

FEDERICO MARTI

*The Ruthenians in America:  
genesis of the most important case of  
Oriental Catholic Diaspora in the West*



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a cura di  
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*In copertina:*

*Il gran maestro Jean Parisot de La Vallette durante il Grande Assedio di Malta del 1565* [CHARLES PHILIPPE LARIVIÈRE (1798-1876), *Levée du Siège de Malte*]

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THE RUTENIANS IN AMERICA:  
GENESIS OF THE MOST IMPORTANT CASE OF  
ORIENTAL CATHOLIC DIASPORA IN THE WEST

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*Abstract*

The immigration of the Ruthenian faithful in America represents one of the most significant events within the Catholic Church till today. The arrival of thousands of oriental Catholics claiming their rights to live according to their own traditional rite and, above all, the presence in America of oriental married clergy – presuming to be there in service by virtue of canonical power received from their Bishops in Europe – put in crisis the well-established canonical rule of “one town – one bishop”, finally sanctioned by can. 9 of the Fourth Lateran Council of 1215. Therefore, a tight battle broke out between the American Latin Bishops and Ruthenians regarding the issue of jurisdiction, the outcome of which was the abandonment of the catholic faith towards orthodoxy by thousands of Ruthenians.

L’immigrazione dei fedeli Ruteni in America rappresenta ad oggi uno degli eventi più rilevanti per la Chiesa cattolica. L’arrivo di migliaia di cattolici orientali intenzionati a difendere il loro diritto di vivere e pregare secondo il proprio rito tradizionale e, soprattutto, la presenza in America di un clero orientale sposato – convinto di poter continuare ad esercitare il proprio ministero in virtù delle facoltà ricevute dai propri vescovi in Europa – metteva in crisi la consolidata regola canonica di “una città – un vescovo”, sancita da ultimo nel canone 9 del Concilio Lateranense IV nel 1215. Sorse così, un’aspra controversia tra i Vescovi Latini Americani e i Ruteni circa la giurisdizione, il cui esito fu l’abbandono della fede cattolica da parte di migliaia di Ruteni in favore di quella ortodossa.

The first mass emigration in the United States, commonly known as the *old immigration*, started in the 1840s when the Great Irish Potato Famine (the terrible famine that broke out in Ireland after the destruction

of potato crops) forced more than two million Irish to migrate to the New World. After a brief suspension during the years of the American Civil War (1861-1865), immigration started once again with the arrival of Germans and Scandinavians; on the west coast of the United States, precisely in California, a significant presence of immigrants from the Chinese empire was reported.

In 1880, the main source of influx moved from northern and central Europe to the southern and eastern regions of the continent (in 1907, it represented approximately 80% of all immigrants accepted into the USA), initiating the so-called new immigration, which would come to an end about fifty years later with the promulgation of the National Origins Act in 1929 when the introduction of an entrance fee closed the golden door of America to Europeans.

The Ruthenians<sup>1</sup> from Galicia and Carpatho-Ruthenia took part in the new immigration from the start: 1879-80<sup>2</sup>. The majority of the

1 Taking into account that the name of “Greco-Catholics” when referring to Ruthenians «although technically correct, the term has proved to be very misleading in the United States and Canada, and therefore its use is not desirable. [...] It is often associated either with the Greek Orthodox or with Greek nationality nor do they use Greek as the liturgical language», BOHDAN P. PROCKO, *The Establishment of the Ruthenian Church in the United States, 1884-1907*, «Pennsylvania History», 42 (1975), p. 1, note 5, from now on its use will be avoided.

2 Cfr. ANDREW SHIPMAN, entry *Greek Catholics in America*, in *The Catholic Encyclopedia*, VI, New York, Robert Appleton Company, 1909, p. 747; PAUL ROBERT MAGOCSI, entry *Rusyn Catholics in America*, in *The Encyclopedia of American Catholic History*, edited by MICHAEL GLAZIER – THOMAS J. SHELLY, Collegeville, Minnesota, The Liturgical Press, 1997, pp. 1221-1224; VASYL LENCYK, entry *Ukrainian Catholics in America*, in *The Encyclopedia of American Catholic History*, pp. 1403-1406; PAUL ROBERT MAGOCSI, *Greek (Byzantine Ruthenian) Catholic Church in the USA* from the official website of World Academy of Rusyn Culture, internet address <<http://www.rusyn.org/relusa.html>> (last date of access: 10 July 2009). Instead, according to what was reported in the *Byzantine-Ruthenian Metropolitan Church of Pittsburgh Directory, Published in Observance of the 75<sup>th</sup> Anniversary of the Establishment of the Byzantine-Ruthenian Metropolitan Church of Pittsburgh*, Oakdale, Pennsylvania, Knepper Press Inc., 1999, p. 9, and by B.P. PROCKO, *The Establishment of the Ruthenian Church in the United States*, p. 2, the presence of Ruthenians in the United States dates back to 1876. In reality, the date of arrival of the first Ruthenian immigrants could, most likely, go back even further; in fact, according to *La Civiltà Cattolica*, in 1872 there had already been an influx of 4,410 immigrants from the Habsburg Empire, amongst whom there were most likely Ruthenians, cfr. *Cronaca Contemporanea*, «La Civiltà Cattolica», series XVIII, IX (1903), fasc. 1273, p. 113. The continuous arrival of Ruthenians in the northern parts of America carried on until 1955, with the exception of two intervals coinciding with the two World Wars, «their immigration took place in three successive waves: 1877-1914, 1920-1939, 1947-1955. The driving forces behind the first two waves were mostly economic and demographic (lack of land and population explosion), but it was for political reasons in the third (flight from war zone, political exiles)», cfr. GEORGE NEDUNGATT, *Usa: forbidden territory for married eastern catholic priests*, «The Jurist», 63 (2003), p. 141.

first immigrants settled in Pennsylvania where they easily found work in coalmines, given their availability to work longer hours compared to native Americans, and for a much lesser wage<sup>3</sup>. The typical characteristics of a Ruthenian immigrant were male, single, poor, illiterate and unqualified. His sense of ethnic belonging was limited to his own village or its surrounding area and his cultural identity was mainly religious tradition<sup>4</sup>. Notwithstanding the difficult working conditions in the coalmines, American life was much better compared to what they would have had to face in their motherland. Contrary to other migrations to the United States, the Ruthenians, with the exception of Galicians, were not keen on settling permanently in the United States, since they migrate with the expectation of working in the States for a couple of years and return afterward to Europe and buy some land with their savings, ready to leave again if needed<sup>5</sup>.

