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IDEOLOGY OR ISOLATIONISM? RUSSIAN IDENTITY AND ITS INFLUENCE ON ORTHODOX-CATHOLIC RELATIONS

PART I: ORTHODOXY AND THE RUSSIAN IDENTITY

By Catherine Caridi

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Introduction

When the late Pope John Paul II was laid to rest on April 8, 2005, it was estimated that two billion people—approximately one-third of the entire human race—saw at least some part of his funeral on television. In attendance were heads of state and other dignitaries from over 150 different countries, including many with little or no traditional connection with Catholicism. Similarly, a host of clergy and other ministers from the world’s other Christian and non-Christian religions came to the funeral as official representatives of their faiths. At the time it was acknowledged repeatedly by the secular press that the unprecedented size and scope of the late Pope’s funeral was indicative of his efforts over nearly 25 years both to visit the people of virtually every nation on earth, not excluding those from places where the Catholic Church is practically unknown; and simultaneously to reach out to the leaders of other religions, in an effort to engage them in ecumenical or inter-religious dialogue with Catholicism.

Conspicuously absent from the funeral, however, were Vladimir Putin, the President of the Russian Federation, and Alexei II, the Patriarch of the Russian Orthodox Church. Each sent a lower level dignitary in his stead as an official representative. It was rumored that while President Putin had initially planned to attend the Pope’s funeral personally, he

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1 For the Vatican’s official list of dignitaries who represented their countries at the funeral, see http://www.vatican.va/gp1/documents/delegazioni-uff-esequie-jp-ii_20050408_it.html. An official list of religious delegations in attendance was posted after John Paul II’s funeral at http://www.vatican.va/gp1/documents/delegazioni-rel-esequie-jp-ii_20050408_it.html.

2 Strictly speaking, the term “ecumenical” refers to relations between different branches of Christianity, while “inter-religious” relations involve those of non-Christian faiths.
ultimately gave in to pressure from the Russian Orthodox leadership not to do so.\textsuperscript{3} Given the worldwide demonstration of respect and esteem for the late Pontiff, in many cases from those who were not Catholic themselves, why was the Russian response so counter to the norm?

In Part I of this article, I intend to show that the refusal of Patriarch Alexei to attend the funeral (and the alleged pressure that he brought to bear on the Russian President) were consistent with the Russian Orthodox Church's broader attitude toward those non-Orthodox, Christian churches operating within Russia since the collapse of communism led to the end of religious repression. Underpinning this attitude is the much broader issue of what exactly constitutes the Russian identity. References can be (and nowadays frequently are) made to the historical connection in Russian society between being a Russian and being a member of the Orthodox Church.

It should soon become clear to the reader that it is precisely the Russian Orthodox hierarchy's insistence on this correlation which forms the foundation for their lack of willingness to engage in ecumenical dialogue with other Christians, or even to acknowledge the validity of the concept of freedom of religion in Russia. For in a quest to restore to normalcy their ministry to the Russian people, who are historically Orthodox, Russian Orthodox leaders have taken pains to ensure that their operations can proceed not only without interference from the government, but even with preferential treatment for Orthodoxy officially enshrined in law. They contend that this is necessary for the successful restoration of the true faith in a nation that has traditionally practiced it for centuries.

In the first section, I will address the historical connection between being Russian and being Orthodox, and the ways that this connection affected both social attitudes and imperial policies. It is this traditional correlation that leads to the identification being made publicly by the Moscow Patriarchate today, in the aftermath of over 70 years of religious persecution, between Orthodoxy and Russian-ness.

Next, I will examine the laws extending, and then restricting, religious freedom in Russia after the breakup of the Soviet Union, placing them within this historical context showing the traditional relationship between Orthodoxy and the Russian national identity. The fact that the identification of a person's religion with his ethnic background is overly

\textsuperscript{3} According to the US-based Catholic News Service, for example, "Noted absences included Russian President Vladimir Putin, who, according to news agencies, did not want to anger Russia's Orthodox leaders by attending. Russia was represented by Prime Minister Mikhail Fradkov." Carol Glatz, "Diplomatic coup: Pope's Funeral Brings Together Bitter Adversaries," http://www.americancatholic.org/features/JohnPaulII/Diplomatic.asp.
simplistic should by this point become evident—as should the active lobbying of the Russian Orthodox Church during the crafting of these laws and the debate over their passage.

Finally, lest it appear to the reader by this point that the Moscow Patriarchate’s position is guided entirely by pragmatic concerns and is exclusive of any genuine theological merit, I will discuss in the last section the manner in which the Russian Orthodox Church’s ecclesiology developed within the Russian society in which it operated. Religious pronouncements by members of the Russian Orthodox hierarchy, even when they do not address specific current political issues, can be seen to be consistent with the attitudes toward Russian identity that traditionally have shaped Russian society. Orthodox theology has been influenced by the social mores of the culture in which it traditionally was the only official religion.

