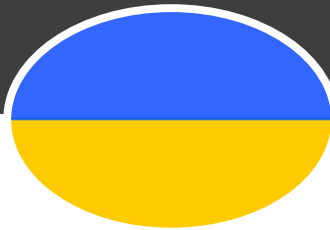


# Traditional religion and political power: Examining the role of the church in Georgia, Armenia, Ukraine and Moldova



**Traditional religion and political power: Examining the role of the church in Georgia, Armenia, Ukraine and Moldova**

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## Traditional religion and political power: Executive summary

This publication shows how the churches in Georgia and Armenia have played an important role in helping the re-emergence of their national identities, while in Ukraine and Moldova the religious institutions have been adapting to that change in national identity. In the case of Ukraine the different branches of the church have been developing in different ways, responding to competing ideas of what it means to be Ukrainian. In all four states the churches are looking to entrench their role in society and are testing the limits of their influence given that they are the most trusted institutions in each country. To varying extents they have all used a 'traditional values' agenda, focused primarily and most successfully on opposition to LGBTI rights, to bolster their support. The Russian Church and state have also been trying to promote this traditional values agenda as part of their ethos of 'the Russian World' with which they have been looking to influence the churches and societies of their 'near abroad'. The Russian social agenda tallies with that of the orthodox communities in these four countries, though this does not always translate into geo-political support for Russia as some of the churches are keen to assert their independence. Having been pushed to the margins of society in Soviet times, the Orthodox churches have taken the opportunity to place themselves at the centre of national and political life in Georgia, Armenia, Ukraine and Moldova, a position they are unlikely to relinquish in the near future. The publication has found that:

**In Ukraine** the impact of the conflict has dramatically changed the balance of power between the two largest churches, the Ukrainian Orthodox Church-Moscow Patriarchate (UOC-MP) and the Ukrainian Orthodox Church-Kiev Patriarchate (UOC-KP). The UOC-MP has traditionally dominated religious life and been the favoured partner of pro-Russian politicians in Ukraine, but its position is threatened as it is organisationally part of the Russian Church. The publication documents how certain UOC-MP priests have been seen to be supporting the separatists, blessing battle flags in Donbas and Russian troops in Crimea for example, which has caused significant damage to its reputation. The UOC-KP has used the Maidan protests and current crisis to transform itself, winning new followers and positioning itself as a national church.

**In Georgia** the Church is an independently powerful political actor that has played an important role in the political landscape with Georgian orthodoxy central to the rebuilding of Georgian national identity in the post-Soviet period. The publication shows how church support for the Georgian Dream coalition helped it to power in 2012 and has continued to help it in recent elections; reflecting the more conservative approach of some of its members and former Prime Minister Bidzina Ivanishvili's longstanding financial support of the church. The Church has been an outspoken opponent of LGBTI rights, with orthodox clergy famously taking part in a riot against a small LGBTI rights protest, its social conservatism both shaping and reflecting homophobic attitudes in wider society.

**In Armenia** the Armenian Apostolic Church's problems mirror that of the wider elite: the lack of transparency and atmosphere of corruption that risks undermining public trust over the longer term. The wide spread patronage of the Church by oligarchs and politicians is used to boost social status and political support, while there is a lack of transparency about its finances. There is a need to reform the Law on Freedom of Conscience and on Religious Organizations to end discrimination against minority faiths and to develop a new anti-discrimination law covering employment and other areas. There are also concerns that the Church's role in education is exceeding its legal remit.

**In Moldova** the Moldovan Orthodox Church is part of the Moscow Patriarchate and is seen as a strong supporter of the Russian world view and traditional social values in a country whose pro-European government is coming under increasing pressure. The state has been slowly reforming its legislation to reduce discrimination against minorities, in the face of strong opposition from the church, as part of Moldova's EU Association process and following a critical report by the UN Special Rapporteur for freedom of religion or belief.

### **Recommendations to the governments of Georgia, Armenia, Ukraine and Moldova**

- Develop a consistent approach to registration and taxation for all religions
- Improve transparency around financial donations made to churches and related institutions by both the state and individuals
- Ensure programmes to cover restitution of church property seized by the Soviets cover all religious denominations and are transparently managed
- Maintain and strengthen legal and constitutional protections of universal human rights, particularly around freedom of religion and minority rights
- Ensure that the involvement of religious institutions in the development of education remains within the remit set out in national laws, avoids compulsory worship without parental consent and works to include all groups
- Enforce court decisions, both national and European, in relation to the protection of minorities and abide by their universal human rights commitments under the European Convention on Human Rights and the International Covenant on Civil and Political Rights.

### **Recommendations to the international community**

- Continue to provide donor support for organisations defending LGBTI, women's and minority faith rights in the context of universal human rights
- Look more creatively at the role of culture in the face of the concerted push by Russian and local conservative actors to promote a 'traditional values' culture hostile to those rights
- Engagement around EU Eastern Partnership must reaffirm the EU's commitment to minority and universal human rights, respecting freedom of expression and conscience. The EU should make clear that legal discrimination against minority groups limits the scope for European integration

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## Introduction: The shifting balance between church and state

Adam Hug<sup>1</sup>

This publication aims to examine the role of the church as a political, social and economic actor in today's Georgia, Armenia, Ukraine and Moldova. The churches are institutions that have seen their influence wax and wane as the states around them have risen, fallen and risen again, as set out briefly below. They share a recent history under the Soviet Union and a common status as some of the few institutions left standing in the newly emergent states that succeeded it. This is a story of the emerging relationship between church and state in these newly independent countries.

### A very brief history of Christianity in the region

The church's involvement with the peoples of the region long predates the existence of these states in anything approaching their modern form. The largest religious institutions in these four countries are part of the Orthodox umbrella of churches that fell on the Eastern side of the religious divides of the 9<sup>th</sup> to the 12<sup>th</sup> centuries, most notably the East-West (Great) Schism (1053-4) over issues ranging from the nature of the holy spirit within the trinity<sup>2</sup>, the use of leavened or unleavened bread, whether the Pope had universal jurisdiction over or simply pre-eminence within the Christian Communion, and the seniority of Constantinople<sup>3</sup> within the church hierarchy. Ukraine, Georgia and Moldova form part of the Eastern Orthodox family of churches<sup>4</sup>, while the Armenian Apostolic Church is a strand of Oriental Orthodoxy.<sup>5</sup> This publication is primarily focused on the role of these churches.

Armenia prides itself on being the first state to adopt Christianity as its official religion back in 301AD. As Yulia Antonyan and Stepan Danielyan state, the church acted as a vital tool in the retention of Armenian identity after the collapse of the Armenian state of antiquity under its different divisions and dominations by neighbouring Islamic empires.

Similarly the Georgian church traces its roots to St Nino who converted the proto-Georgian state of Karteli in the early 300s AD, with its church originally recognised in 486AD under the umbrella of the church in Antioch. Over time it developed autocephaly<sup>6</sup> and managed to maintain the Christian influence, despite being in the orbit of a number of Islamic empires both before and after the flowering of the medieval Kingdom of Georgia between the 12<sup>th</sup> and 15<sup>th</sup> centuries. After Kartli-Kakheti (Eastern Georgia)'s absorption into the Russian empire (1801) the church lost its autocephalous status in 1811, being absorbed by Moscow – a status it would not be able to (unilaterally) reclaim until 1917, with Russian acceptance of its return taking until 1943.

Orthodoxy in Ukraine can trace its origins out of Constantinople and the Byzantine Christianisation of the Kievan Rus, the confederation of Slavic tribes that form the shared origins of the Ukrainian and Russian states, prior to its collapse through the Mongol invasion in 1241. Following fragmentation of the lands of modern-day Ukraine amongst various regional powers, most notably to Poland-Lithuania that saw the increasing influence of Catholicism, the religious consolidation under orthodoxy was driven by increasing Russian influence. This saw the transfer of the Orthodox Metropolitanate of Kiev transfer from the jurisdiction of Constantinople to that of Moscow in 1686. While in the early days of the combined churches many of the clergy of the combined church hailed from Ukraine, over time the practices became increasingly

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<sup>1</sup>Adam Hug is Policy Director at the Foreign Policy Centre. He leads the FPC's research on the former Soviet Union, the EU and Middle East.

<sup>2</sup>The issue of the Filioque - whether within the holy trinity the Holy Spirit derives from the father and the son (Catholic/Western) or from the father alone (Orthodox).

<sup>3</sup>Please note that as the Ecumenical Patriarchate of Constantinople has retained the Roman/Byzantine name of Constantinople rather than changing to Istanbul following its capture by the Turks in 1453, when referring to the religious institutions based there this publication will use the term Constantinople rather than Istanbul.

<sup>4</sup>The strand of orthodoxy that recognizes the findings of the seven original ecumenical councils that organized the doctrine of the early church. It is a family of churches in which the four ancient patriarchates of Constantinople, Alexandria, Antioch and Jerusalem take precedence in that order but in which the Russian Orthodox Church is by far the largest.

<sup>5</sup>Those churches (including the Coptic Church) who recognize only the first three ecumenical councils, dividing from the other churches over the decisions taken by the Council of Chalcedon over the nature of God the Father and the Son. The Armenian Church's practices hares some characteristics with both Catholicism and its Eastern orthodox brethren.

<sup>6</sup>Independence, primarily around choosing its own leadership (with the most senior post becoming that of Patriarch) whilst remaining in full communion with more senior churches within the Orthodox Hierarchy

Russified, including the ban on the production of religious materials in Ukrainian. The campaign for an autocephalous Ukrainian-led church would be a theme of Ukrainian nationalists in both the Tsarist and early Soviet era, only to be fulfilled on the territory of Ukraine – albeit through division – with the collapse of the Soviet Union and independence.<sup>7</sup>

What is now Moldova was the site of theological competition between Catholicism and the Orthodox Church in the Middle Ages before becoming a battleground between the Russian and Romanian Orthodox Churches. Russia ultimately took control of Bessarabia in the early 19<sup>th</sup> Century and the Soviet Union took the remainder of what became Moldova after the Second World War when responsibility for the church passed fully to Moscow.

The churches in all four states were profoundly shaped by the experience of Soviet atheism. The Soviet approach was to establish state control over religious activity and marginalise it as a potential alternative source of power, with the eventual aim of allowing the church to wither on the vine. The church was prevented from publicising its views whilst the state actively promoted atheism as part of the wider Communist approach to education and social organisation. Priests were prevented from undertaking pastoral care in the community or from having access to public buildings such as hospitals or schools. The church as an institution experienced waves of persecution, most notably under Stalin in the 1920s and 30s, and under Khrushchev in the 1950s and early 60s – but these were matched by other periods where the church authorities cooperated (or even collaborated) with the state in return for some breathing space.<sup>8</sup> The experience of this period shapes much Western thinking about the Orthodox Church in the region, when religious activists and ‘samizdat’ writers faced persecution along with many other prisoners of conscience.<sup>9</sup>

At the most simplistic level these churches have been on a journey from persecution to power, and one of the fundamental questions this publication examines is the extent to which, now that the Churches have power, they are using it to restrict the freedoms of other social and religious groups and the extent to which they are now exercising power and influence over the state. In both Armenia and Georgia the churches that had nurtured the seeds of Armenian and Georgian national identity during the centuries of domination by others were able to play an important role in helping redefine what it was to be a Georgian or an Armenian in their newly independent states. In Ukraine and Moldova the Russian Orthodox church had to find a way of adapting its identity on the ground to respond to the demands of independence and developing Ukrainian and Moldovan identities by creating the Ukrainian Orthodox Church-Moscow Patriarchate (UOC-MP) in 1990 and the Moldovan Orthodox church in 1992 as organisations with a degree of autonomy within the structures of the Russian Orthodox Church (ROC).<sup>10</sup>

### **The situation in Ukraine**

Orthodoxy in Ukraine would seem to be at a turning point, mirroring the pressures and forces at play in the state and society at the time of writing. The UOC-MP traditionally has been the largest religious denomination in Ukraine and remains the only Ukrainian church formally recognised by the other branches of Eastern Orthodoxy; however its structural link to Russia poses a potentially existential challenge for its pre-eminence amongst orthodox believers in Ukraine in the context of the conflict with Russia.

The main challenger to the UOC-MP’s dominance is the rival UOC Kiev Patriarchate (UOC-KP) that was founded in 1992 by a merger of a breakaway faction from the UOC (MP) led by the Metropolitan of Kiev Filaret,<sup>11</sup> previously Ukrainian Orthodoxy’s leader within the Russian Orthodox Church in the Soviet era, with the predominantly diaspora-based Ukrainian Autocephalous Orthodox Church (UAOC) under Patriarchs Mstyslav and Volodymyr. The newly combined church was led initially by the Patriarchs from the UAOC in

<sup>7</sup> I am indebted to Andrew Sorkowski for assistance with this potted history.

<sup>8</sup> Ware, Timothy, 1997, *The Orthodox Church: New Edition*, Penguin

<sup>9</sup> The Keston Institute played a critical role in drawing attention to this persecution. See <http://www.keston.org.uk/>

<sup>10</sup> The autonomous status of the UOC-MP is not recognized by the Ecumenical Patriarch in Constantinople and others in the Eastern Orthodox family.

<sup>11</sup> Filaret’s ambitions to establish greater autonomy for the newly created Ukrainian Orthodox Church were rejected by the church hierarchy in Moscow which led to a demand from Moscow for his resignation.



succession, but Filaret regained control in 1995 after the death of Volodymyr and the branches of the UAOC unhappy with the merger subsequently regained their identity as a separate church. Prior to the Maidan protests and the war with Russia, the main challenge in encouraging Ukrainians to switch support to the Kiev Patriarchate was the lack of recognition of this church's status by other members of the longstanding Orthodox hierarchy (some describe the UOC-KP as non-canonical) and the clear antipathy of the Russian church. Attempts have been made to bring the Kiev Patriarchate under the auspices of the Ecumenical Patriarch in Constantinople, efforts that are so far yet to yield a result in part due to pressure from the Russian church – although the suggestion remains that it could be achieved if long-running reunification talks between the UOC-KP and the UAOC were successful. According to Marynovch, aside from the issue of recognition the theological divide between the MP and KP branches of the Ukrainian Orthodox Church is limited at best. This competition between the two churches is about both power and identity, whether as part of a Russian-aligned world or as part of a more independent national identity in Ukraine.

Compared to other parts of the former Soviet Union, Ukraine has provided a reasonably tolerant environment for minority faiths to practise relatively untroubled. However there was a clear hierarchy of importance with the UOC-MP receiving greater support from the eastward-leaning governments of Presidents Kuchma and Yanukovich; this marginalisation of the UOC-KP led it to build alliances with minority faiths that in other circumstances it might have opposed on theological grounds. Under President Yushchenko support was given to the UOC-KP's attempts to receive recognition from Constantinople<sup>12</sup> and efforts were made to engage with a wider range of religious institutions as set out in Sagan's piece.

The series of events from the Maidan protests to the February Revolution that ousted Yanukovich, Russia's annexation of Crimea, and the current hybrid war in Donetsk and Luhansk have not only fundamentally changed the political landscape in Ukraine but the religious one too. Marynovch's piece in this collection clearly demonstrates how the UOC-KP and a number of the minority churches used the opportunity of the Maidan protests to bolster their support, seeing the movement as part of a national spiritual awakening that was both religious and nationalistic. There have been accusations that the separatist authorities in Eastern Ukraine have been cracking down on all religious activity except for that conducted by the UOC-MP, which had been the strongest religious presence in the area prior to the conflict. The religious sympathies of the separatist paramilitary groups active in Donbas clearly lie with the ROC and UOC-MP, with one major grouping known as the Russian Orthodox Army initially under Igor Girkin (Strelkov). The International Partnership for Human Rights has documented examples of some UOC-MP clergy ceremonially blessing separatist battle flags and providing shelter and spiritual support to separatist combatants, as does Sagan in his contribution to this collection.<sup>13</sup>

For the UOC-KP the situation has provided a great opportunity for expansion with Patriarch Filaret setting an approach focused on patriotism and backing the Ukrainian war effort, with the aim of claiming the mantle of a national church. The UOC-MP on the other hand is currently struggling to contain tensions among its clergy between those who are naturally sympathetic towards the Russian position and those who would like to see greater independence from Moscow to be better able to respond to the national mood in Ukraine, with some members of this latter camp flirting with a move to the UOC-KP. The UOC-MP leadership for the most part has sought to find a balance between the Russian and Ukrainian positions, while putting out general calls for an urgent peace. The contortions involved in balancing the desires of their Ukrainian flock and the position of its parent Russian Orthodox Church have created the perception of divided loyalties and lowered support for the church. For the most part the Government of Ukraine, while welcoming the support of the UOC-KP for its activities, has been attempting to play down religious tensions to promote social stability.<sup>14</sup>

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<sup>12</sup> Maria Danilova, Patriarch Kirill: No independent church in Ukraine, San Diego Tribune, July 2009, <http://www.sandiegouniontribune.com/news/2009/jul/27/eu-ukraine-russia-orthodox-church-072709/>

<sup>13</sup> International Partnership for Human Rights, Ukraine: When God becomes the weapon, July 2015, [http://iphronline.org/wp-content/uploads/2015/07/when\\_god\\_becomes\\_the\\_weapon\\_may2015.pdf](http://iphronline.org/wp-content/uploads/2015/07/when_god_becomes_the_weapon_may2015.pdf)

<sup>14</sup> President Poroshenko has previously been a member of the UOC-MP

## The situation in Georgia

The Georgian Apostolic Autocephalous Orthodox Church (Georgian Orthodox Church) today finds itself in rude health, adroitly filling in the cultural and ideological gap left by the collapse of Communism, building on its position as one of the few pre-existing institutions that was independent and specifically Georgian at the time of independence. Georgian orthodox ideology played a central role in the development of national identity post-independence. 82-year-old Patriarch Ilia II is widely seen as the most respected public figure in the country, his Christmas and Easter epistles are major political events and local priests have a major role in Georgian social and cultural life. It is a church that has developed significant political clout independent of the state. This self-confidence is backed up by public opinion. In 2013 the Caucasus Barometer polling showed the Georgian Orthodox Church to be the most trusted institution in the country with 72 per cent of respondents showing 'complete trust' in it, a further 10 per cent showing partial trust in the church, and only 5 per cent showing some level of distrust.<sup>15</sup> By comparison, and framing some of the challenges on cultural issues set out below, only 2 per cent of Georgians had full trust in NGOs, with 21 per cent giving some level of trust and 16 per cent showing some level of distrust, figures lower even than the Georgian Parliament (3 per cent fully trust, 26 per cent somewhat trust) and the Government (7 per cent fully trust, 31 per cent somewhat trust).

The Georgian constitution recognises the separation of Church and state but the Shevardnadze Government signed a concordat in 2002 that recognised the special role of the Georgian Orthodox Church in Georgia's history, granted it a consultative role in policy (particularly in the area of education), committed to facilitating the restitution of church property seized in the Soviet era and created an annual stipend from the Government in order to compensate for past losses and to support the work of the church.<sup>16</sup> The previous United National Movement (UNM) Government of Mikheil Saakashvili focused on encouraging the church to stay away from active politics; through the restoration of church land and property and in 2009 for example the Government increased its grant threefold to \$15million (£10m) and apparently provided 10 bishops with luxury cars.<sup>17</sup>

Two significant developments help to illustrate the current role of the Georgian church: its support, both tacit and explicit, of the Georgian Dream Coalition, both in opposition and now in Government, and its involvement in the May 17<sup>th</sup> 2013 riots following an LGBTI rally to mark the International Day Against Homophobia.

The longstanding ties between the Church and Bidzina Ivanishvili – whose philanthropic activities included the rebuilding of Sameba Cathedral – and the fact that the Georgian Dream coalition was drawn from a broader range of stakeholders than the UNM, including more conservative and nationalist elements, led the church to be seen to support the opposition in the run-up to the pivotal 2012 parliamentary elections.<sup>18</sup> While Patriarch Ilia II had publically called for neutrality, his support of Ivanishvili's campaign for Georgian citizenship was seen as an implicit endorsement, while local priests and other church figures were more vocal in their support for Georgian Dream.<sup>19</sup> This perceived support from the church played a role in providing reassurance to voters in switching their support to the opposition, ushering in the first democratic change of power in the South Caucasus. Despite some tensions as set out below, support for Georgian Dream has continued. Shortly before the second round of local elections in July 2014 Bishop Jakob preached from the pulpit of the Holy Trinity Cathedral in Tbilisi calling on voters to reject the UNM whose

<sup>15</sup> CRRC, Level of trust in Georgian Orthodox Church, November 2013, <http://www.caucasusbarometer.org/en/cb2013ge/TRUGOCH/> (See other variables starting with TRU). The second highest scorer was the Army with 18% fully and 54% somewhat trust, followed by the police and educational institutions.

<sup>16</sup> State Funding of the Georgian Church, July 2013, <https://georgianorthodoxchurch.wordpress.com/category/concordat/>

<sup>17</sup> BBC News, Georgia's Mighty Orthodox Church, July 2013, <http://www.bbc.co.uk/news/world-europe-23103853>

<sup>18</sup> While the current Georgian Dream government has maintained its formal support for equal rights before the law and contains a number of more liberal minded politicians, it does also contain a number of politicians who have made more homophobic comments such as party chairwoman Manana Kobakhidze who has critiqued UNM-era protections of minority rights, particularly LGBTI rights as being against Orthodox ethics as noted in ILGA-Europe, 'An Overview of Homophobic Statements by Leaders of the Georgian Dream Party', [http://old.ilga-europe.org/home/guide\\_europe/country\\_by\\_country/georgia/an\\_overview\\_of\\_homophobic\\_statements\\_by\\_leaders\\_of\\_the\\_georgian\\_dream\\_party](http://old.ilga-europe.org/home/guide_europe/country_by_country/georgia/an_overview_of_homophobic_statements_by_leaders_of_the_georgian_dream_party)

<sup>19</sup> Ariela Shapiro, Ivanishvili and The Georgian-Orthodox Church: An Alliance Starting to Sour?, The Central Asia-Caucasus Analyst, May 2013, <http://www.cacianalyst.org/publications/analytical-articles/item/12743-ivanishvili-and-the-georgian-orthodox-church-an-alliance-starting-to-sour?.html>

representatives “are not repenting for what they have done to the country”, that they stripped the nation of its dignity and urged them to “stand aside for a while [...] and look at their mistakes.”<sup>20</sup> This message tallies with reports of the local clergy continuing to urge their parishioners to support the Georgian Dream coalition.

However perhaps the incident that drew the attention of the wider world to the rising power and influence of the church in Georgia was the prominent role it played in leading the counter demonstrations against a rally by LGBTI rights group Identoba celebrating the International Day Against Homophobia on May 17<sup>th</sup> 2013.<sup>21</sup> The sight of Orthodox priests in full regalia not only blessing and endorsing the vitriolic language used but participating in the violence against the LGBTI and human rights activists, as the mobs passed through police lines to attack the rally, shocked outside observers and dented Georgia’s long-cultivated international reputation as both liberalising and modernising. The clash in 2013 saw the first major break with the church by then-Prime Minister Bidzina Ivanishvili who declared ahead of the rally that LGBTI people “have the same rights as any other social groups” and that although there are groups in Georgia that do not accept sexual minorities as equals, society will “gradually get used to it”.<sup>22</sup> Patriarch Ilia II however called for the rally to be banned and subsequently described the behaviour of clergy as being merely ‘impolite’:

*What happened on May 17 is very regrettable. Ideas, which [gay rights activists] wanted to instil there, are completely unacceptable in Georgia. But it is also very regrettable that the Georgian clergy was acting impolitely and I want to call on everyone for calm.*<sup>23</sup>

The Patriarch also reiterated his position that “the country cannot tolerate legalization of a sin”, clearly placing the church in favour of the legal repression of LGBTI rights rather than simply using his position to express cultural opposition. It is clear that at present the Patriarch is on side of public opinion. When asked in 2013 the question ‘would a successful organization of a peaceful demonstration dedicated to the International Day Against Homophobia endanger Georgia in any way?’ 57 per cent of Georgian respondents said that it would endanger Georgia, while 30 per cent of respondents said it would not, with the same survey suggesting that 49 per cent of the public thought ‘a good citizen’ should never respect the rights of sexual minorities.<sup>24</sup> This matches the findings of an earlier 2011 survey that showed 87 per cent of Georgians believed that homosexuality can never be justified that interestingly showed no differentiation in attitudes between age groups.<sup>25</sup> Vacharadze and others also draw attention to the extent to which conservative NGOs supported by the church have played a role in shaping public attitudes, particularly in the sphere of education.<sup>26</sup>

The church has also been seen to promote traditional family structures and conservative views on the role of women in society. In 2012 Patriarch Ilia II declared:

*Now it is said that wives and husbands have equal rights. The Holy Letter says husband is a dominant in the family. Family is one body and it cannot have two heads. It is impossible. Families, where mothers and wives sacrifice themselves to children and family, are happy. Happiness, first of all, is love and respect. For example, when husbands come home after work, wives should offer them food, warmth, wash their feet.*<sup>27</sup>

<sup>20</sup> Carolin Funke, The Georgian Orthodox Church and its Involvement in National Politics, The Central Asia-Caucasus Analyst, August 2014,

<http://www.cacianalyst.org/publications/analytical-articles/item/13023-the-georgian-orthodox-church-and-its-involvement-in-national-politics.html>

<sup>21</sup> Damien McGuinness, Thousands protest in Georgia over gay rights rally, BBC News, May 2013, <http://www.bbc.co.uk/news/world-europe-22571216> Irakli Vacharadze, the head of Identoba, contributes an essay to this collection.

<sup>22</sup> RFE/RL, Georgian Prime Minister Says Sexual Minorities Have Equal Rights, May 2013 <http://www.rferl.org/content/georgia-lgbt-equal-rights/24986492.html>

<sup>23</sup> Civil Georgia, Patriarch Regrets Clergy's 'Impolite' Actions in May 17 Events, May 2013, <http://civil.ge/eng/article.php?id=26099>

<sup>24</sup> Caucasus Research Resource Centers (CRRC) Tradition vs sexual minority rights, November 2013, <http://crcc-caucasus.blogspot.co.uk/2013/11/tradition-vs-sexual-minority-rights-in.html>

<sup>25</sup> CRRC, Attitudes towards homosexuality in the South Caucasus, July 2013, <http://crcc-caucasus.blogspot.co.uk/2013/07/attitudes-towards-homosexuality-in.html> It is worth noting that 96% of Armenians gave the same response

<sup>26</sup> Natalia Antelava, Georgia orthodoxy in classroom, BBC News, May 2015, <http://www.bbc.co.uk/news/world-europe-32595514>

<sup>27</sup> Interpress News, Ilia II calls on women to obey their husbands, April 2012, <http://www.interpressnews.ge/en/society/37187-ilia-ii-calls-on-women-to-obey-their-husbands.html?ar=A>

The church is a political and social actor that Georgian politicians and civil society activists cross at considerable risk. The church is seen by some as a pro-Russian political actor, which when compared to much of the rest of Georgia's society is true, and while it may share cultural norms with the ROC, its militant cultural conservatism reflects a desire to mark out its own territory in response to what it sees as cultural impositions from the west, acting in line with current Georgian public opinion rather than simply following Moscow's lead. Given that Georgia's economic and strategic perspective is still broadly pro-Western, this cultural dimension is one that the EU is having to manage carefully as part of the implementation of the EU-Georgia Association Agreement, with then EU Commissioner for Enlargement and European Neighbourhood Policy Štefan Füle meeting with Patriarch Ilia II<sup>28</sup> and putting out public statements making clear the EU does not challenge church teachings or require the acceptance of gay marriage, something the Patriarch was 'relieved' to know was not a requirement of EU Association.<sup>29</sup>

### **The situation in Armenia**

Having played a major role in Armenian cultural life through the ages, the Armenian Apostolic Church has made a relatively smooth transition to becoming part of the status quo in an independent Armenia. That role as a repository for Armenian identity has helped to shape its developing role as a national church with a focus on Armenian ethnicity and national identity. While Catholicos Karekin II is not as popular a figure in Armenian society as Ilia II is in Georgia, the church remains highly trusted when compared to secular institutions.<sup>30</sup> The Armenian Church has yet to play as active an independent role within society as its Georgian counterparts; instead the church is another opaque structure within Armenia's ruling elite and institutions. Both Danielyan and Antonyan highlight the ways in which the church, oligarchs and politicians provide mutual reinforcement of each other's standing with the public. The church is seen as a supporter of the status quo, part of the general malaise in Armenian institutions. The Armenian Apostolic Church currently is the only beneficiary of tax exemption and concerns remain about the transparency of its finances.

The Armenian Church has not been as strident in its denunciations of LGBTI rights as its Georgian counterparts, but nevertheless there is support for the traditional values agenda particularly being promoted by some conservative civil society groups. The important links to the diaspora in the USA and France, who play an important role in funding church projects, may help to temper some of the rhetoric. The relationship with the Russian church is friendly in terms of geopolitics and cultural issues, though the theological gaps due to being parts of different orthodox families act as a barrier to full integration. As our authors explain, the religious freedom situation is gradually improving, with problems over minority faith rights such as conscientious objection to military conscription lessening, though completing the reform of the law on religious minorities remains outstanding and attitudes remain hostile towards minority groups.

### **The situation in Moldova**

The Moldovan church is engaged in a delicate dance with government about the extent of its influence over Moldovan life and the country's political trajectory. Like its counterparts in the UOC-MP, the Moldovan Orthodox Church was developed as an autonomous branch of the Russian Orthodox Church. As a post-independence creation rather than a pre-existing independent institution it has taken time to develop a character of its own, with the development of the link between Moldovan national identity and its majority orthodox population developing over time. This is primarily due to the fact that the concept of Moldovan national identity was a work in progress, the distinct identity competing with calls for closer ties with Romania. The Communist government of President Vladimir Voronin (2001-2009) supported church building projects by the Moldovan Orthodox Church and sought to delay registration efforts of the Metropolis of

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<sup>28</sup> Tabula, Füle to assure Ilia II that EU will not ignore GEO's traditional values, March 2014, <http://www.tabula.ge/en/story/80736-fle-to-assure-ilia-ii-that-eu-will-not-ignore-geos-traditional-values>

<sup>29</sup> EU Commission DG Trade, Myths about the EU-Georgia Association Agreement (AA) and Deep and Comprehensive Free Trade Area (DCFTA), March 2014, [http://trade.ec.europa.eu/doclib/docs/2014/march/tradoc\\_152284.pdf](http://trade.ec.europa.eu/doclib/docs/2014/march/tradoc_152284.pdf) and Democracy and Freedom Watch, Georgian Patriarch: Glad gay marriage is not EU requirement, January 2014, <http://dfwatch.net/georgian-patriarch-glad-gay-marriage-is-not-eu-requirement-97031-25502>

<sup>30</sup> CRRRC, Trust in institutions in the South Caucasus, April 2014, <http://crrc-caucasus.blogspot.co.uk/2014/04/trust-in-institutions-in-south-caucasus.html>

Bessarabia<sup>31</sup> in part to assist in the process of developing an independent Moldovan identity.<sup>32</sup> The Bessarabian Church is seen as disorganised and has broadly failed to expand its presence as an alternative source of Orthodoxy.

The church's approach to 'traditional values' strongly follows the approach of its Russian parent church. In 2012 the church attacked the Government of then-Prime Minister Vlad Filat's efforts to pass an anti-discrimination bill, endorsing leaflets anonymously distributed that conflated homosexuality with paedophilia, claimed that the legislation gives 'pederasts' more rights than other people and that 'any homosexual will be able to practice deviance in public places, even in front of our children'.<sup>33</sup> It strongly criticised then-Prime Minister Vlad Filat whose government had proposed the law. The church has been seen to draw back from some of its more explicit opposition to European Integration around the EU Association Agreement negotiations as a result of government pressure, due to direct engagement by EU officials and the need to balance differing views on Moldova's geopolitical future from within the ranks of the clergy.

### **Russian World and Traditional values**

In his contribution Daniel Payne explores in detail the ways in which the Russian church and Russian state's interests converge in promoting both the concept of a shared heritage and culture, the Russian World, and a shared set of 'traditional values' in the states of the former Soviet Union. The impact is recognised by many of the other authors in their analysis of the four countries examined in this publication.

Prior to his installation as Patriarch of the Russian Orthodox Church, Kirill headed the Russian Orthodox Church's Department of External Church Relations in addition to being Metropolitan of Smolensk and Kaliningrad. This experience representing the Russian church on the world stage has clearly shaped the role he seeks to play as Patriarch, focusing much more on the international dimensions than his predecessor Patriarch Alexy II. The world view he brings to the role is one with clear echoes of Huntington's clash of civilisations approach, arguing that

*The fundamental contradiction of our epoch and the main challenge to the human community in the twenty first century is the opposition of liberal civilised standards on the one hand, and the values of national, cultural and religious identity on the other.*<sup>34</sup>

Kirill's close ally Archpriest Vsevolod Chaplin, chairman of the Synodal Department for the Cooperation of Church and Society, has gone even further, stating that

*Orthodox civilization stands in opposition to western democracy, whose downfall is not far off" and that "multi-confessionality, multiparty systems, separation of powers, competition, administrative conflicts – all that the present political system takes pride in – are symptoms of spiritual unhealthiness. The very existence of a pluralistic democracy is none other than a direct result of sin.*<sup>35</sup>

The Russian church sees itself acting as a bulwark in the defence against liberalism, and indeed liberal democracy, not only in Russia but in the 'Russian World', which in its view includes not only countries where a branch of the Russian Orthodox Church is a major institution (Ukraine and Moldova) but also countries with brother Orthodox Churches (such as Georgia and Armenia) across the former Soviet Union and Warsaw Pact countries. This includes strong critiques of human rights advocacy and efforts to establish such values in international agreements. This narrative dovetails with the Russian state's desire to limit Western political

<sup>31</sup>The Moldovan branch of the Romanian Orthodox Church that is the second largest church in Moldova

<sup>32</sup> Vitalie Sprinceana, God in the Borderlands: orthodoxy, state and society in Moldova, Pro et Contra, Vol. 17, N.3-4, May-August 2013, <http://www.scribd.com/doc/174683010/Moldova-God-in-Border-Zones>

<sup>33</sup> Lucia Diaconu and Mircea Ticudean, Battle Over Moldova Antidiscrimination Bill Reaches Fevered Pitch, RFE/RL, April 2012, [http://www.rferl.org/content/moldova\\_gay\\_antidiscrimination\\_law\\_opposition/24541486.html](http://www.rferl.org/content/moldova_gay_antidiscrimination_law_opposition/24541486.html)

<sup>34</sup> See Anderson, John, 2015, Conservative Religious Politics in Russia and the United States: Dreaming of Christian Nations, Routledge

<sup>35</sup> Anderson ibid, p77

and cultural influence at home and in the near abroad as Payne sets out, with its increasingly similar conception of the Russian World.<sup>36</sup>

In promoting a traditional values agenda, while conservative messages are promulgated both domestically and internationally on women's rights issues, where traditional cultural attitudes compete with the legacy of Soviet (nominal) gender equality, it is the issue of LGBTI rights that has the most traction in the public debate and about which the ROC has been most strident. The Russian Church has enthusiastically endorsed Russia's domestic ban on 'LGBTI propaganda'<sup>37</sup>, following which both Ukraine (under Yanukovich) and Armenia flirted with implementing similar restrictions, while a number of Moldovan local authorities attempted to introduce local versions of such a law in opposition to the anti-discrimination law.<sup>38</sup> Patriarch Kirill has gone as far as to describe the Western legalization of gay marriage as a sign of the apocalypse.<sup>39</sup> This values agenda is promoted across the region through orthodox literature, the internet and a number of orthodox TV channels owned by the ROC such as SPAS TV and Soyuz TV or the new orthodox Fox News equivalent Tsargrad TV, heavily influenced by far-right ideologue Alexander Dugin,<sup>40</sup> which broadcast the church's message via satellite. However while the Russian Church and state provide the theological and political narrative that is then used to varying degrees by the churches and conservative NGOs in the four countries examined here, the individual agency of the local churches and publics to develop similar views based on their own cultural conservatism must not be overlooked.