3 The Ruthenians were disliked by American workers because of their tendency to accept lower salaries, especially since they very often substituted workers who went on strike for wanting better working conditions. It must be noted that American mining companies who found local Anglo-Saxon labour too expensive (who also tried to form unions), started a proper recruitment agency by sending its own recruiters to Europe, particularly in the eastern regions of the Austro-Hungarian Empire, to find miners at a low price. Burdened by deep poverty, the agents of American mining companies were the ones who encouraged many Ruthenians to find fortune in the New World, PAUL ROBERT MAGOCSI, *Byzantine Rite Rusins in Carpatho-Ruthenia and America*, Pittsburgh Pa., Byzantine Seminary Press, 1971, pp. 95-101.

4 Cfr. MYRON KUROPAS, *The centenary of the Ukrainian Emigration to the United States*, in *The Ukrainian Experience in the United States – A Symposium*, Cambridge, edited by PAUL ROBERT MAGOCSI, Cambridge Massachusetts, Harvard Ukrainian Research Institute, 1979, p. 40, and PAUL ROBERT MAGOCSI, *Problems in the History of the Ukrainian Immigration to the United States*, in *The Ukrainian Experience in the United States*, pp. 28-29.

5 The departure of numerous people leaving from eastern territories, which initially did not alarm the Habsburg government, soon evolved into a serious matter. A large number of landowners saw themselves deprived of cheap labour, which was important for their extensive agriculture, and fiercely complained, cf. WALTER PASKA, *Sources of Particular Law for the Ukrainian Catholic in the United States*, Washington D.C., The Catholic University of America, 1975, p. 41. However, it was soon clear that no provisions would have stopped this phenomenon of desperation, so much so that the Austro-Hungarian Government, even though considering emigration a danger to its economy and for which it tried to seek a remedy in the years 1903-1909, had to give up and accept this reality, cfr. ALEXANDER BARAN, *Carpatho-Ukrainian (Ruthenian) Emigration: 1870-1914*, in *New Soil – Old Roots, the Ukrainian Experience in Canada*, edited by JAROSLAV ROZUMNYI, Winnipeg, Ukrainian Academy of Arts and Sciences in Canada, 1983, p. 264. According to Pospishil, the Hungarian authorities tried to stop emigration by legally prohibiting men from leaving the country if they had not yet completed their mandatory military service, cf. VICTOR J. POSPISHIL, *The Ukrainians in the United States and Ecclesiastical Structures*, «The Jurist», 30 (1979), p. 373, note 6. Poverty that plagued both Latins and Ruthenians in Galicia between the end of May and end of June 1898 was so harsh that it resulted in violent uprisings against the Jews – accord-

Unlike other ethnic and national groups which managed to find ministers pertaining to their own national group in the New World, the Ruthenians were devoid of any clergy to satisfy their spiritual needs. For this reason most of them tended to mingle on arrival with the other Slav immigrants – mainly Poles and Slovaks – of Latin Rite, also from a religious point of view (one can frequently find Ruthenians as founders of many Latin national parishes)<sup>6</sup>. Nonetheless, the majority of Ruthenians were determined not to give up their own traditional liturgy because, as previously explained, «the emigrant equated the religious and national identity. Nationality was revealed in the particular ritual observance, which he had known from childhood. [...] Betrayal of the rite meant loss of his primitive sense of national identity»<sup>7</sup>. Vast areas of the Catholic immigration in America were involved in those conflicts generated by the claim to the right of preserving their own original identity. However, these conflicts assumed a further meaning for the Ruthenians, uncommon in other ethnic groups, and with a closer link with the religious realm, thus resulting in an authentic conflict between loyalty to one's own national identity and belonging to Catholicism. While Europeans rooted their national identity on whether they were Catholic or anti-Catholic, for the Ruthenians was different. In fact, being Catholic or Orthodox was an extremely marginal matter for Ruthenians – without even taking into consideration that many were not even capable of understanding the difference – and were inevitably destined to give in when faced with the need to keep their traditional liturgy intact; a true and essential element of their own identity<sup>8</sup>.

Typical American Pluralism, together with other national and linguistic groups, helped strengthen the sense of pride in Ruthenians in their own culture of origin. But while common national identity, especially in America, was the unifying factor that bound individuals and communities within diverse immigrant groups – thanks to spiritual and material

ing to the official records of *La Civiltà Cattolica* there were 772,213 in Galicia – accused of being the cause of misery. The army had to intervene in order to bring back calm and order in those territories. Cfr. *Cronaca Contemporanea*, «La Civiltà Cattolica», series XVII, III (1901), fasc. 1155, pp. 373-376.

6 It was often the case that Ruthenians contributed building these parishes «with the understanding that a priest of their own rite be allowed to officiate there from time to time», cfr. HERMAN J. HEUSER, *Greek Catholics and Latin Priests*, «American Ecclesiastical Review», 4 (1891), p. 197.

7 CONSTANTIN SIMON, *Alexis Toth and the Beginnings of the Orthodox Movement among the Ruthenians in America (1891)*, «Orientalia Christiana Periodica», 54 (1988), p. 415.

8 Cfr. KEITH S. RUSSIN, *Father Alexis G. Toth and the Wilkes-Barre Litigations*, «St. Vladimir's Theological Quarterly», 16 (1972), pp. 144-147.

solidarity – this was not the case with the Ruthenians. The first Ruthenian emigrants joined any communities without paying particular attention to the respective areas of origin: this was possible not because of a common sense of national belonging but, rather, because of the lack of one. The religious-ritual element was the unique and unifying element of identity so that all Ruthenians could «live together and share parishes, avail themselves of the same priest and the identical formularities and liturgical language, and to be joined for a time under a common bishop»<sup>9</sup>. But when finally national identity became relevant among the Ruthenians and prevailed over religious factors, the Ruthenian communities split up.