I. What Does it Mean to be a Russian?

Russian Orthodox leaders come to discussions of religious pluralism in Russia with the assumption, articulated or not, that all Russians, qua Russians, should be considered to be Russian Orthodox. On the surface, it seems that this notion can easily be refuted with statistics. Not only do contemporary surveys indicate that only a minority of Russians today consider themselves to be Orthodox, but an overwhelming percentage of those who do claim Orthodoxy as their religion fail to practice it in any way. “A great deal of believers (who constitute 40% of the total population) do not attend divine services nor receive Holy Communion, do not pray, do not follow the tradition of fasting and have not even opened the Bible. Furthermore, they believe in various para-normal phenomena.”

Given the numbers, how can the Moscow Patriarchate claim that all ethnic Russians are members of the Orthodox Church?

The foundation for the Orthodox hierarchy’s assertion lies, according to Metropolitan Kirill,

in basing mission on the fundamental principle of early Christian ecclesiology: the principle of the local church. This stipulates that the church in a given place shall be fully responsible for its people before God. This principle can be applied not only to the Russian situation, but to Christian

4 Kimmo Kaariaianen, and Dimitri Furman, “Religiosity in Russia in the 1990’s,” in Matti Kotiranta, ed., Religious Transition in Russia (Helsinki: Kitimora Publications, 2000), p. 47. The authors’ oft-quoted survey data, collected not merely about objective criteria but also measuring public perceptions and attitudes about religious issues, was gathered as part of a study by the Research Institute of the Evangelical Lutheran Church of Finland.
mission in the world in general, on the understanding that nobody anywhere shall ignore a local church...

In other words, the territory of the Russian Federation is under the spiritual authority of the Moscow Patriarchate. Consequently, the Russian people are under the Patriarch’s authority as individual members of the Orthodox Church. Whether or not one has actually been baptized into the Church is not the measure of an individual’s membership in it. As a statement from the 1994 Bishops’ Council in Moscow phrased it, people belonged to “the Mother Church in which they had been baptised or to which they were tied by historical and cultural roots.”

When viewed in this light, some of the seemingly impossible survey statistics begin to make sense. Polls consistently show that the percentage of Russians who identify themselves as “Orthodox” is higher than the percentage that say they believe in God. “[I]n this context, the characteristic which Byelorussia’s President Alexander Lukashenko ascribed to his own world-view is rather typical, when he called himself an ‘Orthodox atheist.’” Uzzell, himself a member of the Russian Orthodox Church, takes aim at “statist relativism” [which] has been largely accepted by the Patriarchate itself. For example, the ‘law of birth’—the idea that an ethnic Russian should be considered “Orthodox by birth” even if he has never been baptized—in effect substitutes a crudely ethnic concept of Church membership for the Orthodox faith’s own historic canons.” He notes that “the genuinely Orthodox Russians... number 3 to 5 percent.”

Regardless of our Western perceptions of the irrationality of this attitude, however, the notion is deeply ingrained in Russian culture that Orthodoxy is an integral part of the Russian identity. As we will see below, this view plays a key role in current discussions

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6 Gerhard Simon (“Are the Russians a Nation?” in Kotiranta, Religious Transition, p. 24) points out that the actual situation after the breakup of the Soviet Union is more complicated: “The Moscow Patriarchy claims the entire territory of the former Soviet Union as its ‘canonical territory,’ and states ‘the unacceptability of the existence of various jurisdictions on one and the same territory.’ Ukraine and Estonia are, therefore, considered unalienable parts of the ‘canonical territory’ of the ROC, although their citizens are not necessarily ethnic Russians. This has led to, among other issues, an ongoing internal battle between Moscow and Kiev, where Orthodox Ukrainians have been fighting for their own autocephalous Patriarchate—a desire which Moscow has thus far refused to grant.
8 Kaariainen and Furman, in Religious Transition in Russia, p. 54.
about religion as an element that helps to determine exactly what it means to be a Russian. As Kornblatt put it, there is an unclear understanding of the relationship between Christianity and Russianness, based on widespread notions of Russians as an inherently God-fearing folk and of Moscow as the ‘third Rome.’ Russians refer vaguely to a unique Russian spirituality, invoke the ‘Russian idea’ or the ‘Russian soul,’ in an attempt to construct a post-Soviet, specifically Russian identity. Today the church is in the process of defining what, if anything, is ‘Russian’ about the Russian Orthodox Church, and what is ‘Orthodox’ about Russia.

The long history behind this attitude is not difficult to see. Traditionally, in the Orthodox world in general, any dividing line between one’s nationality and one’s religion was blurred from the outset. As Witte points out, “the Russian Orthodox Church has ... no American understanding of a wall of separation between church and state...[which] are viewed as part of an organic religious and political community, united by blood and by soil.”

When Rus first embraced Orthodox Christianity 1000 years ago, the religious authority of the Church became inextricably intertwined with the power of the political ruler. Contemporary ultra-nationalist Alexandr Dugin emphasizes the link between Orthodox belief and the state throughout Russian history: “The whole history of the Russian people is the history of Orthodoxy, from which the history of the people and the state are inseparable.”

