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CHURCH IN DEMOCRATIC TRANSITION BETWEEN THE STATE AND THE CIVIL SOCIETY

By Vedran Horvat

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1. INTRODUCTION

When pope John Paul II, at the beginning of 1990s in his speeches exclaimed that God has won in the East he probably did not know that only ten years later he will not be able to confirm this presumed victory. Maybe not even a pyrrhic one, because, the very high expectations about the new role of religion in countries of postcommunist transition¹ have not been fulfilled. Many of them have not been concretely confirmed by the factual situation, which makes God's proclaimed victory rather ambivalent.² To the contrary, in the past few years, the trend of a small but continuous decline of religiosity occurred even in countries with a strong traditional religious heritage, like Poland, going hand in hand with the less than expected rate of de-secularization of society. Also, the announcements that religion, especially Catholicism, will experience revival inspired by the example of Polish Catholicism that will be used as an universal model of reviving a sleepy Catholicism in Western Europe have not been realized.³

The question that arises is, what is the role and place of religion in the period of transition to democracy and social circumstances which have, in past few years overwhelmed not just Eastern and Central, but also South Eastern Europe? "Finally, it is true that the complex and parallel process of politicization of religion and religionization of politics was very evident. The question is still: what is the general role of politics in society and in what way can the role of religion be subordinated to political events or only to the political level of society?"⁴ Religion, suppressed under communist regimes eventually could along with the democratic changes become visible and manifest, able to

¹ I will use the term "transitional society" for those societies that used to be communist dominated but are undertaking a process of democratisation leading into postcommunism.

² Srdjan Vrcan, "Torn between tremendous challenges and tormenting responses: Religion in the Nineties in the area of former Yugoslavia", ISORECEA conference, December, 2001., www.isorecea.org/abstracts.htm

³ *Vjesnik*, 18.12.2001 "Intervju sa Srdjanom Vrcanom: 'Crkva i Vlada spremne su (p)ostati partneri.'

⁴ Sinisa Zrinscak, "Roles, attentes et conflicts: la religion et les Églises dans les sociétés en transition", *Social Compass* 49 (4), 2002., pp. 509-521; Srdjan Vrcan, "The war in ex-Yugoslavia and Religion", *Social Compass* 41 (3), 1994., pp. 413-422.

develop as a free and equal factor of society. Now, it got the chance to redefine its place in the wider social context and re-establish new modalities of interaction with other social actors. It is the main task of this paper to examine these modalities of new perspectives through which religion can find a place and define a new role for itself in transitional society, especially in the Balkan region. Accordingly, main issues that will be explored are the separation or disentanglement of church from state and definition of the role of religion in the overlapping space of political and civil society. Involvement of the church (or other religious institutions) in political life is still one of not so rare involvement by the dominant religious institutions into the daily secular reality. Therefore, one part of the paper will be dedicated to defining the distinctions between social engagement of religion as a part of civil society and its political involvement that takes us back to the (pre)modern world. But again, the church as a sum of believers that are part of society cannot be fully independent from it; in some areas mutual influence cannot be avoided. What kind of relationship between state and church should be established in order to adequately respond to all democratic, but also religious criteria, is an issue which every religion must resolve as it seeks mechanisms of communication with different social actors. Religion continues to be a fact of the highest social and political relevance. Its future depends on the issues to which it will relate, and these tended to be more profane than sacred in recent times.

In this exploration I will mostly use an analytical, but also a polemical approach to raise new questions that are affecting religion in all transitional societies. Religious human rights during the period of democratic transition are also very important but they will not be included in this work. The paper will refer to current social science and sociology literature and will be mainly based on views of eminent authors who researched this particular issue over more than few decades and most of whom live in transitional countries, such as Tomka, Vrcan, Zrinščak, and Borowik.

Also, it is necessary to emphasize that, respecting differences among the religions of this region and their approach to the state, this paper will deal generally with the place and role of religious institutions. However, with a few exceptions, most of the issues will be related to the Christianity.

2. RELIGION IN THE PERIOD OF TRANSITION—FROM COMMUNISM TO POSTCOMMUNISM

Although one could assume that the transition to democracy/free market economy would bring to society different elements suitable for secularization - or a decrease of religious influence in a particular society, social processes that took place in post-communist European countries took, at least in the beginning, a contrary form. To put it clearly and simply, transition began with an increase in religiosity.⁵ Along with the trend of de-privatization of religion, churches (mostly the dominant ones) started to revert to their previous positions from which they would be able to spread their influence in

⁵In some countries (former Yugoslavia) it ended with emphasizing the confessional differences which were instrumentalized with the purpose to maintain a conflictual atmosphere.

society and fulfill the value vacuum created by the fall of communist regimes. Some authors are trying to show that for those societies religion is still crucial for the overall functioning of a particular society.