### *Initial contact between Oriental and American Catholicism*

On 16 July 1884, a group of approximately seventy Ruthenian families that had emigrated to Shenandoah (Pennsylvania) sent a petition to

9 VICTOR J. POSPISHIL, *Ex Occidente Lex – From the West, The Law; The Eastern Catholic Churches under the tutelage of the Holy See of Rome*, Carteret N.J., St. Mary's Religious Action Fund, 1979, p. 17. Unity between Ruthenians from different areas of the Austro-Hungarian Empire during the first years of emigration had its exceptions; in 1889 the Ruthenian community of Kingston, Pennsylvania was already divided into Galicians and Carpatho-Ruthenians, fighting for control of the parish, cfr. CONSTANTIN SIMON, *In Europe and America: the Ruthenians between Catholicism and Orthodoxy, on the Eve of Emigration*, «Orientalia Christiana Periodica», 59 (1993), p. 205. On the basis of such records, it is strongly maintained by some authors that there was already knowledge of a personal ethnic and national individuality within the Ruthenian community in the United States, noting that «the first ten or fifteen years of the Slavonic-Byzantine church in America lacks the accentuation of political factions. In those early days, when the Slavonic immigrants were anxious to organize their own parishes and build their own churches, they were not too anxious about national descent and political convictions. They [...] were anxious to have their own clergy regardless of their national origin», STEPHEN C. GULOVICH, *The Rusin Exarchate in the United States*, «The Eastern Churches Quarterly», 6 (1945-1946), p. 461; of the same opinion is W. PASKA, *Sources of Particular Law for the Ukrainian Catholic in the United States*, p. 104. This opinion is not shared, as the first contrasts within the Ruthenian community were not the result of a wish to claim their own national specificity within the various Ruthenian communities, but more the ambition of Ruthenian priests, mainly Hungarian, who aspired to consolidate their personal positions: «from 1889 on, Ruthenian priests began to arrive from Europe in greater number. By then the majority of them were coming from Transcarpathia rather than from Galicia. The arrival of so many new priests led not only to a great church building program but also to an unfortunate competition among priests and parishes. The result was a series of scandals, in some instances leading to the organization of a second or even third parish in the same community. In Hazleton, Pennsylvania, for example, there were three Ruthenian parishes, each with a priest and church. On more than one occasion these misunderstandings and conflicts had to be settled by the courts», B.P. PROCKO, *The Establishment of Ruthenian Church in the United States*, p. 7.

the Ruthenian Archbishop of Lviv, Sylvester Sembratovych<sup>10</sup>, asking him to send them a priest, since he was the father of *rusini* (Ruthenians) and therefore also their father in the United States<sup>11</sup>. The Bishop accepted their request by sending a noteworthy presbyter, Ivan Voliansky, to the United States; in conformity with Oriental traditions he was regularly married. Voliansky, together with his wife, reached Shenandoah on 10 December 1884 and was greeted with much merriment by his people. Despite this happy start, he was faced with many difficulties from the beginning. Ruthenian immigrants who settled in Shenandoah and did not have a priest of their own, relied on the pastoral care of a Polish Latin priest for their spiritual needs since they were able to understand the language, even though there was a historical rivalry between them<sup>12</sup>. The arrival of Voliansky disrupted this state of being and generated a sense of hostility in the Polish priests – as in other places where pastoral care was given to Ruthenians – since it would decrease the number of faithful in care of the latter and therefore results in an economic loss. Therefore, it was not by chance that Voliansky was not permitted to use local parishes as a place of prayer<sup>13</sup>.

Voliansky, totally convinced of the legitimacy of his mission, also canonically, availed himself of the Latin ordinary of the region, the Arch-

10 It must be pointed out that Sylvester Sembratovych, as previously noted, was Archbishop of Lviv from 1885 to 1898. At the time in which the letter had been sent and despite not having officially received office, he governed the Metropolis as auxiliary Bishop, a role he covered from 1879.

11 «Your Excellency: Though illiterate, we have come here alone. But we are not entirely the same as we were in our country because something is lacking to us. Lacking to us is God, Whom we could understand, Whom we could adore in our own way. You, Your Excellency, are our father here, too, because you are the father of the Rus (Ruthenian) church, even though we come from the western part of Rus and not from your diocese. Therefore we beseech you: give us our own priests, give your blessing for the building of churches so that in this new land we may have that which is holy in Rus (Ukraine)», quoted from W. PASKA, *Sources of Particular Law for the Ukrainian Catholic Church in the United States*, p. 48, the text in brackets is by the Author.

12 «During the first few years of Ukrainian immigration to America, before the Ukrainian churches were organized, the religious life of these people reached the point of starvation. Though they fated to attend services in the building of their historical oppressors – the Poles – in many cases their religious need impelled them to do so», WASYL HALICH, *Ukrainians in the United States*, The University of Chicago Press, Chicago, 1937, pp. 97-98.

13 Pressure from Polish priests in the initial stages of relations between Ruthenians and American bishops is not to be taken lightly, cfr. CONSTANTIN SIMON, *The First Years of Ruthenian Church in America*, «Orientalia Christiana Periodica», 60 (1994), p. 195; CONSTANTIN SIMON, *Before the birth of ecumenism: the background relating to mass “conversion” of oriental rite catholics to Russian orthodoxy in the United States*, «Diakonia», 20 (1986), p. 139. Even though he does not specifically name

bishop of Philadelphia<sup>14</sup>, for his rights to be acknowledged. He was sure that the credentials of his Metropolitan would have been sufficient to grant him all the authority he required. Unfortunately, his diocesan Vicar General, Ignatius Hortsmann, after having briefly interrogated him, refused to allow him to see the Archbishop personally. Moreover, he prohibited him to practice as pastoral minister in the diocesan territory since he was a married priest. Voliansky immediately reported the event to Lviv and also expressed his desire to begin performing his duties under the authority conferred to him by his bishop. Even though he had not received a reply, Voliansky rented a place and on 18 December 1884 celebrated his first solemn liturgical service (vespers)<sup>15</sup>.