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<sup>36</sup> Nicolai Petro, Russia's Orthodox Soft Power, Carnegie Council for International Affairs, March 2015, [http://www.carnegiecouncil.org/publications/articles\\_papers\\_reports/727](http://www.carnegiecouncil.org/publications/articles_papers_reports/727)

<sup>37</sup> Russian Federal Law "for the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values"

<sup>38</sup> Human Rights First, Spread of Russian-Style Anti-Propaganda Laws, February 2014, <http://www.humanrightsfirst.org/resource/spread-russian-style-anti-propaganda-laws> and Opinion on the issue of the prohibition of so called 'Propaganda of Homosexuality' in the light of recent legislation in some member states of the Council of Europe, Venice Commission, June 2013, <http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD%282013%29022-e>

<sup>39</sup> Sputnik News, Russian Orthodox Leader Condemns Gay Marriages, Warns of Apocalypse, July 2013, <http://sputniknews.com/russia/20130721/182351608/Russian-Orthodox-Leader-Condemns-Gay-Marriages-Warns-of-Apocalypse.html>

<sup>40</sup> Courtney Weaver, God's TV, Russian Style, Financial Times, October 2015, <http://www.ft.com/cms/s/0/27125702-71ec-11e5-ad6d-f4ed76f0900a.html> Tsargrad uses SPAS TV its delivery platform but is independently owned.



## What our authors say

**Oleksandr Sagan's** piece examines how the confrontation between Moscow and the Kyiv Patriarchate defines the current situation in Ukrainian Orthodoxy. While the UOC-MP was in a difficult position due to its membership of the Moscow Patriarchate it has supported the 'Russian world' ideology, setting itself against Ukrainian independence. The policy of artificial containment of the UOC-KP under Presidents Kuchma and Yanukovich is no longer possible, now that it is twice as popular as the UOC-MP, despite the official statistics. Efforts to achieve approval from the Patriarchate of Constantinople for the local (autocephalous) Orthodox Church in Ukraine, something that may be possible through the unification of the UOC-KP with the UAOC, may further inflame tensions. Problems in the education of clergy and their preaching work may lead to a significant reduction in the number of Orthodox believers in the longer term.

**Myroslav Marynovych** argues that the religious dimension of the 2013/14 Maidan protests has been underestimated in Europe, with Maidan prayers clearly part of its success. It became a place of special ecumenical and inter-religious cooperation, restoring the ancient function of a church as a sanctuary for those persecuted. The Maidan and the Russian aggression in Crimea and Eastern Ukraine have altered Ukrainian religious identity to its core, reaffirming religious and confessional plurality and undermining Soviet stereotypes.

**Stepan Danielyan** examines the transformation of the Armenian Apostolic Church over time and its current 'merging' with the government, something that is leading to increased public criticism. The Church is being accused of involvement in corrupt schemes with the government and is resisting calls for the Church to make its budget public and disclose its assets.

**Yulia Antonyan's** contribution addresses the relationships between the Armenian Apostolic Church and powerful institutions and persons in post-soviet Armenia. Though the constitution formally separates church and state, it has access to political and economic power through indirect means, most notably through mutually beneficial relationships with persons in power based on shared ideology and economic interest. Ideological intervention by the church is most prominent in the areas of education and the army, while the Church's political support of politicians and oligarchs is reciprocated by donations and indirect state support of the Armenian Apostolic Church. As a result, the Armenian Apostolic Church regains its position as an ideological resource for a nation-state and as an additional mechanism of exerting power and control.

**Eka Chitanava's** essay argues that Orthodox Christianity was declared a main marker of national identity by the first president of Georgia. Since then, national and ethnic identities have become intermingled. Because of this narrative the political authorities in Georgia have struggled to relate to other religious confessions, even when the Government did not hold this principle of equating religious and ethnic identities. The Georgian Orthodox Church became a source of political legitimacy for Georgian governments, though this applied differently under different political leaders, the core principle remained the same. It is why governments always attempt to show loyalty to the Georgian Orthodox Church and why it has avoided making significant advances aimed at the protection of religious freedom and fostering tolerance. The essay provides an overview of the Church-State relationship in Georgia from Soviet times to the present day.

**Irakli Vacharadze** discusses how the Orthodox Church of Georgia has constructed a narrative around homosexuality, against which it is building up its own identity as the guarantor of Georgia's history, values and nationalist ideology. He argues the church has actively targeted LGBTI groups, portraying them as the ultimate threat to the country, in a Russian-backed discourse that leaves LGBTI individuals little space to function and realise their human rights.

**Victor Munteanu's** essay centres on the effective influence exercised by the Moldovan Orthodox Church within the secular state of the Republic of Moldova. Using empirical evidence it examines the shift from the

near-unanimous atheism in the 1990s to overwhelming religiosity in the country today. He argues that public and social policy is tailored to suit the doctrinal stance of Moldova's religious institution, particularly with regards to education, politics and basic human rights such as sexual and religious freedom. He highlights the means in which Moldovan identity is merged with religious orthodoxy, due to widespread preference of so-called 'traditional' values, which override European policies.

**Fr. Dr Daniel Payne's** contribution examines the way in which the Russian Orthodox Church under the leadership of Patriarch Kirill has drawn upon its understanding of canonical territory, spiritual security, and the *Russkiy Mir* to promote an ideology uniting the Russian world and those of traditional religious belief. Vladimir Putin has capitalized upon the Russian Orthodox Church's religious understandings of *Russkiy Mir* and has utilized these understandings to promote his foreign policy in Ukraine, Moldova, Georgia, and Armenia. While it is not the sole rationale for Putin's actions towards these nations, the critical influence of the Russian Orthodox Church on his foreign policy should not be underestimated.



## **Orthodoxy in Ukraine: Current State and Problems** **Oleksandr Sagan<sup>41</sup>**

The essay examines the current situation of Orthodoxy in Ukraine, and the historical and political difficulties of its development. The Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP) is dependent upon its ecclesiastical centre in Moscow. This fact not only helps shape the position taken by a significant proportion of its clergy and congregation in opposition to the position of the Ukrainian government, but also explains why it is in constant opposition to the Ukrainian Orthodox Church of the Kiev Patriarchate (UOC-KP), which has taken an unambiguously patriotic position in support of the Ukrainian authorities in the current conflict. Orthodoxy as a religious movement needs reforms and new forms of youth education without which its perspective in Ukraine looks doubtful after one or two generations.

### **The History of the problem**

In 1686, Kyiv Metropolis of the Constantinople Patriarchate was transferred to the jurisdiction of the Moscow Patriarchate. This was caused by the inclusion of territories of Ukraine into the Tsardom of Muscovy. After the collapse of the Soviet Union and the declaration of full political independence of Ukraine on the 24<sup>th</sup> August 1991, a significant section of the Ukrainian Orthodox communion demanded its secession from the Moscow Patriarchate. According to the rules of the Orthodox Church (34<sup>th</sup> Apostolic Canon)<sup>42</sup>, political independence should lead to the proclamation of the independence of the church. On 1<sup>st</sup>-3<sup>rd</sup> November 1991 the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP) at their Local Council (sobor) of appealed to their church centre (Moscow Patriarchate) with a request to give them full independence (autocephaly).<sup>43</sup> The Council (sobor) asked that the Russian Orthodox Church (ROC), after giving full independence (autocephaly)<sup>44</sup> to the UOC-MP, should promote the establishment of a Kyiv Patriarchate with the help of the heads of other local churches.

The Moscow Patriarchate, for objective reasons, could not do this. In 1990, of the 11,940 communities of the ROC, more than six thousand were in Ukraine, and only three thousand were in Russia.<sup>45</sup> Having autocephaly, the UOC-MP would have been quantitatively larger than the Moscow Patriarchate. Moreover, detachment of the UOC-MP from Moscow could have triggered a chain reaction that may have seen the Moscow Patriarchate lose control of several large metropolises (dioceses), which appeared in the independent republics (Moldova, Kazakhstan, Belarus) that came into being after the collapse of the Soviet Union. Metropolitan Filaret was removed from the post of Primate of the UOC-MP and Metropolitan Volodymyr (Sabodan) was elected in his place. Consequently, Metropolitan Filaret took part in the creation of a new church project. The part of the Kyiv Metropolis of Moscow Patriarchate controlled by Metropolitan Filaret was merged with the Ukrainian Autocephalous Orthodox Church (UAOC) which had been revived in Ukraine in 1989 having previously only existed in the diaspora. In June 1992, the Ukrainian Orthodox Church of the Kiev Patriarchate (UOC-KP) was established, uniting the part of the Orthodox communion, who actively supported the idea of autocephaly of the Orthodox Church and the political independence of Ukraine.

Due to internal problems in the UOC-KP in 1993, some of the communities left the UOC-KP and UAOC renewed its independent activity. In 1995, this re-established UAOC gained official state registration. After

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<sup>41</sup> Oleksandr Sagan has been a Leading Researcher at the Institute of Philosophy of the National Academy of Sciences of Ukraine (NASU) since 2010. Previously he served as Head of State Committee of Ukraine on Nationalities and Religions (2007-2009); Scientific adviser of the President of Ukraine, Advisor of Presidential Secretariat of Ukraine (2005-2007); Research scientist of the Institute of Philosophy NASU (1990-2005). He is a specialist on the history of religion, orthodoxy, the politics of religion and state-church relations in Ukraine.

<sup>42</sup> 34<sup>th</sup> Apostolic Canon, "The bishops of every nation befit to know the first one of them and recognize him as the head, and not do anything that would exceed their authority without his argument: each should do only what concerns to his diocese and to the places belonging to it."

[http://www.pravoslavieto.com/docs/ru/pravila\\_sv\\_apostolov.htm#gen33](http://www.pravoslavieto.com/docs/ru/pravila_sv_apostolov.htm#gen33)

<sup>43</sup> Abbreviations used in this paper: UOC-MP – Ukrainian Orthodox Church of the Moscow Patriarchate; UOC-KP – Ukrainian Orthodox Church of the Kiev Patriarchate; UAOC – the Ukrainian Autocephalous Orthodox Church; ROC – Russian Orthodox Church / Moscow Patriarchate; AUCCRO – The All-Ukrainian Council of Churches and Religious Organizations that was founded in 1996 and unites the 19 largest churches and religious organizations of Ukraine. It is only organization with which regularly meets with senior levels of Government in Ukraine and which affects the state-church relations.

<sup>44</sup> As, for example, had previously been granted to the Georgian Orthodox Church

<sup>45</sup> Information on the number of registered religious associations. 1990. Moscow Church Herald. 2: 1

the death of the head of UAOC Patriarch Dymytriy (Yarema) in 2000 active negotiations began about the re-association of the UAOC with the UOC-KP. The next round of these reunification negotiations was held between July-August 2015 (due, partly to the death of the UAOC leader), but ended in failure.

Other notable Orthodox Church communities in Ukraine have arisen primarily as opposition to the official Moscow Patriarchate. These include the Orthodox Old Believers who follow church practices that existed prior to 17<sup>th</sup> Century reforms as well as those Churches that did not accept cooperation of the ROC with atheist Soviet authorities after 1917 (Russian Orthodox Church Abroad, True Orthodox Christians, the True Orthodox Church, as well as parts of these Churches that under the influence of ambitious leaders became independent churches).

### **The legal status of the Orthodox Churches in Ukraine**

The only church in Ukraine that has official contacts with other Orthodox churches internationally and with the Catholic Church is the UOC-MP. While noting that this is part of the Moscow Patriarchate, the UOC-MP has a unique status, 'separate and independent in the governance' of its church structure whilst remaining within the Moscow Patriarchate, which oversees the Russian Orthodox Church. According to their rights, the UOC-MP has more opportunities than some of the Autonomous Orthodox Churches.<sup>46</sup> In particular, the UOC-MP independently chooses (and determines their number) bishops and church leader. The Patriarch of Moscow only approves the elected head of the Church.

UOC-KP and UAOC are autocephalous (fully independent in their management) and canonical (follow all the Orthodox canons) Churches. In an effort to discredit these churches, the ROC used the concept that these were 'non-canonical' churches, in that they were not officially recognised by the other major churches in the Orthodox world. It is worth noting that the Moscow Patriarchate itself did not have such recognition for 141 years between 1448 and 1589. However, they do not recognize this period in their own history as 'uncanonical' which speaks to a double standard in the UOC-MP's theology. UOC-KP and UAOC have been trying to achieve such recognition (and their place in Orthodox lists - diptychs) with the help of the Patriarchate of Constantinople, as Ukraine was its canonical territory prior to the 17<sup>th</sup> Century incorporation into the Russian state. In 1924 and 2005, the Patriarch of Constantinople confirmed this right in the regulation of Orthodox issues in Ukraine. However after these statements the Patriarch of Constantinople, under the pressure of the Moscow Patriarchate, has not taken any practical action to return the Orthodoxy in Ukraine under the jurisdiction of Constantinople or the recognition of the autocephalous status of the UAOC and the UOC-KP.

There are other Orthodox Churches that function in Ukraine but are not recognized or partially recognized (Old Believers are recognized by the Moscow Patriarchate) in the Orthodox world. All the Orthodox Churches in Ukraine registered by relevant state bodies and have legal status.

### **State-church relations**

The Law of Ukraine 'On freedom of conscience and religious organizations'<sup>47</sup>, adopted in April 1991, regulates state-church relations in Ukraine and is considered one of the best in Europe. However, the law cannot solve the problem of the confrontation between the Moscow and Kiev Orthodox Patriarchate churches in Ukraine.

President Leonid Kravchuk (in office 1991-1994) was not involved in the regulation of church-state relations. As one of the leaders of the Communist Party of Ukraine, this President tried to retain equidistance from all the churches, and, in fact, lost a real chance at getting an independent Orthodox Church. President Leonid Kuchma (in office 1994-2005) saw his electoral base as being supporters of the UOC-MP. During Kuchma's

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<sup>46</sup> Autonomous Orthodox Church of Sinai, Chinese Autonomous Orthodox Church, Japanese Autonomous Orthodox Church, the Finnish Orthodox Church, Antiochian Orthodox Christian Archdiocese of North America, Estonian Apostolic Orthodox Church of the Constantinople Patriarchate, the Estonian Orthodox Church of Moscow Patriarchate.

<sup>47</sup> The Law of Ukraine 'On freedom of conscience and religious organizations', <http://zakon4.rada.gov.ua/laws/show/987-12>

presidency, this particular Church was given primacy in the return of church premises confiscated by the Soviet authorities, and in the promotion of the recovery and economic growth of monasteries. However in 1999 Kuchma proposed the formation of a local Orthodox Church in Ukraine based on the UOC-MP. However, as in the case of the appeal of Metropolitan Filaret, the Patriarch of Moscow refused to consider the issue and even accused Kuchma of meddling in church affairs.

The idea of the local Orthodox Church was developed by President Viktor Yushchenko (in office 2005-2010).<sup>48</sup> His efforts were directed at separating Orthodoxy in Ukraine from Moscow. Recognition of the local church was planned to be obtained by the Patriarch of Constantinople. For this purpose, Yushchenko personally several times visited the Ecumenical Patriarch at his residence in Istanbul, and even invited him in 2008 to attend the grand celebration of the 1020<sup>th</sup> anniversary of the baptism of Kiev. The Patriarch arrived, but the idea of the local church was not implemented and the UOC-KP and UAOC did not receive their desired recognition.

The hierarchy of the UOC-MP actively opposed Yushchenko's candidacy in the presidential elections and opposed the supporters of the 2004 Orange Revolution. Therefore, Yushchenko with his support for creating a local Orthodox Church recognized by the wider Orthodox Church across the world, made a bid for the support of the UOC-KP. This Church has occupied a niche space of actively fighting for increased Ukrainian national consciousness and supported Yushchenko in his fight for the Presidency. Support of the Yushchenko government significantly strengthened the position of the UOC-KP and allowed them to take, together with the Ukrainian Greek Catholic Church, the role of a national Church, one that aims to provide representation for ethnic Ukrainians.

With Viktor Yanukovych becoming President (2010-2014) the preeminent position of the UOC-MP was once again reinforced, and led to pressure being placed on the clergy of the UOC-KP. Favouritism towards the UOC-MP meant that during the first year of his presidency, Yanukovych did not even meet with the All-Ukrainian Council of Churches and Religious Organizations (AUCCRO). However, the organized pressure from the authorities on the UOC-KP was counterproductive as it led to public and political organisations in Ukrainian society opposing to greater ties with Moscow rallying around the church. They also received moral support from foreign religious and political centres.

However, the biggest success of the UOC-KP came just after the Revolution of Dignity (the period encompassing the Euromaidan protests of November 2013 through to the February 2014 Revolution). The UOC-KP was seen as supporting these national protests, taking measures such as: allowing churches to be opened as shelters for protesters; Church clergy actively participated in prayer and other promotions of the Maidan protests; and in February 2014 the Church made a call for believers not pray for the government or the President. The UOC-KP's positioning in the above activities was a significant component of the success of the then opposition.

The current President of Ukraine Petro Poroshenko is a parishioner and adherent of the UOC-MP. After his inauguration, he distanced himself from his Church, not least because of their pro-Russian position. At the meeting with AUCCRO members of 17<sup>th</sup> Feb 2015, President Poroshenko expressed concern that almost 20 per cent of Russian propaganda had a religious dimension. However, President Poroshenko also expressed confidence that Ukraine will fight off informational aggression and prevent the use of the religious dimension in the process of political confrontation.<sup>49</sup>

Support for the pro-Ukrainian government position against the rebels and the work of the army has led to the rapid growth in popularity of the UOC-KP in Ukraine. In 2015, Patriarch Filaret has the highest personal

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<sup>48</sup>The author served as an academic advisor to the President Yushchenko and as Head of the State Committee of Ukraine on Nationalities and Religions during his Presidency.

<sup>49</sup>President Poroshenko: Russian information warfare touches of ecclesiastical matters, Institute for Religious Freedom, February 2015, [http://www.irs.in.ua/index.php?option=com\\_content&view=article&id=1512%3A1&catid=34%3Aua&Itemid=61&lang=uk](http://www.irs.in.ua/index.php?option=com_content&view=article&id=1512%3A1&catid=34%3Aua&Itemid=61&lang=uk)

rating among religious leaders in Ukraine. In particular, 41 per cent of the public trust him (13 per cent - mistrust him). The head of the UOC-MP Metropolitan Onufriy has respectively 17 per cent trust him (25 per cent – mistrust him) and the head of the Ukrainian Autocephalous Orthodox Church, Metropolitan Macariy – 15 per cent trust him (10 per cent - mistrust him).<sup>50</sup>

### **Moscow Patriarchate in Ukraine after 2014-the conflict of identities.**

The Russian Orthodox Church, since its existence in Ukraine, was engaged in active Russification of the population. In tsarist times, the Orthodox clergy received a special allowance in addition to the salary for the 'Russification of the district'. Similar Russification was even reflected in the liturgical texts. The traditions of russophilism are present in many of the activities of the UOC, especially as it developed during the Viktor Yanukovich presidency. The UOC-MP became almost the channel for the new Russian Federation ideology – 'the Russian world'. Many priests of the UOC-MP supported separatist movements in Crimea, Donetsk, Luhansk, Odessa, Sumy and some other regions.<sup>51</sup> This is reflected both in activity (cooperation with the fighters)<sup>52</sup>, and ideology (propaganda of Novorossiya ideas, support for the separation of 'South-East Ukraine' from Ukraine and discrediting the conflict resolution activities of the Ukrainian authorities).<sup>53</sup>

Nevertheless, the leadership of the UOC-MP has not condemned the separatist activities of its priests. It is even noted in the analytical report to the President's Annual Message to Verkhovna Rada of Ukraine 'On the Internal and External Situation of Ukraine in 2015' (paragraph 2.1.3.): 'The Ukrainians have not heard, from the senior leadership of the UOC-MP, any condemnation against the Russian occupation of Ukrainian territory. Moreover, the hierarchy of the pro-Moscow Church of the showed enormous loyalty to the aggressor's policy, in fact, supported the occupation and annexation of the Crimea by the Russian Federation.'<sup>54</sup> The Metropolitan of Simferopol and Crimea Lazar actively cooperates with the occupation authorities, consecrating a monument to the separatist 'people's militia' and supporting the blessing of the soldiers and equipment of the Russian Black Sea Fleet.<sup>55</sup> He also reregistered the Simferopol and Crimea diocese under the laws of the Russian Federation and removed it from the UOC-MP's zone influence (formally the Metropolis is still subordinated to Kiev). Analysts from the National Institute for Strategic Studies also indicate: 'Official evidence of UOC-MP spokespersons concerning the current situation in the country are far from objective. Calling a large-scale military invasion of a neighbouring country in the Donetsk and Luhansk as a 'fratricidal confrontation', 'civil conflict', 'discord and hostility', a 'clash of interests of the West and the East' - is false and even cynical'.<sup>56</sup>

The UOC-MP calls in its speeches and sermons for the cessation of military activities and for both parties of the conflict to lay down their arms (including, Ukrainian armed formations that seek to liberate its territory from terrorists).<sup>57</sup> We should note, however, that the Moscow leadership does not fully support the position

<sup>50</sup> Attitude to the leaders of religious denominations, Rating Group, June 2015, [http://ratinggroup.com.ua/upload/files/RG\\_Church\\_062015.pdf](http://ratinggroup.com.ua/upload/files/RG_Church_062015.pdf)

<sup>51</sup> Risu, Priest in Sumy region found guilty of separatism, November 2015, [http://risu.org.ua/ua/index/all\\_news/community/scandals/58185/](http://risu.org.ua/ua/index/all_news/community/scandals/58185/); Gazeta.ua, The border guards detained priest-separatist in the ATO area, August 2015, <http://gazeta.ua/ru/articles/life/pogranichniki-v-zone-ato-zaderzhali-svyaschennikaseparatista/642090>

<sup>52</sup> Elena Yarmolyuk, The priest consecrated roadblocks of separatists (VIDEO), Ukraine Press, May 2014, <http://uapress.info/ru/news/show/25537>; Church experts commented on the detention of an armed priest in Lugansk, Segodnya.ua, May 2014, <http://www.segodnya.ua/regions/donetsk/cerkovnye-eksperty-prokommentirovali-zaderzhanie-vooruzhennogo-svyaschennika-v-luganske-523962.html>; EP-UA, The priest-separatist from starving Rovenky (village) is flying to rest in the Crimea by plane, August 2015, <http://ep-ua.tv/ru/novini/blog/7108.html>

<sup>53</sup> The Ukrainian Week, At Odessa a priest was sentenced to four years in jail for separatism, <http://tyzhden.ua/News/132>; D. Snegirev, Separatist Priests from starving Rovenki flying to rest in the Crimea by plane, The European Pravda in Ukraine, August 2015, <http://ep-ua.tv/ru/novini/blog/7108.html>; My Kiev, In the Kyiv region a priest-separatist was engaged in pro-Russian propaganda, June 2015, <http://nashkiev.ua/zhurnal/novosti/na-kievshchine-svyaschennik-separatist-zanimalsya-prorossiskoy-agitaciyevideo.html>; Religion in Ukraine, Archpriest of Lugansk - Alexander Avdyugin supports separatists, November 2014, [http://www.religion.in.ua/news/ukrainian\\_news/27535-luganskij-ptoioerei-aleksandr-avdyugin-podderzhivayushhii-separatistov-napomnil-kievu-pro-svyatuyu-dubinu.html](http://www.religion.in.ua/news/ukrainian_news/27535-luganskij-ptoioerei-aleksandr-avdyugin-podderzhivayushhii-separatistov-napomnil-kievu-pro-svyatuyu-dubinu.html)

<sup>54</sup> The analytical report to the President's Annual Message to Verkhovna Rada of Ukraine "On the Internal and External Situation of Ukraine in 2015" Paragraph 2.5.2., The National Institute for Strategic Studies. - Kyiv, 2015, - p. 367, [http://www.niss.gov.ua/public/File/2015\\_book/POSLANNYA-2015\\_giper\\_new.pdf](http://www.niss.gov.ua/public/File/2015_book/POSLANNYA-2015_giper_new.pdf)

<sup>55</sup> The official website of the Diocese of Simferopol and Crimea, Metropolitan of Simferopol and Crimea Lazar consecrated the foundation stone of the future monument to the people's militia, February 2015, <http://www.crimea.orthodoxy.su/59-events/4007> (The monument will be dedicated to the triumph of the Russian militia and "victories of the Russian people"); Vlasti.net, The priests of the UOC MP consecrated Russian equipment in Crimea, March 2014, <http://vlasti.net/news/213521>, (priest held a service and sprinkled holy water on the soldiers and military equipment)

<sup>56</sup> The analytical report to the President's Annual Message to Verkhovna Rada of Ukraine 'On the Internal and External Situation of Ukraine in 2015' (Paragraph 2.5.2), The National Institute for Strategic Studies. - Kyiv, 2015, - p. 367, [http://www.niss.gov.ua/public/File/2015\\_book/POSLANNYA-2015\\_giper\\_new.pdf](http://www.niss.gov.ua/public/File/2015_book/POSLANNYA-2015_giper_new.pdf)

<sup>57</sup> Message of the Primate of the Ukrainian Orthodox Church on the anniversary of the events on the Kyiv Maidan (18-21 February 2014), The Ukrainian Orthodox Church. Official website, February 2015, <http://news.church.ua/2015/02/11/zvernennya-blazhennishogo-onufriya-mitropolita-kijivskogo-i-vsijej-ukrajini-predstoyatelya-ukrajinskoj-pravoslavnoj-cerkvi-z-nagodi-vidznachennya-richnici-podij-na-kijivskomu-majdani-shhr-vidbul/>

of the UOC-MP's leadership, because the Kremlin is trying to justify the right of 'Novorossiya' for self-determination. But the calls for Ukrainian soldiers to surrender weapons (substantiating the dominance of Christian values over secular needs), discredits the UOC-MP in terms of growth in Ukrainians patriotic feelings and contributes to the loss of their supporters, particularly in western and central Ukraine. There have been around 30 parishes that have transferred their allegiance from the UOC-MP to the UOC-KP (in 2014). However, this process has not become more widespread due to the complex legal challenges. In many statutes of orthodox communities, bishops have required that exit from the UOC-MP is only possible with the consent of the local bishop although in the view of this author this restriction is illegal. In Ukraine, the owners of church buildings are not the bishops (the clergy), but the local church community. However the UOC-MP has for many years sought to bring the norm of providing the Church, as a whole, with a legal entity status into Ukrainian legislation. In this case, all the church buildings that now belong to UOC-MP will forever remain in the ownership of the Church, even if 100 per cent of the local community leave this Church.

The existing rule on the need for the permission by a ruling bishop greatly complicates community's secession from the UOC-MP, especially in cases where part of the community do not want any changes. Such a norm also breaks the current law 'On freedom of conscience and religious organizations', which allows people and communities to freely change their church membership. The complexity of the litigation for communities to get out of the UOC-MP and active opposition by officials and supporters of the UOC-MP, have significantly complicated and even stopped such transitions.

### **The situation inside the UOC-MP and its relations with Moscow**

President Kuchma's policy, with support of the UOC-MP, led to this Church receiving the support of business elites in all regions of Ukraine. However, the political mood of these elites in the East, West, South and Central Ukraine have significant differences. Thus, two groups have formed within the UOC-MP that have opposite views on the future of the Church. The conservative side tries to integrate it further within the structures of its Moscow centre. Its representatives often do not recognize Ukrainian identity, support the theses of Russian propaganda and put forward the idea that 'Ukrainians and Russians - are one people'<sup>58</sup>, 'Ukrainian language is a modification of the Russian language'.<sup>59</sup> The most radical of them support separatist movements and anti-Ukrainian government propaganda. The Autocephalous side believes that the UOC-MP should acquire Ukrainian characteristics<sup>60</sup> and receive a completely independent (autocephalous) status from the Moscow Patriarchate.<sup>61</sup> They believe that Ukrainian state authorities should assist them with this. After all, the problem of the complete independence of the Orthodox Church in Ukraine is also a matter of national security. However, about half the hierarchy of the UOC-MP does not support any of these two positions and votes depending on the mood of the time.

Ukraine's Ministry of Culture (the state body on religious affairs) made an official statement concerning the potential for visits of the Russian Orthodox Patriarch Kirill of Moscow to Ukraine in the context of Russia's position on Ukraine (the annexation of the Crimea and its military actions). Such visits are declared: 'undesirable, provocative and political'.<sup>62</sup> Visits by bishops of the UOC-MP to Russia are not restricted, but their number has reduced significantly.

<sup>58</sup> Polemika, I do not understand enmity between Ukrainians and Russian - First Hierarch of ROCOR, Metropolitan Hilarion, July 2013, <http://polemika.com.ua/news-122444.html>; ZN,UA, Putin: Russian and Ukrainians - one nation, Russia will continue, March 2015, [http://zn.ua/POLITICS/putin-ukraincy-i-russkie-odin-narod-my-poydem-dalshe-170220\\_.html](http://zn.ua/POLITICS/putin-ukraincy-i-russkie-odin-narod-my-poydem-dalshe-170220_.html);

<sup>59</sup> Andrei Bulgars, Russians believe the Ukrainian language is a corrupted form of Russian (VIDEO), NR2.Ru, August 2015, [http://nr2.com.ua/blogs/Andrey\\_Bulgarov/Rossiyane-schitavut-ukrainskiy-yazyk-isporchennym-russkim-VIDEO-104589.html](http://nr2.com.ua/blogs/Andrey_Bulgarov/Rossiyane-schitavut-ukrainskiy-yazyk-isporchennym-russkim-VIDEO-104589.html); Malorossijanin (blog), About 'half-done language' and 'Russian world' as the saviour of Ukrainians, July 2014, <http://malorossijanin.livejournal.com/849614.html>

<sup>60</sup> Ukrainian Orthodox Church Kiev Patriarchate, The Ukrainian Orthodox Church for the first time published a Missal in the Ukrainian language, November 2013, <http://www.kiev-orthodox.org/site/events/4889/>; Lana Samohvalova, Alexander Drabinko: Looking at the Maidan, Metropolitan Vladimir said that Ukraine is cleared, July 2015, Ukrinform: [http://www.ukrinform.ua/rus/news/aleksandr\\_drabinko\\_glyadya\\_na\\_maydan\\_mitropolit\\_vladimir\\_govoril\\_cho\\_ukraina\\_ochishchaetsya\\_1761695](http://www.ukrinform.ua/rus/news/aleksandr_drabinko_glyadya_na_maydan_mitropolit_vladimir_govoril_cho_ukraina_ochishchaetsya_1761695); Metropolitan UOC MP Sofronii criticized Putin // <http://korrespondent.net/ukraine/politics/3322704-mytropolit-upts-mp-sofronvi-raskrytkoval-putyna>;

<sup>61</sup> Metropolitan of the UOC (MP) Sofronii: with the autocephaly of the Ukrainian Church will be better for the Ukrainians and for Russians // [http://www.religion.in.ua/news/ukrainian\\_news/12252-mitropolit-upc-mp-sofronij-pri-avtokefalii-ukrainskoj-cerkvi-budet-luchshe-i-ukraincam-i-rossijanam.html](http://www.religion.in.ua/news/ukrainian_news/12252-mitropolit-upc-mp-sofronij-pri-avtokefalii-ukrainskoj-cerkvi-budet-luchshe-i-ukraincam-i-rossijanam.html);

Metropolitan Sophrony: A lot of people are disappointed in Patriarch Kirill, March 2014, <http://glavcom.ua/articles/19292.html>

<sup>62</sup> Ukrainian Pravda, Ministry of Culture doesn't want to see Patriarch Kirill in Ukraine, June 2014, <http://www.pravda.com.ua/news/2014/06/19/7029556/>



## Statistics

As of the start of 2015, the number of communities within the UOC-KP has increased to 4,700 while there were 12,200 in the UOC-MP.<sup>63</sup> However, official statistics record only the number of registered statutes of religious organizations (such as individual parishes). For such registration, 10 people are required to belong to the organisation. Such imperfect accounting leads to the following example. A Church with 100 registered organizations that are visited by 10 people each (total – 1,000 people), according to the official statistics would seem to be ten times bigger than a Church which has 10 organizations that are visited by 1,000 people (10,000 people). This principle goes some way to explain the gap in the number of registered communities between the two Churches, with the UOC-KP drawing larger congregations in a smaller number of churches.

Sociological studies show that the level of public support for Ukraine Patriarch Filaret is more than double the UOC-MP (38 per cent vs 19.6 per cent).<sup>64</sup> However, the UOC-MP has the largest number of registered organizations and the best material resources among churches in Ukraine. Of course, these statistics do not always refer to the active Orthodox believers who regularly attend church services. Some of them support UOC-KP for their active civic position, their support for both Maidan protests and work in supporting the soldiers involved in the Ukrainian Government's Anti-Terrorist Operation (ATO).<sup>65</sup> However, with invariability of positions of the UOC-MP and UOC-KP, this sociology reflects quite well the tendency of sympathy in society and, consequently, the future of these Churches.

There are also other Orthodox Churches and Churches of Orthodox origin in Ukraine. The largest of them are the Ukrainian Autocephalous Orthodox Church (1,200 organizations), Old Believer churches (68 organizations), the Russian Orthodox Church Abroad (28 organizations) and other Orthodox groupings that together number 145 organizations. However, in the religious life of Ukraine, they are almost invisible, apart from the Ukrainian Autocephalous Orthodox Church that together with the UOC-KP and the UOC-MP is part of AUCCRO. The participation of smaller Orthodox Churches in AUCCRO is currently prevented due to the position of representatives of the three major churches - the UOC-MP, UOC-KP and UAOC, which continue to block entry to this body of any other Orthodox Churches.