Although the recent war on the territory of ex-Yugoslavia was not a religious one, the Churches played a key role both at the symbolic level of maintenance of separate national identities and on the level of complex social processes. The contradictory and uncertain nature of transition processes additionally complicated the role of religion in society and partly prevented its accommodation to new social circumstances which can be seen in the different roles that religion has to play; contradictory expectations of the public towards the Church and sharp social conflict that divide society.⁶

However, although responsible, the war is just one of the elements that influenced strong re-appearance of religiosity on transitional social scene. "As transition is a complex process, its success...relies on interconnected transformation in all domains of social life. The deep contradictions shown in transition to pluralistic and market oriented society, seriously shaping the transition process itself, also partly derive from history."⁷ The term transition is sometimes very ambivalent. "It is not certain where the transition countries are really going and, therefore, how long the transition will last...Political and economic transformation has already been successfully completed in many countries but still no one wants to declare that the transition is completed."⁸ Hundreds of millions of citizens of new-born democracies across a wide geographical area, from Hungary, the Czech Republic and Croatia to Kazakhstan and Kyrgyzstan experienced in last decade serious and unavoidable consequences; widening inequality, rising unemployment and poverty, a set of new social problems, war, etc.⁹

According to some relevant data (European Values Study in 1999.), there are great differences in religiosity among the post-communist countries of Central and Eastern Europe manifested in a high degree of variance between the nations and inapplicability of the modernization thesis, mostly because of different histories and religious traditions, but also the peculiarities of communist modernization and other particularities of communist rules.¹⁰ Accordingly, it must be emphasized that is impossible to speak generally of post-communist countries and more than questionable to divide them into the Catholic and Orthodox countries trying to find similar patterns of religious change. It is very obvious, due to different reasons, that for some countries the role of religion is still very crucial for the overall functioning of society, which, however, is rarely consistent with the degree of modernization.¹¹

⁶Zrinscak, *op. cit.*, pp. 509-521.

⁷Ibid.

⁸Ibid.

⁹Ibid.

¹⁰Miklos Tomka, "Contradictions of secularism and the preservations of the sacred", in Laermans, R., Wilson, B., Billiet, J. (eds) *Secularization and Social Integration. Papers in Honor of Karel Dobbealaere.* (Leuven, Leuven University Press, 1998); Miklos Tomka, "Religion, Church, State and Civil Society in East-Central Europe", in Borowik, I. (ed) *Church-State Relations in Central and Eastern Europe.* Krakow, Nomos, 1999., in Zrinscak, "Roles, attitudes..."

¹¹Ibid. Zrinscak, "Roles..."

Nevertheless, it still posses the attributes of a very relevant social fact, that is “highly connected with some basic social needs, but also some serious ideological and political disputes.”¹²

Turbulent and chaotic transitional period from monolithic communism to liberal democracy, pluralism and market economy, with the lack of legal acts concerning religiosity, was, and in some places still is, even for the Church, a right moment to act in the direction of reverting to previous positions. “After the fall of the Berlin wall, the majority churches often try to attain the dominant positions which they occupied before the rise of communism and socialism, furthermore, this suddenly becomes a re-opened spiritual area of extreme interest for new religious movements.”¹³ However, over the years, in most of transitional countries more or less suitable legal acts have been enacted and the intensity of de-secularization was not so strong as one may expect. De-secularization was not penetrating like it was expected into the ‘molecular level’ of the social tissue, it stayed more on the level of manifested social events. “As the Hungarian sociologist Miklos Tomka elaborated in many of his papers, the alleged secularization process was replaced in 80’s by the revitalization of religion, which was a crucial precondition of the process of regeneration of society against the totalitarian state.”¹⁴

Now, in some more developed transition countries, the state and the church are already signing the divorce of the new ‘postcommunist’ marriage, but at the same time, promising to each other that they will stay official partners in solving issues concerning the common good and benefit of society. Re-establishing their relationship is, maybe, the most important issue for solving all the problems related to the place of religion in the new-born democracies.

But the way to this particular moment was sometimes very hard. Till then

the churches were faced with the dilemmas of being situated in authoritarian dictatorships of totalitarian regimes that restricted not only the liberty of the churches but more fundamental human liberties. Often...they served as the only institutional carriers of (or protective umbrella for) any oppositional civil society. A rich comparative sociological literature exists that documents the Christian church’s role as midwives to a reborn (or first born in some cases) civil society in the transition from dictatorships.¹⁵

A few years before the fall of communism, during 1980’s, the communist power elite in some more developed countries (such as Slovenia) agreed on a division of power with the church following the pattern, economic field to the establishment, morality to the Church. Now, “the Church still applies this ‘historical compromise’” with the communist regime, who had thus unintentionally, especially after

¹²Ibid.

¹³Ales Crnic, “The concept of religion in times of transition”, ISORECEA conference, Zagreb, December, 2001., www.isorecea/abstracts.htm

¹⁴Zrinscak, “Religion and society in tension: Social and legal status of religious communities in Croatian transition circumstances”, in Richardson, J. (ed.), *Regulating Religions. Examples around the Globe*, (Chicago: Kluwer Academic Press, Chicago, 2003).