Due to the American Episcopate's hostility, Voliansky's experience was destined to end quickly. They were not willing to tolerate the presence of this priest, who, besides being a serious threat to the Latin discipline of celibacy and a scandal to the faithful, he hindered the Americanization of Ruthenians. In any way, this priest left behind remarkable accomplishments: nine parishes<sup>16</sup>, various cooperatives and mutual aid societies. Less than a year later, he returned to the United States in an attempt to save the mutual aid and cooperative systems that were going bankrupt without his guidance; Voliansky returned to Europe for good in 1892.

them, also Gulovich observes that «the further fact that a few ill-advised priests, for their own reasons, deliberately misinformed the local bishops, although they could have been of invaluable help, helped to confuse the matters to such an extent that the Rusin who tried to gain the goodwill and the respect of the local hierarchy was practically forced to come to look on them as an enemy», cfr. S.C. GULOVICH, *The Rusin Exarchate in the United States*, p. 470.

14 At the time, the Archbishop of Philadelphia was Patrick John Ryan, first coadjutor of the Archbishop of Saint Louis from 1872 to 1884, later Archbishop of Philadelphia from 1884 until his death in 1911.

15 Cf. B.P. PROCKO, *The Establishment of the Ruthenian Church in the United States*, pp. 4-5. The pretension of practicing pastoral ministry under the authority given by their bishops in Europe, the lack of consideration of Latin bishops of the place, and, most of all, the tradition of married priests, provoked the American Episcopate to have a strong reaction of closure towards Ruthenian priests, cfr. *The Appointment of a Greek Bishop in the United States*, «American Ecclesiastical Review», 37 (1907), pp. 453-454. This actually hindered the possibility of having an open, peaceful and fraternal confrontation between the parties from the beginning and which, instead, created a climate of distrust and dislike also among the laity, which inevitably negatively conditioned the whole situation, cf. WILLIAM LEEN, *Condition of the Eastern Orthodox Church in America*, «American Ecclesiastical Review», 42 (1910), pp. 532-533.

16 Shenandoah, Shamokin, Freeland, Olyphant (1888), Kingston (1888), Hazelton (1887) and Wilkes-Barre in Pennsylvania; Jersey City (1889) in New Jersey; Minneapolis (1889) in Minnesota. Cf. S.C. GULOVICH, *The Rusin Exarchate in the United States*, p. 464.

*The reaction of feared closure by the Latin Episcopate*

The news of a new group of Catholic immigrants in the United States, which not only claimed to keep its own roots, but was also bearer of a ritual tradition radically different than the Latin one (it even had married clergy), caused alarm among the American hierarchy, which, precisely during that difficult time had to face a rebirth of nativism under the form of the American Protective Association, as bishops feared it would contribute to giving nativism further arguments in favour of their propaganda<sup>17</sup>. If the majority of problems put forward by the new group of immigrants – preservation of an ethnic identity to the detriment of rapid integration and the risk of having a parallel ecclesiastical structure in the United States – were already known, the presence of Catholic married priests was totally new. This novelty was tragic in the eyes of the American Episcopate, who had always fought against criticism and accusations by Protestants on the matter of celibacy, who, considering it to be unnatural, utilised it in numerous campaigns of anti-Catholic propaganda based on alleged sexual misconduct of Catholic priests.

In this new and difficult situation, American bishops simply adopted the same solution already implemented with other groups of immigrants. Once again, Ireland was the toughest and most determined, advocating for their rapid and immediate Latinisation:

Si sensum meum in hac causa plene aperiri liceat, haec omnino tenenda judico et in praxim quamprimum deducenda. Omnes, quotquot sunt Rutheni immigrati, ad ritum Latinum amplectendum adducendos esse [...]. Hoc si Roma decreverit et episcopi sacerdotesque Rutheni nullum obstaculum posuerint, ipsi fideles libenter facient<sup>18</sup>.

17 One must be prudent when judging the American Episcopate's approach towards Ruthenians and their claim for identity. If, on the one hand, the attitude of total closure may seem excessive, given that the nativist political resurgence of A.P.A. was brief and substantially a disaster, one must not forget that a feeling of distrust regarding Catholicism was still present among the American public, which could revert to open hostility at any time. To realise this, one must take into consideration that in 1903, the Slav Catholic community (both of Latin and Oriental tradition) of Pennsylvania were target of bitter confrontations by Protestants as they persisted in wanting to maintain their identity of origin. The presence of parish schools, which in the opinion of Protestants prevented Slav children from becoming true American citizens, was another contributing factor, cf. HERMAN J. HEUSER, *Slav Catholics in the United States*, «American Ecclesiastical Review», 29 (1903), pp. 502-505.

18 Ireland's letter to Propaganda Fide (R.O.) dated 17 March 1888, quoted by CONSTANTIN SIMON, *The First Years of Ruthenian Church in America*, «Orientalia Christiana Periodica», 60 (1994), pp. 192-193.

Most of all, facilitating the preservation of a Ruthenian identity, was not seen as something useful, as noted by Archbishop O'Connell:

Crederci però che a pena si potrebbe riuscire di stabilire negli Stati Uniti una chiesa di rito Greco-Ruteno, né sarebbe desiderabile. Perché i giovani Ruteni come i giovani di ogni nazionalità, sottomessi da ogni parte a nuova influenza perdono l'uso della lingua materna e presto divengono americani [...]<sup>19</sup>.

The American hierarchy was in favour of unity: the practice of a rite other than the Latin one would have caused more damage than good in the United States, «[...] omnes [American bishops] in hoc convenerunt, alium ritum in Americam invecum generatim loquendo magis nocere quam rei ecclesiasticae prodesse»<sup>20</sup>.

This was not a discriminatory attitude of Latin bishops towards the Oriental Rite, motivated by an air of superiority connected to *praestantia latini ritus*, but an ecclesiastical policy chosen on account of the peculiar American situation. In the eyes of the American hierarchy, the Americanization of Catholics was a priority<sup>21</sup>; anything that hindered or slowed down this process had to be removed, be it the ritual identity of Ruthenians or the national identity of the Germans<sup>22</sup>.