The Tsar was not merely an Orthodox believer himself; he also possessed responsibility for the spiritual well being of his people, which naturally led to his involvement in the conduct of religious affairs in his realm. In turn, it was believed that the Tsar actually derived his political legitimacy in part from his Orthodoxy, as only a true believer could be permitted to rule Russia, a nation of true believers. In Engelstein’s words, “At the highest level, the Orthodox Church played a central role in the legitimation of secular authority.”

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Traditionally, the balancing of the mutual interests of Orthodoxy and a nation’s political leadership, known as symphonia, was seen by those in the Orthodox world as the model relationship between church and state. In Russia, the symphonic interplay as seen in actual practice is acknowledged by scholars to have been less than the ideal. When Peter the Great eventually made the Church little more than a part of the government bureaucracy, “the symphony, the harmonic life of the secular and spiritual power, became a fiction and the church was subordinated to the state.”

Understandably seeking to maintain order and control within its borders, the Russian state believed that it had a vested interest in the religious affiliation of its citizens, and being “a good Russian” in the civic sense involved in part one’s profession of Orthodoxy. And the converse came to be accepted as well: political suspicion, if not downright hostility, was directed at anyone who was not an Orthodox believer. This naturally led Russians to view Westerners with a distrust that was grounded in both nationality and faith. The many theological similarities between the teachings of Orthodoxy on the one hand, and Protestantism or (especially) Catholicism on the other, were thus completely overlooked. Filatov and Vorontsova show the complex intermingling of religious belief and politics in the historical Russian view of the West:

...over the centuries, Russian national consciousness has been built on an opposition to the ‘West’—with this multilayered concept frequently interpreted as Catholicism itself.... Anti-Catholic feeling was not only inextricably bound up with religiosity, but national consciousness, patriotism, and belief in a particular system of government. ...not only was the supreme ruler the defender of the one true faith, but Orthodoxy itself sanctified and strengthened the God-given authority of the autocrat, who was equally at risk from the corrupting Latin influences of the West....Thus, the well-known trinity of “Orthodoxy, Autocracy, and Nationality” has ancient roots. It reflects a formulation of national identity that has been created through the centuries, an identity which is not just anti-Western, but anti-Catholic in its origins....any perceived threat from the Vatican represented a danger not only to the purity of their faith, but to autocracy itself.

Orthodox belief had become an intrinsic part of what came to be seen as the Russian identity. In order to protect the state, the Orthodox faith had to be protected as well. Being

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15 Sergei Filatov, and Lyudmila Vorontsova, “Russian Catholicism: Relic or Reality?” in Witte, ed., Proselytism and Orthodoxy, pp. 94-95.
Russian implied being Orthodox; being non-Orthodox implied that one was not truly Russian—or, at least, was not a *good* Russian.

It should be obvious that such an atmosphere was hardly conducive to any notion of religious freedom within the Russian empire, or to the evangelization of Russians by those of other faiths. The only persons living in imperial Russia who were permitted to practice another Christian religion were foreigners, such as Lutherans from German lands or Catholic Poles. Russians themselves were actually prohibited by civil law from leaving Orthodoxy to join another church: “Since the sixteenth century, religious tolerance in Russia [was] limited to the right of foreigners to follow their own religion. According to Russian laws, the Orthodox Church was the official state church and it was not possible to leave it. Furthermore, only the Orthodox Church had the right to carry out missionary work in Russia.”

Any of the periodic movements throughout history in the direction of Russian modernization and/or Westernization has invariably carried with it a push for greater religious freedom. In 1905, for example, Russians were allowed by the radical new Edict of Toleration to leave the Orthodox religion and join another Christian church. Kaariainen asserts that “during the first four years after the promulgation of the law, the number of persons who left the Orthodox Church to join some other denomination was officially over 300,000, most of whom (230,000) joined the Catholic faith.” Perhaps this surge away from Orthodoxy was the primary impetus for the Russian government soon to tighten the provisions of the Edict:

...the Russian State experienced difficulties in reconciling its modernising intentions with its traditional source of legitimacy as the defender of the Orthodox identity of the Russian Land. Hence the cycle of reforms and counter-reforms, with the reforms usually containing legal measures designed to preserve the affiliation between Orthodoxy and ethnic Russians,

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17 The longstanding debate among Russian intellectuals between the Slavophiles, who would essentially argue against Russia’s adoption of values and other cultural aspects of Western life, and the Westernizers, whose basic position has been that Russia must modernize itself in accord with practices already embraced in the West, includes as one of its many features this very disagreement over the notion of religious freedom. Many of those members of the Russian elite who were considered to be Westernizers ultimately became Catholics, most notably Petr Chaadaev (1794-1856), whose public philosophical challenges to the Russian imperial regime finally landed him in an asylum for the insane. See, e.g., Andrzej Walicki, *The Slavophile Controversy: History of a Conservative Utopia in 19th-Century Russian Thought* (Oxford: Clarendon Press, 1975).

and to safeguard the Orthodox religious identity of the Russian Land by imposing restrictions on non-Orthodox faiths.¹⁹

This alternating pattern of enthusiastic modernising and fearful back-pedaling, of introducing sweeping reforms only to follow them with tighter restrictions, is one that can be seen in Russia to this day, not merely in matters of religious freedom but in other, broader overtures being made to the West that are later retracted—or at least limited—amid concerns about the loss of Russian traditional culture and of the (always undefined) notion of Russian identity. We will see further, more recent instances of this pattern again in the following pages.

