does death in Ukraine wash away all sins?]. URL: ru.euronews.com/2022/09/27/web-patriarch-kirill-on-ukraine
- Hovorun, Cyril (2024). Arkhimandryt Kyryll Hovorun: UPTs MP ostaetsya chast’yu RPTs [Archimandrite Cyril Hovorun: the UOC–MP remains part of the ROC]. *Glavkom*. URL: glavcom.ua/ru/news/arkhimandrit-kirill-hovorun-upts-mp-ostaetsja-chastju-rpts-983706.html
- KOTA (2024). Resolution of the Round Table “Theological Aspects of the Doctrine/Ideology of the ‘Russian World’”. *News of the Academy*. URL: kpba.edu.ua/en/academy/resolution-of-the-round-table-theological-aspects-of-the-doctrine-ideology-of-the-russian-world-2/
- LOC (2022). V Ryzhe sostoyalsya Sobor Latviyskoy Pravoslavnoy Tserkvi. [The Council of the Latvian Orthodox Church was held in Riga]. URL: pravoslavie.lv/index.php?newid=9700
- Opanasenko, Oleksandra (2023). Skandal na Bukovyni: sluzhyteli UPTs MP vidmovylysya vidspivuvaty polehloho voïna ZSU [Scandal in Bukovyna: UOC–MP clergy refuse to perform funeral service for fallen Armed Forces soldier]. *Glavkom*. URL: glavcom.ua/country/incidents/skandal-na-bukovini-sluzhiteli-upts-mp-vidmovilisja-vidspivuvaty-polehloho-vojina-zsu-918886.html
- Pankratov, Serafym (2023). UPTs: chy ye maybutnye bez dialohu? [UOC: Is there a future without dialogue?] *LB*. URL: lb.ua/blog/seraphim_pankratov/582390_upts_chi_ie_maybutnie_bez_dialogu.html
- Patriarchia.ru (2009). Vystuplenie Svyateyshego Patriarkha Kirilla na torzhestvennom otkrytii III Assamblei Russkogo mira [Address by His Holiness Patriarch Kirill at the Solemn Opening of the Third Assembly of the Russian World]. URL: patriarchia.ru/db/text/928446.html
- Patriarchia.ru (2022). Patriarsshee slovo po sluchayu Dnya narodnogo yedinstva [Patriarchal Address on the Occasion of National Unity Day]. URL: patriarchia.ru/db/text/5973837.html
- RFE/RL (2021). U.S. State Department Adds Russia to Register of World’s ‘Worst Violators’ of Religious Freedom. *RadioLiberty*. URL: rferl.org/a/russia-religious-freedom-washington-report/31566582.html
- RISU (2025). Mitropolyt UPTs MP vzyav uchast’ u zasidanni Svyashchennogo Synodu RPTs. [Metropolitan of the UOC–MP takes part in a meeting of the Holy Synod of the Russian Orthodox Church]. URL: risu.ua/mitropolit-upc-mp-vzyav-uchast-u-zasidanni-svyashchennogo-sinodu-rpc_n154925
- Rohtmet, Priit; Teraudkalns, Valdis (2024). The Estonian and Latvian Orthodox Churches of the Moscow Patriarchate before and after the Russian war in Ukraine. *Occasional Papers on Religion in Eastern Europe*, 44(1), 1–34. DOI: doi.org/10.55221/2693-2229.2486