Gibbons himself confirms that the matter should be pictured in American terms; that is, the situation of a clash between the claim of one's own national identity and the need to have a homogenous church integrated into American life. In this sense, this problem is not different from what the German national identity or other minority national

19 «However, I believe that as soon as a Church of Greco-Ruthenian Rite could be established in the United States, it would be welcome. Like youngsters of all nations, Ruthenians too will be submissive to a variety of influences and will forget their native language and will soon become American [...], O'Connell/Ryan's letter to Propaganda Fide (R.O.) dated 18 February 1888, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, pp. 192-193.

20 Ireland's letter to Propaganda Fide (R.O.) dated 17 March 1888, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 194.

21 For a brief summary about Americanism and Americanisation of Catholicism cfr. FEDERICO MARTI, *I Rutheni negli Stati Uniti, Santa Sede e mobilità umana tra Ottocento e Novecento*, Milano, Giuffrè Editore, 2009, pp. 50-135.

22 Magocsi is of the same opinion and writes «the Rusins, as, each immigrant group before them, insisted upon having their own churches because these institutions had a tremendous impact on their lives. The American hierarchy was against the Rusins' desire to maintain their churches because of the fear of the creation of a diocese along nationality lines. They opposed this idea, prior to the coming of the Ruthenians, in their fight against Polish and German interests», P.R. MAGOCSI, *Byzantine Rite Rusins in Carpatho-Ruthenia and America*, p. 105.

identities experienced. He was engaged to write to Rome to express the American Episcopate's opposition to any form of autonomy for Ruthenians, motivating his reasons by referring to the danger of reviving other movements favouring national identity that had been recently placated with difficulty<sup>23</sup>. The only difference between the two situations was that of Catholic married priests. As mentioned, this caused problems and further danger: the risk that the Protestants would exploit the evidence of married priest against the forever contested rule of celibacy, let alone the danger of scandal, even among the faithful of Latin rite.

*Uncertainty regarding the jurisdictional competence; initial preponderance of the ritual criteria as opposed to a territorial one*

As mentioned, the presence of priests and followers of Ruthenian Rite in the United States posed old and new questions to the Catholic Church in America. While on the one hand it had already dealt with the problems derived from the contrast between the need of rapid unity of faithful, shaped according to the model of Anglo-Irish Catholicism in order to facilitate integration with the socio-cultural reality of the country, as opposed to the desire of the various groups of immigrants to keep their own ethnic and national identity, also on a religious level; on the other hand, a totally new situation existed in which the presence of diverse rituals not only increased, but was also merged with the national one<sup>24</sup>. This created a more complex situation than the previous one since it was no longer a matter of harmonising, reducing *ad unum* different shades of the same Catholic identity that – even though having significant differences, also in this case, resulting from overlying ethnic and national issues – was the Latin one. However, it was faced with another ecclesiastic tradition that had a different discipline, liturgy, and also the-

23 Cfr. Gibbons's letter to Propaganda Fide (R.O.) dated 2 September 1890, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 207.

24 «They [the Ruthenians] presented a new phenomenon for both American culture and Catholicism. Unlike the earlier immigrants from Germany and Ireland, these did not speak a western European language nor did they follow the Latin Rite, uniformly practiced by the Catholics throughout the United States up to that time. One of their most obvious and controversial departures from the uniformity of American Catholicism was their introduction of a married clergy. They wished, moreover, to remain separate from American culture and resisted being either too Americanized or Latinized», cfr. GERALD P. FOGARTY, *The Vatican and the American Hierarchy from 1870-1965*, Stuttgart, Anton Hiersemann, 1982, p. 61.

ology. The only thing in common with western traditions was the distant root to which it had inserted its dogmatic adjustments issued a few centuries before with the treaties of union, but which were still far from being taken in by the faithful on the threshold of the twentieth century. It is worth noting that if celibacy was the most evident difference between the two traditions, it was certainly not the only one. An example is the regulation regarding the sacraments of Christian initiation.

At least during the initial stages of this issue, the same canonical doctrine was not able to give the hierarchy a clear indication and concrete regulations to confront with this new situation. In theory, although some suitable provisions to avoid one of the main points of conflict existed (identifying under whose jurisdictional competence immigrants of Ruthenian Rite in the United States fell), this was not considered a matter to reflect upon by those involved<sup>25</sup>. The general inadequacy of canon law at the time was obvious. Their doubt was so deep and opinions so vast regarding dependency on the hierarchy with respect to Ruthenian priests who started to arrive from Europe to care for Ruthenian immigrants. Oriental priests and bishops were still of the opinion that a jurisdictional link existed between them, as witnessed by the Conservative Bishop, Wigger, when writing to Propaganda Fide (R.O.):

Circa un anno fà io trovai che si era fabbricata una piccola chiesa in Jersey City Heights, che si chiamava cattolica. Fù fabbricata senza il mio permesso, e senza la mia conoscenza. Mi fù detto che il popolo, il quale frequentava quella chiesa, si chiamano Cattolici Uniati, ma non poteva mai trovare dove abitasse il sacerdote, o dove egli dimorasse. Finalmente, circa tre settimane fa trovai che il sacerdote si chiamava Wolanski... è ammogliato, e pretende di aver ogni facoltà da suo Arcivescovo del rito Greco Uniato in Europa [...]<sup>26</sup>.