It is cruelly ironic that with the Bolshevik Revolution in 1917, all religions technically became equal under the law. The Orthodox Church was officially disestablished and “was forbidden to engage in activities which were within the sphere of responsibilities of the state. This had a special meaning in a socialist system of the Soviet type, in which State and Party swallowed up civil society.”²⁰ The preeminent position of Orthodoxy in Russian society had been ended by the new regime, which was anxious to create a new society in the new Soviet Union.

The size of the social impact that disestablishment had on Russia may be gauged by the sheer size and scope of the Orthodox Church near the end of the imperial era. “In 1914, the Orthodox Church had 117 million members organised into 67 dioceses with 130 bishops and 54,000 churches, with a total of over 50,000 clergy of all ranks,”²¹ not to mention church-run schools and seminaries. Such statistics will be of significance to us in the following pages, when they can be measured against the remnants of Russian Orthodoxy after the fall of the Soviet Union in 1991 by way of comparison.

Few may be aware that it was only during the Soviet period that the term “Russian Orthodox Church” was first used. This may simply have been a way for Orthodox hierarchs, attempting to direct church operations under constant government scrutiny—when not being persecuted overtly—to identify themselves within the borders of the new, larger country; but Simon notes that the long-term consequences of the new terminology continue to be significant: “Before 1917 the church never called itself Russian, but Orthodox Church within

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¹⁹ Marat Shterin, “Church-State Relationships and Religious Legislation in Russia in the 1990s,” in Religious Transition in Russia, p. 223.


²¹ Kaariainen, Religion in Russia, p. 19.
the Russian Empire. The present term came into usage only since the 1920s. As long as the Soviet Union existed, this terminology may have been of little importance but today it is a stumbling block to the self-perception of the church which considers itself Russian on the one hand and much more on the other, an instrument of unity and of future unification.22

Regardless of its official title, Orthodoxy’s influence in Russian (now Soviet) society dwindled. Fletcher points out, however, that when the Soviet government needed backing from all facets of society in the fight against Hitler, it turned to the beleaguered remnants of the Orthodox hierarchy to find it: “With the crisis of World War II, ...the regime was in critical need of such support as the Church could give to it, and as a consequence, an informal concordat was struck in 1943. In return for the Church’s co-operation in political matters, a limited degree of religious opportunity, sufficient to ensure the viability of organized religion, was granted within the USSR.”23 A measure of inter-relationship between the Orthodox Church and the political rulers of the Russian people had thereby resumed, albeit with a decided twist; and questions about the collaboration of Orthodox hierarchs with Soviet leaders from this point on still arise to this day.24

II. Contemporary History: Religious Freedom in Post-Soviet Russia

With the breakup of the Soviet Union in 1991, and the understandable euphoria felt by those who had endured communist repression for over 70 years, came a rush to enshrine

22 Simon, pp. 24-25.
24 As Kornblatt points out, “The church’s position today is ...unenviable, insofar as it must redefine itself at the very same time that Russians are using Orthodoxy to define themselves. The institutional church was severely compromised under Soviet rule, forced to make accommodations with the Kremlin and KGB to ensure its very survival. The ‘Soviet’ clergy has not yet died off, and the official church retains a political as much as spiritual orientation today, as evidenced by its role in the so-called freedom of religion legislation that today guarantees its future.” “Christianity, Antisemitism, Nationalism,” p. 415.

Much more damning are Uzzell’s assertions that “Secret reports of the KGB-controlled Council for Religious Affairs obtained several years ago by the independent journal, Glasnost, specifically cited then-Archbishop Aleksii as an informer for the KGB in the 1960s. A 1975 report from the same body described Aleksii as one of the bishops most loyal to the Soviet state.... In 1990 he signed a hard-line petition urging Mikhail Gorbachev ‘not to permit the break-up’ of the unified Soviet state....” Uzzell, “Patriarch Aleksii, the Last Soviet Man,” The Wall Street Journal Europe, January 7, 1992, page 10. Pospielovsky cites what may or may not be one of the same reports: “A secret report to the CPSU Central Committee by V. Furov, the [Council for Religious Affairs] deputy chairman, in approximately 1976 (the copy smuggled to the West was undated), boastfully declared that the CRA had full control of the episcopate... [there were] seventeen completely reliable bishops (including... the current Patriarch Alexii II)....” Dimitry Pospielovsky, The Orthodox Church in the History of Russia (Crestwood, NY: St. Vladimir’s Seminary Press, 1998), pp. 338-339.
new, western-style freedoms in law. Freedom of religion, of course, was no exception. The lack of religious freedom for nearly two generations had taken its toll on the population, as can easily be seen by comparing statistics from pre- and post-revolutionary Russia. As Shchipkov notes, before the Bolshevik Revolution the people living in the Russian Empire were 65 percent Orthodox, 10 percent Old Believers, 8 percent Catholics, 4.5 percent Protestants, 6 percent Muslims, and 4 percent Jews. In contrast, survey results from January 1991 indicate that the Soviet population was 22 percent Orthodox, 0.8 percent Old Believers, 5.5 percent Catholics, 3 percent Protestants, 18.5 percent Muslims, and 0.2 percent Jews. (The dramatic increase in the number of Muslims, of course, is to a great extent the result of changes in borders, and not solely actual growth among the existing population.)