## The role of the Orthodox churches in education and religious education

The Orthodox Churches have the lowest rates of establishing the religious upbringing and education of children amongst faith groups in Ukraine. Orthodox Sunday schools (where children learn the basics of their religion), have low authority and a much smaller percentage of adherents attending than similar programmes by the Protestants or Catholics. In particular, only 32.5 per cent of the UOC-MP communities have Sunday schools, and 32 per cent of UOC-KP and 25 per cent of UAOC communities. Other Orthodox denominations have even less with only 13 per cent of the Russian Orthodox Old Believer Church (Belokrinitskaya Hierarchy) groups maintaining a Sunday school and 10 per cent both of the Russian Orthodox Old Believer Church ('priestless' consent) and Russian Orthodox Church Abroad. Orthodox Churches have expressed their interest in implementing and conducting courses in 'Christian ethics' (as well as courses in: 'Biblical history and Christian ethics', 'Basics of Christian Ethics', 'Christian Ethics in Ukrainian culture' and more) that are an optional subject beginning to be taught in many secondary schools, mostly in Western and Central Ukraine. Such courses already taught in 30 per cent of general education schools in Ukraine. In some regions of Ukraine (Lviv, Ternopil), this figure is close to 100 per cent.<sup>66</sup> Only priests who have a higher secular education (diploma of Ministry of Education and Science of Ukraine) are allowed to teach such courses. State educational institutions develop the Christian Ethics course syllabus with the

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<sup>63</sup> Ministry of Culture of Ukraine. Form № 1. Report on a network of churches and religious organizations in Ukraine, January 2015, <http://risu.org.ua/ua/index/resources/statistics/ukr2015/60129/>

<sup>64</sup> Most of the residents of Ukraine refer themselves to UOC-KP and "just Orthodox." The data of Center for Social and marketing research "SOCIS", Rating Group, KIIS and Centre of Razumkov, Religion in Ukraine, May 2015, <http://www.religion.in.ua/news/%20vazhlyvo/29277-bolshinstvo-zhitelej-ukrainy-otnosyat-sebja-k-upc-kp-i-prosto-pravoslavnyim.html> (February 2015, data selection – 25,000)

<sup>65</sup> The official name for the Ukrainian military operation in Donetsk and Luhansk.

<sup>66</sup> Natalia Parkhomenko, Problematic issues of introduction of Christian ethics in schools in Ukraine, Kievsvyat <http://www.kievsvyat.kiev.ua/2009-08-16-13-20-49/293-2013-05-30-16-02-43.html>

involvement of priests and ecclesiastical institutions, though final approval by the state educational authorities is mandatory.

The Orthodox Churches are restructuring their religious education and unification of the standards of their secular education. The education system for priests in seminaries (4 years) and theological academies (5 years) has been changed to earning a bachelor's degree (4 years) and Master's degree (2 years). In May 2015, the Kyiv Orthodox Theological Academy of UOC-KP received a license from the Ministry of Education and Science to prepare bachelors and masters in theology.<sup>67</sup> In March 2013 the UOC-MP adopted the concept of higher theological education which will also repeat the standard of secular higher education. It should be noted that only four of the Orthodox Churches in Ukraine have educational institutions. According to the state statistical data, the UOC-MP has 19 (with 4,800 students), the UOC-KP has 18 (with 1,100 students), the UAOC has 7 (with 100 students) and the Russian Orthodox Church Abroad has 1 (with 30 students).<sup>68</sup>

Relative to the population, there was a small growth in the Orthodox communities in the last five years (between 1.5 and 3%). In the UOC-MP, due to the military operations and the Ukrainian state's loss of control over significant areas traditionally dominated this Church, as well as the transition of certain communities to the UOC-KP. At the beginning of 2015, the number of communities in general decreased by 473 individual worship communities (altogether in Ukraine the number of religious organizations has decreased over the last year to 1,865 units).<sup>69</sup>

These figures only confirm the theory that at the stage of intensive development, important factors will include the general educational and morale of the clergy, the support and trust of society, initiation of new forms of work with young people and the 'unchurched' (those who do not know the basics of faith, do not visit church, but like the concept of Orthodoxy) among others. Amongst the Orthodox Churches at this time, the UOC-KP is performing best in terms of these criteria. The UOC-KP is also actively accepting UAOC clergy and communities that are disappointed in their church leadership, after another unsuccessful attempt of association with the UOC-KP. UOC-KP leadership in recruitment of clergy will depend considerably on the internal processes within the UOC-MP. In particular, it will depend on how much the UOC-MP will be ready to turn away/distance itself from its spiritual centre in Moscow.

An important factor of the Orthodox life in Ukraine may also be the position of the Ukrainian Government and its institutions, which is objectively interested in the elimination of ideological and political influence channels from Russia to the public (for example the UOC-MP), and termination the spreading of the ideas of the 'Russian world'. Even the declarative or moral promotion by the Government of the idea of a single Local Orthodox Church, a call that has been made for the last 15 years, gives a strong enough signal to Ukrainian society and its own bureaucracy about its institutional preferences.

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<sup>67</sup> Kyiv Orthodox Theological Academy passed the licensing procedure, Ukraine Kyiv Patriarchate, June 2015, <http://www.cerkva.info/uk/news/kyiv/6933.html>

<sup>68</sup> Ministry of Culture of Ukraine. Form № 1. Report on a network of churches and religious organizations in Ukraine, January 2015, <http://risu.org.ua/ua/index/resources/statistics/ukr2015/60129/>

<sup>69</sup> Kyiv Orthodox Theological Academy passed the licensing procedure, Ukraine Kyiv Patriarchate, June 2015, <http://www.cerkva.info/uk/news/kyiv/6933.html>

## Ukrainian Churches and the Maidan Myroslav Marynovych<sup>70</sup>

### Major trends during the Presidency of Viktor Yanukovych

We cannot understand the religious phenomena around the Euro-Maidan without first referring to the style of Victor Yanukovych's presidency. Since the very first day of his inauguration, on the 25<sup>th</sup> of February 2010, the newly elected President Yanukovych made it absolutely clear that he would adopt the Putin model of state favouritism towards one Church.

Viktor Yanukovych only met with the head of the Ukrainian Orthodox Church of the Moscow Patriarchate during the first year of his presidency. He refused to meet any other religious leaders even when they requested meetings. The All-Ukrainian Council for Churches and Religious Organizations first met with him only after he had been in office for 14 months.

In its 2010 International Report on Religious Freedom, the US State Department noted that 'there were reports of societal abuse and discrimination based on religious affiliation, belief, or practice'. It was also noted that 'local officials at times took sides in disputes between religious organizations, and property restitution problems remained'.<sup>71</sup> This conclusion was reaffirmed in the 2011 Report 'Human Rights in Ukraine' issued by the Ukrainian Helsinki Human Rights Union who concluded that, throughout the country, local authorities 'put obstacles in the development of less extended confessions in favour of one dominant Church'.<sup>72</sup>

Two comments clarify this situation. For example, Liudmila Shangina, a director of social programs at the Razumkov Center warned Ukrainian society that the 'continuation of the practice of distinguishing one Church in counterbalance with others is a covert threat of sharpening of the inter-confessional and, consequently, inter-regional confrontation'.<sup>73</sup> In addition, Vasyl Boyechko, the Bishop of the Ukrainian Union of Christians of Evangelical Faith – Pentecostals, stated that the 'unpleasant smell of dictatorship is penetrating all the spheres of life'<sup>74</sup> in Ukraine.

By the middle of 2013, Yanukovych had slightly softened this trend of state religious favouritism. The major reason for this was a general state of fatigue in Ukrainian society due to the obtrusive *Russian World* campaign urged by Kirill, Patriarch of Moscow.<sup>75</sup> On the 26<sup>th</sup> of July 2013, Yanukovych even issued the following statement, which was unprecedented for him: 'For the state, all churches and religious organizations are equal ... We will not allow certain political groups to misuse churches and religious organizations in their narrow interests. This concerns also foreign centres trying to make impact on the inner political situation in Ukraine via religious organizations.'<sup>76</sup>

However, it was too late. By that time it had become clear for all the marginalized Churches that they needed to seek partnership with one another to defend the previous 'Ukrainian' model of church-state relations. According to Jose Casanova, a sort of American denominationalism<sup>77</sup> has been developed in

<sup>70</sup> Myroslav Marynovych is the a Vice-Rector for University mission of the Ukrainian Catholic University in Lviv, Ukraine, and a president of the Institute of Religion and Society of the same University. He was a founding member of the Ukrainian Helsinki Group and a prisoner of conscience (1977–1987). He headed the Amnesty International structures in Ukraine (1991–1996), is a former president of the Ukrainian Center of the PEN International (2010–2014) and a member of the 'First December' Initiative (since 2011).

<sup>71</sup> Ukraine. International Religious Freedom Report 2010. U.S. Department of State. <http://www.state.gov/j/drl/rls/irf/2010/148993.htm>

<sup>72</sup> Institute for Religious Freedom, Religious organizations most face discrimination from local authorities - Report defenders, March 2012, [http://www.irs.in.ua/index.php?option=com\\_content&view=article&id=1023%3A1&catid=34%3Aua&Itemid=61&lang=uk](http://www.irs.in.ua/index.php?option=com_content&view=article&id=1023%3A1&catid=34%3Aua&Itemid=61&lang=uk)

<sup>73</sup> RISU, Authorities grant advantages to the UOC-MP, July 2011, [http://risu.org.ua/ua/index/all\\_news/state/church\\_state\\_relations/43536/](http://risu.org.ua/ua/index/all_news/state/church_state_relations/43536/)

<sup>74</sup> RISU, The dictatorship of unpleasant odors into all areas of life – Bishop Tshvye,

December 2011, [http://risu.org.ua/ua/index/all\\_news/community/religion\\_and\\_policy/46113/](http://risu.org.ua/ua/index/all_news/community/religion_and_policy/46113/)

<sup>75</sup> Ed. See essay by Daniel Payne

<sup>76</sup> Mirror of the Week. Yanukovych promised to prevent the use of churches "as political forces in their own narrow interests. [http://dt.ua/POLITICS/yanukovich-poobicyav-ne-dopustiti-vikoristannya-cerkov-devakimi-politsilami-u-svovih-vuzkih-interesah-125786\\_.html](http://dt.ua/POLITICS/yanukovich-poobicyav-ne-dopustiti-vikoristannya-cerkov-devakimi-politsilami-u-svovih-vuzkih-interesah-125786_.html)

<sup>77</sup> According to Jose Casanova, Ukraine religious plurality based on linguistic and regional diversity produced the phenomenon of 'denominationalism' that is reminiscent of the American religious situation [see Casanova Jose (1996) 'Incipient Religious Denominationalism in Ukraine and Its Effect on Ukrainian-Russian Relations' *Harriman Review*, vol. 40, p.9].



Ukraine. At least three branches of Christian religions – Orthodoxy, Catholicism, and Protestantism – shared a parity of influence. In addition, the impact of the Jewish and Muslim religions helped create a type of self-tuning system. Thus the parity was both the result of Ukraine’s religious freedom and, at the same time, its main guarantee. This model differed significantly from Putin’s and predetermined the conceptual clash with the Yanukovych policy in the religious sphere.

### **The Religious Dynamic of the Maidan**

The first groups who launched the protest movement on the 22<sup>nd</sup> November 2013, in Kyiv, consisted predominantly of young people and students irritated by the Yanukovych decision to postpone the signing of the Agreement with the EU. They demanded he reverse that decision and claimed their devotion to European values: human dignity, democratic freedoms, social justice etc. Those claims gave the specific name to the whole uprising: Euro-Maidan, or the Revolution of Dignity. (*see photo 1.*)

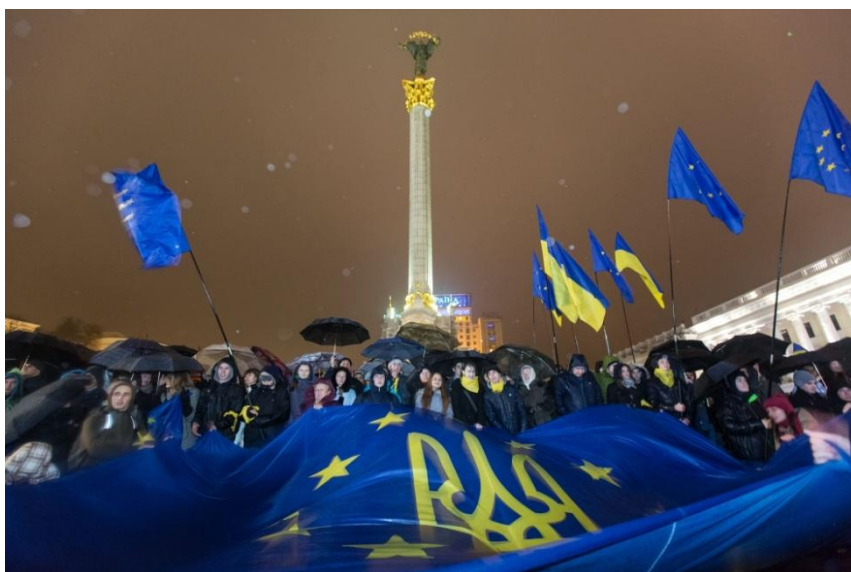


Photo 1. Demanding that Yanukovych sign the Agreement with the EU.<sup>78</sup>

Young people were very careful to preserve the values-based nature of their protest and were reluctant to establish closer contacts with politicians in order *not* to be misused for political purposes. At that time, the reluctance also extended to priests and religious activists.

The situation changed dramatically when a kind of protester’s ‘discotek’ was transformed by the government into a tragic confrontation. In the late night of November 30<sup>th</sup>, *Berkut* units (armed special assignment units) had brutally beaten the remaining group of 400 protesters on the main Maidan (Independence) square of Kyiv. The group was dispersed, but even more new people gathered on the square in the early morning and the Maidan continued. From that time on, pro-European slogans were joined by anti-governmental ones.

This was also the turning point in religious perceptions of the Maidan. The reason was that Saint Michael’s monastery in Kyiv, belonging to the Ukrainian Orthodox Church of the Kyivan Patriarchate (UOC-KP), opened its doors for those being targeted or who had been wounded by the police on that terrible night. Many in Ukrainian society were amazed by the symbolism of this act and it restored the ancient function of a church as a shelter (sanctuary) for persecuted individuals and groups (*see photo 2*).

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<sup>78</sup> Photo taken by TCH at ‘Українське фото (Ukrainian Photo) Agency; Maksym Polishchuk.



Photo 2. Hunted and wounded people at Saint Michael's monastery in Kyiv. <sup>79</sup>

From that time on, the people of Maidan opened their hearts to representatives of different Churches and religious groups. It became a place of special ecumenical and inter-religious cooperation. Many priests and pastors served as Maidan chaplains, especially during the nights. There was one prayer tent built by the Ukrainian Greek Catholic Church (UGCC) and used as an ecumenical chapel for all different confessions (see *photo 3*).



Photo 3. The prayer tent at the Maidan. <sup>80</sup>

Normally, the Maidan prayed Christian prayers. However Jewish rabbis and Muslim imams were regularly invited and their prayers became an important part of the Maidan religious culture (see *photo 4*).

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<sup>79</sup> By Maksim Trebukhov (Max DeadArtist).

<sup>80</sup> Private photo of Fr. Mykhailo Dymyd.



Photo 4. Muslim religious presence at the Maidan.<sup>81</sup>

The earlier 2004 Orange Revolution tradition of common statements by Orthodox, Catholic, and Protestant leaders was again restored. Normally, they were issued by the All-Ukrainian Council of Churches and Religious Organizations that embraced all the sociologically significant religious jurisdictions including the UOC-MP. Filaret (Denysenko), Patriarch of Kyiv and all-Rus of the UOC-KP, and Sviatoslav (Shevchuk), Patriarch (Major Archbishop) of Kyiv and Halych of the UGCC, were especially eloquent in defending the civic rights of the protesters.

These actions evoked significant criticism in the Kremlin and the Moscow Patriarchate<sup>82</sup> seconded by the Ukrainian government. On January 13<sup>th</sup>, Ukraine's Ministry of Culture, in its letter addressed to Patriarch Sviatoslav Shevchuk, 'warned Ukraine's third-largest Church of dissolution if it continued to maintain a presence on the Euro-Maidan protest grounds.'<sup>83</sup> Patriarch Sviatoslav called a press-conference and courageously publicised his position 'that the Church is not a member of the political process, but it cannot stand by when its faithful ask for spiritual care. The priest's duty is to be with the faithful, this is the very mission of the Church.' In those days, the appeal of Pope Francis to priests to 'be shepherds living with the *smell* of the sheep'<sup>84</sup> was especially popular at the Maidan in Kyiv. The Patriarch's stand was widely supported internationally, and Yanukovich had to retreat. Between February 20<sup>th</sup> and 25<sup>th</sup>, the clergy fulfilled one more function - the sad ceremonies of funerals for those protesters who were killed by governmental snipers, joining the Heavenly Hundred (*see photo 5*).

When the Russian Federation annexed Crimea this immediately endangered the Ukrainian Greek Catholic Church, some Protestant denominations, and the Ukrainian Orthodox Church of the Kyivan Patriarchate (that is considered schismatic by the Moscow Patriarchate). In an incredible gesture, Crimea Tatars (who are Muslims) offered their mosques for the use of any Orthodox believers who might be deprived of the use of their own temples. This received a very positive reaction on social media platforms. Also meaningful was that these Orthodox people promised to accept this offer in the event of any persecution! Thus, clearly the Ukrainian Maidan stood in stark contrast to a world traumatized by violent Christian-Muslim relations.

<sup>81</sup>Photo by RISU (Religious Information Service of Ukraine)

<sup>82</sup> 'The UGCC not only supported the Euromaidan protests from the very start, but its parishioners and clerics participated in the...,' head of the Synodal Department for External Church Relations Metropolitan Hilarion told Interfax-Religion in his interview on Thursday [June 26, 2014]. According to him, in conditions of social tensions, instead of 'urging to reconcile and start political dialogue they urged protesters to take radical steps.' The Russian Church criticizes Greek-Catholics for anti-Russian outbursts and proselytism. <http://www.pravoslavie.ru/english/71809.htm>

<sup>83</sup> Government Threatens Ukrainian Church. <http://projectmaidan.com/post/73286157008/government-threatens-ukrainian-church> (both letter and press conference)

<sup>84</sup> Carol Glatz. Pope Francis: Priests should be 'shepherds living with the smell of the sheep.' Catholic News Service. <http://www.thecatholictelegraph.com/pope-francis-priests-should-be-shepherds-living-with-the-smell-of-the-sheep/13439>





Photo 5. First prayers near the recently killed protesters.<sup>85</sup>

### **An attempt at analysis**

In an exclusive interview with *The Euromaidan Journalist Collective*, Bishop Borys Gudziak of the UGCC ‘explained that many people see an almost resurrectional symbolism in their protests, and that a religious presence on the Euro-Maidan is only providing the protestors with more hope.’<sup>86</sup> He defined the protest movement as a ‘long pilgrimage to the dignity of Ukrainian people.’

Clergymen and pastors in the field or on Maidan Square gained an incredible pastoral experience. Religious Ukrainians believed this was the time of the Holy Spirit in the Maidan. People were in the midst of battles between good and evil. Individuals risked their lives to be ‘freed from sins’. Humans stood in front of their God in naked humility (*see photo 8*). People of faith are convinced the beatitudes of the Sermon on the Mount promise blessings to those who ‘are persecuted for the sake of justice’.<sup>87</sup> In the Maidan all social mantles fell and the human spirit grew in moments of unjust persecution and undeserved suffering.

The Maidan – followed later by cruel Russian aggression in Crimea and Eastern Ukraine – has altered Ukrainian religious identity to its core. The religious and confessional plurality of the country was reaffirmed and former Soviet stereotypes were undermined.

The Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP) found itself trapped between two kinds of loyalty: that to the spiritual leadership based in Moscow and to its flock of both the pro-Ukrainian majority and pro-Russian minority. The UOC-MP desperately tried to maintain a neutral position at any cost and, therefore, limited itself to obviously hollow general slogans about the need for peace at all costs. Coming under the crossfire of a national critique, this Church paid a rather heavy price. According to Patriarch Filaret, by December 2014, ‘30 parishes of the UOC-MP moved to the jurisdiction of the UOC-KP’.<sup>88</sup> It must be stated, however, that after the Maidan, the pro-Ukrainian stand of the hierarchy of the UOC-MP, under the leadership of the late Metropolitan Volodymyr Sabodan, gradually changed (allegedly because of the Russian pressure during the election) into the pro-Russian stand after his death when the leadership of the Church passed to newly-elected Metropolitan Onufriy Berezovsky. This reorientation met even more criticism in Ukrainian society during the ‘hybrid’ war with the Russian Federation in eastern Ukraine.

<sup>85</sup> Photo by CREDO.

<sup>86</sup> Government Threatens Ukrainian Church. <http://projectmaidan.com/post/73286157008/government-threatens-ukrainian-church> see also <http://youtu.be/OocCW3BqUCI?t=9m2s>

<sup>87</sup> Matthew 5:10. The Sermon on the Mount.

<sup>88</sup> 30 parishes of the UOC (MP) moved to the jurisdiction of Kyiv Patriarchate. RISU. [http://risu.org.ua/en/index/all\\_news/confessional/orthodox\\_relations/58421/](http://risu.org.ua/en/index/all_news/confessional/orthodox_relations/58421/)

Some other churches, including the Roman Catholic Church in Ukraine, limited themselves to active spiritual guidance and the presence of their clergy and pastors during interdenominational prayers at the Maidan. However, this seemed to be an inadequate response to the call of the Pastoral Constitution *Gaudium et Spes*<sup>89</sup> to raise the church's voice against a criminal government: 'Otherwise all those political forms in various countries which oppress civic and religious freedom will be rejected, which increase the number of victims of political passions and crimes, and abuse the exertion of state power for the self-interest of a certain party or even the rulers themselves, to the detriment of the common good.'<sup>90</sup>

It was obvious that Ukrainian Churches were rather late in their appreciation of the value claims of the Euro-Maidan. In his sober analysis from December 11<sup>th</sup> 2013, Archimandrite Cyril Hovorun (UOC-MP) stated:

'With regard to the orientation of its values, Maidan grew (...) beyond the Ukrainian churches (...), without exception to all churches. (...) Only in the final phase of Maidan did the Ukrainian churches reach the moral standard and sense of responsibility which had defined Maidan the entire time. Starting from general appeals for non-violence, people engaged in solidarity, through words and actions, with the values promoted in Maidan Square; they had become aware of their spiritual proximity to Christian principles. Maidan has demonstrated numerous examples of altruism, willingness to sacrifice, willingness to support one another, etc. It has deliberately acted as the weak one, despite its strength in terms of numbers, and has almost already taken on an eschatological meaning for the renewal of the dignity, which God gave to human nature.'<sup>91</sup>

### Final Remarks

A secularized Europe has grossly underestimated the Maidan's religious dimension. Maidan prayers were clearly part of its success. Religious faith appeared there almost in its purest form. This involved minimal attention to confessional distinctions and ideological dogmas. From a religious perspective truth and love appeared with incredible intensity.

Let me conclude with an important question: What does the Maidan say (loudly) to Europe?

This question may be answered in different ways, perhaps beginning with the Biblical counter-question: 'Can any good thing come out of Ukraine?' Or it may be answered by the enthusiastic phrase of Bernard Henri Lévi: 'You [people at the Maidan] embody the European project. You restore it to its content and program.'<sup>92</sup>

I agree with this latter statement. The content of the Maidan is, quite clearly, an urgent call for humane values.

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<sup>89</sup> *Gaudium et spes*, Joy and Hope, the Pastoral Constitution on the Church in the Modern World, was one of the four Apostolic Constitutions resulting from the Second Vatican Council and promulgated by His Holiness, Pope Paul VI on December 7, 1965.

<sup>90</sup> (GS 73)

<sup>91</sup> Myroslav Marynovych. 'Being a Church' During Times of Crisis. <http://www.gce.unisg.ch/en/euxeinos/contributors> Originally cited from [http://risu.org.ua/ua/index/monitoring/society\\_digest/54600](http://risu.org.ua/ua/index/monitoring/society_digest/54600).

<sup>92</sup> Bernard Henri Lévi. Kiev's Independence Square -- Where Europe Hangs in the Balance. *Politics*. [http://www.huffingtonpost.com/bernardhenri-levy/kievs-independence-square\\_b\\_4808629.html](http://www.huffingtonpost.com/bernardhenri-levy/kievs-independence-square_b_4808629.html)

## The Armenian Apostolic Church: Identity and influence

Stepan Danielyan<sup>93</sup>

Since the proclamation of independence in Armenia in 1991, the Armenian Apostolic Church has been aggressively expanding its role in both the political and public life of the country. During the Soviet period, religion was forced out of public life and marginalized, though the traditional religious organizations symbolized national traditions in the Soviet republics. As a result, the nationalist circles considered the traditional religious organizations as national institutions persecuted by the authorities that did not fit within the official ideology of the Soviet Union (internationalism and atheism).

Similar processes were also taking place in Armenia. Nevertheless, Armenia has its peculiarities, which make its religious issues unique. To understand the religious discourse in Armenia, it is necessary to deeply understand the historical specificities of the country, which continue to influence the church's public rhetoric, the relations between the church and the state, the laws related to religion and the transformation of national identity.

### The Presence of the Past

The Armenian Apostolic Church is one of the oldest Oriental Orthodox churches. In their public statements the clergy consistently mention that Armenia was the first country to officially adopt Christianity in 301 AD. Views on this claim vary in academic circles, though it doesn't hurt the official position to present it as the only scenario and an important axis of Armenian identity in textbooks.

There is a misunderstanding between the concepts of 'nation' and 'ethnos' in the Armenian language. After the loss of the Armenian state in late antiquity, Armenians spent centuries under Islamic reign, in particular by Ottoman Turkey and Persia, where they held the status of a religious community. In traditional Islamic legal systems the religious communities, or so called 'millets' or 'ummahs' were performing the role of ethnic groups, i.e. the ethnic and religious identities were identical. The Armenians were officially considered as 'Christian Armenians', not just Armenians.

For Armenians to change their religious affiliation in Ottoman Turkey they had to make a transition from one 'millet' to another, which was perceived as treason by the Orthodox Armenian community. Armenian historical chronicles have kept numerous records on the fact that the mainstream non-Chalcedonian Armenians defined Chalcedonian Armenians<sup>94</sup> as 'Georgians' or 'Greeks'. Armenians who converted to Islam were no longer considered Armenians while Catholic and Protestant Armenians were in a quite difficult relationship with 'Christian Armenians'. People were bound to their 'millets' by their religious affiliations (or their confessional communities), rather than their ethnic origins, according to the 'millet' concept<sup>95</sup>

Another important concept is 'self-preservation'. As far back as in the Middle Ages, the church saw the main meaning of the public life of 'Christian Armenians' as being the preservation of the nation's existence or even more simply in reproduction which did not pursue any goals for development of their communities.

The nation and ethnos means of identification that still exist have a negative impact on the formation of civic values. The Armenian Apostolic Church is trying to revive those visions in today's Armenia, which appears to be in contradiction to the current Constitution and legal system. This also contributes to the policies undertaken by the authorities in Armenia.

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<sup>93</sup> Stepan Danielyan has been the chairman of the Collaboration for Democracy Centre an NGO based in Yerevan since 2000. From 2009 to 2013 he was editor in chief of the journal Religion and Society and has been editor in chief of the website Religions in Armenia ([www.religions.am](http://www.religions.am)) since 2010. Since 1991 he has also served as a political commentator and producer with Armenian national television and between 1996 and 1999 he was the editor in chief of the Shrdzhan weekly publication.

<sup>94</sup> The Armenian Church rejected the definitions of the Ecumenical Council of Chalcedon held in 451 AD. In the Middle Ages the followers of those churches that accepted the doctrines of Council of Chalcedon were called Chalcedonians and those who rejected them – Non-Chalcedonians.

<sup>95</sup> Ortaylı, İlber (2006), *Son İmparatorluk Osmanlı [The Last Empire: Ottoman Empire]* (in Turkish), İstanbul: Timaş Yayınları (Timaş Press), pp. 87–89

## The law on religious organizations

International organizations, most notably the Council of Europe's Venice Commission, have criticized the way in which the 1991 law on religious organizations limits the activities and rights of independent religious organizations. However despite being a requirement of Armenia's international legal obligations, attempts to complete the adoption of a new law on religious organizations have been blocked by the Armenian Apostolic Church. As a result, the 1991 law has not been improved since and thus is not properly regulated.

According to the current law, the Armenian Apostolic Church has been given numerous monopolies such as 'to preach and disseminate its faith freely throughout the Republic of Armenia', 'to take practical measures which enhance the development of moral standards of the Armenian people' and 'to expand benevolent and charitable activities for example'.<sup>96</sup>

The 1991 law also states that 'proselytism' is prohibited within the Republic of Armenia though there is no clear definition for the term in the law. The article on the 'Definition of a Religious Organization', reads as follows: a religious organization is one that 'is based on historically recognized holy scriptures', 'its doctrines form part of the international contemporary religious- ecclesiastical communities' and 'it is free from materialism and is intended for purely spiritual goals'. These formulations seem to be taken from medieval theology and we may make assumptions about the influence the church has on their content.

Three projects have attempted to redraft and improve this 1991 law. The first project was drafted by four parliamentary factions in 2009<sup>97</sup>, while the second and third attempts were drafted by the government in 2010 and 2011. All three projects were criticized by the Council of Europe's Venice Commission, religious organizations and civil society.<sup>98</sup> Currently the third proposed version has been amended by the Ministry of Justice, though the ministry has informed the author of this essay that progress on the reforms has been frozen.

These three attempts at reform each had significant areas of controversy. In particular, the second project attempted to define Christianity by emphasizing the Trinity. Apparently, the purpose was to prevent the registration of Jehovah's Witnesses and the Church of Jesus Christ of Latter-day Saints as Christian organizations. According to the third and current reform project, all religious organizations would be required to be registered. The state authorized body has excessive powers in controlling religious organizations. Religious organizations are required to submit detailed reports, including personal information on their members. It is concerning that all three projects contain very broad definitions of 'proselytism', which is prohibited but not defined in the existing law.<sup>99</sup> Under the current reform project, criminal penalties and administrative fines would be established including depriving such organizations of State registration, if they do not provide the requested information or comply with the law.

Generally, it may be assumed from the content of the 'reform projects' that the main idea is to provide the Armenian Apostolic Church with special privileges and monopolies while limiting the freedom of activity of all other religious organizations as much as possible.

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<sup>96</sup> The Law of the Republic of Armenia on the Freedom of Conscience and on Religious Organizations, 1991, [www.parliament.am](http://www.parliament.am), <http://www.parliament.am/legislation.php?sel=show&ID=2041&lang=eng>

<sup>97</sup> Republican Party of Armenia (RPA), Prosperous Armenia Party, Rule of Law Party (RLP), Armenian Revolutionary Federation (ARF)

<sup>98</sup> See the Opinions of the Venice Commission (Council of Europe) about draft amendments to the Law on Freedom of Conscience and on Religious Organizations as of June 17, 1991:

<http://www.venice.coe.int/webforms/documents/?opinion=643&year=all>

<http://www.venice.coe.int/webforms/documents/?opinion=603&year=all>

[http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2009\)066-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2009)066-e)

<sup>99</sup> Both in the acting law and in three projects the term 'soul hunting' was translated from Armenian into English as 'Proselytism'. It is probable that this was why the Venice Commission referred to only the definitions of the term and did not pay attention to the fact that such a term was used in the legal document.

## Public debate: Who is Armenian?

In recent years, the church has initiated a debate on ‘being considered an Armenian’, which at first glance is inexplicable, but in the historical context that blurred the concepts of nation and religion it gains a very specific meaning: to justify a dominant role for religion in national life.

In 2014, the director of museums and archives of the Holy See Fr. Asoghik Karapetyan claimed that atheist Armenians could not be considered as ‘full Armenians’.<sup>100</sup> For a society brought up in the atmosphere of Soviet Atheism, the statement seemed unclear, and many thought that the message had been miscommunicated. However, the reaffirmation of this view by the members of other churches<sup>101</sup> proved that was clearly the church's position. The explanation by Archbishop Ajapahyan, Primate of the Shirak Diocese was quite interesting: "The Armenian Apostolic Church is the base of national unity of Armenians. For those churches that lack the ethnic bias in this sense, our behaviour is not understandable."<sup>102</sup>

However, most Armenians are unaware of the ‘millet’ system and their belonging to one of them in the past. There is no information on the topic in textbooks,<sup>103</sup> but it seems the church is again trying to restore its former ‘national’ role, but this time within the context of the Armenian state, which does not fit such a conception of identity within the framework of constitution. The church grounds such aspirations by the following statement stipulated by the amendment to the Constitution in 2005: "The Republic of Armenia recognizes the Armenian Apostolic Church as a national church with an exclusive mission in the spiritual life of the nation, in the development of national culture and preservation of national identity." The concept of a ‘National Church’ is not defined by any legal document. However, the clergy is attempting to interpret it as a ‘state church’, despite the fact that according to the Constitution the church and the state are separate.<sup>104</sup>

## ‘Giving back’ to the church

The merging of the church and the state has become systemic in Armenia. On September 28, 2008 at a church ceremony, President Serj Sargsyan came up with the following statement: “For centuries without having statehood, the church has led our nation to the 21<sup>st</sup> century. It is the duty of every public servant to give back to the church for its further strengthening and for our faith to guide us to a better future.”<sup>105</sup>

Since 2002, classes in Armenian Church History have become part of the public school curriculum for grades 5 to 10 (ages 10-16), which is mandatory for everyone. The church's presence in schools was legitimized by the law on ‘The relationship between the Republic of Armenia and the Holy Armenian Apostolic Church’ adopted in 2007, which stipulates that the church is entitled to ‘Participate in the preparation of the scholastic curriculum and textbooks for Armenian Church History courses within state educational institutions, defining the minimum requirements of instructors of said subject, and presenting prospective instructors to the schools.’<sup>106</sup>

Through textbooks, students are taught the theory of the identification of the Armenian Church and the Armenian nation. Quotes include ‘let’s move ahead with the determination of realization of our dreams as

<sup>100</sup> Gohar Hakobyan, priest Karapetyan does not step back from his words. “Pagan Armenian is not a full Armenian”, Aravot, 19 May, 2014, <http://en.aravot.am/2014/05/19/165292/>

<sup>101</sup> Archbishop Pargev: If you are not Christian you are not Armenian, Regnum, May 2015, <http://www.regnum.ru/news/polit/1922012.html>

<sup>102</sup> Arthur Avtandilyan, Interview with Archbishop Ajapahyan, Primate of the Shirak Diocese, [www.regions.am](http://www.regions.am), March 2010, <http://www.regions.am/arm/interviews>

<sup>103</sup> The textbooks state that upon the absence of statehood the church has undertaken the role of reuniting the nation without mentioning that this role resembled the peculiarities of Ottoman Turkey leadership.

<sup>104</sup> The Constitution of the Republic of Armenia, Chapter 1, Article 8.1. ‘The church shall be separate from the state in the Republic of Armenia. The Republic of Armenia recognizes the exclusive historical mission of the Armenian Apostolic Holy Church as a national church, in the spiritual life, development of the national culture and preservation of the national identity of the people of Armenia. Freedom of activities for all religious organizations in accordance with the law shall be guaranteed in the Republic of Armenia. The relations of the Republic of Armenia and the Armenian Apostolic Holy Church may be regulated by the law.’