The Ruthenian Bishop, Vályi from Presov was totally convinced of a hierarchical link between the faithful in Diaspora and Oriental hierar-

25 The mentioned regulation refers to the one in Canon IX of Lateran Council IV in 1215.

26 «Approximately a year ago, I found out about a little Church in Jersey City Heights that was supposed to be Catholic. It was built without my consent, and without my knowledge. The people who frequented the Church told me that they called themselves Uniate Catholics, but I could never find out where the priest lived. Finally, about three weeks ago, I found out who the priest was; his name is Wolanski ... he is married and claims to have power given to him by his Archbishop of Greek Uniate Rite in Europe [...]», Wigger's letter to Propaganda Fide (R.O.) dated 21 May 1888, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 190.

chy<sup>27</sup>. He not only treated Zapotoczky, a priest in his diocese emigrated in the United States, as his Superior, giving him the chrism and consecrated antimins, but also sent him a mandate granting him canonical powers to practice in territories overseas,

...Ut iura ac praerogativas Ordinariorum, item aliorum iam ibidem degentium graeco catholicorum Sacerdotum ex aliis Dioecesibus eorum missorum [sic!], salvas ac incolumes servare, contenderis, meminerisque Tibi ad exercenda munia Sacerdotis nonnisi quoad fideles graeco catholicos huius Dioecesis Eperiesiensis [Presov] praeprimis in Minneapoli degentes, vel iuxta occurrentem necessitatem etiam aliis in locis commorantes, ius hisce tributum esse; aliis vero fidelibus graeco catholicos tunc saltem exercendi ius habere, si tales a respectivis Curatis longiore spatio loci remoti exstiterint, vel urgens ac sufficiens necessitas expostulaverit<sup>28</sup>.

Initially the American Episcopate, not having a precise idea of the canonical *status* of Ruthenian priests, was unsure of how to proceed. Ryan's desire, contained in a letter dated 1885 to Propaganda Fide (R.O.), «mi pare che potrebbero almeno mandarci un celibe o vedovo»<sup>29</sup>, expressed in the initial stages of the matter, denote a passive attitude; as one who is aware of not having power and has to bear the arrival of these priests without being able to do anything, except protest weakly. Ireland, not having a juridical standpoint to oppose the arrival of these priests, could not do otherwise, but express a wish and a complaint: «se i preti Ruteni devono venire, non devono venire quelli che sono ammogliati, e devono ricevere la giurisdizione soltanto dagli ordinari in America»<sup>30</sup>.

His conviction was so strong that in 1890 Ireland humbly proposed Propaganda Fide (R.O.) to give Latin ordinaries jurisdiction over Oriental faithful, also as a means of containing intense proselytizing carried out by the Church through the ex-Catholic priest Alexis Thoth<sup>31</sup>.

27 Ján Vályi, Bishop of Presov from 1883 to 1911.

28 Vályi's letter to Zapotoczky dated 20 July 1889, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 202.

29 Ryan's letter to Propaganda Fide (R.O.) dated March 1885, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 189.

30 «If Ruthenian priests must come, only the ones who are not married should do so, and they must receive jurisdiction solely from ordinaries in America», Ireland's letter to Ryan dated 12 January 1888, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 192.

31 Thoth was sent to America as a missionary by Bishop John Vályi of Presov and nominated parish priest of Santa Maria in Minneapolis. His decision to abandon the Catholic Church,

Attenta igitur huius rei gravitate et omnibus bene perpensis liceat mihi suggerere:

1. Ut Eminentia Vestra pro prudentia sua ita disponat ut sacerdotes ritus graeci non sint independentes ab ordinariis locorum in quibus degunt aut ut auctoritas in illos non sit prorsus inefficax et nugatoria.

2. Ad finem ponendum huic tristissime rerum conditioni ut litterae ad me dirigantur facultatem tribuentes revocandi modo auctoritativo hunc populum a schismate ad tramitem fidei. Melius esset, ut arbitror, ad fidem efficacius conciliandam si simul Sacra Congregatio et Episcopus Eperiensis per me litteras mitterent ad populum. Alioquin enim vix possibile erit populum revocare<sup>32</sup>.

If, from a judicial point of view, they did not have a clear idea of the canonical *status*, from a political one, the American Episcopate was immediately unanimous (something very rare) in declaring that it was necessary to oppose any possible jurisdictional ties with these priests and their ordinaries in Europe, because:

Questi preti del rito greco non saranno sotto la giurisdizione dell'ordinario delle diocesi. Ora, se essi si fanno rei di delitti, se danno scandalo, che cosa si farà? Chi è il superiore, chi li restringe? Lo scandalo sarebbe ben grande!<sup>33</sup>

Allowing the respective bishops in Europe to keep an eye on Ruthenian priests practising in the United States would mean taking away any form of control, because of the great distance between the controller

and his subsequent morphing into one of his fierce opponents, developed after a heated argument with Ireland. His intense proselytizing among Ruthenians could well acknowledge him as the true founder of the Orthodox Church of Russian tradition in the United States of America, cfr. C. SIMON, *Alexis Toth and the Beginnings of the Orthodox Movement among the Ruthenians in America (1891)*, pp. 387-428. Among the various Ruthenian priests who converted to Orthodoxy «Toth was the only ex-Uniate clergyman to die a Russian Orthodox. Those of his clerical brethren who followed his example returned to the Roman communion, before the end of their lives, dissatisfied with certain aspects of Russian Orthodoxy», cfr. C. SIMON, *Before the birth of ecumenism: the background relating to the mass "conversion" of oriental rite Catholics to Russian orthodoxy in the United States*, pp. 145-146.

32 Ireland's letter to Propaganda Fide (R.O.) dated 20 May 1890, in *Relaxione sui Sacerdoti uxorati di rito greco ruteno residenti negli Stati Uniti d'America*, Archive of the Congregation for the Oriental Churches (A.C.C.O.), *Acta*, year 1892, vol. 22, Ponzona n. 15, Prot. n. 1442, p. 5, fol. 427r.

33 «These priests of Greek Rite will not be under the jurisdiction of the ordinary of the diocese. Now, if they are guilty of a crime, or cause scandal, what will happen? Who is the superior, who will stop them? The scandal would be great», Wigger's letter to Propaganda Fide (R.O.) dated 21 May 1888, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 191.

and the controlled, as Ireland pointed out in his said letter to Propaganda Fide (R.O.):

[...] Nil mirum siquidem huiusmodi sacerdotes tam longe remoti a vigilantia superiorum Ecclesiasticorum relinquuntur omnino arbitrio proprio. Nullus auctoritatem habet scandalum praecavendi aut abusus cohibendi<sup>34</sup>.

