

Religious Liberty: The State Church and Minority Faiths



November 28, 1995

**Briefing of the
Commission on Security and Cooperation in Europe**

WASHINGTON : 1995

ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

RELIGIOUS LIBERTY: THE STATE CHURCH AND MINORITY FAITHS

TUESDAY, NOVEMBER 28, 1995

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
WASHINGTON, DC.

The Commission held this briefing in Room 2200 of the Rayburn House Office Building. Samuel G. Wise, the Commission's Director for International Policy, moderated.

Mr. Wise. Good morning, everyone. We're a few minutes late, and we're still missing one of our panelists, but I understand that he's on his way. And I thought it would be better that we get started rather than wait for the last panelist. We have a large panel this morning, and I think we'll have a lot of interesting discussion.

My name is Sam Wise, and I'm the international policy director of the Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, and we are here today to discuss the question of "Religious Liberty: The State Church and Minority Faiths." This is the second in a series of briefings focusing on religious liberty in the participating states of the Organization for Security and Cooperation in Europe. Today we will be discussing the relationship between state churches or traditional religions and freedom of religion for minority faiths in the participating states of the OSCE.

In many of these states, religion has been tied to political structures. Historically, the religion of the king or queen became the religion of the people. Tremendous bloodshed has occurred in the past over religious affiliation when a new ruler came to power. This legacy has left its mark on Europe and has fostered different approaches to religious minorities. In some states, such as Great Britain, Germany, or the Scandinavian countries, there is official state sponsorship of a particular religion. Yet, at the same time, minority faiths flourish.

In other states such as Greece, Bulgaria, and Russia, the Orthodox Church is the traditional religion and as such enjoys certain privileges to the detriment of minority faiths.

Clearly, the existence of a state church is not in and of itself an obstacle to religious freedom. Problems arise, however, when the state or traditional church uses political power and its majority status to suppress the religious rights of individuals who adhere to minority faiths.

Although the religious liberty landscape has improved in recent years in many of the OSCE participating states, the challenges remain in ensuring that true religious liberty is a reality for individuals of all faiths and religions.

We are fortunate this morning to have a distinguished panel of five, and we're all here now. I see Mr. Boothby has arrived. Our panelists will speak for about 5 minutes each, and afterwards we will entertain questions from you in the audience. And finally I'd just like to say that I would double our welcome from our chairman and co-chairman, Mr. Christopher H. Smith of New Jersey and Mr. Alfonse M. D'Amato of New York, the leaders of our Commission.

Now I would like to begin with Father Kishkovsky.

Fr. Kishkovsky. Thank you, Mr. Wise. It's a privilege to be here, and it's a happy moment to be sitting next to Sam Wise, whom I met at OSCE meetings in Moscow and Geneva several years ago, and most recently when I was a member of the U.S. delegation to the OSCE meeting in Budapest a year ago. It's very good to see you again, Mr. Wise.

Clearly, the issue of minority and majority in society is a critically important question that is volatile and that can produce great violence and great conflict. In fact, some commentators have pointed out that the majority/minority division in society—ethnically speaking, but also religiously speaking—has been at least a significant part of the fuel that has caused the fires of hatred and war to burn in former Yugoslavia. In former Yugoslavia the Serbs were the largest national group. Therefore the others felt that they were at a disadvantage with reference to the Serbs. However, when former Yugoslavia dissolved into the various constituent states and nations, in several of them the Serbs became a distinct minority, fearful for their security and fearful for their lives. And some observers and commentators made it clear that, in their view, the lack of a process and of a way of guaranteeing minority rights—political, social, and religious—was lacking in the dissolution of former Yugoslavia. Therefore we have the terrible, violent, ugly conflict afflicting that region and so many millions of human lives.

Now, in Central and Eastern Europe, about which I would like to say a few words, each of the Christian religious groups somewhere in that region is in a majority and somewhere else is in a minority. I often remind my Orthodox co-religionists, when they express their various points of view about these matters, that they should be very conscious of the fact that while they are the majority in Bulgaria and in Russia, for example, or Romania, they are very much the minority in Slovakia and in Poland. Therefore, how a minority is regarded and how the rights of a minority religion are exercised is a matter that is interrelated between the different societies and states.

When one speaks of the minority/majority division in terms of the religious dynamic in Central and Eastern Europe, we certainly as Americans must be conscious and mindful of the historical reality that these societies in Central and Eastern Europe come from a period of violent persecution and systematic oppression of religion. In Central Europe this persecution and oppression of all religion, majority and minority, began with the Communist domination after World War II, and in the Soviet Union this persecution and oppression began with the Bolshevik Revolution in Russia. This period of persecution and oppression carries over into the mentality of all the people in those societies today, all of them. Those who are in political leadership are certainly as a rule coming from within the former Communist nomenklaturas and ruling elites, and even those who have always been against the Communist ideology nonetheless have been influenced profoundly in their psychology and in their attitudes by the Communist period.