¹⁵Coleman, John. A.: “A limited state and vibrant society: Christianity and Civil Society “ in *Civil Society and Government*, ed. by Nancy L. Rosenblum and Robert C. Post, (Princeton, 2002), p. .227.

its fall and during the introduction of democracy, given the church license to widen its moral 'sovereignty' over the body politic and the state itself."¹⁶ In some transition countries (such as Croatia), it still happens that Church speaks publicly about political decisions of the state and penetrates into the field of their jurisdiction, not as a spokesman of civil society, but for itself. At the same time, the "Church acted very pragmatically in the transition with the slogan 'Our past is our future.'"¹⁷ It seems that this direction might be interesting for defining the future place of religion in society. Very recently, one of the eminent scholars and theorists in the field of religion, Croatian sociologist Srdjan Vrcan confirmed this perspective almost with the same words: "It's chance today, religion must find in the past."¹⁸ However, the role of religion before the beginning of the transitional period also wasn't clear enough. The papal encyclical, *Centesimus Annus*, is, for example, dedicated to the problem of the post-communist countries with the aim to minimize the traumas in the arduous transition to a political democracy and a market economy.

Democratic institutions that have been set up in countries where, among other things, the great majority of the population has no experience of Western democracy need the support of a structured society, but they lack, in every sector, an entrepreneurial culture that can stimulate its growth. Faced with an extraordinary vacuum of faith, moral apathy and generalized fragmentation of society - communism's worst legacy - only a new culture of hope, the Pope would say a new solidarity, can provide the basis for a democracy capable of withstanding the risks of disintegration and social violence, the resurgence of old and new nation crisis and economic chaos."¹⁹

However, before elaborating the new role of religion in transitional society one should be reminded that in the recent past, "the Church's relationship with democracy was for a long time conflictual."²⁰ Related to this issue, it is not surprising that totalitarian systems often reinforce one another. The pre-war (Second World War) structures of the Catholic Church, especially those that were patriarchal and authoritarian, appeared again slightly modified in communism as a form of a new, secular religion. Their convertibility confirmed again, during the transitional period when they have changed the labels and became believers again. It remains a question whether democracy and Christianity as two different models can be compatible enough to successfully cooperate within society. Some authors think that it is possible, even necessary.

Christianity and democracy complement each other. Christianity provides democracy with the system of beliefs that integrates its concerns for liberty and responsibility, individuality and community. Democracy provides Christianity with a system of

¹⁶S. Hribar, "Church as the Criteria of Truth," p.15 in Rizman, Rudolf M.: "The Radical Right Politics in Slovenia", in *State Building in the Balkans*, p. 332.

¹⁷A. Agh,, "Neo-traditionalism and Populism from Above in East-Central Europe (manuscript), p.10, in Rudolf M. Rizman, "The Radical Right Politics in Slovenia", p.332

¹⁸*Vjesnik*, 25 January 2003. "Prilog Panorama, intervju sa dr. Srdjanom Vrcanom: 'Religija danas svoju sansu mora naci u proslosti' [Today religion can find its chance in the past].

¹⁹Roberto Papini, "Christianity and Democracy in Europe" in *Christianity and Democracy in Global Context*, John Witte Jr. (ed) Boulder, 1993., p 48.

²⁰Ibid.

government that balances its concerns for human dignity and depravity, social pluralism and progress.”²¹

Some authors think that in transitional countries “what is needed above all is increased educational and cultural cooperation, to help democracy put down firm roots in the consciousness of the people. In some countries in particular,” Papini stresses, “the church can do a great deal to encourage a spirit of solidarity...although it must avoid the temptation to reassert its claim to temporal power”.²²

Hand in hand with democratic changes,

the role of the church has in some important ways been enhanced. Citizens throughout the post-communist world are now legally free to practice religion...Legislation has been enacted in several countries that permits religious education in schools. It is worth noting that the church has in some cases not merely been relativized as a religious organization, but has also become even more active politically.”²³

Nevertheless great importance must be given to respecting of religious human rights which appeared with the collapse of communistic regimes.

One of the characteristics of the Great Transformation was the rehabilitation and renaissance of religion in all former Communist countries...The basic characteristic of the vastly improved situation in regard to religious liberty is that, with the exception of Albania, it was not manifested primarily by massive change in legislation but by radical improvement in the behavior of governmental agencies toward religious communities and individuals. . . . But it turned out that these expectations or predictions were premature.²⁴

The reason for disappointment with such an optimistic expectations was simple. In case that traditional ethnoreligious identification did not bring the country to a war, like in the states on territory of former Yugoslavia, which was sometimes stimulated even by the leaders of religious institutions, one could observe another, less brutal but nevertheless non-democratic behavior.

The historically dominant religion or church of a region sought the restoration of all of its lost privileges from the precommunist era and, considering other religious communities as rivals, sought to influence state authorities to limit the rights of other religious communities and of non-believers...Thus, currently one can observe an area-wide struggle between the dominant church or religion that wishes to restrict the activities of rival denominations and the numerous old and new religious groups that are threatened by the prospect of monopoly by the dominant national church. ²⁵

²¹Witte (ed), *Christianity and Democracy in Global Context*, p. 12.

²²Ibid.p.59, (On its way to liberal democracy and market economy, each country in transition deals with attempts of dominant (state) religions to participate in political, (not civil!) society.

²³Leslie Holmes, *Postcommunism: An Introduction*, Cambridge: Polity Press, 1997., p. 286, ERMA reader for Second Cluster (Democracy)

²⁴Paul Mojzes, “Religious Human Rights in Postcommunist Balkan Countries”, “Religious Human Rights in Global Perspective”, Johan D. van der Vyver and John Witte Jr. (ed.), Martinus Nijhoff Publishers, Hague, 1996., p. 270.