The American canonical doctrine did not meet the American Episcopate's desire to have full jurisdictional control over Ruthenians. The director of the influential magazine, *American Ecclesiastical Review*, declared the incontrovertible fact that Latin bishops in America «have not any direct jurisdiction whatever over these Catholics»<sup>35</sup>. There were three reasons at the basis of this position: the different ritual and, particularly, the Ruthenians' refusal to adjust to the Latin Rite, wanting to keep their own at all costs; the difficulty in accepting if, and where, Ruthenian faithful were to keep their residency, since they were constantly on the move; the tradition and constant attitude of the Holy See with regard to Oriental Catholicism, not only characterised by simple respect towards the diversity in ritual and discipline, but also from a desire to preserve it, witnessed by its active defence through specific laws and provisions<sup>36</sup>.

Unless the Holy See intervened, it was thus theorised that Ruthenian faithful were not to be considered subject to the Latin ordinary of the diocese in which they resided but to the bishop of their own rite in Europe. In virtue of *placet* of Propaganda Fide (R.O.), it was even confirmed that Ruthenian priests had full liberty of action within their jurisdiction when carrying out their pastoral mission in the United States<sup>37</sup>. The acceptance of such a theory would have considerable consequences on the canonical system, *in primis*, the drastic reduction in the value of territoriality that until today, even if under pressure, is one of the basic principles of the whole ecclesiastic organization.

34 Ireland's letter to Propaganda Fide (R.O.) dated 20 May 1890, in *Relazione sui Sacerdoti uxorati di rito greco ruteno residenti negli Stati Uniti di America*, A.C.C.O., *Acta*, year 1892, Ponzona 15, Prot. n. 1442, p. 4, fol. 426v.

35 H.J. HEUSER, *Greek Catholics and Latin Priests*, p. 200.

36 Cfr. *ivi*, p. 196.

37 Cfr. *ibidem*.

*The first attempt of Propaganda Fide (R.O.) to settle the question of Ruthenian clergy in the United States*

From the start, in this climate of uncertainty, the Congregation of Propaganda Fide (R.O.) took on a rigorous and firm approach aimed at confirming the principle establishing that Latin ordinaries have jurisdiction on all Catholics resident in their diocese. However, in this initial phase this clear-cut theoretical approach did not result in a clear legislative intervention by the Dicastery. Instead of having a precise and systematic legislation, it was preferred to adopt a series of provisions *ad hoc* through private instructions given to individual bishops, and «this is done in order to test the basis upon which a general legislation to suit anomalous circumstances may subsequently be formed»<sup>38</sup>.

In February 1889, a letter was sent to Sembratovych, Metropolitan of Lviv, the diocese in which Voliansky was incardinated, where he pointed out to the bishop that:

[Voliansky] deve dipendere in tutto dagli ordinari nella cui diocesi va a stabilirsi, che dovrà presentarsi nella loro rispettiva curia per essere facoltizzato a celebrare ed amministrare i santi sacramenti e che se non intenda obbedire a tali ordini sarà sospeso a divinis<sup>39</sup>.

Evidently, the directive did not sort much effect, so much so that the authorization letter granted by Vályi to Zopotoczky, which we have already mentioned, was sent five months later<sup>40</sup>. This happenings forced Propaganda Fide (R.O.) to intervene in the matter at least on another two occasions during the same year, first by letter dated 24 July 1889 addressed to Bishop O'Hara<sup>41</sup>, who had anticipated the doubt that the Ruthenian faithful in his diocese were not subject to him and informed that:

38 *Ivi*, p. 200.

39 «[Voliansky] must be totally dependent on the ordinaries in the diocese in which he will establish himself; he will have to present himself to their respective Curia in order to receive the faculty to celebrate and administer the Holy Sacraments, and if he had the intention of disobeying such orders he will be suspended *a divinis*» Letter sent by Propaganda Fide (R.O.) to Sembratovych dated 18 February 1889, A.C.C.O., LD, year 1889, vol. 22, fol. 15r.

40 Seeing that their directives were difficult to apply, the Dicastery once again urged Sembratovych to observe the rules in force «per quello che concerne l'invio dei preti ruteni celibi negli Stati Uniti d'America le rammento l'obbligo che loro incombe di presentarsi ai rispettivi ordinari per essere facoltizzati all'esercizio del loro ministero», letter sent by Propaganda Fide (R.O.) to Sembratovych dated 10 July 1889, A.C.C.O., LD, year 1889, vol. 22, fol. 248v-249r.

41 William O'Hara, Bishop of Scranton, Pennsylvania from 1868 to 1899.

[...] mi occorre significarle che i fedeli di rito greco-ruteno sparsi nella sua diocesi dipendono dalla giurisdizione della sua Eccellenza. Se in mezzo ad essi [i fedeli rutheni] vi è un sacerdote ruteno che voglia assumere la cura spirituale, dovrà egli presentarsi a codesta Curia episcopale, e qualora il medesimo sia celibe e di lodevoli costumi potrà essere facoltizzato alla celebrazione della Messa e all'amministrazione dei Sacramenti qualora presenti le regolari carte del suo Vescovo<sup>42</sup>.

Writing directly to Vályi, he reminds him:

Quapropter sedulo procurandum est ut mutua alacritas et concordia servetur sive inter eos, sive cum fidelibus latini ritus. Ut autem memoratus sacerdos legitime valeat suum ministerium apud fideles gr. Ritus exercere debet Episcopum illius dioeceseos adire, litteras dimissoriales eidem presentare, et ab eo facultates opportunas impetrare<sup>43</sup>.

The text of this letter gives a clear indication of Propaganda Fide's (R.O.) main preoccupation: to favour reciprocal peace and harmony, not only among Ruthenian immigrants and Latin faithful, but also within the same Ruthenian communities since the first signs of disagreement, due to emerging ethnic and national currents, were visible.

The occasional, and therefore unsystematic, instructions given by Propaganda Fide (R.O.) to various bishops involved allowed them to structure and consolidate themselves, albeit at an embryonic level in its first legal framework that traced back to the principles already outlined in a letter sent to Sembratovych and more completely formulated in the letter to O'Hara and Vályi.