<http://www.parliament.am/parliament.php?id=constitution&lang=eng>

<sup>105</sup> RA President, Any public servant of the Armenian republic shall give back to the church, [aaa.ar.newsarmenia.ru](http://ar.newsarmenia.ru), September 2008,

<http://ar.newsarmenia.ru/arm1/20080929/41957028.html>

<sup>106</sup> Law – Relationship Between The Republic of Armenia and the Holy Apostolic Armenian Church, [www.armenien.am](http://www.armenien.am), May 2007, <http://www.armenien.am/7477-law-relationship-betw-the-republic-of-armenia-and-the-holy-apostolic-armenian-church.html>



one church, one state and one nation'<sup>107</sup> and 'the church, in fact, made confession of faith as one of the most important features of the national spiritual character'.<sup>108</sup>

The main deficiencies identified in the teaching of the subject in public schools are as follows:

- Campaigns and the dissemination of hatred against religious organizations other than the Armenian Apostolic Church,
- Lack of space for alternative points of view in the education system,
- Performance of elements of religious rituals during classes,
- Identification of national and religious affiliations<sup>109</sup>

The UN Committee on the Rights of the Child recommendations to Armenia have included a request to 'revise the curriculum of schools in order to reflect the freedom of religion of all children and eliminate the compulsory subject of the History of Armenian Church from the curriculum.'<sup>110</sup> However, the government has not taken any steps in this direction. Moreover, in about 60 public schools a pilot course entitled Christian education has been taught to students in grades 2-4 (7-9 years old), which will according to Minister of Education Armen Ashotyan become mandatory in future.

This is the vision of Armen Ashotyan in regards to the role of the church in schools. He has argued that "the school is also a place for upbringing; it's the place for preservation and reproduction of the Armenian identity, the place to create a true citizen of the Armenian Republic. And who shall we rely upon if not the Holy See and the Church's support? Cooperation with the Church allows us to introduce our children morals, ethics and values, allows us to bring them up as Armenians and gives them the opportunity to knock the doors of spiritual wisdom for the first time."<sup>111</sup>

On March 3<sup>rd</sup>2014, by the decision of the National Academy of Sciences of the Republic of Armenia three bishops of the Armenian Church were awarded with the title of honorary doctors. The President of the Academy explained the decision: "This is not the first case. The Academy is constantly focused on the activities of the clergy in regards to Armenology and history", and "the Armenian people has not had statehood for centuries and has relied on the church, where the soul and the minds of the Armenian people have been educated."<sup>112</sup> There have been cases when academic theses are sent to the church's Christian Education centre for reviewing.<sup>113</sup>

These tendencies become more obvious after the establishment of criteria by National Committee of Television and Radio in February 2010, which must be observed by all radio and television companies registered in the territory of Armenia. The document particularly points out that content would be deemed potentially harmful for the health, education, and intellectual and physical development of minors, if it "belittles and discredits the National Church and the values preached by it."<sup>114</sup> Such content is prohibited according to the document. It should once again be noted that no legal document defines the role of a 'national church'.<sup>115</sup> There is no section in this document that bans the belittlement of other religious organizations.

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<sup>107</sup> A. A. Ghukasyan, R. H. Gasparyan, V.R. Parsamyan, A. V. Gyulbudaghyan, V.A. Ghandilyan: History of the Armenian Church, 8<sup>th</sup> grade, 2004, Yerevan, National Institute of Education, p. 121

<sup>108</sup> E. Ghazaryan, V. Ghandilyan et al, History of the Armenian Church, 10<sup>th</sup> grade, 2005, Yerevan, National Institute of Education, p. 30

<sup>109</sup> Stepan Danielyan, Ara Ghazaryan, Hovhannes Hovhannisyan, Arthur Avtandilyan, Issues of religious education at public schools of the republic of Armenia, Collaboration For Democracy, July 2012, 2012 <http://www.religions.am/eng/articles/issues-of-religious-education-at-public-schools-of-the-republic-of-armenia/>

<sup>110</sup> Concluding observations on the combined third and fourth periodic reports of Armenia, adopted by the Committee at its sixty-third session (27 May – 14 June 2013), <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13345&LangID=E>

<sup>111</sup> Holy See, round-table discussion dedicated to the subject of Armenian Church History, Republic of Armenia daily, May 2012, [http://www.hhpress.am/?sub=hodv&hodv=20120221\\_21&flag=am](http://www.hhpress.am/?sub=hodv&hodv=20120221_21&flag=am)

<sup>112</sup> Ov. Madatyan, Awarding three high rank clergymen with the title of doctors, Aravot, July 2014, <http://www.aravot.am/2014/07/04/476851>

<sup>113</sup> Sara Khojoyan, A Scientific Research Failed For Religious Motives: The Church Intervenes into Science, February 2014, <http://kron.armhels.com/?p=900&lang=en>

<sup>114</sup> Imitate but judge, Aravot daily, February 2010, <http://www.aravot.am/2010/02/16/354249/>

<sup>115</sup> Neither Constitution nor any other legal document define the clear concept of a 'national church'. The 2005 Constitutional amendment contained a number of contradictions. On one side it recognized the exclusive historical role of Armenian Apostolic church as a national church, from the other side it emphasized that state and church shall be separated in the present day.

The Armenian Church attempts to interfere in spheres where public opinion is formed such as schools, academia, and the mass media. However, it is also trying to expand its role in the military structures, including in the Institute of Military Chaplain in the Armenian Armed Forces. The clergy of other religious organizations have no access to the army. In 2014, during a scientific-practical conference launched by the Ministry of Defence on 'Destructive cults and vicious street morals as threats to defensive capacity' the Minister of Defence of the Republic of Armenia Seyran Ohanyan argued that "cults may adversely affect the armed forces. I do not want to think about it but it is terrible to even imagine what might happen in the battlefield if the belief of the soldier standing there is different."<sup>116</sup> Within the framework of the project the Ministry of Defence spoke out "against the destructive cults and vicious street morals" and has detailed a roadmap according to which the officers and chaplains in schools shall together fight against the "destructive cults" and distribute the gospels to schoolchildren.<sup>117</sup> It should be noted that the phrases 'destructive cults' or simply 'cults' are used by the government officials quite frequently, but in Armenia no legal document exists that defines those terms.

In June 2014, the Head of the Police Child Protection Department announced that within the framework of the fight against the cults the police and representatives of the Armenian Apostolic Church have combined their efforts to work at re-educating 'sectarian' schoolchildren, while involving their friends in 'the battle'.<sup>118</sup>

### **The church and traditional values**

The Armenian Apostolic Church is quite complex in its structure which is not solely conditioned by Armenian realities, given the role of the diaspora. While making statements regarding the protection of traditional values, the church nevertheless tries to avoid giving them a geopolitical context or allowing its positions to be entangled in the increasing confrontation between Russia and the West. Recently both in Russia and in Armenia, the issue of the rights of sexual minorities has become the symbol of Western values. However, it should be noted that the taboo on public discussions of this topic has disappeared and unlike in previous years, opinions have been expressed in defence of their rights. Amongst organizations fighting for traditional or 'family values' Armenian clones of Russian organizations are particularly proactive, such as the Pan-Armenian Parental Committee. However, in Armenia this is also the position of other religious organizations, particularly Protestant communities that have a much tougher stance than the Armenian Apostolic Church.

Apart from the main issue, it is also important to consider its campaign side. Russian society itself is quite open and the government does not actively intervene in the private life of sexual minorities, while cracking down on the ability to freely discuss their issues or campaign for equality as part of the Government's broader political agenda. The Russian government's policy has a rather propagandistic dimension. For a country with great power ambitions such as Russia, it is crucial to have an idea of global importance, which will also allow, in contrast to the West, to come up with an alternative values-based project. If we approach the issue from this point of view, Armenia's current authorities and the church have a completely different agenda. It is important for the Armenian Church to lead a balanced policy. In this respect, it is difficult to imagine the church's unilateral dependence on Russia.

The Armenian Apostolic Church has two Patriarchates with two headquarters – Armenia and Lebanon. Their dioceses operate throughout the world. There is also the Armenian Catholic Patriarchate, also based in Lebanon, as well as numerous autonomous institutions of Armenian Protestant churches around the world. Nearly 70 per cent of Armenians live abroad including in Russia, the United States, Europe, the Middle East and elsewhere. Since the Armenian Church is a conservative institution, it has to lead a flexible policy and maintain good relations with all the countries where its dioceses operate.

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<sup>116</sup> Seyran Ohanyan, It is terrible to even imagine what might happen in the battlefield if the belief of the soldier standing there is different, MediaMall, April 2014, <http://topnews.medimall.am/?id=77317http%3A%2F%2Ftopnews.medimall.am%2F%3Fid%3D77317http%3A%2F%2Ftopnews.medimall.am%2F%3Fid%3D77317>

<sup>117</sup> Ministry of Defence document, Religions in Armenia, September 2015, <http://www.religions.am/files/9844/library/legal/L014.pdf>. 'Vicious street morals' refers to informal behaviour and practices that for example include instances of hazing in the Army against those who seem to disagree with Armenian norms of behaviour.

<sup>118</sup> The presence of the church's representatives in schools is quite important, Religions.am, June 2014, <http://www.religions.am/arm/news/>

It should also be noted that the church is actively involved in interfaith dialogue and cooperates with the Orthodox, Catholic and Protestant churches. The financial side of the issue is also important. Donations from the diaspora are an essential financial resource for the Armenian Apostolic Church. In this regard the political component of the 'traditional values' agenda can split Armenians into different geopolitical camps.

Another problem is that the church has been trying to develop its social concept for 15 years, which will allow the expression of its official position regarding family and gender. In July 2013, the church established its conceptual office, which has been asked to draft a social concept document, but so far, no project has been submitted for extensive discussion.

### **Conclusion**

The merging of the Armenian Apostolic Church and the state has constantly evolved to a point where the church attempts to legally entrench its position by influencing government policy and legislation. The government has a low degree of legitimacy, which it tries to increase by using the church's authority. High-ranking government officials take part in religious ceremonies, religious holidays are declared non-working days and they emphasize the importance of being followers of the Armenian Apostolic Church in public speeches, for example. However, the church has also become a target of public criticism as a result of the merging of the church and government.

## The Armenian Apostolic Church and political power in Armenia

Yulia Antonyan<sup>119</sup>

According to the constitution of Armenia, the Armenian Apostolic Church (AAC) is separated from the state and cannot have overt access to political or economic power. However, it does have this access, though indirectly, through different types of mutually beneficial relationships with people in positions of power. Moreover, the AAC needs this access to survive and maintain its influence and importance both as a church and as a national church. Being national for the Armenian Apostolic Church means being unique for Armenians throughout the world, and belonging to the Armenian Apostolic Church is interpreted as the only way to be a true Armenian.

### The AAC as a power institution through history

Through different historical periods (imperial, Soviet, early post-Soviet) the conversion to Christianity has always been considered a positive, even progressive cultural and political change for Armenians. It was not only a 'civilizational shift' in terms of the identification of Armenia as a political and cultural space with the Byzantine (later Orthodox Russian) and then European worlds. The religious 'uniqueness' of Armenians would separate them culturally and physically (through practices of endogamy<sup>120</sup>) from their Zoroastrian and then Muslim neighbours and thus save the Armenian ethnicity and cultural identity. Recently some intellectuals have contested the historically positive role of the Armenian Church and argued that as an independent political institution it had been in opposition to the secular institutions of power of the Armenian State and could be charged as guilty in collapses of the latter in different historical periods (5c., 11c., 14c.). This vantage point may be viewed as a part of a public backlash against the processes of a transition of the AAC from a merely cultural and religious institution to a political force that would shake and even demolish the basics underpinning secularity and modernity in the newly-established Armenian state.

But let me provide a little more history. By the end of the 19<sup>th</sup> century the Armenian-populated territories were divided between the two largest empires of that part of the world, the Ottoman and the Russian. Although in the Russian empire the Armenian Church was in a stronger situation, even there it remained in a rather unstable position, with its rights and legacies permanently enlarged or cut off, depending on the sympathies and political leanings of the Russian emperors. In the Ottoman Empire, due to a system of 'millets' (religious communities) the Armenian Apostolic Church was the only representative institution that fulfilled administrative, educational, juridical and other functions.

After the Armenian Genocide (1915-1923), the AAC remained a national representative institution in diaspora countries, sharing this role with the Armenian Catholic and Armenian Evangelical Churches and executing different community functions such as community building, integration and foundation and maintenance of educational, cultural, and even social security spheres.

In Soviet Armenia the position and functions of the church had been different. In the 1930s, the Armenian Church experienced the anti-religious campaign accompanied by the demolition of churches, repressions of the clergy and total secularization of the everyday life. However, after WWII, the AAC (like the Russian Orthodox Church) was unofficially put in a privileged position in comparison to Catholic and Evangelical churches, which were repressed or completely destroyed as institutions. It even got back some of their properties and rights. That was a political act: the church was going to be used as a tool in the establishment of closer relationships with the Armenian diaspora, viewed as a possible medium for Soviet propaganda in capitalist countries.

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<sup>120</sup> Inter-marriage amongst Armenians

### **New institutional challenges of the AAC**

After Armenia became independent, the AAC started to undergo the process of recovering as an institution. The Karabagh movement and the consequent war with Azerbaijan strongly politicized its role, functions and public perceptions of it.<sup>121</sup> The ordinary act of baptism previously being a mostly private event was transformed into a collective conversion with explicit nationalistic and political connotations. In the 1990s mass conversions of schoolchildren throughout the country were organized by nationalist political parties.

The period of 1990s was also strongly affected by the emerging diversity of the religious market, offering other forms of religiosity. Other movements such as protestant evangelicals, Mormons, Jehovah's witnesses, neo-pagans, etc. changed the secularized concept of religion as an ethnic and cultural marker, bringing forward ideas and practices of spirituality, salvation, and communitarianism.

Under these circumstances, the ethnic and national implications of the AAC have seen it reject an ecumenical approach of other religious movements. The ethnic and national dimensions are the reason the AAC perceives them as perverted, virulent 'sects', endangering traditional values and virtues.

However, despite its negative attitude towards the other religious movements, the Armenian Apostolic Church did not undertake active efforts on fighting the 'sects' at the local level. Although in some provinces the AAC exists in a highly competitive environment, nevertheless it seems to be uninterested in community-based efforts of attracting/reconverting followers.

Instead, it has been trying to strengthen its position at the top of the political hierarchy to have national, state-supported levers of propaganda and ideological influence such as a TV channel ('Shoghakat'); wide and visible representation at all significant national events; influence and ideological intervention in the education and cultural spheres; and economic privileges such as tax exemptions, or state financial support. However, the more the church tries to be in the mainstream of political developments, the less independent it becomes.

### **'Inchurched' of the state and laicization<sup>122</sup> of the church**

The 'inchurchment' of the state is usually associated with the personality of the former Prime Minister Tigran Sargsyan (2008-2014). Being pious and devoted, he had been actively involved in the AAC internal affairs as an 'atenapet' (head of the administrative committee of the AAC). He encouraged all kinds of manifestations of the religious at the state level. One of his innovations was to announce ritual days of visiting cemeteries that follow all important religious holidays as official free commemoration days. During his incumbency, the construction of a new residence of the Armenian Catholicos<sup>123</sup> in Yerevan also progressed. Armenian Catholicoses usually have a seat in Echmiadzin, a small city located half an hour's drive from Yerevan. Echmiadzin has been an independent spiritual centre for Armenians all over the world for many centuries. The construction of a residence in the capital may be seen as a political act of partially moving the clerical elite to Yerevan, under the closer supervision and control of the secular authorities of the country.

The Catholicos is currently one of the most controversial people in Armenian political and social realms. A popular discourse depicts him as being from 'common' origins, with poor moral, intellectual and behavioural characteristics (though according to his official biography he has studied theology in Vienna, Bonn and Zagorsk and is fluent in German). In the eyes of the intelligentsia, the current Catholicos Garegin (Karekin) II revitalized the image of an uneducated, greedy and corrupt priest, as was also depicted by the Soviet anti-religious propaganda. Nevertheless, there are also those, who in their attitude to the Catholicos display a deeply religious perception, by interpreting him as a sacred embodiment of a supreme patriarch of the

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<sup>121</sup> Tchilingiryan, Hratch. 1998. Religious Discourse on the Conflict in Nagorno Karabakh. Religion in Eastern Europe. Vol. XVIII, No. 4. <http://georgefox.edu/academics/undergrad/departments/soc-swk/ree>

<sup>122</sup> Removing the clerical character of the church via its engagement with the secular political and economic world.

<sup>123</sup> Chief Bishop and spiritual leader of the church

Armenian Church. This devoted perception is well observed during the celebrations of major religious holidays in Echmiadzin, when crowds flock around him trying to kiss his hand, or at least just to touch his garments or to be blessed by him. But even the demonstrated fervent piety does not prevent the same people from criticizing the Patriarch the next day.

Due to his close relationships with political and religious circles the Catholicos is often placed in the hierarchy of corrupt politicians and businessmen, the so called 'oligarchs'. In fact, all clerical circles are involved in relationships with politicians and businessmen at the national and local level that generally have two main dimensions: ideological and economic.

The ideological one is achieved, in particular, through mutually representative functions of clerics, businessmen and politicians. Thus, the presence of clerics plays an important role at political events such as the inauguration of presidents and the openings of parliamentary sessions. Reciprocally, top ranking officials always attend the Easter or Christmas liturgies in Echmiadzin. Although the participation in the liturgy is voluntary, everyone feels obliged to be present, even those who are not religious or profess another religion. Thus, the late prime-minister Andranik Margaryan (2000-2007) was known for his sympathies to neo-pagans and even was said to have been a converted neo-pagan himself, however he too always attended liturgies. No opening ceremony of a newly-constructed church is conducted without top ranking political officials and no opening of an enterprise or a communal building is done without priests. The opening of the Church of Saint Hovhannes in the small city of Abovian, a satellite of Yerevan, built by one of the biggest and the most influential oligarchs of Armenia, Gagik Tsarukyan, turned into a political show due to the presence of political and economic elites of Armenia. Priests become tools in political efforts to appease the organisers and participants of rallies and manifestations of political protest. In 2015, during the rallies against rising electricity rates, priests were summoned to negotiate with the activists, though with no effect.

Increased ideological influence of the church is manifested through its gradual intervention into the spheres of education and the army. In 2002, a formally secular course of the 'History of the Armenian Church' was introduced, is now however often taught as a religious literacy course. Around the same period an active 'clericalization' of the army started by the introduction of the Institute of Army Priests in 1997, which did not exist in the Soviet era. In 2011, a military unit of army priests took part in the Independence Day military parade for the first time. The presence of the church in the army is also dotted by the active construction of chapels in military units. It is important to note also that the AAC is the only church officially allowed to be represented in the Army.

The education and army spheres are the most important part of the process of ideologization, particularly as they provide the best opportunities for mass conversion of younger generations, which is more efficient than proselytizing in local communities.

Recent political developments indicate that the Armenian Apostolic Church is undertaking an increasingly political role with regard to the diaspora communities in the countries of political importance for Armenia. The AAC remains one of the key knots linking the Armenian authorities to the political and economic institutions of the diaspora. For instance, although Armenia has an Embassy in Georgia, the government prefers to act through the Church; especially regarding the politically vulnerable spheres directly affecting the Armenian community, like issues of the Armenian cultural heritage in Georgia.

An increase in the number of economic migrants to Russia and the recent membership of Armenia in the Eurasian Economic Union has created new opportunities for strengthening the political and social functions and role of the Church. The Armenian communities in Russia are closely tied to the Armenian Apostolic Church not only institutionally, but also through the personal and social networks of recent migrants.

### **Politics and economy: the invisible exchange**

The political and ideological influence of the AAC also has an economic dimension. The state having constitutionally recognized the special status of the Armenian Apostolic Church as a national religion, envisaged a number of privileges and advantages for it. These include tax exemption for properties and some activities such as production and sale of religious goods (since 2011)<sup>124</sup>; non-financial state support (allocation of land, the restitution of church properties seized during the Soviet era, rights to participate in the development of school books on history, etc.); and direct and indirect state financial support for the establishment of church schools and the preservation of cultural heritage in the form of the renovation of ancient churches.<sup>125</sup> In exchange for these privileges, the AAC would provide ideological and political support to the authorities.

Putting aside income generation from the sale of religious objects, some other profit making activities (e.g. owning or having shares in hospitals) and state financial support, one of the main sources of the economic prosperity of the church are individual donations that often turn into a 'gift-exchange' process between clerics and donors. The latter category includes top-ranking politicians, wealthy representatives of the diaspora, local oligarchs and affluent and influential migrants. The donations are very diverse, they may include private gifts (a case widely discussed in public was that of a luxury car being privately presented to a bishop of the Ararat diocese, Navasart Kchoyan), donations to eparchies (parishes), churches and monasteries in the form of money, furniture, religious objects, relics, icons, the repair and renovation of churches and finally, the construction of new churches. However, the gifts to the church are not just signs of piety and belonging, or a wish to repent sins, as it is often interpreted by a congregation. In fact, it is the most significant indicator of the existing complicated social relationships based on individual reciprocity among clerics, politicians and businessmen that contribute to the extended national and transnational networks of power and prestige.

Within these reciprocal relationships, the Church provides ideological support to politicians and ensures symbolic legitimacy of their power and wealth in exchange for individual gifts and loyalty. One striking example is the institution of khachkavors, which is the 'god-fathers of the Cross', which has been recently re-established and has quickly gained popularity and significance in the social sphere. The khachkavor is an allegedly respected and affluent person (though not necessary a community leader), and is considered a symbolic god-father of the cross for a particular church during the annual ritual of Baptism on 6<sup>th</sup> January. After a priest has plunged a cross into water, a khachkavor - vested in ritual garments - accepts the cross into his hands and consequently becomes a patron of the church for the coming year. The patron is expected to make donations, provide financial and in-kind support to priests, make public animal sacrifices<sup>126</sup> for a parochial community and attend major religious events, among others. In exchange, he is respected within the church and community and is awarded privileges that positively affect his image and social status. It has been a very common trend to elect politicians and local oligarchs for this position. For instance, the incumbent Minister of Defence Seyran Ohanyan has become a khachkavor for the main church of the Arartian eparchy, Surb Sargis in 2015. Recent khachkavors have included members of the National Parliament and local governments, heads of political parties and influential politicians. Being elected as a khachkavor also means the symbolic recognition of piety, moral qualities and good public reputation of the person in question. This is significant political capital that can be used during election campaigning and after, to secure public legitimacy and counter the view that election results are mostly believed to be fraudulent. In recent years, one of the significant sources of income for the church has become the continuously growing migrant community abroad, mostly in the wealthier countries within the post-Soviet space such as Russia, Ukraine and Kazakhstan. Affluent migrants who have not lost their ties with the homeland and especially with the home villages and cities always try to re-establish their new status at home generally by (re)constructing or donating to, churches.

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<sup>124</sup> Some exemptions such as tax free income generation through charity extend to other churches too.

<sup>125</sup> Sarkissian, Ani. 2008. Religion in Post-Soviet Armenia: Pluralism and Identity formation in transition. Religion, State and Society, vol. 36, N 2. 163-180.

<sup>126</sup> The tradition of religious sacrifice ('matagh') is still alive in Armenia and though being mostly a family event, sometimes takes the form of a public ritual.

The case of the Armenian Apostolic Church presents de-secularization as a part of a modern political processes or even a spontaneous political process in itself. The state formation and religion-formation processes have much in common and religion remains a system of meanings, dependent upon other power constellations.<sup>127</sup> In the Armenian case, this dependence is mutual and therefore, the processes of formation of an independent state and the restitution and even re-invention of the religion have gone hand in hand. Through these processes the Armenian Apostolic Church has developed (regained) its position as an ideological resource for a nation-state and as an additional mechanism of exerting official power and control.

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<sup>127</sup>Bax, Max. 1991. Religious Regimes and State Formation: Toward a Research Perspective, in: Wolf, Eric, Ed. Religious Regimes and State Formation. Perspectives from European Ethnology. Page 9. State University of New-York Press.



## The Georgian Orthodox Church: National identity and political influence

Eka Chitanava<sup>128</sup>

### The Georgian Orthodox Church in the Imperial and Soviet Past

In 1811, Russian Emperor Alexander I abolished the autocephaly of the Georgian Orthodox Church and placed it under the command of the Synod of the Russian Orthodox Church. The Georgian Orthodox Church (GOC) was deprived of its places of worship; eparchies<sup>129</sup> were abolished and the language of the liturgy became Russian. The links between Georgia and the West were intentionally cut off and the Georgian Church became a tool of Russification, promoting obedience among Georgians towards the Emperor.

The Georgian clergy became actively involved in the fight against Russian colonial rule only during the second half of the nineteenth century with calls to regain autocephaly for the Church from Moscow. They also resumed close communication with the Catholic and Protestant circles in the West. It is notable, that the autocephalist movement converged with the formation of national identity - which is generally traced to the prominent Georgian writer and the leader of the national liberation movement, Ilia Chavchavadze. The nationalism he promoted was neither religious nor ethnic, but a civic nationalism formed around common history and territory.

Along with the upheaval of nationalism, the Georgian Church was one of the defenders of Georgia's national independence. Following the Bolshevik Revolution in Russia in 1917, the Georgian Church regained its autocephaly, and shortly afterwards, Georgia declared its political independence in 1918. Prior to the Soviet occupation, the Democratic Republic of Georgia promulgated its first constitution in 1921, which can be considered as one of the most progressive documents in any European country at that time. It stipulates, that: 1) the state and the Church are separate and independent from each other; 2) no faith should enjoy special privileges; 3) it is prohibited to allocate money from the state or local municipality budgets for religious purposes (16<sup>th</sup> chapter, articles 142-144)<sup>130</sup>. Therefore, according to the Constitution of 1921, the model of the State and Church relationship was defined through secular principles.

In February 1921, the Soviet army invaded Georgia and overthrew its democratically elected government. After the Soviet occupation, there was another turn in the history of the Georgian Orthodox Church. The Catholicos-Patriarch of All Georgia Ambrosius (*Ambrosi*) Khelaia spearheaded a movement, strongly opposed the Communist government. In the spring of 1922, the Patriarch Ambrosius appealed to the Genoa Conference which included the delegation from the Soviet Russia, in the hope that the members of the League of Nations at the Conference would persuade Russia to restore Georgia's sovereignty. He urged that the Soviet troops should be immediately withdrawn from Georgia, and the Georgian nation should be given an opportunity to freely organize its life, and pursue it.<sup>131</sup> After this appeal, Patriarch Ambrosius was arrested. Despite continuous persecution, the Georgian Orthodox Church resisted the Communist regime until the Patriarch's death in 1927. The Church fell under strong Soviet influence in the 1930-40s.

In 1943, Joseph Stalin changed the policy towards religious institutions. At first glance, the persecution stopped and the Church acquired formal institutional recognition, but in fact, Soviet totalitarianism permeated deeply into the religious system. Although Soviet Russia recognized the autocephaly of the Georgian Orthodox Church, new clergy were ordained, several temples (churches) were reopened and clerics received financial privileges, Stalin managed to infiltrate the Church with informers.<sup>132</sup>

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<sup>128</sup> EkaChitanava is the head of Tolerance and Diversity Institute(TDI) in Georgia, the organization focusing on the issue of protection of freedom of religion and minorities. <http://tdi.ge/en>

<sup>129</sup> Church provinces under the supervision of a metropolitan.

<sup>130</sup> State Constitutional Commission, Constitution of Georgia 1921, <http://constcommission.ge/1921>

<sup>131</sup> St. Paul's Orthodox Christian Theology Centre, Appeal of the Patriarch Ambrosi Khelaia towards Genoa Conference, 2011, <http://bit.ly/1JrEnAd>

<sup>132</sup> Beka Mindiasvili, The Law of Russian- Georgian Eternity, Tabula, February2013, <http://www.tabula.ge/en/story/70787-the-law-of-russian-georgian-eternity>

In the wake of the 70-year-long Soviet rule, the role of religion in public life significantly declined.<sup>133</sup> Some scholars argue that the phenomenon, today frequently referred to as religious nationalism,<sup>134</sup> was conceived during Soviet times, and later emerged as an alternative to civic, anti-imperialistic nationalism.

### **Acquiring Political Independence, Nationalism and Messianism**

On 25<sup>th</sup> December 1977, Ilia II (Shiolashvili) became the new Catholicos-Patriarch of the Georgian Orthodox Church. As a religious servant, he was born and raised in a system soaked with Soviet totalitarianism. The narrative of Georgian nationalism changed after the enthronement of Ilia II - by the 'sacralization of nationalism and nationalization of the sacred'<sup>135</sup>, the Georgian Orthodox Church laid the foundation for a new hybrid identity which later defined the role of the Church in public and political life. The formation of a new national identity was symbolically expressed in the term 'Heavenly Georgia'<sup>136</sup> and in addition to the traditional Easter acclamation 'Christ is Risen', Ilia II added a new clause –'Georgia is risen!', which according to the Christian eschatology of the Middle Ages, identifies Georgia with the body of Christ.<sup>137</sup> Hence, Perestroika was followed by the revitalization of the institutionalized religion in Georgia.

This period was also marked by the re-emergence of the national movement. The majority of the leaders of this movement had a messianic impression of themselves and about the political and religious importance of the Georgian nation. Thus, messianic narratives moved from Church to political discourse. Some of the leaders supported the establishment of an Orthodox monarchy in Georgia, while others were for establishing a theocracy. In public spaces communist symbols were gradually replaced with Orthodox Christian symbols. Politicians regularly used religious rhetoric in their public speeches. In 1990 several schools became the possession of the Georgian Orthodox Church.<sup>138</sup>

In November 1990 the first parliamentary elections were held in Georgia; the Communists were defeated and the strongest group, the national movement, led by Zviad Gamsakhurdia came to power. It should be noted, that two religious servants were elected as members of parliament, one from the national movement, the other from the Communist Party.

On 9<sup>th</sup> April 1991 Georgia declared independence. On 7<sup>th</sup> June 1991 President Zviad Gamsakhurdia in his inauguration speech stated that 'together with the restoration of independence of the state, Orthodox Christianity should be declared as the state religion'.<sup>139</sup>

Gamsakhurdia was quite controversial whilst speaking about religious pluralism, on the one hand he stated that human rights must be protected and religions minorities must not be discriminated against, while on the other hand he gave superiority to Orthodox Christianity and called the representatives of other confessions heretics. According to Zviad Gamsakhurdia 'sectarianism' was incompatible with Georgian consciousness because of its 'heretic ideology and moral degradation'.<sup>140</sup>

At the same time, Gamsakhurdia opposed Ilia II and the Patriarchate, as he considered them 'the agents of Committee for State Security'. He blamed 'the red clergy' for dealing with the Soviet government and betraying the homeland.<sup>141</sup>

Finally, it can be said that, as a result of the religious-messianic rhetoric actively used by the representatives of the national movement and intervention of religion into politics, the Church gained mass ideological

<sup>133</sup> Silvia, Serrano. Church: Embodiment of National Unity or Oppositional Force. *Proet Contra* (Carnegie Endowment for International Peace) Vol 17, no. (5) 60 (September-October 2013): 66-79

<sup>134</sup> Giga, Zedania. 'The Rise of the Religious Nationalism in Georgia.' *Identity Studies* (Ilia State University) Vol 3 (2012): 124-127.

<sup>135</sup> Andronikashvili Zaal, Maisuradze Giorgi. 'Secularization and Its Vicissitudes in Georgia.' *Identity Studies* (Ilia State University) Vol 2 (2012): 5-17.

<sup>136</sup> Speech of the Patriarch in Gelati Cathedral, www.orthodoxy.ge; September 21, 1988, [http://www.orthodoxy.ge/patriargi/qadagebebi/skhva/gvt\\_shoba.htm](http://www.orthodoxy.ge/patriargi/qadagebebi/skhva/gvt_shoba.htm)

<sup>137</sup> Andronikashvili Zaal, Maisuradze Giorgi. 'Secularization and Its Vicissitudes in Georgia.' *Identity Studies* (Ilia State University) Vol 2 (2012): 5-17

<sup>138</sup> Liles Thomas, Islam and Religious Transformation in Adjara. ECMI working paper #57, 2012, [http://www.ecmi.de/uploads/tx\\_lfpubdb/Working\\_Paper\\_57\\_En.pdf](http://www.ecmi.de/uploads/tx_lfpubdb/Working_Paper_57_En.pdf)

<sup>139</sup> Beso Mikava, Orthodoxy should be the state religion of Georgia, <https://www.youtube.com/watch?v=0K6Q2y-SHKA>

<sup>140</sup> Response to the Editor of Newspaper Samani, February 1993

<sup>141</sup> Gamsakhurdia, Zviad, 2004, KGB Was Looking Ahead When It was Forming Deceitful Clergy, Letters, Kutaisi, pg24-27

recognition. Besides, Gamsakhurdia created a political icon of a nation with a distinguished mission, which had to show the third, spiritual way to the world imbued with messianic rhetoric, not based on civic nationalism but also marginalising the formal institutions of the Georgian Patriarchate.<sup>142</sup>

### **The Church and the Government in 1992-2003**

During the period of Shevardnadze's rule, against a backdrop of the destruction of state institutions, corruption, high crime rates, economic poverty and total social insecurity, the Orthodox Church managed to fill the social-political vacuum and turned out to be the only institution which created a sense of security.

The government, which came to power in 1992 as a result of revolution, needed political legitimacy. Shevardnadze used the Church for this purpose. During the period of the national movement and Gamsakhurdia's tenure, Orthodox Christianity became the main marker of Georgian identity, now it was necessary to build up trust in the religious institution.

In 1992 Ilia II baptized the atheist Eduard Shevardnadze in the Sioni Cathedral which served as the religious legitimization of the political government. The Patriarchate was openly involved in political processes: They never condemned the pursuit of Gamsakhurdia's supporters during the civil conflict and strongly supported Shevardnadze.

On 14<sup>th</sup> September 1993, some members of the Parliament of Georgia confronted Shevardnadze, the chairman of the Parliament, after he called for a state of emergency and a temporary suspension of Parliament. Shevardnadze threatened to resign and stated that he would not retreat. A group of citizens, blessed by the Catholicos-Patriarch, gathered to support Shevardnadze and asked him to stay in power. The Patriarch said: "The whole of Georgia is nervous. So, as the spiritual father of Georgia and personally your spiritual father, I have the right to give benediction to you to announce that you are the head of Georgia".<sup>143</sup> In his response Shevardnadze expressed the 'marriage' of religious and civil authorities: "The voice of God, and the voice of the nation". This scene demonstrated the role and function of the Church in supporting Shevardnadze's reign; this support was duly appreciated in politics. Shevardnadze granted the church legal recognition, exclusivity in religious matters and in the media, privileges and financing from the state budget. After gaining considerable clout, the Patriarchate became the main source for forging identity, legitimizing political processes and the main power behind the consolidation of society. In 1995, Article 9 of the Constitution of Georgia was amended to recognize the special role of the Orthodox Church in the history of Georgia. However, the constitution simultaneously recognized freedom of religion and belief. This provision was corroborated in Article 19 of the Constitution of Georgia. On 14<sup>th</sup> October 2002 the Constitutional Agreement (Concordat) was signed between the State and the Patriarchate. Through this document, the Patriarchate was given autonomy, privileges and guarantees to solve the legal and estate problems relating to Communist confiscations of church property. Based on the Constitutional Agreement, the Orthodox Church was declared a Legal Entity of Public Law, whilst other religious unions had no right to register. It was written in the preamble of the Agreement that Orthodox Christianity is one of the traditional religions of Europe, which historically has been the state religion in Georgia and it has formed centuries-old Georgian culture, national ideology and values. This entry highlighted the exclusive role of Orthodox Christianity and the role of other confessions in the historical-cultural development of Georgia were neglected.