²⁵Ibid., p. 271.

And still, it is an everyday experience of common people that “many representatives of dominant churches do not fully understand the concept of religious liberty; perhaps not surprisingly, because historically they have not experienced such arrangements since they knew only the privileged and oppressive conditions.”²⁶ “According to its overall social role, the Church therefore has been given some new tasks which are partly inconsistent with the need for adjusting to new social circumstances”.²⁷ But they are very often hard task and challenges hard to respond to. “Contradictory expectations which state public institutions are not able to fulfill, and which have even risen in recent years, particularly among pauperized parts of society, or simply numerous ‘losers’ of the war and transitional process, are in many cases directed towards the Catholic Church”.²⁸

Surely, the most important issue which is necessary to understand regarding the place of religion in the future of transitional countries is the relationship between the religious institutions (we shall call them churches) and the state (government) which has been radically changed in last decade. Most of the transitional countries inherited the rigid model of separation between state and church present during the communist period which they have transformed into a new social pact between the two elites.

3 . THE STATE AND CHURCH RELATIONSHIP AND THE DEMOCRATIC TRANSITION

A true separation of church and state seems to be understandable from the perspective both of some church leaders and activists of the dominant national church as well as political leaders. The impulse is to introduce legislation that would place obstacles upon the work of various religious groups--almost always minorities--and attempts are made to restrain and perhaps even to eliminate them from the scene. Tremendously powerful forces are at work in all Balkan states to revert to an historical arrangement where the dominant religious community is privileged by the state while some of the other religious communities are hindered in their work.²⁹

Not long ago, some scholars noticed a kind of chaos in postcommunist Balkan countries in the supposed and not very successful attempts to separate the church from the state. However, it will take time that church becomes a “separately institutionalized, quasi-autonomous realm of civil society as a ‘free public space’”.³⁰

To summarize the past, we can say that the repression of religion in communism in the field of Church and State relations was even expressed by the notion of their separation. For example, on the territory of the former Yugoslavia this process was officially stated in the first Constitution of former Yugoslavia in 1946 and was repeated in all new versions, usually presented as a modern principle, applied worldwide. Even France, the only European country with a strict separation model, did not have such a public treatment of religion. Religion was treated as an unprogressive social fact, very

²⁶Ibid., p. 272.

²⁷Zrinscak, “Roles, attentes...”

²⁸Ibid.

²⁹Mojzes, *op. cit.*, p. 283.

³⁰Coleman, “Christianity and Civil Society”, p. 227.

often masked with the expression that it belongs only to the private sphere. On the other hand, the factual political treatment of religion, visible in the fact that the Church was only social institution not completely controlled by the authorities, easily added political meaning to different social acts of the Church, which also behaved in that manner. A basically hostile relation that can be attributed to whole communist period can be divided in two phases; severe repression and a more liberal way with improved opportunities for public action.³¹

The Church and State relationship is maybe the most relevant and significant issue related to the new position of religion in transitional society, and therefore, it must be solved. In spite of that, it still represents a great obstacle to many re-born democracies because it can be a test and the result might be a failure. Recent surveys show that in most of the transitional countries people still have strong confidence in the Church as institution, much more than in the public and state institutions. Additionally, belonging to a particular, dominant church is still one of the markers not only nationality, but cultural identity in general and it is expected that state undertake measures in order to protect it. At the same time it must not discriminate against other religious communities and violate their right to equality.

The fact that the state *denies exclusivity* to any specific religion by granting equal rights to all religions should not be seen as a disparagement of the religious message itself. After all, it is exactly this freedom that enables all religions to claim their message to be absolute. But the state as the ‘homeplace of all citizens’ has to guarantee freedom of belief and religious practice to all citizens and also has to protect their liberty and equality from being threatened or jeopardized by other religious communities.³²

With the fall of communism it happened that churches, till then rigidly separated from the state, re-married them for a short moment. But after that, and this process still lasts, they signed the divorce and substituted this kind of the pact with creating a new, partnership relationship. But where exactly should be boundaries between state and church in (post)modern democratic society? When is it allowed for the church to enter the public sphere and not be accused of interference with state affairs?

Jose Casanova, drawing mainly on modern Catholic case studies, has argued, to the contrary, that there is a proper role for public religion in modernity. Casanova notes that from a normative perspective of modernity, religion may enter the public sphere and assume a public form only if it accepts the sanctity of the principle of freedom of conscience. It can also do so only if it does accept some legitimate differentiation of spheres in modern society (but differentiation did not mean total autonomy.)³³

Casanova’s arguments speak on behalf of complete disentanglement of church from state and political parties. According to him, there are three conditions under which religion may enter the public sphere with legitimacy; when it want to protect not only its own freedom but all modern freedoms and rights (including the very right of democratic civil society to exist against an absolutist, authoritarian

³¹Zrinscak, “Roles, attentes...”

³²“Religious Human Rights in Global Perspective”, p. 203.