First and foremost, the fundamental principle stating that Ruthenians depended upon the jurisdiction of the local ordinary was ratified. If on the one hand this rule was clear and unmistakable in its content, on the other, it remained unclear in its requirements. In fact, the crux of the matter remained totally unresolved: whether the submission of Ruthenian faithful to their Latin ordinaries was the mere application of

42 «[...] I am obliged to explain that the faithful of Greco-Ruthenian Rite in your diocese fall under the jurisdiction of Your Excellency. If there is a Ruthenian priest amongst them [Ruthenian faithful] who wishes to take on their spiritual care, he will have to present himself to this Episcopal Curia; and if he is celibate and of commendable costume, he will be authorised to celebrate Mass and administer the Sacraments if he is in possession of the regular papers from his Bishop», letter sent by Propaganda Fide (R.O.) to O'Hara dated 24 July 1889, A.C.C.O., LD, year 1889, vol. 22, fol. 263v.

43 Letter sent by Propaganda Fide (R.O.) to Vályi dated 7 August 1889, A.C.C.O., LD, year 1889, vol. 22, fol. 294 recto and verso.

a pre-existent and general principle of prevalence of territorial criteria in order to identify the jurisdictional competence and, therefore, that the provisions adopted by Propaganda Fide (R.O.) had a purely declarative nature. Or, on the contrary, if the decision taken by the Dicastery for the particular American context was an exceptional rule in derogation of the general principle of prevalence of ritual criteria.

Another standstill was regarding the obligation of Ruthenian priests, who had agreed to take on spiritual assignments, to present the dismissorial letter by their bishop to the Latin ordinary. On the one hand, this controlled the identity of the person seeking dispensation of canonical power; on the other hand, it certified the legitimacy of his removal from the diocese of incardination<sup>44</sup>. In this regard, it must be noted that one of the reasons that aroused suspicion among American bishops and which also represented a problem in Europe was that of numerous swindlers pretending to be Oriental priests, or even actually being so, who went around begging amongst immigrants and taking the proceeds of the offerings for themselves. Bishop Ryan specifically mentioned this problem in a letter sent to Rome in which he reported about his meeting with Voliansky.

Qualche mese fa, si presentò in casa mia un uomo, che si chiamò Giovanni Wolanski, dicendo che sia sacerdote e che fosse stato mandato dall'Arcivescovo di Gallicia [sic!]. Portava seco delle lettere, che, disse furono scritte dal suo Arcivescovo; ma non conoscendo la calligrafia dell'Arcivescovo, e sapendo che recentemente abbiamo avuto alcuni impostori (fra i quali pure giudei) che vennero spacciandosi sacerdoti e vescovi onde raccogliere denaro, ricusai di dargli facoltà di servire ai cattolici del Rito Greco Ruteno nella mia diocesi<sup>45</sup>.

44 The classical canon law acknowledged the principle that for a priest to be legitimately accepted in a diocese that differed from his original incardination required his bishop's approval «che era attestato in documenti definiti nella tradizione canonica come *litterae commendatitiae*, generiche lettere di raccomandazione facenti prova dello stato clericale del portatore e della licenza del superiore all'allontanamento dalla propria chiesa, ovvero anche *litterae dimissoriae*: con questa ultime un vescovo scioglieva un chierico dal vincolo di sudditanza stretto al momento dell'ordinazione, conferendogli il permesso di trasferirsi in altra diocesi e la licenza di farsi promuovere agli ordini superiori da parte di un altro vescovo», ORAZIO CONDORELLI, *Clerici Peregrini, aspetti giuridici della mobilità clericale nei secoli XII-XIV*, Roma, Il Cigno Galileo Galilei Edizioni di Arte e Scienza, 1995, pp. 11-12.

45 «A few months ago, a man called John Wolanski presented himself at my door saying that he was a priest sent by the Archbishop of Gallicia [sic!]. He carried some letters he said

Precisely to obviate the inconvenience of not knowing Oriental languages and falsification of dimissorial letters, as one will see later on, Propaganda Fide (R.O.) will subsequently impose Ruthenian priests to have their credential letters authenticated by the Apostolic Delegate operating in their territory of origin.

According to O'Hara, Ruthenian priests were displeased about the prospect of celibacy as a condition to be granted power and went to their superiors for information:

[...] prima di accontentarsi a tali termini volevano sentire dai loro vescovi in Europa, giacché sia contro la libertà della chiesa greca che i preti ammogliati non possono officiare tra la loro gente anche in queste parti<sup>46</sup>.

The gravity of the situation was soon to come out in the open. Neither the instructions, such as the one just mentioned, nor the most complex regulations that immediately followed would avoid the rupture between the Ruthenian faithful and Latin bishops, which would subsequently lead to the conversion of thousands of Ruthenians to Orthodoxy in the course of the following years<sup>47</sup>.

were written by his Archbishop; however, not knowing the Archbishop's handwriting and aware of having had a few impostors recently (among whom also Jews) pretending to be priests and bishops in order to collect money, I refused to give him the authority to serve Catholics of Greco-Ruthenian Rite in my diocese», Ryan's letter to Propaganda Fide (R.O.) dated March 1885, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 188.

46 «[...] before accepting such terms, they wanted to see what their bishops in Europe had to say, since it is against the liberty of the Greek Church that married priests cannot officiate among their people also in these parts», O'Hara's letter to Propaganda Fide (R.O.) dated 27 September 1889, quoted by C. SIMON, *The First Years of Ruthenian Church in America*, p. 206.

47 The Russian Orthodox Church, however, was not the only Christian community to welcome Ruthenians escaping Catholicism. In fact, the conflict with the American Latin hierarchy «also provided open opportunity for proselytizing by Episcopalian, Presbyterian, Baptist, and other Protestant groups. For instance, in the first decade of the twentieth century Presbyterian congregations were established among Ruthenians in Pittsburgh, Newark and New York, and a Baptist congregation was organized in Scranton», cfr. B.P. PROCKO, *The Establishment of the Ruthenian Church in the United States*, p. 14.



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