- SEFC (2023). Vysnovok relihiieznavchoyi ekspertyzy Statutu pro upravlinnya Ukrayinskoyi Pravoslavnoyi Tserkvy na nayavnist' tserkovno–kanonichnoho zv'yazku z Moskovskym patriarkhatom [Conclusion of the religious expert examination of the Statute on the governance of the Ukrainian Orthodox Church on the existence of ecclesiastical and canonical ties with the Moscow Patriarch]. URL: dess.gov.ua/vysnovok-relihiieznavchoi-ekspertyzy-statutu-pro-upravlinnia-ukrainskoi-pravoslavnoi-tserkvy/
- Shumilo, Vitaly (2022). Fal'shyvi «prorotstva» yak vypravdannia viiny: sektants'ki mystyfikatsii moskovsk'oho patriarkha Kyryla [False “Prophecies” as Justification for War: Sectarian Mystifications of Moscow Patriarch Kirill]. RadioSvoboda. URL: radiosvoboda.org/a/falsyfikatsiyi-patriarkha-kyryla-teolohiya-viyny/32118062.html
- Shumilo, Vitaliy (2024). «Russkogo tsarya budet boyat'sya sam Antikhrist...»: «Prorotstva» prepodobnogo Lavrentiya Chernigovskogo, kakhikh on nikogda ne progovarival [‘The Russian tsar will be feared by the Antichrist himself...’: ‘Prophecies’ of the venerable Lavrentiy of Chernihiv, which he never uttered]. *Сіверянський літопис*, 2, 133–147. URL: doi.org/10.58407/litopis.240214
- Snyder, Timothy (2022). We Should Say It. Russia Is Fascist. *The New York Times*. URL: nytimes.com/2022/05/19/opinion/russia-fascism-ukraine-putin.html#
- UNIAN (2015). Ochil'nyk UPTs MP Onufriy poyasnyv, chomu ne vstav na vshanuvannya Heroyiv Ukrainy [Head of UOC–MP Onufriy explains why he did not stand up to honour Heroes of Ukraine]. URL: unian.ua/politics/1076336-ochilnik-upts-mp-onufriy-poyasniv-chomu-ne-vstav-na-vshanuvannya-gerojiv-ukrajini.html
- Vasin, Maksym (2025). Religion as a Key Front of Russian Aggression Against Ukraine. *War in Ukraine. Theological, Ethical and Historical Reflections*, 110–127. URL: doi.org/10.17438/978-3-402-25107-2
- Yanauer, Mechyslav (2024). Certain Aspects of Church–State Dynamics: Legal Naming Issues within Ukrainian Orthodoxy in the Context of the Russian–Ukrainian War. *War in Ukraine. Theological, Ethical and Historical Reflections*, 148–163. URL: doi.org/10.17438/978-3-402-25109-6
- Yelensky, Victor (2025). Perekhid do PTsU — tse zmina relihiyi? Ochil'nyk sluzhby z etnopolityky pro relihiyni perekhody na Bukovyni y dolyu parafiy UPTs. [Is joining the OCU a change of religion? Head of the SEFC on religious transitions in Bukovyna and the fate of UOC parishes]. *Suspilne Chernivtsi*. URL: suspilne.media/chernivtsi/973965-perehid-do-pcu-ce-zmina-religii-ocilnik-sluzbi-z-etnopolitiki-pro-religijni-perehodi-na-bukovini-j-dolu-parafij-upc/
- Zakon (2024). Zakon Ukrainy »Pro zakhyst konstytutsiynoho ladu u sferi diyal'nosti relihiynykh orhanizatsiy«. [The Law of Ukraine »On the Protection of the Constitutional Order in the Sphere of Religious Organizations«] *Verkhovna Rada of Ukraine*. URL: zakon.rada.gov.ua/laws/show/3894-20#Text
- Zayava arkhiiereyiv Ukrainiskoyi Pravoslavnoyi Tserkvy shchodo diy Synodu Rus'koyi Pravoslavnoyi Tserkvy stosovno yeparkhiy UPTs, shcho roztashovani na tymchasovo okupovanykh terytoriyakh Ukrainy (Statement of the Bishops of the Ukrainian Orthodox Church on the actions of the Synod of the Russian Orthodox Church regarding the dioceses of the UOC located in the temporarily occupied territories of Ukraine). *Vinnytsia Diocese of the UOC*. URL: eparhia.vn.ua/2024/10/31/zayava-arhiiereiv-ukrainskoi-pravoslavnoi-cerkvi-shhodo-dij-sinodu-ruskoi-pravoslavnoi-cerkvi-stosovno-ieparhiy-upc-shho-roztashovani-na-timchasovo-okupovanih-teritoriyah-ukraini/

Odnosi između Crkve i države u Ukrajini

Aktualne zakonske inicijative koje se odnose na ideološke prijetnje suverenitetu

Oleksandr Sagan, Mechyslav Yanauer***

Sažetak

Ukrajinski zakon iz 2024. godine o religijskim organizacijama i nacionalnoj sigurnosti izazvao je žestoke rasprave u Ukrajini, pa i kritike u svijetu usred opomena o skretanju u iliberalizam. Ovaj članak stavlja zakon u kontekst ruske potpune invazije i prateće ideologije “ruskoga svijeta”, a također procjenjuje svrhu, sadržaj i projicirane učinke. Doktrinalna analiza statuta nagovještava da njegovo usvajanje putem transparentnih zakonskih procedura prije svega ima za cilj ukinuti ključno sredstvo za širenje doktrine ekspanzionizma. Ovaj rad razrješuje pravnu terminologiju koja je pogrešno prikazivana u javnoj raspravi, time da razlikuje “prekid” pravne osobnosti (bogosluzje je i dalje dopušteno) od daleko oštrijega “okončavanja svih aktivnosti”. Ustanovljuje se da je provedba prepuštena sudovima, zaštićena brojnim mogućnostima žalbenih postupaka te je usmjerena na institucionalno povezivanje, a ne na teologiju. Metodološki gledano, rad proučava pravni tekst u kontekstu suvremenoga ukrajinskoga pravoslavlja tako da identificira stalnu prijetnju koju nameće širenje narativa “ruskoga svijeta”. Tehničko usavršavanje zakona može bitno je potrebno, a rad zaključuje da je ukrajinski pristup općenito govoreći u skladu s međunarodnim zakonom o ljudskim pravima, da odražava rješenja koja su nedavno usvojena u susjednim državama i da predstavlja oštar kontrast dokumentiranomu zatvaranju, konfiskacijama i nasilju izvršenomu nad vjerskim zajednicama na područjima pod ruskom okupacijom.

Ključne riječi: odnosi između crkve i države; ideologija “ruskoga svijeta”; ukrajinsko pravoslavlje; politizacija religije; sloboda savjesti

* Oleksandr Sagan, dr. sc., profesor, voditelj Odjela za religijske studije na Filozofskom institutu Ukrajinske akademije znanosti. Adresa: Trjokhsviatytska ulica 4, Grad Kijev, Ukrajina, 01011. ORCID: <https://orcid.org/0000-0003-4177-5809>. E-adresa: ol.sagan@gmail.com

** Mechyslav Yanauer, doktorand, Odsjek za religijske studije, Ukrajinsko državno sveučilište Dragomanov. Adresa: Pyrohova ulica 9, Grad Kijev, Ukrajina, 02000. ORCID: <https://orcid.org/0009-0008-2717-0145>. E-adresa: 20a.m.yanauer@std.npu.edu.ua