³³Coleman, “A limited state and vibrant society: Christianity and Civil Society“, p. 234.

state); to question the absolutized lawful autonomy of the secular spheres and their claims to be organized in accordance to principles of functional differentiation without regard to ethical or moral considerations; and to protect the traditional life-world from administrative or juridical state penetration.³⁴ Or, as Casanova stresses: “What I call the ‘deprivatization’ of modern religion is the process whereby religion abandons its assigned place in the private sphere and enters the undifferentiated sphere of civil society to take part in the ongoing process of contestation, discursive legitimation and redrawing of the boundaries.”³⁵

Although I will write about the role of religion in the context of civil society, here I would like to give one of the definitions of deprivatization, a process immanent to transition. In developed western democracies there are three existing models of church and state relationship; a) the state church model (Finland, Greece, Great Britain) that is preferring a dominant religious community; b) separation and cooperation model, (Germany, Austria, Italy, Spain) where church is separated from the state, but not from the society which implies that religious communities have some social tasks to do and c) rigid separation model, the laicity or secular concept (France). It remains yet to be seen which model will prevail in transitional countries. Some of them decided to follow the well-known model of mutual co-operation of Church and State. For example, the agreements that Croatia signed are very similar to Italian and Spanish ones and they produce several types of social and legal status of different religious communities.³⁶

However, with the separation of the state and church, one could think that it is assumed that the church must stay outside of the society, i.e. be passive in regard to impacting society, according to a ‘deal’ with the state. In transitional social circumstances marked with so many difficulties and anomalies, it is hard to believe that the church will not try to be or remain active. But different interpretations referring to life, the world and truth between state and church sometimes can become the source of incoherence.

For example: “The secular and neutral law of the state is concerned with the exterior regulation of cultural and social issues without considering the theological question of ‘truth’. Within the church, however, the law has always to be measured against its duty to the truth of divine revelation and to the preaching of the word of God.”³⁷ But reasons not only related to the ‘truth’ can be the source of the conflict between the state and the churches. The legal powers of both church and state compete and thus create conflicts and problems of loyalty...there are differences between religious convictions and secular values (duties) as well as tensions between church and state and their respective orders.³⁸

³⁴Casanova, Jose, “Public Religions in the Modern World”, Chicago: University of Chicago Press, 1994.), pp. 40-66 in Coleman, John. A.: “A limited state and vibrant society: Christianity and Civil Society”,

³⁵Casanova, *op. cit.*, p. 65.

³⁶Zrinscak, “Religion and society in tension..”

³⁷Heckel, Martin, “The Impact of religious rules on public life in Germany”, in “Religious Human Rights in Global Perspective”, p. 192.

³⁸Ibid., p.193.

One could agree with the opinion that close cooperation between state and church would result in negative consequences. “The basis of the principle [of the separation] lies in the fact that the state and various churches fulfill different social functions, which, if conjoined, would harm both of them.”³⁹ So, why would be separation be so important ?

Separation brings about emancipation. It frees the churches from the state dominance. It frees the state from denominational tutelage. It frees the individual person from the bounds of confessionalism and of church establishment...The concept of separation protects the churches from being incorporated into the organizational structure of the state. It keeps the state from accepting a religious confession as its own.⁴⁰

Separation of the state and church implies the kind of neutrality in which the “state does not identify itself with any of the churches, refrains from interfering activities of the churches and does not ensure privileges for any of them.”⁴¹

According to the so-called lemon-test which was developed by the U.S. Supreme Court (1971) to determine whether a law was made in the spirit of neutrality, “a challenged law or policy must meet three requirements to satisfy the constitution: a) the legislation should have a secular goal; b) it should not provide advantages to any of the religions nor should it ban any of its activities; c) there should be no entanglement between the state and church.”⁴² But still, some authors claim that “all the case studies show a desire of the state to control the religion of non-dominant ethnic groups what implies that they protect the dominant one.”⁴³

Today, one might agree with the thesis that the modern state has overcome the traditional liberal program of strict separation of state and society. In other words, it has been substantially modified, (which we will explain in the section related to the civil society). Nowadays, “church and state must adopt a precise and inward sharing of competencies and responsibilities: whenever ‘common issues’ are concerned, the state has to confine itself to the secular and the church to the spiritual aspects of those issues”⁴⁴ in order to efficiently solve the problem. Related to this, the concept of separation of church and state cannot be understood “as obsolete in these new fields of social and cultural interaction. Rather, it is newly realized in a precise separation of competences in the context of coordination and cooperation.”⁴⁵ For example, “catholic social thought is pluralistic in its insistence on the limited service character of the state. The state exists as an instrument to promote justice and liberty. The ends of the public order entrusted primarily or essentially to the state’s nurturance of the

³⁹“Religious Human Rights in Global Perspective”, p. 252.

⁴⁰ Ibid. p. 199.

⁴¹Balazs Shanda, Religious freedom in Hungarian Law (1988.), Ph.D. Dissertation, Budapest, in Religious Human Rights in Global Perspective, p. 253.

⁴²Orlin, T., “Religious Pluralism and Freedom of Religion”, in the Strength of Diversity, Dordrecht 1992., p. 107 in Religious Human Rights in Global Perspective, p. 253.

⁴³Kerr, A. Donal (ed), “Religion, state and ethnic identity”, (New York, NY University Press, 1992), p. 13.