A move had in fact already been underway even during the final years of the Soviet era, to relax some religious restrictions and to give all religious associations greater leeway, with the October 1990 law guaranteeing freedom of conscience in the Soviet Union. Article 3, for example, specifically guarantees that every citizen has the right to profess whatever faith he chooses, or no faith at all, and to act in accord with his beliefs. Kaariainen points out that the RSFSR legislature approved the federal law “following the victory of democratic forces in the Russian Parliament in March 1990. The representatives demanded that the Russian Republic define the relationship between church and state in accordance with the main principles of human rights and of a constitutional state.”

Although the law was definitely not designed specifically to address the freedom of the Orthodox Church, it is interesting to note in hindsight that even during debate on the law in the Russian Parliament, there was inconsistency regarding the notion of the equality of all religions. Ellis, for example, points out that “an Orthodox bishop who spoke in the debate began by emphasising the inter-religious, interdenominational nature of the group that had prepared it, but ended with an impassioned reference to the traditional identification of the Russian Orthodox Church with the Russian people.”

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25 Aleksandr Shchipkov, “Interreligious Relations in Russia after 1917,” in Witte, ed, Proselytism and Orthodoxy, p. 84.
27 Kaariainen, Religion in Russia, p. 130.
Given both the surge in enthusiasm for religious freedom, and the broad wording of the 1990 law, which included all religions, the immediate result of this legislation could have been foreseen:

Almost overnight, Russia experienced a phenomenal resurgence of religion. The Russian Orthodox cathedrals...were opened and soon filled with worshippers... Christian churches, including Catholic, Baptist, Methodist, Lutheran, and Pentecostal, along with nontraditional groups such as Hare Krishna, the Unification Church, the Church of Scientology, the Great White Brotherhood, and the Mother of God Center, became a part of everyday life in most Russian provinces. Evangelists and missionaries from the West entered the country in surprisingly large numbers...29

If the numbers of Western missionaries entering Russia was surprising to Davis, there was definitely nothing surprising about the reaction to this phenomenon by the leadership of the Orthodox Church. The influx of foreign proselytizers, bringing with them the teachings of religions often completely new to the Russian people, posed an undeniable threat to the identity of the Russian people as an Orthodox nation. It quickly became clear that there was an ideological conflict between the concept of complete, western-style freedom of conscience, and the traditional position of the Orthodox Church in Russian society, and the Orthodox hierarchy naturally took steps to have tradition enshrined in law: “Soon after... the Moscow Patriarchate led a campaign for more restrictive legislation. Debate about the provisions of a new law demonstrated the irreconcilable differences between, on the one hand, conservatives and nationalists who sought legislative guarantees for the Russian Church’s protection, and on the other, liberals and democrats who sought guarantees of freedom of conscience for all confessions.”30

It is easy to see here a contemporary example of a wave of modernization washing over the Russian people, only to be faced with objectors who strove furiously to beat back the tide in the name of Holy Mother Russia. The Orthodox Church strongly backed new legislation to amend the 1990 freedom of conscience law, urging that safeguards be put in place in order (among other things) to restrict the influx of foreign missionaries, who were bringing foreign religions and religious publications to the Russian people. When a draft proposal containing these measures was passed in July 1993, Russian Orthodox Patriarch Alexei II gave a speech in the Russian Parliament, declaring that these amendments “would

open new possibilities for the role of the [Russian Orthodox] Church in the New Russian Society.

President Boris Yeltsin, however, had other priorities. Noting that the proposed revision of the law was in violation of a number of different international human rights agreements to which Russia had already committed itself, he vetoed the measure. A proposal with somewhat different wording was then passed by the Russian Parliament—once again, with the support of the Orthodox hierarchy—but Yeltsin again refused to approve it, returning it to the Parliament unsigned in September 1993.