The pro-Western foreign policy course became clear in the second part of the 1990s. Georgia became a member of the Council of Europe in 1999 and of the World Trade Organization (WTO) 2000, while in 2002 the President applied to join NATO. However, the Patriarchate chose a different way. Instead of striving to join the European family, the Church created a new ideological narrative, the counterpart to secular nationalism. Georgian nationalism was always characterized by anti-Russian and pro-Western discourse.

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<sup>142</sup> In his writings Gamsakhurdia underscored that Georgia had special mission, and the Georgian language would be the language by which the God will judge after Second Coming. This literary theory belongs to John Zosimos 10th-century Georgian Christian monk, religious writer, and calligrapher known for his liturgical compilations and the hymns dedicated to the Georgian language. Gamsakhurdia frequently referred to Zosimos.

<sup>143</sup> 14 September 1993 (uploaded August 2008), <https://www.youtube.com/watch?v=ZzOF060WBvM>

However, this time the Patriarchate, under the influence of the Soviet experience, began demonizing the West and underlined the priority of having the same religion as Russia. It would not be quite right to call this phenomenon *nationalism*, which more resembles Russian imperial political orthodoxy, wrapped in nationalist rhetoric. The Patriarch's statements, like the statements of the majority of the clergy were mostly anti-Western and anti-liberal. According to him "The West is the world where everything is permitted and violence dominates. It is materially rich but spiritually poor", so it is strange and difficult for Georgians to accept."<sup>144</sup> He also stated that if a country doesn't have the right religious and national ideology, liberalism will work in favour of the enemies and will totally destroy the country". Whilst Georgia was struggling to join NATO, the Patriarch called for foreign policy neutrality.<sup>145</sup>

In 1997 by the decision of the Synod, the Georgian Orthodox Church defied the ecumenical movement, left the World Council of Churches and the Conference of European Churches, which in fact, meant that the Georgian Church broke off its relationship with European Christian churches and organizations. This decision was preceded by strengthening the anti-ecumenical movement and isolationist groups within the church.<sup>146</sup> It is interesting that only two theological issues became acute within the Church in that period. These were: what was the destiny of the dead unbaptized infants after their death<sup>147</sup> and whether Greek chants could be allowed to be heard in Georgian churches.<sup>148</sup> It indicates that the church can not realize its theological tradition and is unable to meet the challenges of the modern life through the language of theology.

After the dissolution of the Soviet Union, many religious entities, which had previously been persecuted, emerged into the public space. At the beginning of the 1990's Krishna followers, Jehovah's Witnesses, Baptists, Pentecostals and other religious groups came out of the underground and started practicing and sharing their beliefs. Despite the fact that the religious landscape became more pluralistic, radical groups emerged within the Patriarchate who considered people with different religious identities a threat and started persecuting them. The radical groups were supported by the statement of the Patriarch who spoke against religious expansion. According to the Patriarch "Jehovah's Witnesses, the followers of Krishna, Baptists and Catholics humiliate and offend the Georgian Church."<sup>149</sup> He also stated that "every man who will support the spread of sectarian doctrines and different religions will be declared as the enemies of the Georgian nation."<sup>150</sup> In April 1999, at the special session of the Parliament, which was dedicated to Georgia's integration into the European Union, Ilia II demanded a restriction of these "sects".

Since 1999 the level of violence towards religious minorities, Jehovah's Witnesses, Baptists and Pentecostals has grown significantly. Basil Mkalavishvili, a former orthodox cleric, became notorious for his aggression and severity towards these groups. A group of Orthodox Christians, under his direction, destroyed and burnt the literature of other religious unions and prevented them from performing religious rituals. It should be noted that the police not only neglected to respond to these kinds of crime but also acted in compliance with the extremists.

Extremists also attacked the Liberty Institute (a non-governmental organization) and the independent media which reported on human rights violations. In the following years, the influence of Basil Mkalavishvili and the number of his followers increased due to the state's inadequate policy and the impunity perpetrators enjoyed. In 2000, Jehovah's Witnesses meetings were dispersed 38 times, and the police either did not respond, or took part in the raids. Mkalavishvili was arrested only in 2004, after the change in government.

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<sup>144</sup> The Catholicos - Patriarch of All Georgia Ilia II, Christmas Epistle of 1994-1995, Epistles, Speeches, Teachings, Vol. I. Tbilisi, 1997,

<http://www.orthodoxy.ge/patriarqi/epistoleebi/sashobao1995.htm>

<sup>145</sup> The Catholicos - Patriarch of All Georgia Ilia II, Easter Epistle, Church News, #16 (118), 2001, <http://www.orthodoxy.ge/patriarqi/epistoleebi/saagdromo2001.htm>

<sup>146</sup> Record of the proceedings of the Holy Synod of the Patriarchate, Newspaper Madli, #6-7, page 2, 1 July 1997

<sup>147</sup> Record of the proceedings of the Holy Synod of the Patriarchate, 14.12.2000, available at: [http://www.patriarchate.ge/?action=text/oqmi\\_14-12-00](http://www.patriarchate.ge/?action=text/oqmi_14-12-00)

<sup>148</sup> News of the Patriarchate, The Patriarch Ilia II's meeting with Greek musicologist Gregorios Stathis: Georgian People Should Chant According to Georgian Tradition, February 2003, <http://www.orthodoxy.ge/galoba/statisi-14-02-2003.htm>

<sup>149</sup> The Catholicos-Patriarch Ilia II, Christmas Epistle of 1993-1994, Epistles, Speeches, Teachings, Vol. I. Tbilisi, 1997,

<http://www.orthodoxy.ge/patriarqi/epistoleebi/sashobao1994.htm>

<sup>150</sup> The Catholicos-Patriarch Ilia II. God curse ignorant people, July 1991, Epistles, Speeches, Teachings, Vol. II. Tbilisi, 1997, <http://www.orthodoxy.ge/patriarqi/qadaqebebi/skhva/12motsiguli.htm>

It should be noted that Orthodox Christian clerics expressed intolerance not only towards recently established religious groups, but also towards the religions which they themselves recognized as traditional religions. For example, at the end of the 1980s and the beginning of 1990s the Orthodox Christian Church started active proselytism amongst Muslims living in the Adjara region. On 26<sup>th</sup> May 1989, Patriarch Ilia II, while visiting Adjara, called on Muslims to return to their roots and the belief of their ancestors (Orthodoxy), which helped Georgian people to survive all hardships.<sup>151</sup> The Orthodox Christian press became full of anti-Semitic, anti-Catholic and Armenophobic texts. As well as this, the Patriarchate impinged on freedom of expression more broadly. At the request of the Patriarchate and radical Orthodox Christian groups, several exhibitions and performances were cancelled, literary texts were censored and an exhibition of Georgian icons and historic artefacts in the USA was also cancelled. The Patriarchate was the initiator of meetings where participants stated that Americans would perform Satanic rituals in front of the icons, or that the grace of God would leave Georgia together with the icons.

In conclusion, the main characteristic feature of this period was on the one hand, the increasing authority of the Church, supported by the government; and on the other hand the persecution of religious minorities since the government did not take any measures to address the rise of extremism.

### **Church-State Relationship in 2003-2012**

In 2003, after the Rose Revolution and the forced resignation of Eduard Shevardnadze, Mikheil Saakashvili and his political party, the United National Movement came to power. The GOC did not directly intervene in the political processes of November 2003, however, the absence of Patriarch Ilia II from the opening of the Parliamentary session called by Shevardnadze, to some extent defined the prospects of the Revolution. Later, President Saakashvili called this step by the Patriarch "civic heroism committed at the expense of distancing himself from politics."<sup>152</sup>

After coming to power, Saakashvili started implementing drastic economic and political reforms, liberalization of laws, promotion of human rights and fighting corruption. Religious extremists were prosecuted (the Police were finally able to detain Basil Mkalavishvili in 2004) and the protection of religious and ethnic minorities became one of the major issues on the political agenda. Furthermore, Saakashvili's government opposed the narrative of nationalism imbued with a religious and ethnic shroud and instead fostered the ideology of civic nationalism. However, along with pro-Western initiatives and the promotion of liberal democracy, Saakashvili embraced the GOC in symbolic acts, such as during his inauguration at the historic Holy Gelati monastery and where he received a blessing from Ilia II, as well as institutionally and financially strengthening the GOC by increasing annual subsidies from the State Budget. During Saakashvili's presidency, the funding of the GOC surged in accordance with the increase of the total state budget of Georgia. In 2007 the annual subsidy to the GOC amounted to 4.27 million Georgian Lari (GEL). In 2008 the funding drastically increased and the Patriarchate received 13 million GEL from the State Budget and in 2009 it doubled to 26.39 million GEL.<sup>153</sup> From 2010 onwards the annual funding stayed at this higher level, amounting to approximately 22-25 million GEL. In addition to money from the state budget the GOC receives around 3 million GEL from local municipalities and gains ownership of a significant amount of both movable and immovable property.<sup>154</sup> Additionally, the Orthodox clergy started driving luxurious cars, purchasing mansions and running prolific private businesses at taxpayers expense.

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<sup>151</sup> The Catholicos-Patriarch Ilia II will call to the Lord, in the parishes still open – May 1989, Epistles, Speeches, Teachings, Vol. II. Tbilisi, 1997

<http://www.orthodoxy.ge/patriarqi/qadagebebi/skhva/achara.htm>

<sup>152</sup> Sapatriarkos Utskebani #7, February 2005

<sup>153</sup> An overview of Public Financing Provided to the Georgian Patriarchate, Transparency International Georgia, 4 July 2013;

<http://www.transparency.ge/en/blog/overview-public-financing-provided-georgian-patriarchate>

<sup>154</sup> By way of comparison in 2002 after signing the Constitutional Agreement between GOC and the State, the Ministry of Finance of Georgia allocated GEL 857,600 Georgian Lari (GEL) to the GOC. Tolerance and Diversity Institute, The Practice of the Funding of Religious Organizations by the Central and Local Government, 2014, [http://tdi.ge/sites/default/files/funding\\_of\\_religious\\_organizations\\_by\\_the\\_central\\_and\\_local\\_government\\_tdi\\_emc\\_2014.pdf](http://tdi.ge/sites/default/files/funding_of_religious_organizations_by_the_central_and_local_government_tdi_emc_2014.pdf)



Nevertheless, the GOC acquired even more political clout and authority in public under Saakashvili's government because of its pro-Western discourse, and association with a 'fight against national values and religion'. Some opposition parties also aligned with the clergy, blaming the government for having an anti-GOC policy.

### **State Policy and Practice regarding Freedom of Religion**

During Mikheil Saakashvili's tenure, a number of discriminatory legislative norms were abolished, hence, the legal framework was improved and religious minorities were provided with some official credibility they did not previously have. In 2005 the Tolerance Center and the Council of Religions was founded under the auspices of the Ombudsman's Office of Georgia which contributed to the protection of religious minority rights and strengthened the advocacy capacity and anti-discrimination work of minority organizations.

In this regard, the amendment to the Civil Legal Code on 5 July 2011 with the incorporation of the new article 1509<sup>1</sup> was a positive step.<sup>155</sup> Following the legislative changes, religious minorities were able to register as legal entities under public law<sup>156</sup>, a status which previously only the GOC was granted due to the privileges emanating from the Constitutional Agreement. Prior to 2005 religious organizations, other than the GOC, were not able to register at all<sup>157</sup>; in 2005 they were granted the entitlement to register as 'legal persons' under private law (associations and foundations, and later, non-profit legal persons). However, this status was not satisfactory for a number of religious minority organizations as it continued to underline the inequality in terms official recognition and hierarchical divide between the dominant religious organization (the GOC) and minority entities. Hence, in the wake of the 2011 amendments, religious organizations were given a choice to register themselves either as legal entities under public law, legal persons under private law or to stay unregistered.

The GOC strongly denounced this change<sup>158</sup>, Patriarch Ilia II called the law "dangerous" and condemned the hasty adoption of the amendments by the Parliament.<sup>159</sup> This statement struck a chord with the parishioners, who led by priests, thronged to streets, flaring out Armenophobic and xenophobic speeches.<sup>160</sup> On the whole, the 2011 legislative changes became a subject of severe confrontation between the GOC and President Saakashvili's administration.

Another major legal change in the field of freedom of religion was exempting believers, on the grounds of conscientious objection from mandatory military service. Until 2011 believers could not even request an alternative to military service. This rule was declared unconstitutional in 2011 by the Constitutional Court of Georgia based on a claim submitted by the Ombudsman's Office. Since 2011 representatives of minority religious organizations were given the right to visit their parishioners in prison, a right previously granted exclusively to the GOC clergy.

There were also improvements in Georgian Law on General Education in 2005. The law buttressed the autonomy of educational institutions and safeguarded them from the intervention of religious institutions. Religion as a mandatory subject was removed from the curriculum and public schools were recognized as a neutral space, forbidding the religious indoctrination of students. However, despite the legislative changes, in practice, religious inculcation and the obstruction of religious neutrality at public schools continued to be problematic.

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<sup>155</sup> Tolerance and Diversity Institute, Study of Religious Discrimination and Constitutional Secularism in Georgia, 2014, [http://tdi.ge/sites/default/files/study\\_of\\_religious\\_discrimination\\_and\\_constitutional\\_secularism\\_tdi.pdf](http://tdi.ge/sites/default/files/study_of_religious_discrimination_and_constitutional_secularism_tdi.pdf)

<sup>156</sup> However, religious organizations registered as legal entities under public law remained in the domain of private law. The status grants them the acknowledgment on a par with the Georgian Orthodox Church which pursuant to the Constitutional Agreement was declared a historically formed legal entity under public law. In other words, the goal of the amendment was to equalize religious entities in terms of official recognition, but at the same time, in order to distinguish religious entities from other legal entities under public law (institutions accountable to the State. i.e. ministries, public schools etc.) functionally they remained within the frame of non-profit organizations, independent from the State.

<sup>157</sup> In 2001 Supreme Court of Georgia revoked the registration of the Christian Organization of Jehovah's Witnesses.

<sup>158</sup> Patriarchate of Georgia, Statement by Catholicos-Patriarch of All Georgia, July 2011, [http://www.patriarchate.ge/en/?action=news\\_show&mode=news&id=225](http://www.patriarchate.ge/en/?action=news_show&mode=news&id=225)

<sup>159</sup> Civil Georgia, Patriarch: Legislative Amendment on Religious Groups' Status 'Dangerous', July 2011, <http://www.civil.ge/eng/article.php?id=23716>

<sup>160</sup> Civil Georgia, Thousands Protest Law on Religious Minorities Legal Status, July 2011, <http://www.civil.ge/eng/article.php?id=23728>

Despite the positive changes, some major problems for religious organizations remained unsolved - among them, the discriminatory tax regime and return of the property confiscated during Soviet times. In the twentieth century the Soviet government confiscated the property of all religious organizations in Georgia. After the demise of the Soviet Union, only the GOC managed to fully receive the return of its property. Pursuant to the 2002 Constitutional Agreement 'Orthodox churches, monasteries (functional or not), their remnants and the land on which they are located' were transferred to the ownership of the Patriarchate. However, the State has not concluded such an agreement or has taken any steps in regard to other religious organizations. Therefore, the Diocese of the Armenian Apostolic Orthodox Church in Georgia, the Caucasus Apostolic Administration of Latin Rite Catholics, the Evangelical-Lutheran Church of Georgia, Muslim and Jewish communities have been requesting the restitution of their property for years.

It is notable that during the second term of Saakashvili's presidency religious extremism still permeated deeply within the Orthodox Church. One of the notorious organizations in this regard was the Union of Orthodox Parents, founded by a representative of Patriarchate Deacon David Isakadze. This organization and its supporters have been involved in assaults on religious minorities, opposition to the construction of places of worship of different religious communities, raiding Halloween celebrations<sup>161</sup> and naming globalization and liberal values as major threats to national identity<sup>162</sup>.

In May 2010, some members of this group and another organization, the People's Orthodox Movement, stormed the Kavkasia TV station and physically abused a number of employees, guests, as well as the head of the TV company.<sup>163</sup> The TV program on air at the time of the assault was dedicated to a book 'Holy Crap' (Saidumlo Siroba in Georgian) by a young Georgian writer Erekle Deisadze, the content of which was considered as obscene by the extremists.<sup>164</sup> The police arrested the perpetrators. However, their detention was referred to as a 'persecution of the Orthodox Christians' by some opposition parties and their supporters. The GOC called on the Georgian government to promptly adopt a law which would protect religious feelings of believers.<sup>165</sup> It is notable that the Patriarch publicly never condemned the extremists, in fact, two days after the incident, Ilia II awarded David Isakadze with an embellished cross and the right to wear a mitre. In 2010 in an interview with the BBC, to the question, "why he did not condemn the extremists", the Patriarch answered: "Because their goals are kind".<sup>166</sup>

### **Criticism against the GOC and Media Censorship**

In the early 2000s, along with the rising authority and influence of the GOC, criticism against the Orthodox clergy's reclusive nature and corruption started simmering within the progressive circles of young theologians, students and civic activists.

In 2004, 23 students of the Tbilisi Theological Academy and Seminary of the Orthodox Church, published an open letter in the 24 Hours newspaper slamming the GOC for its secrecy, increasingly fundamentalist discourse, flaws in the educational system, incompetent clergy and corrupt practices. The GOC furiously responded to the students' rebellion - most of them were expelled from the seminary; the Patriarchate also barred Deacon Basil Kobakhidze from performing religious services.<sup>167</sup> Initially, public discussions about the wrongdoings of the Patriarchate came forth, but were soon curtailed due to the President's involvement and his influence over TV channels encouraging them to avoid causing problems for the GOC. The media was silenced and the protest was thwarted.

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<sup>161</sup> Mirian Jugheli (Blog), Georgia's Halloween War, October 2010, <http://mirianjugheli.com/2010/10/30/georgias-halloween-war/>

<sup>162</sup> Natalia Antelava, Georgia: Orthodoxy in the classroom, BBC, May 2015, <http://www.bbc.com/news/world-europe-32595514>

<sup>163</sup> Civil Georgia, Radical Orthodox Christian Group Stirs Fistfight in TV Station, May 2010, <http://www.civil.ge/eng/article.php?id=22278>

<sup>164</sup> The Georgian Patriarchate also said that the publication of the controversial book was "an attempt to provoke the faithful and diminish the Church's authority". Salome Modebadze, Patriarchate comments on Holy Crap, The Messenger, May 2011, [http://www.messenger.com.ge/issues/2107\\_may\\_17\\_2010/2107\\_salome.html](http://www.messenger.com.ge/issues/2107_may_17_2010/2107_salome.html)

<sup>165</sup> Civil Georgia, Church Calls for 'Law Against Indecency', May 2010, <http://www.civil.ge/eng/article.php?id=22303>

<sup>166</sup> Heart and Soul, Rise and Rise of the Georgian Orthodox Church, September 2010, <http://www.bbc.co.uk/radio/player/p009hrwz#>

<sup>167</sup> Jean-Christophe Peuch, Georgia: Reformist Priest Blasts Church Leaders Over Intolerance, Corruption, RFE/RL, December 2004, <http://www.rferl.org/content/article/1056547.html>



Later criticism of the GOC or almost any initiative disapproved of by the Patriarchate, became a taboo in traditional media outlets. For instance, in 2009 because of the GOC's discontent, the Public Broadcaster's board suspended a TV programme called 'Great Ten', designed to identify the 'greatest Georgians' through polling of the public. The GOC considered that the format in which spiritual figures were contesting with secular figures was 'unacceptable'. The board of the Public Broadcaster decided to compromise with the Church - one of the board members said: "The opinion of the Patriarch is more important for me than the law".<sup>168</sup> It demonstrated the GOC prevailed over the law and the freedom of speech in Georgia.

As traditional media failed to create a platform for open discussion about Church-State relationships and protected itself from possible denouncement from the Patriarchate, social networks emerged as tools to disseminate information in an alternative space and foster public debate. In 2009 protest against the Patriarchate burst out again. Video clips posted on Facebook featuring the Patriarch fuelled debates about the boundaries of freedom of expression and the limitless authority of the Church. A video called 'Mama Buasili' mocked the Patriarch for saying the 2008 Russian-Georgian war was a mistake and could have been avoided. Consequently, after huge public discontent, the Prosecutor's Office launched an official investigation into the creation and distribution of the clip. This investigation was assessed by civil society as a serious blow against freedom of expression in Georgia<sup>169</sup>.

In December 2009 a societal group composed of 235 prominent persons addressed the Government and the GOC with open questions. They enquired about the GOC's alliance with the KGB, its relationship with Russia, xenophobic statements made by the clergy and other challenging questions<sup>170</sup>. The Patriarchate ignored the group and did not respond.

### **Confrontation between the GOC and the State**

Despite the fact that Saakashvili's government embraced the GOC in symbolic acts, and used it as a source of political legitimacy. The ideological rift between the Church and the ruling party was apparent and revealed itself in a number of open confrontations.

For instance, in 2007, with the support of the local government, St. Gabriel's Church in Batumi, capital of the autonomous Adjara region, was demolished. As was later revealed, the church was being constructed without permission and despite the local government's warnings the Church Eparchy did not suspend the construction. Demolition of the church led to a huge public outcry and opposition parties slammed the government for pursuing an anti-GOC policy. After this incident, the number of politicians using the GOC as a means of denouncing Saakashvili's government surged. In 2008, the newly established Christian-Democratic Party called for Orthodox Christianity to be granted the status of state religion. The Patriarch Ilia II hosted the leaders of this political party at the Patriarchate and blessed them, however, the GOC later expressed its opposition towards the idea of adopting Orthodox Christianity as the formal state religion<sup>171</sup>.

In 2008 the Patriarch Ilia II challenged the idea of the republic and proposed restoring the monarchy, which was dissolved in the 19th century, stating that the future monarch should be raised in the Patriarchate. After a year, with the Patriarch's blessing, two descendants of the Georgian royal family were married in Tbilisi Holy Trinity Cathedral.<sup>172</sup> Ultimately the plan proved unaccomplished, as the couple separated shortly after.

After the Russian-Georgian war in 2008, the hostility between the GOC and state authorities unfolded around the Church's clear pro-Russian policy. The Patriarch publicly criticized the President for failing to avoid the war - "The captain of a ship must lead his vessel, being able to manoeuvre and escape reefs." Ilia II

<sup>168</sup> Civil Georgia, Public TV Show in Limbo after Church Meddling, January 2009, <http://www.civil.ge/eng/article.php?id=20281>

<sup>169</sup> Georgia: Free-Speech Debate Swirls in Tbilisi over Patriarch Parody, Molly Corso, November 2009, <http://www.eurasianet.org/departments/insightb/articles/eav110209a.shtml>

<sup>170</sup> Questions to the Patriarchate and the Government, newspaper "the 24 Hours" 04 December, 2009

<sup>171</sup> Patriarchate of Georgia, Statement by Patriarchate of Georgia, July 2008, [http://www.patriarchate.ge/en/?action=news\\_show&mode=news&id=227](http://www.patriarchate.ge/en/?action=news_show&mode=news&id=227)

<sup>172</sup> Patriarchate of Georgia, The Wedding Ceremony of the Bagratians' Eighth Generation Held at Holy Trinity Cathedral, February 2008, [http://www.patriarchate.ge/en/?action=news\\_show&mode=news&id=66](http://www.patriarchate.ge/en/?action=news_show&mode=news&id=66)

said.<sup>173</sup> The Patriarchate was the first to have official contact with the Russian authorities shortly after the war. In November 2008, the GOC delegation visited Moscow and met with Russia's Deputy Foreign Minister, Grigory Karasin. The following month, during a 45-minute meeting with Russia's president Dmitri Medvedev, the Patriarch made it clear that politicians would not be able to undermine the unity of Georgia and Russia, two "brethren" countries. "Georgia needs a strong Russia, like Russia needs united and friendly Georgia. I think we will achieve this with the help of God," - he commented in remarks aired on Moscow radio station Echo Moskv.<sup>174</sup>

To conclude, Saakashvili's tenure can be divided into two stages – a first stage, when the government to some extent tried to distance itself from the Patriarchate and responded adequately to offences committed on the grounds of religious intolerance, and the second stage when the government was attempting to express its loyalty as much as possibly towards the GOC because of the fragility of the political situation, the 2008 war with Russia, the crisis in the ruling party and charges of authoritarianism. This loyalty was shown through granting of financial preferences, as well as during the later years of Saakashvili's tenure paying less attention to the offences committed on the grounds of religious intolerance.<sup>175</sup>

### **State-Church relationship in 2012-2015**

In 2012 the Orthodox clergy directly intervened in the parliamentary pre-election campaign and consequently, their support significantly contributed to the victory of the Georgian Dream coalition, and its leader Georgian billionaire Bidzina Ivanishvili. Despite the fact that in 2012 the Holy Synod made a resolution obliging the clergy to uphold political neutrality, the GOC representatives and supporters of the opposition Georgian Dream Coalition did not obey the decision of the Synod and held a protest rally, claiming that if it was necessary they would even "take off their cassocks".<sup>176</sup> Afterwards, Orthodox priests continued attending pre-election demonstrations, preaching to the congregation not to vote for the United National Movement. Notably, the Holy Synod has not punished any cleric for violating its ruling. After Georgian Dream's victory in the October 2012 parliamentary elections, the representative of the GOC, Deacon Tariel Sikinichilashvili, raised a flag of the winning political party at the fence of the monastery and hailed the victory of Bidzina Ivanishvili's party as God's miracle.<sup>177</sup>

During the pre-election campaign politicians also used religious symbols and demonstrated their allegiance to the GOC to increase their ratings. For instance, Bidzina Ivanishvili, who previously did not have the image of a devout believer, calling himself a "materialist" and one "having doubts"<sup>178</sup> regarding his faith in God, illustrated this change in answer to a journalist's question about whether he carried a cross - he showed that he was wearing one around his neck.<sup>179</sup>

Apart from declarations of commitment to the GOC, the pre-election campaign included xenophobic, Turkophobic and Islamophobic rhetoric employed by members of the Georgian Dream Coalition and their supporters. For instance, in Adjara region, that has a significant Muslim population, at a demonstration held in support of Georgian Dream, one of the speakers, the painter Kako Dzeladze, stated: "Batumi, I miss your boulevard, not that boulevard which is permeated with the smell of chorba and doner kebab".<sup>180</sup> Furthermore, Murman Dumbadze, the Georgian Dream single-seat candidate for the Batumi constituency, launched an anti-Turkey campaign protesting the building of a mosque in Batumi, and talked about an imminent threat coming from Turkey "which would claim the whole Georgia."<sup>181</sup> In this regard, one of the

<sup>173</sup> RFE/RL, Georgian Orthodox Church Patriarch Criticizes Saakashvili For War, October 2009, [http://www.rferl.org/content/Georgian\\_Orthodox\\_Church\\_Patriarch\\_Criticizes\\_Saakashvili\\_For\\_War\\_/1853790.html](http://www.rferl.org/content/Georgian_Orthodox_Church_Patriarch_Criticizes_Saakashvili_For_War_/1853790.html)

<sup>174</sup> Sarah Marcus, Georgian Patriarch Ilia II meets Dmitri Medvedev in Moscow, December 2008, [http://blogs.telegraph.co.uk/news/sarahmarcus/5946643/Georgian\\_Patriarch\\_Ilia\\_II\\_meets\\_Dmitri\\_Medvedev\\_in\\_Moscow/](http://blogs.telegraph.co.uk/news/sarahmarcus/5946643/Georgian_Patriarch_Ilia_II_meets_Dmitri_Medvedev_in_Moscow/)

<sup>175</sup> Annual Report of the Public Defender of Georgia, 2010 <http://www.ombudsman.ge/uploads/other/1/1351.pdf>

<sup>176</sup> 16 July 2012, [https://www.youtube.com/watch?v=rH\\_GT-I-DUc&feature=plcp](https://www.youtube.com/watch?v=rH_GT-I-DUc&feature=plcp)

<sup>177</sup> Maka Dekanosidz, Father Tariel "Nationals" sign of the Lord's defeat, For.ge, [http://for.ge/view.php?for\\_id=17453&cat=9](http://for.ge/view.php?for_id=17453&cat=9)

<sup>178</sup> Civil Georgia, Ivanishvili: 'I Came into Politics Unprepared', <http://www.civil.ge/eng/print.php?id=24070>

<sup>179</sup> KonstantineLadaria, The Church, Ivanishvili and authority, Tabula, March 2014, <http://www.tabula.ge/en/story/81550-the-church-ivanishvili-and-authority>

<sup>180</sup> Turkish foods

<sup>181</sup> BekaMindiashvili, Pre-election Turkophobia, Tabula, September 2012, <http://www.tabula.ge/en/story/70462-pre-election-turkophobia>

main messages sent by the oppositional party members to the electorate was that, if the government would not change, Georgians would lose their national identity.<sup>182</sup> In spite of such statements, after the emergence of Bidzina Ivanishvili, some liberals expressed the hope that the new government would no longer use the GOC as a tool for political legitimacy, and finally the Georgian Dream would achieve the state-church separation.

After coming to power Ivanishvili made bold statements about the importance of the protection of minorities. He was the first senior politician to speak publicly about the importance of LGBTI rights in Georgia. On 14 May 2013 he said "sexual minorities are equal citizens of this country and the society will gradually get used to it" when commenting on the upcoming rally in Tbilisi to mark the International Day Against Homophobia on May 17.<sup>183</sup> After several days, a huge crowd led by the Orthodox clergy, cracked down on a few dozen gay rights activists, violently dispersed the rally and physically abused them.<sup>184</sup> Ivanishvili in a written statement condemned the violence and said the perpetrators "will be dealt with according to the law." Over the subsequent two years, hundreds of witnesses were questioned by law enforcement bodies and the case was taken to the Tbilisi City Court, however, the Orthodox priest, Father Iotam (Irakli) Basilaia and his three supporters were acquitted in 2015.

In terms of upholding certain values, there is no coherent ideological line in Ivanishvili's statements. Along with the verbal approval of minority rights, he declared Asaval-Dasavali, the most homophobic tabloid breeding fascist ideas in Georgia, his favorite newspaper. At the same time, Ivanishvili stated that criticism of the Church should not be a taboo. After standing down as Prime Minister and becoming the unofficial ruler of the country, at the launch of his non-governmental organization 'Citizen', Ivanishvili pointed out that "problems exist" within the GOC.<sup>185</sup> The Patriarchate did not respond immediately, but finally after several days it published an official statement saying that "building a church does not mean being a son of the Church" (referring to Ivanishvili's funding of the construction of the Holy Trinity Church in Tbilisi). Such spats ultimately did not have any effect on the courtship of the State and Church. The government continued to give financial support to the GOC and the amount of immovable property transferred to the Patriarchate actually surged. Furthermore, the GOC attempted to establish itself as a fully-fledged political player by using its authority to oppose Georgia embracing the principles of liberal democracy.

In 2013, the government's loyalty towards the dominant religious group became obvious with respect to the approval of the Code of Self-Government. Initially, the bill proposed establishing a newly decentralized local and regional government and increasing the number of self-governing cities in Georgia. The Patriarch responded to the initiative and said it would "drive the country to destruction". Due to his criticism, hearings in the Parliament were postponed and hence the government promised to present an amended draft. The chairperson of the Committee on Protection of Human Rights and Civil Integration, Eka Beselia, noted that the "position of his Holiness is important." The bill proposed introducing the direct election of mayors of at least 17 towns, as well as heads of all municipalities. Following consultations with the GOC, the legislators finally amended some parts of the law which the GOC considered to be problematic, with regional clusters of municipalities existing in the Code being transformed into regional advisory boards.<sup>186</sup>

In 2014, a year after these amendments, the GOC experienced something of a defeat when it challenged the adoption of the Law On Elimination of all Forms of Discrimination. The readings of the bill in the Parliament of Georgia were attended by the Orthodox clergy who vocally opposed the law which would protect minorities, respect LGBTI rights, and recognize gender equality. Archpriest David Isakadze threatened the MPs supporting the bill with anathema (expulsion from the church). Regarding the discussions over the law, the deputy Chair of the Committee on the Protection of Human Rights and Civil Integration, speaking on the

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<sup>182</sup> Mindaivshvili, *ibid*

<sup>183</sup> RFE/RL, Georgian Prime Minister Says Sexual Minorities Have Equal Rights, May 2015, <http://www.rferl.org/content/georgia-lgbt-equal-rights/24986492.html>

<sup>184</sup> Civil Georgia, Violence Against Anti-Homophobia Rally, May 2013, <http://www.civil.ge/eng/article.php?id=26073>

<sup>185</sup> Civil Georgia, Ivanishvili on Georgian Orthodox Church, April 2013, <http://www.civil.ge/eng/article.php?id=25938>

<sup>186</sup> Civil Georgia, Govt Called 'Not to Yield to Attempts of Discrediting' Local Governance Reform, December 2013, <http://www.civil.ge/eng/article.php?id=26763>

Focus program on Tabula TV Gedevan Popkhadze stated that for him his religious identity was more important than his mandate as an MP. The Anti-discrimination Law was adopted despite the GOC's resistance, however the final draft included amendments which took into account some claims of the GOC. The document states that "no provision of the law can be construed to contradict the constitutional agreement between the State of Georgia and the Apostolic Autocephalous Orthodox Church of Georgia". Georgian non-governmental organizations criticized this step, in a joint statement they said: "We find it especially irrelevant [...] because the Constitution itself recognizes the primacy of universal principles and norms of international law over the constitutional agreement in the area of human rights and fundamental freedoms. The scope of the constitutional agreement does not transcend the relationship between its immediate signatories. Should this agreement be used for unequal treatment of other persons, this will amount to discrimination."<sup>187</sup>

It is notable that along with the growing allegiance of state officials to the GOC since 2012, civil society became very active in protecting minority rights, especially religious minorities and the right to freedom of religion in Georgia compared to previous years. Precisely thanks to the joint efforts of local non-governmental and international organizations, the GOC's initiative to introduce a new law imposing administrative liabilities for hurting religious sentiments was finally thwarted<sup>188</sup>. In 2013 the Parliament of Georgia reviewed a bill limiting the public expression of hatred towards religious organizations, clergymen or worshippers by an individual aiming to hurt religious sentiments, by making it an administrative offence and envisaging a subsequent administrative penalty. The bill was rejected and the GOC was unable to push the law which was similar to one that was adopted in Russia.<sup>189</sup>

Finally, despite some victories of civil society over the anti-liberal discourse of the GOC, 2012-2015 saw intense loyalty of state officials towards the dominant religious group which was expressed through gross violations of religious minority rights and impunity for the perpetrators.