⁴⁴Religious Human Rights in Global Perspective”, p. 200.

⁴⁵Ibid. p. 201.

common good are fourfold: public peace, public morality, welfare and justice, freedom of people.”⁴⁶ At the same time, it “contains a strong animus against the view that the public sphere is synonymous with the government or the formal polity of the society.”⁴⁷ According to classic Catholic distinction between state and civil society--John Courtney Murray being their representative--“the state’s true care for religion is restricted to its care for freedom of religion. It’s care consists in the state’s recognition of the church’s claim, under the rubric of *libertas ecclesial*, for immunity in the juridical order in matters touching religion.”⁴⁸

A democratic state, however, would behave inappropriately if it were indifferent to religion....It may also, consistent with the principle of neutrality, provide certain forms of support to churches. A democratic state has many duties in which it can correctly rely on the activities of the churches as partners. Culture, education and health care, for example, are areas in which, in Europe at least, the prevailing structures have long relied and will continue to rely on both state and church support...Such support is (now from the state’s perspective) compatible with the principle of state neutrality, however, only if the state does not differentiate among the different churches in furnishing its support. If support is given, it must be given indiscriminately to all churches.⁴⁹

According to some authors, successful separation of the church from state depends also on the behavior of leading people in religious circles. “Even those Christians who held (or those few who continue to hold) some variant of a position supporting a state-sponsored church would still generally appeal also to a version of a doctrine of the ‘freedom’ of the church from too much governmental control or entanglement.”⁵⁰

The future of this relationship at the moment is not defined. It exists as a possibility in the gap between the old liberal model that supposed state neutrality and incompetence with the issues related to the ‘truth’ and ‘soul’, which did not allow the state to interfere with religious convictions of their citizen and the new, ethnoreligious one, where the state prefers that religion which is part of national and cultural identity and according to that key, has an active participatory role in discriminating against the other religious communities.

4. RELIGION BETWEEN STATE AND CIVIL SOCIETY

Social changes that came with the transition placed religion into new social circumstances and new established relationships among social actors. Churches found themselves in the gap between ‘being instrumentalized by the politics’ and ‘playing an active role as one of the members of civil society,’ between political involvement and social engagement. Very often confused with the new rules of the ‘transition games’ they sometimes did not let the temptations to go away and they have made a

⁴⁶Coleman, “A limited State and Vibrant Society: Christianity and Civil Society“, p. 237.

⁴⁷Ibid.p. 234 (Elsthain, Jaean Bethke, “Relationship of Public to Private”, *The New Dictionary of Catholic Social Thought*, ed. Judith Dwyer (Collegeville, Minn: Liturgical Press, 1994.), p. 796.

⁴⁸Coleman, *op. cit.*, p. 233.

⁴⁹“Religious Human Rights in Global Perspective”, p. 254.

⁵⁰Coleman, *op. cit.*, p. 224.

certain agreement with the pro-national governments in order to re-attain their previous positions. However, there were some individuals from church circles who were more aware that the church belongs to the civil society rather than the field of politics. One of the most important elements of “transformational changes after 1989 was the differentiation of civil society and forming of political society. That revolutionary changes required answer from the church and its hierarchy, especially because they were oriented more to the past than to the future.”⁵¹ This particular position we already touched upon.

4.1. RELIGION AS A PART OF CIVIL SOCIETY

Is it possible that today churches can help in building civil society without becoming politicized or submerged in a secular world? In order to preserve their role, they are becoming a participant of a special form of civil society: a ‘contrast’ society. Only the churches institutionalized in the appropriate way are capable to accommodate to civil society and become part of it.⁵² It is important to remind that, during communist dictatorships, most of the churches were the matrix of civil society, “the only institutions of non-governmental type”⁵³ during communism.

Long ago, a famous sociologist of religion, Ernst Troeltsch

...argued as much when he contended that the early church, in demanding to be conceived of as a separate sphere whose authority was derivative from God and conscience before God and not from the state, made its main contribution to social theory to anchor *a novum* in history: ‘free spaces’ in society that did not derive their legitimacy directly from the state.⁵⁴

According to that, there are authors that claim “that the church itself flourishes best and most freely in societies which, more generally, allow free markets and freedom of speech, assembly, petition and mobility.”⁵⁵ Postconciliar Catholic social thought shares and even champions the same point of view when it confirms what Casanova calls a “new form of ‘public religion in the modern world,’ civil society that is not seen as some neutral private sphere, but rather as one in alignment with the state.”⁵⁶ But still, one cannot resist agreeing that the church is in, but not really fully of civil society, because its authority derives from God and not from the state or the associational nexus of civil society. Because

⁵¹Borowik, Irena, “Religion and Civil Society in Poland in the Process of Democratic Transformation”, ISORECEA conference, Zagreb, December 2001, www.isorecea.org/abstracts.htm

⁵²Kamaras, Istvan, “The Churches as Civil Society: ‘Civil Churches’ within Official Churches in Contemporary Hungary”, ISORECEA conference, Zagreb, December, 2001. www.isorecea.org/abstracts.htm

⁵³Merdjanova, Ina, “Religion and Civil Society in Eastern Europe”, ISORECEA..