In the meantime, with the 1990 law still in effect, members of numerous Christian and non-Christian faiths were able to enter the country, bearing with them ample financial resources from the West to fund their evangelization efforts. But not all of the “foreign missionaries” entering Russia during this period were bringing religious teachings that were entirely new to the Russian people. Catholics had, as noted above, been operating churches in imperial Russia for generations, and their ranks had been decimated to a degree at least comparable to those of Orthodoxy. “Official atheism took its toll more on the Catholic Church than on the centuries-old and firmly rooted traditions. ...The Catholic hierarchy was annihilated in the purges of 1937. Indeed, it seemed that Roman Catholicism had disappeared forever.”

Like the Orthodox, as well as those Protestant groups which had traditionally operated churches in Russia before the Bolshevik Revolution, Catholics were during this period attempting to locate both believers and property that had been scattered or damaged during the Soviet era, and once again to minister freely to Catholics living within Russia.

Continued efforts to tighten Russia’s laws on religious freedom were inadvertently put on hold by President Yeltsin’s violent conflict with the legislature which took place shortly after his veto of conservatives’ second attempt to amend the current law. The Russian Parliament nevertheless picked up debate of various versions of proposed new religious laws in 1995, with the Orthodox hierarchy continuing to press for a tightening of the existing law. The position of the Orthodox Church was shared by ultra-nationalist Vladimir

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11 Quoted in Davis, p. 647. Ellis quotes Alexei complaining several months earlier that “Hundreds and thousands of very different preachers have invaded Russia,” creating “destabilisation,” evoking the image of a hostile military takeover of the country. The Russian Orthodox Church, pp. 171 and 174.

32 Filatov & Vorontsova, p. 96.

33 It is intriguing to note that “those members of Parliament who remained under siege in the White House... did adopt the amended law, but this of course had no validity.” Ellis, p. 190.
Zhirinovsky, whose defeated proposal in May 1995 would have declared that the Russian Orthodox Church was “the church of the majority in the Russian Federation.”

It was not until July 4, 1997, that the Russian Parliament passed a new bill and sent it to President Yeltsin for signature. Differences between this and the 1993 bills which Yeltsin had refused to sign appear to have been slight; and Yeltsin was urged formally to veto the bill not only by religious groups operating within Russia, but also by the European Union, the International Academy for Freedom of Religion and Belief, 160 different U.S. Senators and Congressmen, and even Pope John Paul II himself, who sent Yeltsin a personal letter of protest. Objections were grounded in the fact that the new restrictions, if they became law, would not only be in violation of Russia’s own constitution guaranteeing equality to all religions, but would also violate international norms of freedom of conscience and of religion.

Yeltsin agreed, and in a radio address to the nation, pointed out that “many provisions of this law infringe upon the citizens’ constitutional and human rights, legalize inequality between different confessions, and are at variance with Russia’s international commitments.” The Parliament was left to craft another proposal, which it sent to the President shortly thereafter.

It remains unclear why, given Yeltsin’s objections to the first bill sent to him in 1997, he agreed to sign the second. There are few variations between the two. The President had, it must be said, been in favor all along of taking some type of legal action against the proliferation of the more radical religious sects. One can only surmise that, given the intense pressure being brought to bear from advocates of tighter restrictions on religious freedom, Yeltsin capitulated, preferring rather to be on amicable terms with forces at home rather than with those abroad.

With the passage of the 1997 law, what was the legal status of those non-Orthodox religions attempting to operate inside Russia? Article 4.1 of the new law asserts that “religious associations are separate from the state and are equal before the law.”

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34 Berman, p. 331. For the alliance between Zhirinovsky and the Moscow Patriarch see, inter alios, Kaariainen, Religion in Russia p. 135.
35 Quoted in Davis, p. 647.
statement is, of course, fully in accord with both the Russian Constitution and with international norms.

Yet it is contradicted by the very first paragraph of the new law, which immediately proceeds to make distinctions between different religions on historical grounds, setting up a sort of hierarchy of importance: “...recognizing the special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia’s spirituality and culture; respecting Christianity, Islam, Buddhism, Judaism and other religions and creeds which constitute an inseparable part of the historical heritage of Russia’s peoples....” The 1997 law instantly makes a distinction between those religions which it declares to have traditionally existed within the Russian Federation, and those that are not held to have any historical connections with the Russian people.

The distinctions continue, as articles 7 and 8 distinguish between “religious organizations,” which can obtain legal personality by registration with the government, and “religious groups,” which have no ability to achieve equal legal status. A religious organization must be registered with the government as such. To be registered with the state as a religious organization, a religion must have already existed for at least 15 years in the particular locale where it currently wishes to operate. While a religious organization may own its own property, Article 7.1 declares that the “premises and property necessary for the activities of a religious group, are to be provided for the use of the group by its participants.”

The law even addresses the naming of religious organizations in Article 8.5, stating that a name may not include the words “Russia” or “Russian” unless the religion has been operating legally for at least 50 years on Russian soil. In practice, the only religion capable of meeting these criteria is the Orthodox Church.