### **Persecution of Religious Minorities**

Since 2012 persecution, obstruction of religious services and discriminatory treatment of religious minorities became one of the main challenges in the field of freedom of religion in Georgia - especially towards Muslims and Jehovah's Witnesses. Due to the State's inadequate and ineffective policy towards the hate crimes, the number of offences committed on the grounds of religious intolerance drastically increased and become widespread. In 2012-2014 six cases of violations of Muslims' rights took place in different regions of Georgia. In Nigvziani, Tsinstkaro and Samtatskaro villages, Muslim believers were persecuted by the local Orthodox congregation. For instance in 2012, in Nigvziani in the Dedoflistkaro municipality, a group of Christian protesters gathered around the houses of Muslim residents where prayer meetings were taking place, verbally assaulted the believers and threatened to evict them from the village if they continued carrying out prayers.<sup>190</sup> In 2012 in Tsintskaro village, a group of local Orthodox Christians threatened the local Imam saying that unless he stopped his prayers, they would burn down his house and expel him from the village. After a year, in the village of Samtatskaro in Dedoplistskaro municipality, local Christians trespassed into the prayer house of Muslims, obstructed religious rituals, and threatened to burn down the Imam's house if he continued. Later, the Imam was forced to leave the village. None of these cases were properly investigated by the police giving a green light to further persecutions of the same character.

In 2013, in Chela village in the Adigeni municipality the violation of Muslim rights was even more flagrant, as the perpetrators were police officers themselves. On 26 August, by the order of the Revenue Service of

<sup>187</sup> Tolerance and Diversity Institute, A Joint Statement of Representatives of Civil Society and Religious Organizations Regarding the Draft Law on Elimination of All Forms of Discrimination, April 2015, <http://tdi.ge/en/statement/joint-statement-representatives-civil-society-and-religious-organizations-regarding-draft>

<sup>188</sup> Civil Society Organizations Urge the Parliament against Adopting the Law that Imposes Administrative Liability for Hurting Religious Sentiments, <http://tdi.ge/en/statement/civil-society-organizations-urge-parliament-against-adopting-law-imposes-administrative>

<sup>189</sup> Christopher Stoop, In Russia It Is Now a Crime to Insult Someone's Religious Feelings, September 2013, <http://religiondispatches.org/in-russia-it-is-now-a-crime-to-insult-someones-religious-feelings/>

<sup>190</sup> Georgian Journal, Confrontation in Nigvziani between locals and Muslim community, November 2012, [http://www.georgianjournal.ge/news/index.php?option=com\\_content&view=article&id=20934:confrontation-in-nigvziani-between-locals-and-muslim-community&catid=13:society&Itemid=75](http://www.georgianjournal.ge/news/index.php?option=com_content&view=article&id=20934:confrontation-in-nigvziani-between-locals-and-muslim-community&catid=13:society&Itemid=75)

Georgia, the minaret of a local mosque was dismantled without the legal basis.<sup>191</sup> At the same time, officers of the Ministry of Internal Affairs physically abused Muslims trying to protest against the dismantling of the minaret.<sup>192</sup> The case was not investigated by the Prosecutor's office in Georgia. Because of the impunity of the perpetrators, persecution of Muslims continued in this municipality. In October 2014, local Muslims in Mokhe village were allegedly physically abused by the police officers whilst protesting the demolition of a half-ruined mosque. Muslim communities also reported abuse when establishing religious schools. For instance, in September 2014 in Kobuleti in the Adjara region, local Orthodox Christians slaughtered a pig and nailed its head to the front door of a Muslim boarding school to protest its opening. An investigation was launched into these cases however it has not yielded any legal results as of October 2015.

Apart from Muslims, other minorities also experienced harassment on religious grounds: the number of offenses against Jehovah's Witnesses in the first five months of 2014, almost equaled the total number of offences occurring in 2013, a year which itself had a fourfold increase compared to 2012. Also, the Pentecostal Church of Georgia was unable to celebrate the Festival of Hope in an open public space<sup>193</sup> and Hanukkah Celebrations were marked by an anti-Semitic demonstration by the Orthodox clergy and its supporters.<sup>194</sup>

Another notable issue regarding freedom of religion included obstacles to securing construction permits from local municipalities for houses of worship - such permits either are not issued at all or are illegally suspended or terminated. These cases usually follow a similar pattern: Initially the local Orthodox congregation and representatives of Orthodox Christian clergy oppose the construction of houses of worship of different religious groups. Later, it appears that local municipality representatives take into consideration the claims of the Orthodox believers and, by using artificially created barriers, discriminate against minorities on religious grounds. Such discrimination is usually not identified by State bodies or the courts.

Due to the State's reluctance to recognize Muslims presence in the public space, Muslims in 2015 were denied permission to construct a second mosque in Batumi, the capital of Adjara region. Furthermore, in 2014 the State Agency for Religious Issues was established under the office of the Prime Minister. The analyses of the practice of the Agency shows that the religious policy of the state is oriented not at a solution for the persistent and acute problems for religious minorities in Georgia, but at strengthening control over religious entities and curtailing their functions. By establishing this body, the State declared that up to now religious policy was focused "only on the protection of religious minorities, while along with the protection of interests of religious groups it is necessary to include the discourse of internal and external security." The strategy of the Agency aims at adopting a special law on religious organizations, establishing hierarchical differences between them and imposing new regulations in different fields.<sup>195</sup> It is notable that this Soviet-like state structure, dedicated exclusively to religious affairs, was established without consulting a wide range of religious entities, the Ombudsman's office and non-governmental organizations working in this field.

Additionally, instead of deconstructing the discriminatory practice of state funding of the GOC, the government initiated a new rule for the state funding of four additional religious organizations, called the "partial compensation of the damages inflicted on religious organizations during the Soviet times". However, the four religious groups (Armenian Apostolic Church, Catholics, Muslims and Jewish communities) were chosen arbitrarily, and other entities which also experienced damages during the Soviet repressions were omitted from the list. It creates the impression, that the government's initiative to allocate state subsidies for the additional four religious organizations aims at legitimizing the long-established practice of subsidizing

<sup>191</sup> Civil Georgia, Authorities Remove Minaret Forcibly, Sparking Muslim Community's Protest, August 2013, <http://www.civil.ge/eng/article.php?id=26386>

<sup>192</sup> Tolerance and Diversity Institute, The study of Religious Discrimination and Constitutional Secularism in Georgia, 2014,

[http://tdi.ge/sites/default/files/study\\_of\\_religious\\_discrimination\\_and\\_constitutional\\_secularism\\_tdi.pdf](http://tdi.ge/sites/default/files/study_of_religious_discrimination_and_constitutional_secularism_tdi.pdf)

<sup>193</sup> Tolerance and Diversity Institute, Statement of NGO-s Regarding the Hope Festival, June 2014, <http://tdi.ge/en/statement/statement-ngo-s-regarding-hope-festival>

<sup>194</sup> Tolerance and Diversity Institute, The study of Religious Discrimination and Constitutional Secularism in Georgia, 2014, Ibid, (see Incident at Hanukah Holiday p77)

<sup>195</sup> Tolerance and Diversity Institute, The Assessment of the Strategy for the Development of Religious Policy of the State of Georgia, July 2015, <http://tdi.ge/en/news/216-assessment-strategy-development-religious-policy-state-georgia>

the Patriarchate, impinging on the autonomy of religious minorities and by bribing them, to silence them about the acute problems regarding freedom of religion.

### Conclusion

Unlike with the Saakashvili years, the period of the Georgian Dream's tenure is not marked by an ideological confrontation between the GOC and the government. Along with the softening of the government's pro-Western discourse, pro-Russian sentiments are heavily emanating from the GOC. The narrative of two countries 'having the same-faith' was always prevailing inside the GOC, however, it became promoted by the Orthodox clergy even more actively. In 2013 during his visit to Moscow, at the meeting with Vladimir Putin, Patriarch Ilia II asserted that the war in 2008 was a "mistake" and it was neither the fault of Russia, nor Georgia, but of "particular persons" (implying President Saakashvili). "The love between Georgia and Russian will be eternal" -said Ilia II and called Putin a "wise person."<sup>196</sup> Considering the Patriarch's attitudes towards Russia and his favoritism of totalitarian leaders, this statement should not sound surprising. In 2013 in an interview with *Caucasian Politics* he even praised Josef Stalin, saying that he "was an outstanding person, such people are rarely born. He was realizing the world importance of Russia [...] He was religious person, especially in his late years, I think so."<sup>197</sup>

To conclude, the current government has a clear position towards the GOC - one the one hand, it pursues the previous tendency of granting privileges to the GOC, and on the other hand, it turns a blind eye to the violence committed by the majority. It has a clear position towards minorities as well. By establishing the State Agency for Religious Affairs, it tries to control religious minority organizations and its policy focuses on this issue from the perspective of security, rather than protecting their rights.

Overall, what the GOC is striving for today is a political recognition of its function and role. This aim and desire led the Orthodox clergy to the streets on May 17<sup>th</sup> 2013 to disperse human rights activists and to demonstrate its political power. Currently there is no other political group capable of mobilizing so many people as the GOC. In this regard, it will be interesting to observe the 2016 parliamentary elections as those political groups who pursue a pro-Russian policy openly demonstrate their allegiance to the GOC.

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<sup>196</sup> Tabula, Ilia II: Putin Will Do Everything For Us to Remain Friends, January 2013, <http://www.tabula.ge/ge/story/63727-ilia-meore-putini-kvelafers-gaaketebis-imisatvis-rom-dzmebad-davrchet>

<sup>197</sup> Netgazeti, Ilia II: I Love Russia Very Much, Stalin Was A Believer, July 2013, <http://www.netgazeti.ge/GE/105/News/22214/>



## The End of the Georgian Orthodox Christian Church, As We Know It

Irakli Vacharadze<sup>198</sup>

### Homosexuality and the Wrath of God

In June 2015 Archbishop Spyridon<sup>199</sup> of Skhalta dedicated his Sunday sermon to, what was according to him, the God-sent punishment that was the devastating flooding of Tbilisi on June 13<sup>th</sup> 2015.<sup>200</sup> Archbishop Spyridon is also well-known for his Islamophobic rhetoric<sup>201</sup>, and incidentally also objects to even holding a music festival in Georgia (alleging it would bring God's wrath to our land).<sup>202</sup> The devastating Tbilisi floods, the Archbishop claimed, were the result of sins. He is not alone. The hierarchs of the Georgia's omnipotent and influential Orthodox Church never miss an opportunity to imprint the following message in the minds of their congregation: that every tragedy, natural or man-made, is a direct message from God in response to Georgia's 'perverted' and degenerate citizens. Archbishop Spyridon paid special attention to homosexuality – what he calls the 'filthiest of known sins'. The subject of his attack? Georgian Member of Parliament Levan Berdzenishvili who wasn't afraid to hold a rainbow flag in his hands for 3 seconds, as part of TV Imedi's coverage of IDAHO day.<sup>203</sup> Mr Berdzenishvili may have understood that homosexuality is not a disease that can be transferred, by methods such as holding a gay flag in one's hands, but Georgian Church leaders beg to differ. According to the Archbishop, an MP like that is detrimental to Georgia:

*Terrible results will follow when a country leader and leadership sin like that. Hence, we must be on the guard. We should restrict ourselves from the act of sin. Could it get worse when a representative from the ruling coalition, a lawmaker maintains that something that dark and filthy can be treated as integral and upright? This horrendousness is now called education...Did you not see him say that whoever is against homosexuals and perverseness is force of darkness? And this person is a Member of Parliament?*

Spyridon continued:

*Those who desire homosexuality and perverseness are the educated ones, according to him. How can we speak to him after that? I wonder why we are still alive and not killed by God because a person like that is in government. This is the reason of our misery. I repeat - this [homosexuality] is the most bitter, tormenting and most degenerative of all sins. The Lord brought deluge and flood upon us and it burned down Sodom and Gomorrah. Homosexuality being as obscene and indecent as it is, is propagated by someone from the ruling government. Why are we still not destroyed already?!*

Notice the blatant way in which facts and myths are fused. He put words in the MP's mouth that he never said, and consequently this was used to further anger the believers. Spyridon's speech is one of many thousands of homophobic sermons that surface online. Not only are these hierarchs falling into the sin of homophobia, but they stand to violate Holy Synod's July 6<sup>th</sup> 2012 decision that prohibits Georgian clergy from making political statements. Furthermore, Spyridon expresses concern that he is unable to express his anger by resorting to physical violence:

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<sup>199</sup> Archbishop Spyridon, Skhalta homily, June 2015, <https://www.youtube.com/watch?v=sstc-qcxK7l>

<sup>200</sup> The human cost of the Tbilisi floods, The truth is, I'd really lost all hope, Guardian, July 2015, <http://www.theguardian.com/cities/2015/jul/03/tbilisi-floods-georgia-capital-destroyed-zoo-wild-animals>

<sup>201</sup> Archbishop Spyridon, Mosque, March 2013, Batumelebi Newspaper, <https://www.youtube.com/watch?v=0Wf0h8yxZAg>

<sup>202</sup> Archbishop Spyridon, Skhalta homily, June 2015, <https://www.youtube.com/watch?v=sstc-qcxK7l>

<sup>203</sup> IDAHO – International Day Against Transphobia & Homophobia is usually marked with violence in Georgia. The Church brings out thousands of followers to attack a small number of LGBTI human rights defenders. On May 17<sup>th</sup>, 2013 nearly 40.000 violently attacked roughly 40 LGBTI activists



*They [LGBTI people] created this organisation, Identoba.<sup>204</sup> They adopted the laws that won't allow us to attack them. If something happens, the law, instead of them, will accuse us and why do we even wonder that the God sent us floods and heavy rain? We must wake up, turn around, revert back to our beliefs, find our innocence.*

The Archbishop muses on and on, in a mytho-poetic fashion, misquoting parts from the Holy books and The Knight in the Panther's Skin, Georgia's most important literary text, written in the 12th Century, to justify violence against LGBTI people. The Archbishop screams angrily from the Church pulpit:

*And what are we witnessing now? They come out in the public and engage in many sorts of acts of indecency and should someone dare tell them a word, that very same person will be rendered guilty. That good Samaritan will be brought in as guilty, as violating these perverts rights. What rights do they have?! The right to pervert and to decay us? Why are we tolerating this?*

### **The Situation on the Ground: What it really means to be LGBTI in Georgia**

Of the dozens of cases brought by Identoba - Georgia's leading LGBTI rights organization - since 2010, there has not been one instance where the courts or police have adequately responded and the applied the legal protections that are required by law. Georgia continues to ignore and marginalize social groups such as women and LGBTI persons and keeps denying them their most vital, basic human rights to security, protection from violence, access to adequate health and education services, and most importantly, access to justice.

Homophobic bullying among children and young adults is widespread and common practice in the country, particularly in public schools. The Ministry of Education is notoriously cynical or silent at best whenever Identoba raises this issue. Women, especially lesbian mothers and single mothers are left unprotected too. In some cases, where Identoba has reported that lesbian women who married as a result of social and family pressure, and later tried to escape those imposed marriages, were detained or otherwise deprived of their freedom of movement, access to education, jobs, had children taken away or were unable to enforce court orders that protected them either due to police misogyny or connections to the perpetrators.<sup>205</sup>

Transgender rights are purposefully neglected, Constitutional guarantees to equality are unlawfully and purposefully denied to them.<sup>206</sup> Transgender individuals are unable to change their legal sex in formal documents; Identoba is in the process of preparing a case for the European Court of Human Rights (ECtHR) since all domestic remedies seem to be nearly exhausted at this point.

The Georgian Constitutional Court's 2013 decision, in a case put forward by Identoba, to allow gay-men the right to donate blood<sup>207</sup>, remains frozen at the Ministry of Health and has been purposefully denied and not respected. Attacks against male sex-workers, police violence, and the fabrication of small felonies to detain them (the law itself does not prohibit sex work) are a widespread practice in Georgia.

Often the families of teenage LGBTI community members treat them especially harshly. Bullied by their peers and teachers, and neglected by school administrations, young adult members of the LGBTI community can be effectively denied schooling, housing, and parental care.<sup>208</sup> They increasingly become homeless and need shelter. Georgia does not offer specialist shelters for LGBTI community members at all. Identoba relies

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<sup>204</sup> The author is the head of this organisation.

<sup>205</sup> Social Situation of Lesbian Women in Georgia, May 17<sup>th</sup>, # II Issue. P. 31. Hosted at <http://17maisi.org/17maisi/>

<sup>206</sup> Georgian law does not, but the Civil Registry does request trans persons to undergo neutralization and other costly procedures simply to have legal gender changed in IDs. Identoba has prepared a policy recommendation on the issues. The document can be accessed at:

<https://identoba.files.wordpress.com/2012/04/e183a1e183a5e18394e183a1e18398e183a1-e18390e183a6e18398e18390e183a0e18394e18391e18398e183a1-e183a8e18394e183a1e18390e183aee18394.pdf>

<sup>207</sup> Identoba, In A Landmark Decision, Constitutional Court of Georgia Rules MSM Can Donate Blood, February 2014,

<http://identoba.com/2014/02/06/cons court/>

<sup>208</sup> Bullying in School, May 17<sup>th</sup>, #I Issue, p. 71, [https://www.dropbox.com/s/dv26eozwzgsck5c/17\\_Maisi\\_Web.pdf?dl=0](https://www.dropbox.com/s/dv26eozwzgsck5c/17_Maisi_Web.pdf?dl=0)

solely on the State Shelter for the Victims of Domestic Violence, which only has 30 beds available (14 in Tbilisi and 16 in Batumi) in the entire country, it is only on rare occasions that Identoba is able to temporarily send people to these locations. In a poor country such as Georgia the social groups that are most discriminated against will always be double-discriminated, first because almost all services are generally scarce, and second, when they do become available, LGBTI people will be the last ones in line to receive them due to the discrimination they face. The existing shelters are a short-term solution, since they do not provide any services and do not educate or empower users to go on and live independently. In July 2015, we lost yet another community member; a teenage gay man, kicked out from his family home in a Western Georgian city who went on to support himself by doing sex-work in Tbilisi. He died of AIDS and meningitis due to lack of access to adequate services, poverty and homelessness.

So, why then does the very influential Georgian Orthodox Church, which steadily enjoys 95-96 per cent trust<sup>209</sup> from the residents of Georgia, declare homosexuals to be the privileged group? Why do Orthodox leaders keep purposefully distorting the picture?

### **The Church and Homophobia: Reasons Behind the Anti-Gay Hate Crusade**

The Orthodox Church is much less irritated by abortion than homosexuality. It has never demanded the criminalization of abortion. However, The Church firmly believes that it is murder. If we follow data, reportedly 30,000 are being annually ‘killed’ in Church’s own words, in gynaecological clinics in Georgia. Despite this, they have never asked for abortion to be criminalised nor have they ever organized a rally in front of these clinics. The Patriarch of Georgia, who enjoys an almost god-like status of immunity and following in the Country, dedicates very little time to speaking against abortion when compared to bashing homosexuality. This is partly explained by widespread social acceptance of abortion, which has its roots in Soviet policies and cultural legacies. Incidentally, something else has strong cultural roots in Soviet history: the experience of criminalization and persecution of LGBTI individuals.

What does this all mean? We are witnessing ‘homosexuality hysteria’ in the Church. This means that the Church is not preoccupied with founding dogmatic principles, nor is it busy with following core beliefs of Christianity, but it is obsessed with the desire to persecute homosexuals, prioritising this cause over other ‘bigger’ issues. These are the double standards we have come to expect from them, and it hardly strikes anyone in the country as a surprise. Unlike, say Western Protestant denominations<sup>210</sup>, they actively try to punish sexually active homosexuals and alarmingly, those who speak up against homophobic violence.

Homosexual acts are not even the gravest of sins according to Orthodox Church canonical laws. When a Church dedicates its time and resources to specifically targeting one of Georgia’s most discriminated communities’ universal human rights, one can not help but notice that this decision is part of the religious institution’s anti-Western ideology, birthed in the atheist Soviet Union. Today’s Orthodox Church and its undisputed leader, elected in 1978, are products of the Soviet era<sup>211</sup>, and even after the USSR was long gone, they never lost their allegiance to Russia, the heir of the USSR. Georgia’s Orthodox Autocephalous Church is an extension of Russia’s soft power that sometimes is not so soft: think of the 2008 Russian invasion of Georgia and the takeover of 20 per cent of its territories. One would think that 2008 would have been a sign for Georgian Church to stop its pro-Russian game, but they quickly proved everyone wrong. Illia II, Patriarch of Georgian Church, has repeatedly asserted “that Putin is a wise man”<sup>212</sup> and that hopes remain high that “our two nations will live in a unified family, once again”. As one commentator put it “Illia II, when he doesn’t mourn Stalin, he is busy appraising Putin’s wisdom”.<sup>213</sup> The Church took on anti-Western views prevalent in Putin’s Russia, took it up to the level of doctrine and has since been teaching it everywhere, in

<sup>209</sup> Survey on the May 17th Events in Tbilisi, CRRRC, [http://www.crrc.ge/uploads/files/research\\_projects/May\\_17\\_Survey\\_Frequencies\\_for\\_website.pdf](http://www.crrc.ge/uploads/files/research_projects/May_17_Survey_Frequencies_for_website.pdf)

<sup>210</sup> From our experience, the great majority of Protestant Churches in Georgia are quite outspoken and friendly towards LGBTI groups, since they are tiny minority themselves and the issues they face are quite similar to ours. For example, Bishops, Songulashvili and Gotsiridze are among the most well known LGBTI allies in the spiritual community in Georgia (they both come from Evangelical-Baptist Church of Georgia).

<sup>211</sup> Tabula, Illia II I love Russia, July 2013, <http://www.tabula.ge/ge/verbatim/73409-ilia-meore-me-dzalian-mikvars-ruseti>

<sup>212</sup> Matt Lewis, Patriarch Putin, February 2013, <https://www.youtube.com/watch?v=6EWd31cRIB0>

<sup>213</sup> Levan Sutidze, religion commentator. Private conversation on 27 September 2015.

every sermon and has never missed an occasion to weave it into their public speeches. This is done at the local level, at every church, by every bishop and by every church hierarchy.

The hypocrisy doesn't end here. The Church is perfectly tolerant of those homosexuals that reside within its confines and enjoy a full array of privileges and have access to resources, have affairs with impunity, etc. This is nothing short of the ideology of servitude: 'if you are with us, you will be protected'.<sup>214</sup>

Fighting homosexuality is at the top of and an everyday part of the Church's domestic and foreign policy-making agenda. A week does not pass without various Church representatives verbally attacking the LGBTI community. By pressing on the wheels and accelerating the xenophobic machine, the Church is able to augment its own importance, enshrine nationalist narratives and position itself as the sole force that is acting as a cement, a foundation, a living gene and a memory which carries 'Georgianness' and transfers it 'uncontaminated', from generation to generation. The idea that LGBTI identity is a foreign construct has been thoroughly bred by the Church. Today, this xenophobic view of homosexuality can be observed on a daily basis. Identoba's LGBTI publication, 'May 17<sup>th</sup>' polled people, by asking them "why do you hate LGBTI individuals?" The great majority of responses came in the following manner: "because it is not a Georgian thing", "because homosexuality is something that Europeans do. We should not copy it", and "homosexuality cannot be compatible with the Georgian values and religious identity."<sup>215</sup>

Homosexuality is attacked not from using Holy Books and canonical teachings, or even by Christian pedagogy on how to save one's soul, but from the angle of ethno-nationalist, demographic and political grounds. A video shows the leader of the Kashueti Church, one of the major churches in Georgia, who is seen running after and intimidating the LGBT rally on May 17<sup>th</sup> 2012 in Tbilisi, and arguing "Georgian homosexuals do not exist. These are not Georgian gays!"<sup>216</sup> This xenophobia has a reason all too simple to understand: post totalitarian Georgian society is perfectly willing and capable of hating everything different, diverse and non-hegemonic and needs no amount of complicated discussions of religious doctrines to aid in furthering the hate. The Church spits hatred in nationalistic terms. No Bible is needed to sophisticate its arguments.

Georgia is a heavily nationalist country – the independence and liberation movement of the 90s are still with us. Since then, Georgian national discourse has continually upheld, and dearly nurtured Soviet-era homophobia, and turned homosexuality into a threat to national identity and security. It is our task to transform and reverse that. It is my duty and Identoba's mission to show that targeting and attacking homosexuals equals targeting and attacking national interests. Georgia must demonstrate an amazing degree of tolerance and acceptance if it ever wants to re-integrate the ethnic minorities it alienated in the 90s when it lost them to ethnic conflicts.<sup>217</sup> Georgia is a multi-ethnic, multi-religious country. It simply cannot afford to persecute religious, ethnic or sexual minorities.

And while we, the Georgian LGBTI movement are slowly, but steadily able to introduce that message to Georgian society, not least thanks to the images of the horrific attacks of May 17<sup>th</sup> 2013, impatience towards the Church is growing. With the spread of awareness and education, the Church is feeling the heat - it will inevitably lose the grasp it has imposed on Georgian citizens.<sup>218</sup> But before then, many of our bones will continue to be broken.

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<sup>214</sup> Ephaproditiis, The 8<sup>th</sup> Secret of The Church, May 17<sup>th</sup> publication May 2014, <http://17maisi.org/2014/05/16/1/> and Jacob Milk, Short Chronicles of Homohierachs, May 2014, May 17<sup>th</sup> publication, <http://17maisi.org/2014/05/16/homo/>

<sup>215</sup> Anna Saralidze, Poll: In your opinion, why do you hate gay people?, May 17<sup>th</sup> publication, September 2015, <http://17maisi.org/2015/09/28/voxpath/>

<sup>216</sup> Tina Angus, These are the gays, May 2012, <https://www.youtube.com/watch?v=2W4zjp53Vxk>

<sup>217</sup> Most notably South Ossetia and Abkhazia

<sup>218</sup> World Values Survey, 2010-2014. "Is homosexuality Justifiable?" (V202.- Justifiable: homosexuality) 86% said "Never", while during 2005-2009 90% said so: <http://www.worldvaluessurvey.org/WVSONline.jsp>

## Behind the Curtain: The relationship between the Moldovan state and Church

By Victor Munteanu<sup>219</sup>

At first glance, few factors should impede Moldova - a country that joined the Council of Europe nearly 20 years ago and has ratified all major international human rights treaties - from building a clearly framed interaction mechanism between religion and the state. The European Convention on Human Rights (ECtHR)<sup>220</sup> protects against any governmental interference with the right of the individual to believe, to choose and change religion (known as the '*forum internum*'), and also sets the limits of interference with external manifestations of this right.<sup>221</sup>

The unadvised reader of such legal texts should consider two well-defined actors: the state both as guardian and as potential violator of the right to freedom of religion, and religious individuals and institutions, as potential victims. These black and white scenarios tend to overshadow reality, where the balance of rights is disrespected and the state favours one religion to the detriment of the others. A religious institution, a Church for instance, might turn into a violator of human rights, including of the freedom of religion of other religious denominations.

Recognizing that certain religions should be granted special status is a task carrying its difficulties for European democracies. Moldova is a newly emerged democracy but still heavily rooted in its turbulent past: it was one of the 15 Soviet Republics, part of Greater Romania, a Russian Gubernia, an Ottoman protectorate...but never an independent country. The current relationship of the Moldovan state and orthodox religion is not only dictated by the special role held by orthodoxy in its history and culture before and during the Soviet regime, it also echoes the newly assumed role of the Russian Church as defender of 'traditional values' and partner of the Russian Government in promoting its official external policies. The Moldovan Church has a difficult mission to both please the Moscow Patriarchate and also demonstrate some sort of national character. An open resistance to the European integration process of the country, the denigration and distortion of the European values of democracy, tolerance and diversity, might prove a wrong decision with unexpected outcomes for its future.

The independent state of the Republic of Moldova emerged from the ashes of the Soviet Union. The Soviet regime dictated that individuals should face persecution for their religious affiliation. It was troublesome to declare oneself a Christian, a Jehovah's Witness, or a Baptist, based on its incompatibility with communist ideology. The sole path to building a career was through becoming a 'komsomoletz'.<sup>222</sup> Hence, going to Church was an occupation reserved for the older generations, since it meant a career dead-end for the youth. For those who broke the rules, policies and practices of exclusion and marginalization applied. This practice lasted for at least two to three generations and the majority of people in the USSR (at least in the European part) truly identified as atheists.

Soviet identity implied atheism paired with pressure to identify as 'Russian'. Today, many of these former Soviet citizens have reached their 40s and 50s or older. Judging by the results of social surveys and population censuses, their atheism appears to have miraculously dissolved, given that more than 90 per cent of respondents identify as Christians and trust the Church more than any other public institution.<sup>223</sup> The question begging an answer here is whether orthodoxy has become the defining element of Moldovan identity, hence replacing the former atheism of the Soviet era. If this really is the case, how does one explain

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<sup>220</sup> European Convention on Human Rights and Fundamental Freedoms (1950). Rome. 4 November 1950 in force 3 September 1953. Article 9.

<sup>221</sup> Uitz, Renata, 2007, Freedom of religion in European constitutional and international case law and practice. Strasbourg: Council of Europe. Pg 29.

<sup>222</sup> *Komsomoletz* was member of *Komsomol*. *Komsomol* is the abbreviation for 'All-Union Leninist Young Communist League' which was a youth organization controlled by the Communist Party of the Soviet Union.

<sup>223</sup> National Bureau of Statistics of the Republic of Moldova, Population Census 2004, 2004, <http://www.statistica.md/pageview.php?!=ro&idc=295&id=2234>; Institute for Public Policy, Public Opinion Barometer since 2000, <http://ipp.md/lib.php?!=en&idc=156>

the considerable manifested resistance of the Government towards official registration of another Orthodox Church in Moldova in 1992: it was only in 2002 that the Ministry of Justice registered the Bessarabian Orthodox Church under the Romanian Patriarchate, following a landmark decision of the European Court of Human Rights (ECtHR).<sup>224</sup> By reading the case files, it is obvious that both the Government and the Moldovan Orthodox Church under the Moscow Patriarchate had decided to protect the religious monopoly of the latter against all costs.

A detailed answer necessitates incursions into the notion of 'Moldovan identity', coupled with an understanding of the role played by Russia and the Russian Orthodox Church's ideological grasp over former Soviet territories. Leaving the subject of nationality as citizenship aside, to identify as an Armenian, Georgian, Ukrainian or Russian most likely indicates a person's affiliation to the aforementioned groups, their native language respectively relating to their ethnic roots. In the case of the Moldovan people, a group's understanding of its identity can differ from the same group's spoken language. This sensitive issue leaves Moldova a society deeply and irreconcilably divided between those who identify and speak Romanian, considering the country and its people to be a part of the Romanian nation, versus those who uphold the idea of a sovereign Moldovan nation and language. In addition to the division between the two groups, another category of Moldovans affiliates themselves with the Romanian nation 'but with different markers of identity'.<sup>225</sup> The question of spoken language is the spearhead of this debate.

According to official data, 96 per cent of Moldovans identify as religious believers, the majority being Orthodox Christians.<sup>226</sup> A logical conclusion would be that orthodoxy is one of the few societal glues to resist the mentioned above reasons for division and play an important role in establishing the Moldovan identity. The latest population census of 2014 turned into a saga, tainted with accusations of manipulation.<sup>227</sup> To date, official data related to the most contentious aspects - ethnicity, language and religion - has not been made public. Before 2004, the Communist government was on a mission to promote 'Moldovanism' and to publicly support the Moldovan Orthodox Church under the Moscow Patriarchate. Paying due regard to the full extent of control exercised by Communist authorities over public institutions by 2004, it is highly unlikely that undesirable data would have been left out for public release. Therefore, comments or conclusions drawn based on the 2004 and 2014 censuses would be speculative and inaccurate. The data shall be checked and balanced at least against information provided by sociological surveys. A range of sophisticated sociological explanations should be considered for this shift from quasi-unanimous atheism to overwhelming religiosity during the 25 year period. Unfortunately, the level of manipulation of statistical data, at a time when the government liaises with the Church remains terra incognita. What one finds striking is not the number of Orthodox Christians registered in 2004 but rather the complete lack of atheists and non-believers.<sup>228</sup> In the region of Hancesti, for instance - the author's birthplace - data collectors found only 50 atheists among a population of 119,762 people. If they would have asked the authors' parents, they would have counted at least 52. In the region of Stefan Voda, only one atheist was found among a population of 70,000, while only two were found in Rezina region, where the total population is 48,000. This is striking for a country where the Constitution defines the state as secular and contends that religious communities and the state are separate entities, and freedom of religion is guaranteed.<sup>229</sup> The author was directly informed that collectors introduce orthodoxy as the respondents' religion by default; corrections are only made in the event that objections arise on the part of the respondents.

For the first time, the Public Opinion Barometer (POB), a trusted sociological survey conducted by the Institute of Public Policy in Moldova, developed a separate questionnaire on the Church and its political influence in 2014. Both the Church and the state did not comment on the survey's results. Although 80 per

<sup>224</sup> Metropolitan Church of Bessarabia and Others v. Moldova, App. No. 45701/99

<sup>225</sup> Andreas, Johansson, 2011, Dissenting Democrats. Nation and Democracy in the Republic of Moldova. Stockholm. Printed in Sweden by Univeritetsservice US -ABm,

<sup>226</sup> National Bureau of Statistics of the Republic of Moldova, Population Census 2004, 2004, <http://www.statistica.md/pageview.php?l=ro&idc=295&id=2234>

<sup>227</sup> Mihai Bologan, Delirium paradoxical preliminary results of the 2014 Population Census, Independent Mind (blog) January 2015, <http://bologan.com/recensamantcatastrofa/>

<sup>228</sup> National Bureau of Statistics of the Republic of Moldova, Population Census 2004, *ibid*,

<sup>229</sup> Constitution of Republic of Moldova. Art. 31



cent of the respondents show a high degree of trust in the Church as an institution, opinions which no longer favoured the church emerged later in the survey, as it progressed. Hence, it was established that 58 per cent of the respondents go to church less than once per month and 10 per cent don't go at all; 85 per cent consider that the church should remain separate from the political sphere and 76 per cent consider that the church should not become involved with governmental issues. 60 per cent consider the opinion of a priest, concerning political parties entirely irrelevant and 15 per cent deem it of little relevance. The overwhelming majority of respondents - 81 per cent - declared that they would not follow a priest's input on whether to vote for a candidate or another. For a country where the overwhelming majority of people declare themselves officially Christian Orthodox, it is striking that 72 per cent of respondents consider that political leaders should not display or wear religious symbols, including crosses, while 71 per cent of respondents are of the opinion that political leaders should avoid using the term God and should not appeal to the Church in their political discourses.<sup>230</sup> Nonetheless, both the Church and election candidates turned a blind eye to the irritation of the population with their evident political marriages.