One little illustration: last November I happened to be in Moscow for some church to church connections between my church in America and the Russian Orthodox Church and discovered that there was a conference taking place, not officially convened, but a conference of church people from the Russian Orthodox Church. And when I attended that conference for one full day, I realized that the spirit of intolerance is very much alive. There was a great debate there among Russian Orthodox. On one side were the more open-minded; on the other side, the more traditionalist and conservative, if not reactionary. Those views were being

expressed in very clear ways, and there was a real debate. But at one point I felt obliged to ask for the floor to point out that the mood and the attitude in the room was very much that of a kind of spiritual Bolshevism, that the very people who had been oppressed by the Communist regime were today all too afflicted by the spirit of spiritual Bolshevism.

Now, the post-Communist situation is very complex. Take the schools and their connection to values and ideology, and take societies as different as Russia and Estonia. It is a fact that in those societies, in the school systems, those who perhaps 5 years ago were teaching the state ideology of atheism today have become very eager to teach religion. You have in schools some of the very same people who taught the values of the previous era, which were atheist, today very eager to have a job, and therefore to teach the values of religion. Very complicated.

Take the issue of nationalism and religion also in the post-Communist era. In Poland and in Russia, you have different majority churches. In Poland the majority is the Roman Catholic, as you know, and in Russia the majority is Russian Orthodox. In both instances there is a certain utilization of religious images for the purposes of a reconstitution or at least a continuation of a national ideology. Now, some of that is legitimate. People have the right to their national memory, to their national dignity, to their ethnic dignity and memory. But at the same time some people may misuse those dynamics in a way that is not really helpful to religious development and the contribution of religion to the future of these societies.

An illustration from Poland: At Yale my daughter had a friend from Poland. My daughter accepted this girl's invitation to visit with her Polish family about 3 or 4 years ago and discovered that even in a very Roman Catholic family, very anti-Communist, very pleased with the fact that the Communist regime had been brought down, nonetheless there was a sense of alienation and irritation when almost every evening a clergyman would appear on the television screen (promoting, by the way, views that I myself personally as a Christian priest, an Orthodox priest, would probably agree with in terms of moral direction). Again and again being faced by a Roman Catholic representative, a priest or a bishop on television was irritating to more and more Poles even 3 or 4 years ago because they felt it as a kind of new ideology. Before it was the Communists who were on television every day, and now it was representatives of religion. The same irritation occurs in Russia where very often representatives, particularly of the Russian Orthodox Church, are on the media. My Russian Orthodox friends among bishops and priests are very well aware of the fact that it is dangerous when the religion is too much evident on the media, appearing to be something of a new ideology. This is very annoying and irritating to many people in the society.

Now, in schools, in the question of nationalism and religion, there are obviously conflicts and tensions between majority and minority. In Poland, the revival of the Polish nation, the bringing down of the Communist regime, was very much connected with the Roman Catholic Church and properly so, and something that I as an Orthodox can and must affirm. At the same time, the minority religions, Orthodox and Protestant, feel very much the pressure and the tension of being small minorities in the context of a very dominant Roman Catholic Church.

Likewise the Roman Catholics, among whom I have friends in Russia, feel very pressured and very tense about their situation as a small minority of Roman Catholics in a society and country where the vast majority are Russian Orthodox.

And so those tensions are there, and the minorities and majorities need to address them,

to live with them, but also to deal with them.

Very often when intolerance is mentioned, and when we as Americans look at the manifestations of intolerance in other societies, we tend to notice the intolerance of the majority as being a contributing factor to the tensions and conflicts that exist. And we should. Majorities sometimes can be dangerously intolerant. But I would suggest that attention should also be given to the intolerance of minorities. Minorities can and do sometimes express their views about the majority, about the societal situation, in extremely intolerant terms, and therefore the language of intolerance begins to be mirrored. Majority/minority are using the same language of intolerance, and both contribute to the exacerbation and growth of intolerance.

And one final note about Russia. On the plane flying down to Washington this morning I was reading the current issue of the *New Republic*, a very interesting little piece on Russia and the political situation in Russia at this moment. The interesting statistic that was brought forth in that little piece is the following: In Russia today 47 percent of the population, when polled, identified the church as the institution which they found most credible; 24 percent identified the army as being credible; 8 percent identified the presidency; and 4 percent identified the parliament as being credible. The point here that I wish to end with is that religion, for good or ill, is a force in the societies of Central and Eastern Europe, and it is their task, and it is our task, to make the instances of religion being used for the good greater and more potent than the instances of religion being used for ill. Thank you.

Mr. Wise. Thank you very much, Father Kishkovsky.

I should have mentioned at the beginning that Father Kishkovsky is ecumenical officer for the Orthodox Church in America and Rector, Our Lady of Kazan, Long Island, New York. He is immediate past president of the National Council of the Churches of Christ in the USA, member of the World Council of Churches Central and Executive Committees and Editor of *The Orthodox Church*. I think that was a very good beginning.

And now we'll turn to our second panelist, Father George Papaioannou, who is Pastor, St. George Greek Orthodox Church in Bethesda, Maryland. Father Papaioannou was trained at the Theological School of Halki in Constantinople, Istanbul, and he has served as a priest since 1957 in parishes in Turkey, Canada, and the United States.