⁵⁴Ernst Troeltsch, “The Social Theory of the Christian Churches”, vol.1, trans Olive Wyon, (New York, Harper and Row, 1960)., in Coleman, “Christianity and Civil Society”, p. 224

⁵⁵Michael Novak, “The Spirit of Democratic Capitalism”, 2nd ed., (Lanham, MD.: Madison Books, 1991), in Coleman...

⁵⁶Ibid. Coleman, p. 232.

of that, it doesn't usually think of itself as just one other free association within civil society, totally equivalent to the other free associations.⁵⁷

In spite of that, Casanova stresses, "although the church in no way exhausts civil society, it tends to belong in that realm rather than the state".⁵⁸ Nevertheless, "civil society offers a zone of freedom, spontaneity, creativity, a grassroots anchoring of 'belonging'. It remains the primary locale for the anchoring of virtue. In point of fact, moral traditions are strongly rooted in the religious institutions and the neutral state cannot easily promulgate a unitary theory of virtue."⁵⁹ But, ironically, the voluntary, dispersed and free-choice mechanisms of civil society are not able to guarantee the fulfillment of fundamental human needs or fair distributive justice.⁶⁰

But, another question arises. The extent to which an understanding of separation of church and state promotes or restricts the church's role as a mediating structure in civil society is more than questionable. The realm, the scope that is allowed to the church for action in education, welfare, health or media is yet to be decided in each transitional country.⁶¹ However, "it is widely expected that the church will and should speak on a wide range of social issues. Yet, there is a kind of gap between expectations that, for example, the Church speaks on unemployment, poverty, even abortion and the somewhat lower level of acceptance of the opinion that the church is really giving adequate answers to social problems."⁶²

Yet, there still remains the question, what kind of [political] power does Church have to have in order to achieve some significant results? To do that, Church must enter the political domain, then be able to see a connection between current social problems and the development of democracy and civil society, and eventually, to neutralize possible political interpretations of their actions.⁶³ The style of the church's influence "upon the culture and society changed after the Second Vatican Council but", some authors still think that "there is no evidence that its ambitions toward having some legitimate access and voice and influence upon the quality and morality of public life have in any way diminished."⁶⁴

4.2. RELIGION AS A PART OF POLITICAL SOCIETY

During the decade of transition, almost every church or socially significant religious community in postcommunist countries found itself confronted with the temptation: to be used by the political order and to gain some political power for itself. As we already know, most of them simply

⁵⁷Ibid. pp. 224-225.

⁵⁸Casanova, "Public religions...", pp. 40-66, in Coleman, p.224.

⁵⁹Council on Civil Society, *A Call to Civil Society*, (New York, Institute for American Values, 1998), p. 8, in Coleman, p. 244.

⁶⁰Ibid.

⁶¹Ibid. p. 233.

⁶²Zrinscak, "Roles, attitudes..."

⁶³Ibid.

⁶⁴ Coleman, p.233

could not resist. Obviously, what happened is the result of overlapping between religion and politics, and creating new social processes that some authors called the 'politization of religion' or 'religionization of politics.' The same pattern is repeated on the national level, "the sacred is nationalizing; the national is secularizing".⁶⁵ Many religious communities became systems of interpretation of national 'truths.'

But before we analyze this let us remember some contradictory influences on the relations between religion and nation. It is well known that communists tried to suppress religion. "The connection between religion and traditional parts of society was additionally supported by the fact that the ruling elite was dominantly atheistic. Due to that, the Church was only institution not directly controlled by the state and which could express opposition to the communist regime."⁶⁶ Also, one could agree that "The crucial role that religion played in the process of regeneration of society in opposition to the communist rule was marked by rising religiosity in some countries even since 1978."⁶⁷

Crucial challenges that happened to religion during the decade of transition, especially on the territory of former Yugoslavia, according to Vrcan are following:

a) the political mobilization of religious resources of meaning and tradition and greater visibility of religious symbolism to serve political purposes of dominant political strategies;

b) a peculiar religious legitimacy having been given by the respective religious institutions to the dominant political strategies of clearly nationalist orientation;

c) the religious revival in the nineties in the area but in the wake of the tidal wave of ethnification of politics and politization of the ethnic;

d) the revival being supported by a fusion of nationalization of the sacred and sacralization of the nation culminating in political instrumentalization of religion and religious instrumentalization of politics;

e) a radical change in the social position of religion showing inclination to establish as much as possible the traditional centrality of religious institutions within the framework of the new functioning social system and new systemic institutional arrangements as well as the cultural totality of religion as the overarching cultural and symbolic system.⁶⁸

What must also be stressed is the fact that church in many post-communist European countries, in order to strengthen the public role of religion and bring it back to the social scene, used political and not those proclaimed channels. To put it in other words, they have collaborated with the state, very often pro-nationalistically oriented. Nevertheless, the political potential of the churches as a social force as well as being a significant part of society, both political and civil, must not be neglected.

⁶⁵Zrinscak, *op.cit.*

⁶⁶Ibid.

⁶⁷Tomka, M. "Contradictions of secularism and the preservations of the sacred", in Zrinscak, "Roles, attitudes..."