The preconceived opinion is that the religious institutions which are trusted by the entire population can pressure any stakeholder, including a governmental one, to negotiate the terms of any issue according to its own interests, with the exception of a scenario where state and church interests already align. A Moldovan Christian Orthodox believer may hold entirely different opinions on contested political and social issues to that of the Church, this includes matters as varied as foreign policy, divorce, abortion, or discrimination. It is a slight exaggeration to argue that the Church will influence the choice and opinion of the aforementioned 96 per cent of Moldovan Orthodox Christians.

Paying due regard to the fact that Eastern Orthodox tradition is deeply embedded in people's minds, culture and life, it is, nonetheless, possible that the same words should hold different meanings for different people. The myth circulated by the leaders of the Christian Orthodox Church is that baptism equals orthodoxy and necessarily results in religiosity and display of unconditional loyalty to the Church. Yet, celebrating Christian holidays or exhibiting Christian symbols in one's household does not necessarily equate to the adoption of the Church's strong position against LGBT rights, for example. This discrepancy between belief and display facilitates explanations for instances such as gay pride events, where the Church resorts to extremist or dubious orthodox groups, in an effort to gather manifestations of resistance. These orthodox *commandos* operate repeatedly and violently whenever a major political event is due. This is especially true for events which aim to bring Moldova closer to European integration, recent examples of incitement and hatred arising from the group of orthodox religious enthusiasts include; tearing down the Jewish menorah in the centre of Chisinau<sup>231</sup> and placing a large box of Vaseline in front of the Parliament when the law on equality was being passed and openly asking to stop 'Moldova's sodomisation'.<sup>232</sup> The official stance of the Moldovan Metropolitan Church does not declare the institution's support for such actions, but neither does it dissociate from them.

The majority of the population is highly reluctant to join the Church's actions, except those related to the religious or spiritual dimension. While the Church's efforts to increase its institutional role in public affairs are visible, their impact has been limited. During the last local election, competing candidates as well as the Church seem to have forgotten that the law prohibits the church from being involved in the electoral campaign.<sup>233</sup> Seeing candidates purchasing or donating expensive icons to churches in the localities where they competed for the mayors' seat instead became a common phenomenon. The Metropolitan Vladimir himself openly supported the candidacy of Serafim Urecheanu of the Liberal Democratic Party in Chisinau.

<sup>230</sup> Institute for Public Policy, Public Opinion Barometer October-November 2014, [http://www.ipp.md/public/files/Barometru/Brosura\\_BOP\\_11.2014\\_prima\\_parte-r.pdf](http://www.ipp.md/public/files/Barometru/Brosura_BOP_11.2014_prima_parte-r.pdf)

<sup>231</sup> Daily Motion, *Moldovans tear down Jewish Menora, May 2015*, <http://www.dailymotion.com/video/x2rzwmk>

<sup>232</sup> Unimedia, *With Holy Water and Grease, protest at Parliament, May 2012*, <http://unimedia.info/stiri/video--foto-protest-cu-agheasma-si-vaselina-la-parlament-aie-este-pentru-ei-48053.html>

<sup>233</sup> Article 15 (2) of the Moldovan law on freedom of conscience, belief and religion provides that religious denominations and their components shall abstain from publicly expressing and manifesting their political preferences or favour a political party or socio-political organization. The same law provides in its article 24 (2) (f) for suspension of activity in cases when religious denomination, institutions or their component parts unfold electoral campaigns and /or financially or materially support electoral candidates.

Various civil society organizations addressed the Government, the Presidency, the State Tax Inspectorate and the Metropolis, by requesting that the Church should 'publicly withdraw its support for any candidate and act as a moral–spiritual institution, not as a branch of a political party'.<sup>234</sup> Needless to say, these demands fell on deaf ears. The result of the Church's involvement in Mr Urechean's campaign was odd, he only managed to secure 2.7 per cent of the vote.<sup>235</sup> It is commonly accepted that the Moldovan Church openly declares its political support for and benefits from the company of various politicians at various religious events. For example, every spring top political leaders compete for a place on the airplane with the Metropolitan Vladimir, who brings back the Holy Fire from the Church of the Holy Sepulchre in Jerusalem for the Easter Holidays from Jerusalem. A similar competition is witnessed over standing next to him in the Church during the Easter Service.

Monitoring the implementation of the human rights obligations of the Government under the international treaties is a regular process. The visit of the UN Special Rapporteur on Freedom of Religion or Belief in 2011 was initially perceived as a formal event of little importance. Neither the international community, nor civil society expected a mind-blowing follow-up report. Up to this point, Moldova never provided a terrain for major concern with freedom of religion, with the exception of one significant case at the ECtHR in 2001, related to persistent refusal to register the Bessarabian Orthodox Church.<sup>236</sup> The country has recently been praised for officially registering a Muslim organization in 2011 after years of repeated refusals.<sup>237</sup>

The major concern mentioned twice in the summary of the Special Rapporteur's report and developed in a separate chapter, relates to the privileged or predominant status of the Moldovan Orthodox Church, contrary to Constitutional provisions. Article 31 of the Constitution guarantees freedom of religion and belief, defining Moldova as a secular state where religious and state institutions are separate. Contrary to this, Article 15 of the Law on Freedom of Consciousness, Belief and Religion of 2007, states that 'the state acknowledges the special and primordial role of the Christian Orthodox religion and, consequently, of the Moldovan Orthodox Church, in the lives, history and culture of the people of Republic of Moldova'. The aforementioned statement is not problematic because of the recognition of the historical and cultural role of Christian Orthodox religion alone, but because of the privileged status given to one of the two registered Christian Orthodox Churches - the one which is under the Moscow Patriarchate. Basically, the law states that Moldova is presently the canonic territory of the Russian Church. This law was adopted in 2007 by the Communist government, merely 5 years after the case of the Bessarabian Church was heard at the ECtHR. The previous 'Law on Cults' dating back to 1992, was far more reluctant to openly support one church over the other. It reads as follows: 'The state may cooperate with the traditional Orthodox Church and registered cults'. Inspired by the Moldovan Church, the Government also adopted a controversial, non-transparent decision to transfer 650 religious buildings, considered architectural monuments, to the administration of the Moldovan Church in 2002.<sup>238</sup> None of the buildings found under the former jurisdiction of the Romanian or Catholic Churches before the Soviet era have even been restored to those religious groups.

Civil society organizations advocated for the abrogation of Article 15, but their efforts proved futile. The recommendation of the Special Rapporteur made to the current pro-European government also remains without response. When asked to provide reasons for granting a diplomatic passport to the Moldovan Metropolitan and its provision of with governmental registration numbers to the Church's luxury cars, the government stutters unconvincing arguments. The government has done little to counteract the culture of intolerance, hate speech, homophobia, and anti-Semitism perpetrated by representatives of its favoured

<sup>234</sup> Platzforma, Open letter against the Moldovan Orthodox Church involvement in election campaign, June 2015,

<http://www.platzforma.md/scrisoare-deschisa-impotriva-implicarii-bisericii-ortodoxe-din-moldova-in-campanie-electorala/>

<sup>235</sup> Central Electoral Committee, [http://www.cec.md/r/rez\\_t1\\_2015/](http://www.cec.md/r/rez_t1_2015/)

<sup>236</sup> Metropolitan Church of Bessarabia and Others v. Moldova, App. No. 45701/99,

[http://hudoc.echr.coe.int/eng#f{fulltext}:"bessarabianchurch"},"documentcollectionid2":\["GRANDCHAMBER","CHAMBER"\],"itemid":\["001-59985"\]](http://hudoc.echr.coe.int/eng#f{fulltext}:)

<sup>237</sup> The Islamic League of the The Republic of Moldova was officially registered in March 2011, receiving the status of religious community under the Law on Freedom of consciousness, belief and religion Religious from 2007.

<sup>238</sup> Republic of Moldova, Government Judgment Nr.740 of 11.06.2002 on buildings, and places of worship, <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=296736>



Church. Their aggressiveness increases with every step made by the country towards European integration. The authorities don't simply tolerate, but go as far as to cultivate this behaviour.

In recent years, the number of registered religious entities has been on the rise and the registration process has apparently been simplified. The cultural palette is impressive: Old Rite Russian Orthodox, Roman Catholics, Evangelical Christian Baptists, Seventh-Day Adventists, Pentecostals, Jehovah's Witnesses, Molocans, Baha'is, Presbyterians, Messianic Jews, Evangelical- Lutherans - this list is far from exhaustive. Nevertheless, the Special Rapporteur claims that religious minorities repeatedly complain of '...manifestations of intolerance and even incidents of assault, intimidation or vandalism allegedly perpetrated by certain followers of the predominant Orthodox Church. This particularly affects Jews, Muslims and members of various Evangelical groups, including Jehovah's Witnesses.' The Special Rapporteur notes scepticism concerning the efficiency of the judiciary and other formal mechanisms of adjudication provided by the state.<sup>239</sup>

The Special Rapporteur further mentions that 'local Orthodox priests can exercise a de facto veto over public gatherings of religious minorities'<sup>240</sup> and even the burial of deceased members of religious minorities in rural areas is occasionally met with resistance from certain Orthodox groups who want the local cemetery (owned by the municipality) to remain free of graves of other denominations, such as Baptists, Methodists or Pentecostals.

'The Special Rapporteur could not find any examples of the Orthodox Church clearly condemning such acts of violence or hostility, when perpetrated in the name of Orthodox Christianity.'<sup>241</sup> The report further documents and presents the case of a Jewish Hanukkah menorah being removed and demolished by a group of people, instigated and led by an Orthodox priest. None of the aforementioned cases saw prosecution in courts of justice, and the Moldovan Church failed to offer an official apology. Moreover, clerics from the Moldovan Church host press conferences where they openly equate Europe with the biblical city of Sodom, affirm that Europe is ruled by the Devil<sup>242</sup>, that followers should sprinkle 'holy water' over LGBT human rights activists,<sup>243</sup> as well as actively offering support for certain political parties or independent candidates.

The role of the Church in the public educational system is another battleground where the church has decided to become involved at all costs. Although the education system is secular and religion is an optional course, it often turns into an Orthodox indoctrination program. Whether it is truly optional is debatable and highly dependent on the religiosity of the school director. Quite often, the walls in the director's office and classrooms are covered with orthodox icons, reminiscent of iconostasis. The optional character of the course is often ignored or not properly explained to parents and their children. Instead, they are '...urged to bring signatures from their parents for enrolment in religious instruction... Perhaps more importantly, there appears to be no mechanism to ensure that children or parents declining to receive religious instruction are not subject to negative repercussions from school authorities, parents or other children'.<sup>244</sup> Unfortunately, cases of discrimination on religious grounds, harassment and refusal to accommodate atheist children or children of other religions have been reported to human rights organizations and to the Council on the Prevention and Elimination of Discrimination and Ensuring Equality.<sup>245</sup> The Religious Studies class is often scheduled for midday, with no alternatives for the few children who are not registered. In schools, religion is

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<sup>239</sup> UN Office of the High Commissioner for Human Rights, The Report of the Special Rapporteur on Freedom of Religion or Belief Heiner Bielefeldt, January 2012, <http://daccess-ods.un.org/TMP/2862757.14635849.html>

<sup>240</sup> Idem., para. 36

<sup>241</sup> Ibidem., para. 37

<sup>242</sup> IPN, Initiative group calls for a halt to the campaign promoting European values in schools, March 2015, <http://www.ipn.md/ro/societate/68503>

<sup>243</sup> See Bishop Marchel here <https://www.youtube.com/watch?v=4TG-L6J6BD0>. Also Decision of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality on the case nr 064/14 of 19.05.2014 available in Romanian at: [http://egalitate.md/media/files/files/decizie\\_cauza\\_064\\_14\\_6276731.pdf](http://egalitate.md/media/files/files/decizie_cauza_064_14_6276731.pdf). The Council on the Prevention and Elimination of Discrimination and Ensuring Equality is a collegial body with a status of a public legal entity, created in order to ensure the protection against discrimination and ensuring equality to all the individuals who consider themselves victims of discrimination. The Council acts in conditions of impartiality and independence in regard to public authorities.

<sup>244</sup> See note 27, para. 48-49

<sup>245</sup> Decision of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality on the case no. 164/14 of 15.10.2014 available in Romanian at: <http://egalitate.md/index.php?pag=news&id=836&rid=541&l=ro>

often taught by priests from orthodox churches or religious school-teachers. Representatives of other denominations are not allowed to speak about their religion or teach it public schools. Atheist children or those of other religions are forced to wait outside, in school corridors during this class. In one particular school, the teacher of the course suggested that a Muslim child should sit at the back of the classroom, close his ears and draw something.<sup>246</sup> The Anti-Discrimination Council recently heard a case of a school boy harassed and discriminated by his teacher for being an atheist. She organized a 'class meeting' to publicly discuss the reasons for being an atheist. His school mates were instructed to affirm that he could not perform well in school, because of his lack of belief in God.<sup>247</sup>

It should be noted that the Ministry of Education invited the representatives of all registered religious denominations to participate in the drafting of the religious curriculum. Consequently, there are now two officially available curricula, both approved and recommended by the Ministry: namely 'Orthodox religion' and 'Evangelical and Adventist religion'.<sup>248</sup> The author could not find any example of the second one being taught in a public school. Religious education in public schools is fiercely defended by the monopoly of the Moldovan Church. The general school curriculum for years 1-4<sup>249</sup> is approved by the Ministry and made compulsory for all public schools. It contains a chapter on 'moral-spiritual education.' In addition to the fact that in many instances it functions as an indoctrination instrument of the orthodox church, its content for year 4 or the last year of primary school refers to Christian orthodoxy as the 'official religion of the Republic of Moldova'. This statement does not adhere to the law and there are serious doubts about its insertion being made in error rather than by intention. Ironically, the author could not find any officials at the Ministry of Education to name the author of that particular content or, at the very least, to explain how the two documents interact in practice. The so-called optional character of religious studies is completed by the compulsory elements of general school curricula, which clarifies the role of Christian Orthodoxy as perceived by the Moldovan Church.

The Moldovan church holds a monopoly of belief in institutions such as the Army or the prison system. For the respective authorities, freedom of religion equates to access to religious services of the Moldovan Church priests. The situation is not accidental: almost every ministry, including the Ministry of Justice, Finance, Defence, and even state departments amongst which Customs, have exclusive agreements of cooperation signed with the Moldovan Orthodox Church.<sup>250</sup>

The fragile relationship between the Moldovan Government, the Moldovan Orthodox Church and minorities has evidently exhausted the state's modest resources. The policy aimed to both show support for Orthodox exclusivism and to satisfy International Human Rights' obligations. This proved successful, until Moldova decided to radically change its external political vector towards European integration and to absorb European values, including tolerance and respect for minority rights. After having registered the Bessarabian Church in 2002 and the Islamic League in 2010, the Government had to pay the price for cooling down the ambitions of a Church, which claimed to have monopoly over the minds and souls of more than 90 per cent of Moldovans. What the Church called parishioners, politicians called the electorate. In 2002, hundreds of historical monuments were transferred to the Moldovan Church. During President Voronin's regime, the Church's privileged status was definitely cemented in the new Law on Freedom of Religion and businesses became 'kindly determined' to donate to the construction of new churches. When it comes to the economic and administrative territories of the Church, the laws and governmental institutions are virtually absent. Unfortunately, the level of corruption and properties of Church leaders exceeds one's imagination. This scenario proved convenient for communists and for the leaders of the democratic alliances alike, when they were elected to power in 2009.

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<sup>246</sup> From interview conducted with the representatives of the Muslim community.

<sup>247</sup> The full text of the cases is available in Romanian only at: [http://egalitate.md/media/files/files/decizie\\_nr\\_t\\_i\\_164\\_final\\_438186.pdf](http://egalitate.md/media/files/files/decizie_nr_t_i_164_final_438186.pdf)

<sup>248</sup> Detailed curriculum is available via the Ministry of Education website <http://www.edu.gov.md/ro>

<sup>249</sup> Idem. Approved by Ministerial order nr. 331 from May 12, 2010. Available in pdf in Romanian language only.

<sup>250</sup> Moldovan Orthodox Church, Cooperation Agreement between the Ministry of Justice of the Republic of Moldova and the Moldovan Metropolitan Orthodox Church, March 2013, <http://mitropolia.md/acord-de-cooperare-intre-mitropolia-moldovei-si-ministerul-justitiei-al-republicii-moldova/>

As soon as the European integration process had started in Moldova and the Association Agreement was signed and ratified, the Russian Church and its affiliated Moscow Patriarchate seem to have prepared a proactive role for the subordinated Moldovan Church, as the leaders of the Russian Church are heavily involved in Russian foreign policy and geo-politics. The image of Russia as the sole guardian of true Orthodoxy is strongly promoted by the Moldovan Church and its Moscow headquarters. According to its representatives, it provides 'traditional values', alongside morality and spirituality as an alternative to the 'degrading and immoral European lifestyle'. One has to recall that salvation of orthodoxy is quintessential in Russian clerical thinking. Homosexuality is the new external enemy of the church and, by association, of the Russian people.<sup>251</sup> A new radical and extremist group of leaders appeared within the Moldovan Church.<sup>252</sup> As noted by Moldovan analysts, they succeeded to quickly radicalize the Church and effectively shift its status to one of a homophobic entity.

On 30 September 2012, in a TV interview, the Bishop of Bălți and Fălești Markel stated:

*The equality law, which has widely opened – I'd say, creating for them, in a sense, conditions of Eden – the gates of the paradise for homosexuals, shall do little to stop them – it should not allow them employment in educational, health care or in public catering. Just imagine if a homosexual – 92% of them have HIV, are sick of AIDS – is employed at the blood transfusion centre. It is a disaster.*<sup>253</sup>

GenderDoc-Moldova, an NGO which protects and advocates for LGBT rights, sued the Bishop for hate speech and incitement to discrimination. The first instance court and the court of appeal both ruled that the Bishop's statements represented hate speech and incitement to discrimination against sexual minorities. Nevertheless, on 16<sup>th</sup> September 2015 the Supreme Court of Justice of Moldova annulled the previous two lower courts' decisions and ruled a totally different decision, based on arguments themselves which could be defined as another homophobic discourse. It states *inter alia* the following: '...Bishop Marchel...held the position of Diocesan with the obligation to preach the Word of God. However, by holding this position he propagates complex ideas, principles and religious teachings in which he firmly believes and exercises religious activity in view of promoting religious education....Given the role that the appellant has in a society based in its absolute majority on the Orthodox Christian teachings, the College [of the Supreme Court of Justice] believes that Bishop Marchel was right and had the right to express such an opinion, speak publicly about homosexuality as a sin, criticize homosexuality, and take actions in support of his position and of the institution he represents....'<sup>254</sup> It is also mind blowing that the Supreme Court of Justice make use of biblical arguments, by stating the following: 'In his interview [Bishop Marchel], he reiterated biblical aspects according to which "homosexuality is a sin", whereas the Church does not condemn the sinner but the sinful way of living. Therefore, the College considers that his discourse, which was charged with discrimination and offence, did not intend to discriminate or offend someone, neither it equals to incitement to discriminate someone on any criteria, but urges not to live in a sinful way'. The case will now be referred to the European Court of Human Rights.

Corruption, homophobia, lack of respect for minorities and an inability to interact with other religious denominations exercise a negative influence over the Moldovan Church. Its outdated ideology has yet to adapt to new realities, solve its internal problems and dissociate from acts of violence and aggression committed in the name of orthodoxy. Moldova is culturally different from Russia, and mechanical lending of patterns developed there for geopolitical purposes, might have a contrarious effect. Moldova upholds

<sup>251</sup> Vitalie Spranceana, From church to church Anti-Gay people: Moldovan Orthodox radicalization on the eve of election campaign, Platzforma, September 2014, <http://www.platzforma.md/de-la-biserica-neamului-la-biserica-anti-gay-radicalizarea-ortodoxiei-moldovenesti-in-ajun-de-alegeri/>

<sup>252</sup> The usual suspects are: Ghenadie Valuta, Leader of the association "Pro-Ortodoxia" <http://pro-ortodoxia.blogspot.md/>, Christian Orthodox association "Feriata Maica Matrona", priest Anatol Cibric, famous for his anti-Semitic initiatives: <https://www.youtube.com/watch?v=ai0UZQ-yYD0>, the bishop of Balti and Falesti regions Marchel, and many others.

<sup>253</sup> GenderDoc-Moldova, Bishop Markel liable for spreading false statements, IIGA Europe, March 2015, [http://old.iiga-europe.org/home/guide\\_europe/country\\_by\\_country/moldova/bishop\\_markel\\_liable\\_for\\_spreading\\_false\\_statements](http://old.iiga-europe.org/home/guide_europe/country_by_country/moldova/bishop_markel_liable_for_spreading_false_statements)

<sup>254</sup> Decision of the Supreme Court of Justice of Moldova nr. 2ra-1448/15, September 2015. Full text of the decision available in Romanian at: [http://jurisprudentia.csj.md/db\\_col\\_civil.php](http://jurisprudentia.csj.md/db_col_civil.php)

'traditional values', but these are not meant to compete with human rights; in any case, these cannot be exploited in the name of pan-orthodoxism, pan-Slavism, building a 'third Rome' or contributing to the creation of the 'Novorossia'. They relate to a different notion of 'traditionalism', one which differs from extremism and violence. Their Christian identity is compatible with human rights and other European values and should not be equated to blind obedience to church leaders, be they of conservative, radical, or extremist orientation. The declared majority of 93 per cent of Christians, does not mean 93 per cent are bigoted parishioners. The Moldovan cultural and religious puzzle is much more intricate. Equating it to an army of fanatic homophobes is to be prejudiced, naïve and narrow-minded.

# Spiritual Security, the *Ruskiy Mir*, and the Russian Orthodox Church: The Influence of the Russian Orthodox Church on Russia's Foreign Policy regarding Ukraine, Moldova, Georgia, and Armenia

Rev. Fr. Dr. Daniel P. Payne<sup>255</sup>

## Introduction

Following the election of His Holiness Patriarch Kirill to the Patriarchal throne of the Russian Orthodox Church in 2009, Kirill made a purposeful pastoral visit to Kiev for both political and ecclesiastical reasons.<sup>256</sup> Ostensibly, this visit was to promote the unity of the Russian Orthodox Church (ROC) worldwide as well as to emphasize the canonical territory of the ROC in the 'near abroad' (the countries of the former Soviet Union).<sup>257</sup> The canonical territory of the ROC is the political and ecclesiastical territory that it administers throughout the world.<sup>258</sup> The ROC under the leadership of Kirill has promoted two ideological concepts, spiritual security and *Ruskiy Mir* (Russian World), to secure its canonical territory as well as its political influence in the 'near abroad'. Vladimir Putin has appropriated the church's understanding of these terms in his foreign policy.<sup>259</sup> In this manner, then, the influence of the ROC on Russia's foreign policy can be appreciated.<sup>260</sup> In order to understand Russian foreign policy in regards to Ukraine, Moldova, and Armenia under the Putin administration, the soft power influence of the ROC must be taken into consideration. In this essay I will explore the use of these ideological terms and how they have influenced Russia's foreign policy in regards to Ukraine, Moldova, and Armenia.

## Spiritual Security and the *Ruskiy Mir*

The *National Security Concept* put forth by the Putin Administration in 2000 stated,

*Ensuring the national security of the Russian Federation also includes protection of the cultural, spiritual and moral legacy, historical traditions and the norms of social life, the preservation of the cultural wealth of all the peoples of Russia, the formation of government policy in the field of the spiritual and moral education of the population, and the imposition of a ban on use of air time in electronic mass media for distribution of programs propagandizing violence and exploiting low instincts, along with counteraction against the negative influence of foreign religious organizations and missionaries.*<sup>261</sup>

This concept of 'spiritual security' continued the policies put forth in the 1997 Law on Freedom of Conscience and Religious Associations, aimed at protecting the survival of Russia's 'traditional religions' (Orthodox Christianity, Roman Catholicism, Judaism, Islam, and Buddhism).<sup>262</sup> Consequently, the idea of 'spiritual security' became part of the national security of the Russian Federation. In this regard, then, Curanovic notes, 'The cultural expression of spirituality is one of the factors indicating the extent of a given state's (civilization's) influence, thus in the National Security Concept of the Russian Federation accepted by Vladimir Putin's administration, the restraint of the "cultural-religious expansion of particular states" in the historically Russian spiritual space is considered of crucial importance'. Furthermore, the internal and

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<sup>256</sup> Tonoyan, L. S. & Payne, D. P. (2010). The Visit of Patriarch Kirill to Ukraine in 2009 and Its Significance in Ukraine's Political and Religious Life. *Religion, State & Society*, 38(3), pp. 253-64

<sup>257</sup> Payne, D. P. (2009). Spiritual Security, the Russian Orthodox Church, and the Russian Foreign Ministry: Collaboration or Cooptation? *Journal of Church and State*, 52(4), pp. 712-27

<sup>258</sup> Agadjanian, A. & Rousselet, K. (2005). Globalization and Identity Discourse in Russian Orthodoxy. In V. Roudometof, A. Agadjanian, and J. Pankhurst (eds.), *Eastern Orthodoxy in a Global Age: Tradition Faces the Twenty-first Century*. Walnut Creek: AltaMira Press, pp. 29-57

<sup>259</sup> Nicolai Petro, *Russia's Orthodox Soft Power*, Carnegie Council for Ethics in International Affairs, March 2015,

[http://www.carnegiecouncil.org/publications/articles\\_papers\\_reports/727](http://www.carnegiecouncil.org/publications/articles_papers_reports/727)

<sup>260</sup> Payne 2009 *ibid*

<sup>261</sup> Ministry of Foreign Affairs, National Security Concept of the Russian Federation, January 2000, <http://archive.mid.ru/bdomp/ns-osndoc.nsf/1e5f0de28fe77fdcc32575d900298676/36aba64ac09f737fc32575d9002bbf31!OpenDocument>

<sup>262</sup> Payne, D. P. (2009). Spiritual Security, the Russian Orthodox Church, and the Russian Foreign Ministry: Collaboration or Cooptation? *Journal of Church and State*, 52(4), pp. 712-27 and Daniel, W. & Marsh, C. (2008). Russia's 1997 Law on Freedom of Conscience in Context and Retrospect. In W. Daniel, P. L. Berger, and C. Marsh (eds.), *Perspectives of Church-State Relations in Russia*. Waco: J. M. Dawson Institute of Church-State Studies.

external dimensions of 'spiritual security' are to be distinguished. The internal dimension pertains to the protection of the 'traditional religions' of Russia, particularly the role of the ROC.<sup>263</sup> 'In the external dimension, 'spiritual security' requires the building of a civilizational sphere of influence – of the Russian cultural (spiritual) space, the *Russkiy mir*'.

Curanovic points out that there is a close connection between the concepts of 'spiritual security' and cultural or civilizational sovereignty. She writes, 'The Contemporary "religious diplomacy" of the Russian Federation is motivated by the necessity of ensuring "spiritual security", which should be understood as the protection of Russia's identity, tradition, and culture. "Spiritual security", treated as a component of national security, is closely connected with cultural (civilizational) sovereignty – not so much complete independence from outside influences (which is impossible to achieve in the face of globalization), but rather the ability to resist civilizational pressure'. In particular, the Putin administration together with the ROC has challenged the unilateralism and the civilizational pressures applied to the Russian Federation by the United States and the West, which are considered to be morally bankrupt.

In 2013 Putin outlined what values the Russian Federation promotes: "Countries must therefore do everything in their power to preserve their own identities and values, for without spiritual, cultural and national self-definition .... one cannot succeed globally".<sup>264</sup> Additionally, Putin put forward the value of unity in diversity, holding to the polyculturalism of the Russian Federation and the Eurasian region. Consequently, this unity in diversity, holding the traditional nations of Eurasia and the Russian Federation together, is in sharp contrast to the monolithic secular culture of the West, which has forsaken its traditional Christian values. Petro comments, 'The abandonment of traditional Christian values has led to a moral crisis in the West. Russia, Putin says, intends to counter this trend by defending Christian moral principles both at home and abroad'.<sup>265</sup> In particular, it can be stated that the Christian moral principles being defended are those of traditional Eastern Orthodox Christianity possibly along with those of Roman Catholicism.<sup>266</sup> Without a doubt, however, the ROC, which has regained its pre-eminence as the cultural and moral guardian of Russia, is supplying the ideology utilized by the Putin administration in its relations with the 'near abroad' as well as with those nations that are regarded to be within its sphere of geopolitical influence. One can say, then, that the ROC's promotion of traditional values, which have undergirded the ideology of the *Russkiy mir* and the concept of 'spiritual security', has had a great influence on what has been called the 'Putin doctrine'.<sup>267</sup>

In 2007 Putin created the *Russkiy mir* fund to promote the Russian culture and language around the world. At that time, *Russkiy mir*, as used by the Putin administration was understood by them as having the purpose of strengthening the Russian culture and language as well as for helping deliver 'domestic stability, restore Russia's status as a world power, and increase her influence in neighboring states'.<sup>268</sup> However, the ROC had a different understanding of the term. It viewed the *Russkiy mir* as a religious concept, not a political or cultural term. As Nicolai Petro elaborates, '[*Russkiy mir*] is essential for reversing the secularization of society throughout the former Soviet Union, a task Patriarch Kirill has termed the 'second Christianization' of Rus.<sup>269</sup> The Russian Orthodox Church sees the Russian government, or for that matter, any government within its canonical territory, as tools for this purpose'.

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<sup>263</sup> Curanovic, A. (2012). *The Religious Factor in Russia's Foreign Policy*. New York: Routledge. See p142

<sup>264</sup> Nicolai Petro, *Russia's Orthodox Soft Power*, Carnegie Council for Ethics in International Affairs, March 2015, [http://www.carnegiecouncil.org/publications/articles\\_papers\\_reports/727](http://www.carnegiecouncil.org/publications/articles_papers_reports/727)

<sup>265</sup> The American sociologist Peter Berger comments that Putin has become the defender of Christianity in the world, and particularly in the Middle East. See Berger, P. (2012). Vladimir Putin, Defender of the Faith? *The American Interest*, June 2012, <http://www.the-american-interest.com/2012/06/13/vladimir-putin-defender-of-the-faith/>. The religious factor cannot be ignored in Russia's defense of the Assad dictatorship in Syria.

<sup>266</sup> Payne, D. P. & Kent, J. M. (2011). *An Alliance of the Sacred: Prospects for a Catholic-Orthodox Partnership against Secularism in Europe*. *Journal of Ecumenical Studies*, 46(1), pp. 41-66.

<sup>267</sup> Aron, L. (2014). *The Putin Doctrine: Russia's Quest to Rebuild the Soviet State*. *Foreign Affairs*, March 8. <https://www.foreignaffairs.com/articles/russian-federation/2013-03-08/putin-doctrine>

<sup>268</sup> Nicolai Petro, *Russia's Orthodox Soft Power*, Carnegie Council for Ethics in International Affairs, March 2015, [http://www.carnegiecouncil.org/publications/articles\\_papers\\_reports/727](http://www.carnegiecouncil.org/publications/articles_papers_reports/727)

<sup>269</sup> The term referring to the proto- Russian states of the Kievan Rus and their peoples (9<sup>th</sup>-12<sup>th</sup> Century) that was Christianized by the Constantinople based Orthodox Church.



Since that time, the concept has developed to mean the promotion of the ‘traditional values’ of the ROC throughout the canonical territory of the Church as well as in the geopolitical realm of the Russian state. This means, then, that wherever the ROC understands its canonical territory to exist, and where the Russian state has its interests, the religious and governmental institutions consider that region to be a part of the *Russkiy mir*. This includes traditionally Orthodox nations such as Ukraine, Moldova, Belarus, as well as traditional Islamic nations including Kazakhstan, Uzbekistan, and the other Islamic nations of Eurasia. Furthermore, other Orthodox nations such as Georgia, Greece, Romania, Bulgaria, and Serbia are part of the larger Orthodox commonwealth of nations, which fall under the protection of Russia. Iran, Syria, and Iraq are also considered part of this commonwealth of ‘traditional religions’ and are considered to be part of the *Russkiy mir*.

In promoting the ROC’s understanding of the *Russkiy mir* as a complement to the ‘spiritual security’ of the Russian commonwealth, Patriarch Kirill insinuates that “in the context of national sovereignty...Orthodoxy proposes itself as a spiritual complement to national sovereignty, and a harmonizing resource in a globalizing world”.<sup>270</sup> Putin has picked up the religious understanding of the term, allowing the governmental, secular understanding to fall by the wayside. At the celebration of the 1025<sup>th</sup> baptism of Rus<sup>271</sup> in 2013 in Kiev, Putin adopted the ROC’s understanding of the concept, especially the role of Kiev and the promotion of Orthodox values against the West.

This mutual understanding of the *Russkiy mir* combined with the concept of ‘spiritual security’ has a direct impact on the relationship between Russia and the states within its geopolitical realm. In particular, this involves Russia’s relationship with Ukraine, Moldova, Georgia, and Armenia.

### **Russia and Ukraine**

In July and August of 2009, Patriarch Kirill made his first visit to Ukraine for the single purpose of unifying the Orthodox churches under his leadership and strengthening the canonical territory of the ROC. In 2004 Patriarch Alexy II stated that approximately 40 per cent of the churches of the ROC exist in Ukraine (under the auspices of the Ukrainian Orthodox Church - Moscow Patriarchate), making Ukraine a very important part of the ROC.<sup>272</sup> While Kirill’s visit was ostensibly pastoral, he did reinforce the understanding of the unity of the *Russkiy mir*:

*Rus’ comes from here, from these Kievan hills by the Dnipro. Here one finds the foundations of our faith, the beginnings of our church, the birth of our statehood, from which later sprang the independent states. Here is our historical past. And perhaps I shall surprise some of you when I say that here, in some sense, our future will also to a large extent be decided. When I talk about ‘us’ or ‘our’ I mean all of us who belong to the one civilisation of ancient Kievan Rus’, which bloomed, developed and became a powerful factor in the world civilisation. There are also some purely religious reasons that explain the importance of this place: the Kiev Monastery of the Caves, the beginning of our monasticism, multitudes of zealots, holy fathers, healing relics that shed peace and amazing grace.*<sup>273</sup>

Kirill emphasized the unity between Kiev and Moscow, promoting one civilization that has global influence in protecting the values and culture of that civilization. Throughout the visit, Kirill emphasized the unity of the Orthodox people through the church. He rejected political and religious calls for the recognition of the

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<sup>270</sup> Nicolai Petro, Russia’s Orthodox Soft Power, Carnegie Council for Ethics in International Affairs, March 2015,

[http://www.carnegiecouncil.org/publications/articles\\_papers\\_reports/727](http://www.carnegiecouncil.org/publications/articles_papers_reports/727)

<sup>271</sup> The name given both to the historic proto-Russian (and Ukrainian) state (the Kievan Rus) that existed from the 9<sup>th</sup> to the 13<sup>th</sup> Century and to its inhabitants.