One of the final sections of the 1997 law requires all religious organizations which were created before this new law took effect to re-register before December 31, 1999 (Article 27.4). Those which failed to do so could be “liquidated by court order.” With this provision, it became possible for the state, which had allowed large numbers of religious associations to register while Russian law had been less restrictive, to refuse to allow them to be registered again under the tighter constraints of the new law.

Westerners and others outside of Russia were not the only ones to find fault with the 1997 law. Geraldine Fagan, researching the current status of religious freedom in Russia for the Forum 18 organization, found that subsequent to the implementation of the new
requirements, Russian courts struck down strict interpretations of several of the more problematic sections of the law.

...[S]uccessively lenient official interpretations of this law at the federal level neutralised some of its harsher provisions. Thus, following complaints by... Pentecostals and Jehovah’s Witnesses in 1999, Russia’s constitutional court determined that the deprivation of various legal rights from groups unable to prove 15 years’ existence did not extend to those affiliated to religious organizations registered at the federal level. ...In response to a further complaint by the Moscow branch of the Salvation Army in 2001, communities registered before the 1997 law came into effect were also explicitly made exempt both from its restrictions on rights and from being liquidated for failing to re-register, as the constitutional court ruled that it did not have retroactive force.37

Thus while the new law may have erected barriers to proponents of new religions seeking to enter Russia after 1997, it was ruled that it could not be used legally to eliminate the presence of any religious associations which were there already. (Whether local governments actually follow in day-to-day practice the binding legal decisions of Russia’s high courts is, of course, another question.)

Uzzell posits that with regard to religious freedom Russia has, in the space of only a few years, virtually come full-circle. Emerging from the repression of communism, Russia embraced full freedom of religion, becoming a signatory to various international laws in this regard—only to proceed to quash full freedom of religious expression in the name of historical tradition and under the guise of preserving state security: “such internal contradictions—sweeping declarations on human rights and of limits on state power, accompanied by detailed provisions which crush those rights and burst those limits—were characteristic of Moscow’s laws on church-state relations during the Soviet period.”38

Perhaps Shterin’s placing of these legal developments within a broader historical context best enables one to see this incident as part of the ongoing, larger picture. “The 1997 Law symbolises much of the history of Church-State relationships in Russia. The recurrent Russian history of modernising and Westernising breakthroughs and subsequent retreats to the indigenous soil seems to have been at work in the controversies over legal and administrative regulation of Russian religious life during the last decade.”39 The pattern of liberalization and later backpedaling clearly continues.

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38 Quoted in Davis, p. 648.
There is no question as to the major role played in the crackdown on religious freedom in Russia by the hierarchy of the Orthodox Church. It would perhaps be tempting to ascribe this to nothing more than a combination of political posturing and power mongering, by church leaders intent on maintaining Orthodoxy's traditional place at the top of the Russian religious heap. It would also be incorrect.

To a great degree, the actions of Patriarch Alexei II and other Russian Orthodox clergy who battled to achieve the religious constraints of the 1997 law can be explained by the fundamental theological and philosophical outlook of Orthodoxy in general. Kaariainen explains:

...[T]he opinion that the Russian Orthodox Church has of itself makes it difficult for it to have a neutral attitude towards non-orthodox religious movements. Russian Orthodoxy regards itself as the only orthodox (pravoslavie) Christian tradition. This tendency is not so evident in international ecumenical discussions, but inside Russia, on the other hand, it is either implicitly or explicitly present. In its view, the ROC has the right to define what is heresy and what is not... For the ROC, even the word 'church' means only the Orthodox Church, as does the expression "one holy apostolic church." Catholicism and Protestantism, on the other hand, do not represent the true church... This attitude makes a true ecumenical discussion difficult and is a major reason for the strained relationships between the ROC and other religious movements in Russia.40

Given this mindset, it is literally impossible for Orthodox leaders at the same time both to conduct church affairs in accord with Orthodox teachings, and to agree fully with the notion of freedom of religion in Russian society. To permit Russians to follow religious beliefs other than those of the Orthodox Church is to permit them to embrace falsehood, and this can hardly be accepted, much less encouraged. As Nikolai Berdiaev wrote during the First World War, "Russia perceives of itself not only as the most Christian, but as the only Christian country in the world. Russian history exhibits a completely exclusive characteristic, namely the complete nationalization of the Christian church, which determines itself as the ecumenical church."41 How can an Orthodox believer, let alone a member of the church hierarchy, possibly reconcile such beliefs with the freedom of conscience accepted in the West?

Kaariainen, Religion in Russia, pp. 140-141. Note also the quote from Patriarch Alexei II on page 11 of this article (note 31), wherein he speaks of the "role of the Church" but very clearly is speaking only of the role of the Russian Orthodox Church.

Quoted in Simon, p. 16.
More recently, these beliefs were articulated in a concrete and public way by Russian Orthodox leaders. In 2000, the Bishops' Council of the Russian Orthodox Church released its “Bases of the Social Concept,”42 a document intended to provide an official exposition of church teaching on current social issues with which the Russian people are routinely faced. The Social Concept document addresses in detail the Church’s position on the role of religion in society in general, as well as on the role of the Orthodox Church in contemporary Russian society in particular—a role which is grounded in historical tradition.