⁶⁸Vrcan, "Torn Between Tremendous..."

It was more than clear when the Polish Catholic Church, embodied in the social movement 'Solidarnost' contributed to the fall of the Communist regime in Poland. However, transitional countries sometimes confront themselves with other forces in Catholic Church which are not so far from taking over the official role of government. Not very long ago, 'secularized' Slovenia was in the position of confronting some strong influences from some religious circles. "Although Slovenia introduced a parliamentary democracy and conducted free elections, the Catholic Church still claims to be not only the representative but also the morally legitimate spokesperson of the Slovenian nation."⁶⁹ In this case, it was more than clear that the Church represent a particular, in this case right-wing political option.

It is well known that during the war period, both the Orthodox, and Catholic Churches were related to the separated national identities involved in the war. But, in the post-war period in former Yugoslavia, with some recent events viewed analytically, we can see that Churches still, or perhaps even to a greater degree, mark themselves as national and that it is hard for them to abandon certain political positions (e. g. the Catholic Church in Croatia).

Religious appeals to identity and solidarity values interacted with political parties and the recasting of political cultures. Wishing to play again a predominant role, official religious institutions sought to establish strong links with the state and territory. Contributing significantly to re-legitimate power in historical and metaphysical terms, they emphasized the holy and transcendental dimension of the nation. This approach was particularly marked in the case of Orthodox Christianity.⁷⁰

It seems sometimes that these churches are far from the proclaimed positions of official churches that "direct political involvement is ruled out; the church has no special political gifts and such involvement is deemed harmful to the broader ministry of the church. But a socially activist role for the church is legitimate and encouraged."⁷¹

With the "mixing of the sacred and the profane, and using religion as a mark of identity, nationalism established new sources of legitimation, while perpetuating discrimination and increasing conflict."⁷² This direction can be understandable for young democracies which did not have enough time to build a strong infrastructure because "nationalism is often the only thing that can fill the vacuum in states where civic associations are weak and the main political institutions lack prestige due to chronic malfunctioning."⁷³

⁶⁹Rudolf M. Rizman, "The Radical Right Politics in Slovenia", in *State Building in the Balkans*, (Ravenna: Longo Editore, 1996), p. 332.

⁷⁰Vrcan, "La guerra in ex Yugoslavia: una guerra di religione contemporanea o una guerra con le religion impegnatissime o una guerra di fede?", Split, Manuskript, 1993.

⁷¹"Christianity and Democracy in Global Context", p. 24.

⁷²Vrcan, "The War in ex-Yugoslavia and Religion", Split, 1993., in Cvitkovic, Ivan, 'On the role of religions in a war', in Janjic, D., (ed) *Religion and War*, pp. 197-209.

⁷³Gallagher, Tom, "Nationalism and Democracy in SE Europe", p. 106, in "Experimenting with Democracy", Geoffrey Pridham and Tom Gallagher (ed), (London: Routledge, 2000).

The historical and social involvement of the Churches in transitional societies are very deep and their notions are closely intertwined, and very probably, the same situation will remain in the future. Social processes are still very closely connected with politics, and religion very often can find itself as politically meaningful. On the contrary, if we would like to artificially separate religion, society and politics, it would mean that believers cannot involve themselves in political life. As such, religion is still one of the arenas where democracy can be tested and verified. Social tensions can also be interpreted religiously and some churches have a free field to act concerning socially relevant issues.⁷⁴ Outside of politics, of course...

CONCLUSION

The main aim of this paper was to show how turbulent social processes in postcommunitistic transitional societies influence religion and how religion responds to these new challenges. The claims of authors presented in this paper have shown that religion sometimes finds many obstacles on its way to re-establish new relations with the state on the one, and the newborn civil society, on the other hand, and, at the same time, to remain adherence to democratic principles, sometimes incoherent with its hierarchical and rigid structures. It has been shown that many years of suppression by communist regimes and liberation connected with strong ethnoreligious identifications did too much damage to religious communities.

Today, one can see that they have few tasks to complete in order to have a clear starting point and a foundation for dialogue with other social actors. Disentanglement of church from state and all sorts of political behavior; respect for religious human rights and participating in the building of civil society are the most important among them. Nevertheless, turbulent social circumstances that follow transition do not work on behalf of neutralizing the close links of religion to nationalism. And this is one of the possible directions in which religion might go, warn some of the authors. Religious identification with ethnic and national forms of identity derived from history, in the past, is a possible starting point for maintenance of religion in society. However, in spite of that, religion still can contribute to society, under the condition that it has dealt with satisfactorily with all the challenges of modernity.⁷⁵ But, “tensions between tradition and memory on the one hand, and the modernity on the other, are not sufficient to negate the continuing need for referring to tradition,”⁷⁶ which is, in the case of some transitional countries, still an everyday reality.

⁷⁴Zrinscak, op.cit.

⁷⁵Intervju sa Srdjanom Vrcanom, “Crkva i Vlada su spremne...” [Church and government are willing to become/remain partners], *Vjesnik*, 18. December, 2001.

⁷⁶Harvieu-Leger, D. “Religion as a Chain of Memory”, Polity Press, 2000. in Zrinscak, S. “Roles, attendees...”

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