<sup>272</sup> Tonoyan, L. S. & Payne, D. P. (2010). The Visit of Patriarch Kirill to Ukraine in 2009 and Its Significance in Ukraine’s Political and Religious Life. *Religion, State & Society*, 38(3), pp. 253-64

<sup>273</sup> Interview. (2009). Pryamoi efir s Patriarkhom Moskovskim i vseya Rusi Kirillom: polnaya versiya (text of live interview with Patriarch Kirill on Ukrainian television, 30 July). <http://inter.ua/ru/news/2009/07/30/3780>.



Ukrainian Autocephalous Orthodox Church<sup>274</sup> as well as the separation of Ukraine from Russia. Even then, Kirill was promoting unity and peace between all believers rebuking any calls for political divisiveness in Ukraine. Unfortunately, for many people the call was interpreted as fomenting divisiveness between ethnic Russians and Ukrainians in the current areas under Russian control during the Ukrainian civil war.<sup>275</sup> During the current campaign, Kirill and the ROC have repeatedly called for unity and cessation of the war and fighting between brothers in the faith.

Petro argues in regards to the current conflict in Ukraine, 'the Church sees the conflict in Ukraine as a civil war within the Russian World. From this perspective, it cannot be resolved by splitting up this community, thereby isolating Ukraine from Russia and destroying the unity of the *Russkiy mir*, or by permitting the forcible Ukrainianization of the predominantly Orthodox and Russian-speaking regions of Ukraine, which would result in the destruction of the *Russkiy mir* within Ukraine. The only permanent solution is for the Ukrainian government to admit the pluricultural nature of Ukrainian society and, in effect, recognize Ukraine as part of the *Russkiy mir*. From the Church's perspective, this is the only way to achieve reconciliation among the Ukrainian people and harmony within the *Russkiy mir*' (Petro 2015). Of course, pro-Western support of Ukraine, which attempts to remove Ukraine from under the *Russkiy mir*, tends to see Russian actions in the context of Cold War ideas regarding a re-Sovietization of the 'near abroad' and are therefore doomed to failure and increasing the instability of the region. Without understanding the Putin administration's reliance on the religious and cultural understandings of the importance of Ukraine, American and Western foreign policy will fail and conflict will continue, much as what occurred in regards to Serbia and Kosovo.

### The Moldovan schism

Moldova, like Ukraine is part of the Russian understanding of the *Russkiy mir* and under the canonical territory of the ROC. However, like Ukraine, there exist multiple Orthodox churches with political implications. In 1992 the Romanian Orthodox Church (RoOC) restored the Metropolis of Bessarabia in Moldova, challenging the canonical territory and claims of the ROC. According to canon law in the Orthodox Church, only one church can exist in a particular territory. Since the Moldovan Republic lies in the former canonical territory of the ROC, it has exercised its claim to Bessarabia and Transnistria both of which exist in a schismatic and political conflict between the ROC and the Russian government. Interestingly, as Curanovic points out, in Moldova 65 per cent of the population supports union with the EU, while 77 per cent view Putin as 'the most admired authority', 50 per cent desire that Russia remains a 'strategic partner', and 44 per cent 'wish that the USSR still existed'.<sup>276</sup> There is a definite cultural division in Moldova, with the population both desiring the goods of the West while admiring the political clout of Moscow. In this situation, then, the ROC has a significant impact on the religion, culture, and politics of the state.

In October 2011, Patriarch Kirill and his entourage met with President Lupu of Moldova in Chişinău. Kirill again promoted Orthodox unity and stated that the disagreement between the RoOC and the ROC regarding Bessarabia was entirely a problem to be addressed by the two churches. It was not to be understood as a political problem. In return President Lupu reaffirmed his position in regards to the relationship between the

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<sup>274</sup> The Ukrainian Autocephalous Orthodox Church (UAOC) is one of three Orthodox churches that exist in Ukraine. These churches are Ukrainian Autocephalous Orthodox Church, the Ukrainian Orthodox Church under the Moscow Patriarchate (UOC-MP), and the Ukrainian Orthodox Church, Kiev Patriarchate (UOC-KP). The UAOC and the UOC-KP are not recognized by any Orthodox church, and are in the view of Moscow violating the canonical territory of the UOC-MP. Kirill has called for unity among the churches under the jurisdiction of the Moscow Patriarchate. Patriarch Bartholomew I of Constantinople has stated that if two of the three churches were to unify, he would recognize them as an Orthodox church, similar to what occurred in Estonia, with the recognition of the Estonian Apostolic Orthodox Church against the wishes of Moscow, which understands Estonia to be part of its canonical territory. See Payne, D. P. (2007). Nationalism and the Local Church: The Source of Ecclesiastical Conflict in the Orthodox Commonwealth. *Nationalities papers*, 35(5), pp. 831-52. Kirill's visit in 2009 was to help bring unity to these Orthodox churches and solidify his position vis-à-vis Bartholomew I in Constantinople.

<sup>275</sup> Tonoyan, L. S. & Payne, D. P. (2010). The Visit of Patriarch Kirill to Ukraine in 2009 and Its Significance in Ukraine's Political and Religious Life. *Religion, State & Society*, 38(3), pp. 259-61

<sup>276</sup> Curanovic, A. (2012). *The Religious Factor in Russia's Foreign Policy*. New York: Routledge. See p184. In a recent interview with Charlie Rose on the television news show *60 Minutes*, Rose asked Putin why he bemoaned the destruction of the USSR. Putin replied that he was upset because 25 million Russians suddenly found themselves outside the Russian nation. This helps to explain why Putin has promoted the concept of the *Russkiy mir* in regards to Russians living in the Near Abroad. Putin gave this as one of his reasons for annexing the Crimea. See Birnbaum, M. (2014). 'Russian President Putin Builds Ties in Moldova, Kazakhstan, and Baltics' *The Washington Post*, May 17. Available at [https://www.washingtonpost.com/world/europe/russian-president-putin-builds-ties-in-moldova-kazakhstan-and-baltics/2014/05/17/fa1beb22-c45f-4027-9b30-cc45212c785e\\_story.html](https://www.washingtonpost.com/world/europe/russian-president-putin-builds-ties-in-moldova-kazakhstan-and-baltics/2014/05/17/fa1beb22-c45f-4027-9b30-cc45212c785e_story.html)

Moldovan state and the ROC. He affirmed his loyalty and his willingness to promote the values of the Orthodox Church while working with the Archbishop of Chişinău.<sup>277</sup> This meeting is significant because the head of the ROC met with the secular President of Moldova, basically telling him that the ROC would handle the matter in Bessarabia and for the government to stay out of the ecclesiastical issue.

During his visit to Chişinău, President Lupu awarded Kirill with the highest award, the Order of the Republic. In presenting the award, Lupu stated,

*This award is an expression of lofty relations between the Church and the state in the Republic of Moldova. It is an evaluation of your work to achieve the great goal of consolidation of Orthodox unity and Christian regeneration. Your ideals of Orthodox values serve as a guideline not only in your own life but also in the life of our countries and peoples. Today your voice and your authority are demanded as never because, irrespective of political views and religious beliefs, we all work to achieve the same goal – a dignified prosperous and peaceful life of people.*<sup>278</sup>

However, the Transnistria region, where many ethnic Russians live, may be vulnerable to annexation as well, if their security is not guaranteed by Chişinău.<sup>279</sup> While Putin attempted to bring Moldova back into the Russian fold with a meeting organized between Lupu and Shevchuk - the President of Transnistria - in 2008, since that time, pro-Western Moldovans have been moving the country closer to ties with the European Union and NATO, against the wishes of Putin and the Moldovan socialists. As Moldova moves closer to the West, we could definitely see the straining of the ties between Chişinău and Transnistria, with Moscow intervening. Putin, drawing on Kirill's understanding of the *Ruskiy mir*, has the ideological backing to promote the annexation of Transnistria with its large population of ethnic Russians and Russian speakers.

### **Georgia and its Breakaway Republics**

Russian relations with Georgia are more complicated due to the fact that the ROC does not have oversight of the Orthodox Church of Georgia (OCG), which regained its autocephalous (self-rule) status in 1990. The OCG has a long history as well as strong ties with the ROC and the Armenian Apostolic Church (AAC).

During and in the aftermath of the 2008 conflicts in South Ossetia and Abkhazia, the Russian government called on the ROC to recognize these republics and to annex their churches as part of the ROC. Kirill refused to do so, continuing to recognize the canonical territory of the OCG and his positive relations with Catholicos-Patriarch Ilia II. As a result, Russian Foreign Minister Sergei Lavrov put additional pressures on the ROC, especially in their joint ventures abroad.<sup>280</sup>

The recognition of South Ossetia and Abkhazia by Russia sent a message to other areas of the former USSR, especially Crimea, which was annexed by Russia and Transnistria, which is in a precarious situation and could be annexed in the future. Russia continues to defend not only the right to self-determination of these republics, but to defend the Russian peoples abroad through its ideology of the *Ruskiy mir*.

### **Armenia and Nagorno-Karabakh**

While millions of Russians suddenly existed outside the Russian Republic after the fall of the USSR, the many Armenians living in the region of Nagorno-Karabakh, which was previously an Armenian dominated autonomous oblast within the Azerbaijan Soviet Socialist Republic, found themselves in the new state of Azerbaijan. The Armenian minority population desired self-determination, calling for union with the Republic

<sup>277</sup> Patriarchal Press Service, Patriarch Kirill Meets with Moldova's Acting President M. Lupu, The Russian Orthodox Church Department of External Relations, October 2011, <https://mospat.ru/en/2011/10/09/news49362/>

<sup>278</sup> Patriarchal Press Service, Patriarch Kirill Honoured with Moldova's Highest Award, October 2011, The Russian Orthodox Church Department of External Relations, <https://mospat.ru/en/2011/10/09/news49345/>

<sup>279</sup> Birnbaum, M. (2014), *ibid.*

<sup>280</sup> Payne, D. P. (2009). Spiritual Security, the Russian Orthodox Church, and the Russian Foreign Ministry: Collaboration or Cooptation? *Journal of Church and State*, 52(4), pp. 712-27

of Armenia. What resulted was a civil war. What made the conflict even more problematic was the issue of religion.<sup>281</sup> Azeris are predominantly Muslim, while Armenians are Orthodox Christians, although not in full ecclesiastical communion with the larger body of Orthodox Christians, including the ROC. Nevertheless, the ROC and the AAC have very good relations. In 2011 President Sargsyan awarded Kirill with the highest state honor, the Order of St. Mesrob Mashtoz.<sup>282</sup> Kirill has played a role in promoting efforts towards reaching a peace settlement between Azerbaijan and Armenia over Nagorno-Karabakh.<sup>283</sup>

Because Kirill promotes the unity of traditional religions in Eurasia and Eastern Europe, Kirill sees Armenia as being part of the *Russkiy mir*. Armenia is dependent upon Russia for its security, and Russia honors that agreement. Ideologically, Armenia and Russia are sister nations due to their Orthodox Christian relationship. Kirill definitely recognizes Armenia's canonical territory, so there is no attempt to oversee the religious dimension of Armenia; instead, Kirill sees a commonwealth of Orthodox nations united with those Muslim nations that desire to find themselves within a commonwealth of traditional religious states. One can see, then, the importance of finding peace between Azerbaijan and Armenia, not only for economic reasons, but also for ideological and spiritual reasons for Kirill and Russia. Both Armenians and Azeris are considered to be part of the *Russkiy mir* by the Russian church.

### Conclusion

On July 29 2014 during the 1026<sup>th</sup> Anniversary of the Baptism of Rus', Kirill stated, "In celebrating the 1026th anniversary of the Baptism of Rus, remembering the great prince who accepted Jesus Christ, including him in the spiritual, cultural and even state life of our people, we should remember that the Orthodox faith is the pillar, the backbone, which will never allow Rus to become enslaved or ruined. If we betray this, reject this – we will lose everything".<sup>284</sup> We should note the terminology of Rus, which includes Ukraine, Moldova, Belarus, and Russia. In explaining the term, *Russkiy mir*, Kirill stated, "The Russian World is a special civilization, which comprises people who now call themselves different names: Russians, Ukrainians, and Belarusians. This world may also include people who do not belong to the Slavic world at all, but who have taken the cultural and spiritual component of this world as their own".<sup>285</sup> According to Nicolai Petro, Putin has expanded his understanding of the term to incorporate Kirill's religious component.<sup>286</sup> The Russian World today as part of the Putin doctrine includes the Orthodox commonwealth of nations as well as those nations in the Muslim world, including Iran and Syria, which desire to continue to promote traditional religions against the secularism of the Western world.

If foreign policy makers in the United States and Western Europe fail to understand this religious dimension of the Putin doctrine of the *Russkiy mir*, then they will not fully understand the rationale of Putin and his administration in promoting Russianness around the world.<sup>287</sup> One does not have to be Russian to be considered a member of the *Russkiy mir*. Furthermore, to ignore the religious dimension of Putin's foreign policy and to emphasize realpolitik, is to miss the mark and fail to realize the role of religion in Russia as well as Eurasia and the Orthodox commonwealth of nations. It is not simply because they share a common religion of Orthodoxy, but rather there is a spiritual affinity between these peoples against the Western world.<sup>288</sup> The question remains, though, do these people understand themselves to be part of the *Russkiy mir*? Definitely, the tension exists whereby these peoples have accepted parts of Western culture, especially economic goods<sup>289</sup>, but also look to Russia for their spiritual and civilizational identity.

<sup>281</sup> Marsh, C. & Payne, D. P. (2007). Religion, Culture, and Conflict in the "Other" Christendom. Nationalities papers, 35(5), pp. 807-10.

<sup>282</sup> Patriarchal Press Service, His Holiness Patriarch Kirill Meets with President of Armenia Serzh Sargsian. (2011), The Russian Orthodox Church Department of External Relations, November 2011, <https://mospat.ru/en/2011/11/28/news53470/>

<sup>283</sup> The Russkiy Mir Foundation, Garegin II Thanks Patriarch Kirill for Mediation Efforts on Karabakh Issue. (2011), <http://russkiymir.ru/en/news/127331/>

<sup>284</sup> The Russkiy Mir Foundation, The Orthodox Faith is the Pillar of Russia – Patriarch Kirill, July 2014, <http://www.russkiymir.ru/en/news/146785/>

<sup>285</sup> The Russkiy Mir Foundation, The Russian World is a Special Civilization. November 2014, <http://russkiymir.ru/en/news/149812/>

<sup>286</sup> Nicolai Petro, Russia's Orthodox Soft Power, Carnegie Council for Ethics in International Affairs, March 2015,

[http://www.carnegiecouncil.org/publications/articles\\_papers\\_reports/727](http://www.carnegiecouncil.org/publications/articles_papers_reports/727)

<sup>287</sup> Payne, D. P. (2009). Spiritual Security, the Russian Orthodox Church, and the Russian Foreign Ministry: Collaboration or Cooptation? Journal of Church and State, 52(4), pp. 712-27

<sup>288</sup> Payne, D. P. (2011). The Revival of Political Hesychasm in Contemporary Orthodox Thought: The Political Hesychasm of John S. Romanides and Christos Yannaras. Lanham: Lexington Books.

<sup>289</sup> Yannaras, C. (2003). The Church in Post-Communist Europe. Berkeley: InterOrthodox Press.

## Conclusion

Adam Hug

The findings of this publication have examined the link between the church and what it means to be Georgian, Armenian, Ukrainian and Moldovan. It has shown how the churches in Georgia and Armenia have played an important role in helping the re-emergence of their national identities while in Ukraine and Moldova the religious institutions have been adapting to that change in national identity. In the case of Ukraine the different branches of the church have been developing in different ways, responding to competing conceptions of Ukrainian national identity. In all four states the church is a more significant part of national life than it was in the Soviet period, and much of the current debate is about the churches' strategy for entrenching that role and testing the limits of their influence.

As our authors have shown, over time the legal and constitutional separations between church and state in these countries have been watered down. In Armenia and Moldova this has been by the inclusion of text recognising the historical role the respective orthodox churches in constitutional amendments<sup>290</sup> or subsequent legislation.<sup>291</sup> In Georgia this has been by the adoption of the concordat with the church as enshrined by a constitutional amendment<sup>292</sup>, while the informal influence of the Ukrainian churches over events has steadily expanded over time, with the different Moscow and Kiev Patriarchate branches gaining in influence before and after the Maidan protests respectively.

To varying degrees in all four countries, the churches are determined to defend their newly won status in society against cultural challenges such as potential competition from liberal secularism. This dynamic is at work in these four countries and in Russia. The Russian Church has been assiduously promoting the narrative of 'traditional values', and Russia's role as the major world power committed to protecting them, in these four countries through literature, satellite TV, the internet and through both doctrinal influence (in the churches it controls) and ecumenical collaboration with the Georgian and Armenian churches. While the Russian influence is clear it must not be seen as the only factor; ultimately in both Georgia and Armenia these are independent churches responding to the social and political landscape in their own countries to bolster their own influence. The churches are respected voices on social and cultural issues but not the sole arbiters of public opinion; they do better when they are running with public opinion, as they are on LGBTI rights, than when they are trying to change behaviour.

The Russian dimension is clearly most acute in Ukraine at this time of conflict. Ukraine has huge symbolic resonance for Russia, the Kievan Rus being critical to the Russian state and church history, with Putin declaring Russians and Ukrainians 'one people'.<sup>293</sup> It also has great significance for the Russian Orthodox Church in that both in the 17<sup>th</sup> Century and immediately after the fall of the Soviet Union more orthodox churches and priests were to be found in Ukraine than in Russia (although subsequently rectified). Understanding this Russian viewpoint and accepting it remain fundamentally different and this is a vision that many Ukrainians, particularly now, do not recognise as their own. Given the current challenges the UOC-MP faces, it may be that if the patriarchate in Moscow wants to maintain a level of influence over the development of Ukrainian Orthodoxy, it must find ways to give further powers to its church leadership, even reconsidering supporting local demands for autocephaly, albeit on its own terms. While providing pastoral support to non-combatants in a war zone is a role played by churches across the world, the links between

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<sup>290</sup>The Constitution of the Republic of Armenia (as amended in 2005), *Article 8.1* The church shall be separate from the state in the Republic of Armenia. The Republic of Armenia recognizes the exclusive historical mission of the Armenian Apostolic Holy Church as a national church, in the spiritual life, development of the national culture and preservation of the national identity of the people of Armenia. <http://www.parliament.am/parliament.php?id=constitution&lang=eng#8>

<sup>291</sup>In Moldova this is in Article 15 (5) The State recognizes the special importance and leading role of the Orthodox Christian religion and, respectively, the Moldovan Orthodox Church in the life, history and culture of the people of Moldova <http://www.legislationline.org/documents/action/popup/id/15972>

<sup>292</sup> Article 9 of the original 1995 constitution already stated that 'The state recognises the special importance of the Georgian Orthodox Church in Georgian history but simultaneously declares complete freedom of religious belief and confessions, as well as independence of the church from the state.'

[https://en.wikisource.org/wiki/Constitution\\_of\\_Georgia\\_%281995%29](https://en.wikisource.org/wiki/Constitution_of_Georgia_%281995%29)

<sup>293</sup>Vladimir Ryzhkov, Russian Orthodox Church Facing Ukraine Split, Moscow Times, June 2015,

<http://www.themoscowtimes.com/opinion/article/russian-orthodox-church-facing-ukraine-split/523690.html>

some UOC-MP clergy and the separatist fighters (such as blessing troops and battle flags), as documented in Sagan's piece, significantly damages the reputation of the church in the rest of Ukraine.

The UOC-KP is clearly gaining ground in Ukraine in terms of public support though at present<sup>294</sup> the UOC-MP retains significantly more registered parishes, albeit in more rural, smaller population centres, particularly in the East. The UOC-KP's strong support for the Ukrainian state in its conflict in Donbas and its rapid expansion point clearly to the goal of turning it into a 'national church' for Ukraine. The UOC-KP supported ecumenical collaboration with smaller churches when it was marginalised by state structures and dealing with favouritism towards its Moscow Patriarchate rival. Now that it is in a position of growing influence it is very important it maintains this approach towards other religious groups, and it should be noted that Patriarch Filaret's record of ecumenism in the Soviet-era, albeit in different circumstances, was not strong. Such ecumenism should include enabling other smaller Orthodox churches to participate in the All-Ukrainian Council of Churches and Religious Organizations (AUCCRO) as Sagan has suggested. Going forward the international community will need to work with the Ukrainian government to help ensure that its efforts to improve state security from Russian attempts at subversion do not restrict the followers' of the UOC-MP right to freedom of religion, conscience and expression. The Ukrainian state needs to ensure its structures and legislative approach provide an equal platform for all faiths in the future, this will be particularly important if the reintegration of Donetsk and Luhansk is ever to become possible.

The Church in Georgia is the most independently powerful of the churches in the four countries examined in this publication, with a central and constitutionally defined role as the national church. Although considerably friendlier with its Russian counterparts than representatives of Georgia's secular institutions are, desire to be Orthodox in Georgia is not simply a proxy for wanting to be closer to Russia. Similarly though some of the language around homosexuality may be shared, for example the shared line from both Patriarch Kirill and Patriarch Ilia that the state should not legalise a sin (though as Kirill noted in his own criticism the states already facilitate divorce and abortion),<sup>295</sup> the hostility to homosexuality comes as much from a desire to defend and expand a conservative conception of Georgian identity as it does from Moscow-based prompting.

In Armenia the Church's problems mirror that of the wider elite: the lack of transparency and atmosphere of corruption that risks undermining public trust over the longer term. Strong societal links to Russia play a part in its response to social issues, though its financial need for engagement with the wider diaspora and its relative weakness as an independent political actor somewhat limit the extent to which it can influence attitudes. That the country is no longer pursuing EU Eastern Partnership, with the 'cultural threat' (including anti-discrimination requirements) that this implies, may also explain its relative passivity in promoting the traditional values agenda. In Moldova, the pro-Russian Church and pro-European government have been involved in a difficult balancing act, with the state able to put some pressure on the church to moderate its opposition to EU integration and social reform according to Munteanu. However the continuing problems of the current pro-European coalition, most notably around the corruption charges for Vlad Filat, may create new opportunities for the Church to change the geopolitical and social outlook of the country if fresh elections are called.<sup>296</sup>

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<sup>294</sup> Maksym Bugriy, The War and the Orthodox Churches in Ukraine, Jamestown Foundation, February 2015, [http://www.jamestown.org/single/?tx\\_ttnews\[tt\\_news\]=43548&tx\\_ttnews\[backPid\]=7&cHash=682793e78f089ffd50641d8a8195eff0#\\_VhvKGyuLhAN](http://www.jamestown.org/single/?tx_ttnews[tt_news]=43548&tx_ttnews[backPid]=7&cHash=682793e78f089ffd50641d8a8195eff0#_VhvKGyuLhAN) This shows a May 2014 poll showing the percentage of Ukrainians saying they belonged to the UOC-KP had risen from 26 to 32% while belonging to the UOC-MP had fallen from 38%-25%, though how this relates to active church attendance is unclear, with some likely to support the UOC-KP purely for its political positioning. 30 parishes have so far transferred from the UOC-MP to the UOC-KP.

<sup>295</sup> See for example Civil Georgia, Georgian Church Leader: 'Believers will not Accept' Anti-Discrimination Law, May 2014, <http://www.civil.ge/eng/article.php?id=27201> and Russia Orthodox Church Department of External Relations, His Holiness Patriarch Kirill meets with Mr. Thorbjørn Jagland, Secretary General of the Council of Europe, May 2013, <https://mospat.ru/en/2013/05/21/news85683/>

<sup>296</sup> Marc Champion, Putin's Coming Win in Moldova, Bloomberg View, October 2015, <http://www.bloombergvew.com/articles/2015-10-19/putin-s-win-in-moldova-shows-where-ukraine-is-vulnerable>



## Common challenges

Across the four countries there is a need for orthodoxy to become more comfortable with and less defensive of its position of importance within the national life of societies of the region. At present many of the churches are open to the charge of being institutions that were oppressed a generation ago but are now the oppressors of minority faiths and sexual minorities, failing the 'do unto others as you would have them do unto you' golden rule of Christian teaching.

The states in the four countries have obligations to protect the freedom of conscience<sup>297</sup>, speech and assembly for both members of churches who wish to preach their opposition to LGBTI rights and of NGOs and other civil society actors working for equal rights in those societies, ensuring for example that LGBTI activists in Georgia are able to hold rallies without fear of attack from church-backed mobs. The churches should avoid disingenuously couching their opposition to anti-discrimination legislation in the context of their freedom of expression being undermined, when no bars have been placed on their ability to forcefully and publically advocate for views on human sexuality and other issues that liberals, such as this author, might find offensive, provided they avoid engendering hatred. All four states are party to the International Covenant on Civil and Political Rights whose Article 20 (2) states 'Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.' The European Court of Human Rights, to whose decisions the four states are subject, has a range of case law setting out the limits to freedom of expression relating to hate speech<sup>298</sup>, something likely to be tested again in the case of Moldovan Bishop Markel as noted by Munteanu. The four countries in the region must continue to work with the Council of Europe's Venice Commission and with donors such as the EU to develop robust frameworks to allow both the church and human rights activists to share their views without fostering hatred or violence against LGBTI, members of minority faiths or indeed orthodox religious people. The exercising of the right to freedom of belief and conscience should not manifest itself as urging the state to restrict the right of others who disagree to speak freely.

Given the power imbalance between the church and minorities in society it is essential that the international community focuses on ensuring that states improve legal protections of LGBTI and minority faith groups. For example Armenia has yet to introduce comprehensive anti-discrimination legislation, while as Danielyan shows, reform to the law on religious organisations must be completed to end discrimination against smaller faith groups, allowing them to preach (proselytise) openly. Donors should explore what further opportunities remain to support initiatives to help provide services to the marginalised, such as Irakli Vacharadze's call for support services for victims of homophobic abuse. The states in the region need to show that they take action when existing local and international laws and court rulings protecting minority faiths and groups are breached and need to politically challenge discriminatory speech by politicians, such as for example in Danielyan's case about the Armenian defence minister and 'destructive cults'.

Across all the countries in the region there has been an emerging tradition of oligarchs and politicians donating to church building and restoration projects. There is of course nothing unique to this region about the church being a recipient of philanthropic or charitable donations being used to enhance the reputation of the giver. However in societies with longstanding corruption and opaque public institutions the alignment of the church with political parties, both in power as in Georgia and Armenia, or in opposition as in Moldova, creates clear reputational risks for the church and political risks for their systems of government. The concern about the political relationship between church and state has been amplified by the experience in all four countries with politicians of all political persuasions providing state support to the largest churches in their countries at some point in recent history, often perceived as either supporting allies or buying the acquiescence of the church. This support is often framed as being part of the process of restitution of church property seized by the Soviets, with both property returned and financial payments made to the church to

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<sup>297</sup> It is worth noting that the ROC only tolerates the principle of freedom of conscience as a mechanism for the church to survive in unbelieving societies rather than accepts the principle- see Department for External Church Relations of the Moscow Patriarchate, Bases of the Social Concept of the Russian Orthodox Church, 2000, <http://orthodoxeurope.org/page/3/14.aspx>

<sup>298</sup> European Court of Human Rights, Factsheet-Hate Speech, June 2015, [http://www.echr.coe.int/Documents/FS\\_Hate\\_speech\\_ENG.pdf](http://www.echr.coe.int/Documents/FS_Hate_speech_ENG.pdf)



support its activities, repair religious buildings and build new churches. However this process has not always been as open for minority faith groups, such as in Moldova where seized property of the Catholic Church has not been restored according to Munteanu. Where ancient churches need repairing and there is not a specific link to a case requiring direct reparation, there should be scope to develop mechanisms that can facilitate the support for all historic buildings of all types on a non-discriminatory basis. It is unclear how purchasing luxury cars for church leaders or giving them government plates can be explained as restitution for Soviet injustice. There is clearly a case across these countries for tighter control over how such funds are provided and accounted for to ensure there is a clearer relationship between support provided and the past loss of specific churches or other property. The churches themselves must be more transparent about their finances and assets, including accurate recording of state funding and private donations. All faith groups should have access to the same tax privileges as the primary Orthodox Church, noting for example the current legal action in Georgia by evangelical and Muslim groups calling for equal treatment.<sup>299</sup> The OSCE and Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities set a useful framework for dealing with these often vexed issues of registration and access to tax privileges.<sup>300</sup>

A number of authors have raised understandable concerns about the unofficial expansion of the church in the area of education. Writing from the UK<sup>301</sup> gives a different perspective to those from the USA, France or indeed the Soviet Union, where strict restrictions are or were imposed on the practice of faith in the classroom. However what is clear is that particularly in Armenia, Georgia and Moldova the expansion of the church into the curriculum extends informally beyond the official remit given in the law. While in Ukraine a formulation needs to be found that enables all religious communities the right to develop options for religious education in the private sector by overturning the current ban. The challenge is to ensure consistency and transparency, avoiding indoctrination without parental consent and preventing abuse both of the law and of those who hold different faiths or none. There is not one international standard for the formal relationship between church and state but some common principles include that even if the largest church has its status formally recognised by the state as the 'national church' this should not impinge on the rights other faith groups to fully engage in civic life. There also needs to be strong alternative institutions and an openness about the nature of the relationship with the major church groups to limit the scope for the manipulation of party politics.

### **What should Europe and 'the West' do?**

The European Union, USA and other western institutions will need to find creative ways to promote a culture of tolerance and respect for rights and freedoms in these four countries. The churches in these societies remain the most powerful independent actors in favour of socially conservative views towards LGBTI rights, respect for minority faiths and women's rights. While, given the complex Soviet history on women's position in society, the latter are not solely seen as a Western imposition, the former most certainly are seen as such by the church and a significant portion of society. This creates a challenge for Western institutions in supporting the cause of LGBTI rights; note for example Bishop Jakob's comments about those who rallied to celebrate the International Day Against Homophobia in Georgia as 'a few bastards [who] are trying to mess up the situation to receive some grants'.<sup>302</sup>

As three of the four countries, Georgia, Moldova and Ukraine, are proceeding with EU Association Agreements and currently have broadly pro-European governments, the legal landscape is changing in a positive direction regarding protections for minorities, but changes in public attitudes reinforced by church teachings, will take significantly longer. The EU must continue and expand its direct engagement with the churches in order to provide reassurance, where possible, that the Association process and its support for legal human rights protections do not intrinsically threaten the status of the church in these countries.

<sup>299</sup> Tolerance and Diversity Institute, 8 Religious Organizations applied to the Constitutional Court of Georgia, October 2015, <http://www.tdi.ge/en/news/256-8-religious-organizations-applied-constitutional-court-georgia>

<sup>300</sup> ODIHR and Venice Commission, Guidelines on the Legal Personality of Religious or Belief Communities, OSCE, 2014 <http://www.osce.org/odihr/139046?download=true>

<sup>301</sup> The UK has a range of state funded religious schools linked to major faith groups (Church of England, Catholic, Jewish, Muslim, Sikh and Hindu) that give them a religious ethos and incorporate an act of religious worship as part of the school day.

<sup>302</sup> Iranization of Georgia - Arch-Bishop Jakob speaking after beating of gay rights activists, May 2013, <https://www.youtube.com/watch?v=Aw56icxwDhk>

However given that the issue has been framed as a cultural competition between ‘traditional’ and ‘western’ values, more thought must be given to cultural engagement ensuring that a rights-based model remains an attractive option for society, while demonstrating that equality and non-discrimination is not antithetical to some elements of longstanding cultural practice. All four countries are signatories to the European Convention on Human Rights and the International Covenant on Civil and Political Rights and the international community needs to continue to provide both support and pressure to ensure that these countries meet these universal human rights commitments. Where there is scope for supporting ecumenical dialogue around the role of church and state between Orthodox churches and churches in EU member states this should be explored, though remaining mindful that there remains a strong strand within Orthodoxy that does not recognise the theological validity of other churches

Going forwards the international community needs to recognise the churches as important social, cultural and political actors and the most trusted institutions in these four countries.<sup>303</sup> For the most part they provide a bulwark of small ‘c’ conservatism in the societies that reject the cultural liberalism associated with greater cooperation with Western institutions, though this is not to say they are uniformly pro-Russian in their outlook. Having gone from the margins of society in Soviet times the Orthodox churches have taken the opportunity to place themselves at the centre of national and political life in Georgia, Armenia, Ukraine and Moldova, a position they are unlikely to relinquish in the near future.

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<sup>303</sup> By way of comparison the clergy rank fourth in similar UK surveys after Doctors, Teachers and Scientists, <https://www.ipsos-mori.com/Assets/Docs/Polls/Veracity%20Index%202014%20topline.pdf>

## **Recommendations**

### **Recommendations for the governments of Georgia, Armenia, Ukraine and Moldova**

- Develop a consistent approach to registration and taxation for all religious denominations, as outlined in the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities
- Improve transparency around financial donations made to churches and related institutions by both the state and individuals
- Ensure programmes to cover restitution of church property seized by the Soviets cover all religious denominations and are managed more transparently
- Maintain and strengthen legal and constitutional protections of universal human rights, particularly around freedom of religion and minority rights, notably in Armenia which needs both a new anti-discrimination law and reform of the Law on Freedom of Conscience and on Religious Organizations
- Ensure that the involvement of religious institutions in the development of education remains within the remit set out in national laws, avoids compulsory worship without parental consent and works to include all faiths and none
- Enforce court decisions, both national and European, in relation to the protection of minorities and abide by their universal human rights commitments under the European Convention on Human Rights and the International Covenant on Civil and Political Rights

### **Recommendations for the international community**

- Continue to provide international donor support for organisations defending LGBTI, women's and minority faith rights in the context of universal human rights
- Look more creatively at the role of culture in the face of the concerted push by Russian and local conservative actors to promote a 'traditional values' culture hostile to those rights
- Engagement around EU Eastern Partnership must reaffirm the EU's commitment to minority and universal human rights, respecting freedom of expression and conscience. The EU should make clear that legal discrimination against minority groups limits the scope for European integration

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**Traditional religion and political power: Examining the role of the church in Georgia, Armenia, Ukraine and Moldova** examines the political and social role of the Orthodox Churches in Georgia, Ukraine and Moldova and of the Armenian Apostolic Church. It examines the way in which the churches have contributed to the development of national identities since the collapse of the Soviet Union and the role they play in civil society. The publication looks at the nature of the relationship between church and state; how the churches influence, support and challenge the secular authorities in their hold on power and their response to ‘traditional values’ issues such as LGBTI and minority faith rights. The publication also looks at the ways in which the Russian Orthodox Church and Russian Government have been looking to influence this debate in these countries.

The publication contains contributions from: Professor Yulia Antonyan, Yerevan State University; Eka Chitanava, Tolerance and Diversity Institute; Stepan Danielyan, Collaboration for Democracy Centre; Adam Hug (ed.), Foreign Policy Centre; Myroslav Marynovych, Ukrainian Catholic University in Lviv; Victor Munteanu, Soros Foundation Moldova; Rev. Fr. Dr Daniel Payne; Professor Oleksandr Sagan, Skovoroda Institute of Philosophy and Irakli Vacharadze, Executive Director, Identoba.

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