Here the underlying assumptions that the term “the Church” is synonymous with the Orthodox Church, and that Orthodoxy alone teaches the true faith in all its purity, become evident. Church-state relations are to be “based on mutual non-interference into each other’s affairs” (III.3), but this does not imply that the state should not restrict religious freedom when such freedom involves “the work of pseudo-religious structures presenting a threat to the individual and society” (III.8). In fact, the Social Concept takes direct aim against “the principle of the freedom of conscience” in III.6: “The emergence of this principle testifies that in the contemporary world, religion is turning from a ‘social’ into a ‘private’ affair of a person. This process in itself indicates that the spiritual value system has disintegrated... If initially the state emerged as an instrument of asserting divine law in society, the freedom of conscience has ultimately turned [the] state in[to] an exclusively temporal institute with no religious commitments.”

We can see here the logical application to contemporary society of the Orthodox Church’s teaching regarding its exclusive possession of the full Christian faith. All of the objections by Orthodox hierarchs to the new religious freedoms enjoyed by Russians after the collapse of the Soviet Union can be seen to fit neatly into this system of belief. Consequently we can begin to understand exactly why “the Russian Orthodox Church is not comfortable with complete pluralism and absolute liberty. The Church maintains that ‘universal’ moral norms and tradition should place limits on the exercise of freedom.”43

But if the hierarchy of the Russian Orthodox Church does not want to see full freedom of conscience enshrined in law on Russian soil, what precisely do they want? Offhand it would appear that the only alternative is that Orthodoxy be made the official

42 Both the original Russian text and an English translation have been posted on the Moscow Patriarchate’s official website at www.mospat.ru/index.php?mid=90.
religion of the Russian Federation, and that the existence of an official state church in Russia be re-established as in imperial times.

Yet Russian Orthodox leaders have repeatedly asserted that they do not want Orthodoxy to become the state religion. It may be that the Church’s more recent historical experiences shape this desire for the Church as an institution to be kept away from the hands of political rulers. “Church dignitaries frequently cite the church’s subjugation to the state in the Imperial period as evidence that the position of a state church does not guarantee power, influence, or autonomy,” and it is this subjugation that Orthodox hierarchs strenuously wish to avoid.

This more or less official position of Russian Orthodoxy has been articulated by Metropolitan Kirill of Smolensk and Kaliningrad. As head of the Moscow Patriarchate’s Department for External Church Relations, Kirill acts as Patriarch Alexei’s chief liaison between the Russian Orthodox Church and other Christian religions. In 1999 Kirill asserted bluntly at a conference in Italy that “we are not striving to resurrect the role which the Orthodox church exercised in the Russian empire. The church’s dependence upon the state... is so detrimental to the church’s own mission. In this sense, the separation of church and state... is unquestionably favourable to the church, and we will always insist on this fundamental principle.”

Both options in an either-or situation appear to have been negated. If the Orthodox leadership is opposed to the full religious freedom inherent in a western-style democracy, yet at the same time is similarly opposed to the establishment of Orthodoxy as the official state religion, what is left? Kirill claimed at the same Italian conference that the Orthodox Church seeks “that new model of cooperation between church and state, which we are present trying to achieve in Russia.”

The practical specifics of this “third way” are less than clear. Van der Zweerde attempted the same year to address “the fundamental question whether or not ‘civil society’ and ‘national religion/church’ must be seen as pointing out two main alternative and incompatible roads for postsoviet Russia,” suggesting that perhaps yet another path may

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44 Knox, p. 580.
46 Ibid.
exist. Raising the possibility that the idea of civil society is "fundamentally 'eurocentric,'" he explored the theory that one might be able to construct a uniquely Russian version of civil society, including in it specific elements of Russian history and tradition, such as the pre-eminent role of Orthodoxy in Russian society. In the absence of any concrete practical examples, van der Zweerde addressed the notion in highly abstract terms, and concluded that "it is certainly worth while to take into account the Orthodox tradition, and to seek in it part of the conceptual basis of civil society, but that does not compel one to construct an Orthodox vision of it... nor does it necessarily lead to a specifically Russian vision: it may just as well add another shade to a 'universal idea.'"48 His suggestion would no doubt be less than popular within the Moscow Patriarchate:

If the Orthodox tradition is to be part of the cultural and spiritual basis of civil society in Russia and Eastern Europe, it will have to reform and modernise itself along lines similar to those of, for example, the Second Vatican Council in the Roman Catholic Church.... To think along these lines... points to a modernisation of Orthodoxy as it exists as a Church today: it means to leave the cage, to fly about, and to communicate with birds of all feathers, including other Christian denominations, so-called 'new religious movements,' nonbelievers...49

And there is no reason to believe that such a radical theological revamping of Russian Orthodoxy of this type is about to take place.

48 Ibid., p. 34.
49 Ibid., p. 41.