Father Papaioannou.

Fr. Papaioannou. Thank you, Mr. Wise. I'm so pleased that I follow one of my mentors. Father Leonid is one of the stars of the Orthodoxy in America. Before I begin my presentation, I want to say that I agreed with you wholeheartedly on your view that the religious majority should always respect the minority, even if that majority happens to be Orthodox. A few years ago I had written an article on this very subject about religious tolerance in Greece. And I became an anathema overnight. [Laughter.]

Today I am here to address you on a very painful issue, so close to my heart and to the heart of Father Leonid as well and some other Orthodox who are here: the Ecumenical Patriarchate of Constantinople, in Turkey.

I have prepared a rather lengthy paper, and I hope that all of you have a chance to get a copy. And I will make a summary of what I am to present. This paper was addressed to distinguished members of the Committee of the Senate and of the House, but they are not here. I understand that the people who make policy or laws, associates of theirs, are here. I'm very happy to address you and the rest of the people here.

But I find it necessary in my heart to make an introductory clarification to you before I

proceed with my testimony. I have not come here as an adversary of Turkey but rather as a friend and one who is very fond of that country and its fine people. My testimony therefore is not an accusatory statement but rather an appeal to the Turkish Government to show respect for one of the most ancient centers of Christianity, the Ecumenical Patriarchate of Constantinople, founded in A.D. 38 by St. Andrew the Apostle, the brother of Peter who is believed to have founded the other ancient seat of universal Christianity, the Church of Rome.

It was in the eastern part of the Christian world, with the center being Constantinople, that the creeds all Christians confess today were proclaimed. It is in that sacred place where the first ecumenical council established, with inspiration of the Holy Spirit, that sacred canon of books which is revered today by all Christians and is known as the New Testament. It is under the leadership and the guidance of the Ecumenical Patriarchate that this, the constitutional dogmatic framework of the Christian church, was formulated.

And it was from this setting that Christianity was delivered to the Slavic world. During the cold war years the Ecumenical Patriarchate served as a beacon of hope to all Orthodox Christians living under Communist oppression. And today most Orthodox ethnic jurisdictions in the world look to the Ecumenical Patriarchate for guidance and spiritual leadership. And I wanted to refer specifically to the Ukrainian problem.

The setting from which the Ecumenical Patriarchate exercises its authority of law is the same as it was in A.D. 38, in the years of the Ecumenical Consuls in Constantinople, which is today Istanbul.

I lived in Turkey for a period of 7 years, 1951 to 1958, as a student of the famous Theological School of Halki, the alma mater of patriarchs, archbishops, bishops, and theologians for 150 years. Today that venerable institution is closed. And although strong restrictions in recruiting students from abroad were placed on the school since 1967, the final blow was given in 1971. The reason was political and had absolutely nothing to do with the school, its faculty, its students, and the Ecumenical Patriarchate. The unresolved differences between Turkey and Greece over the Aegean and the Cyprus issues were the excuses to close the school, a purely spiritual and non-political expression.

Ecumenical Patriarch Bartholomew, the spiritual leader of 215 million Orthodox in the world, a remarkable spiritual leader who has been received with honors by practically all European heads of state, has been refused an audience with his own prime minister to discuss the problems that the Patriarchate is confronted with in administering its spiritual duties, first among which is Halki.

I hope that you will agree that Patriarch Bartholomew needs and deserves the support of the United States to convince Turkey that its fellowship and association with the nations that value respect, human rights, and religious freedom require that Turkey also respect those basic principles. Turkey's declarations that its territory is a haven for religiously and culturally diverse groups remain hollow if they are not practically applied. And America must counsel Turkey, not just give, give, give.

But no matter how important the friendship and alliance between the two countries is, the United States cannot continue sharing the guilt. I believe that we share the guilt of the violation of the rights of the Ecumenical Patriarchate which has millions, about five million Orthodox in this country.

I know that there are many in the State Department and in the Congress who advocate

a hands-off policy for Turkey in reference to the violation of the freedoms of the Ecumenical Patriarchate. This policy we know. They who make it know it's wrong. And it does not do any good for Turkey since our apathy is interpreted as an encouragement to oppression. The time has come for America to advise and demand respect for religious, cultural, and human rights in exchange for our continued support and assistance.

Today Turkey and Greece, both U.S. allies, are at a crossroads. And both are needed as our country struggles to bring peace in the Balkans. Our State Department should use its ingenuity to find a way for a new Greco-Turkish rapprochement. Covering up atrocities and human and religious rights violations is not the way to help Turkey, Greece, or any other country. We have been using this method for about 30 years, and it has not worked. Maybe this Committee, this government, can show a better way that all civilized nations follow.

Mr. Wise and fellow members of the panel and fellow listeners, I hope that Turkey will be made to realize that the best way to demonstrate its will is by making this little small concession to allow this school, the center of life for the Ecumenical Patriarchate, the Theological School of Halki, to open.

Thank you very much.

Mr. Wise. Thank you very much, Father Papaioannou.

Our next panelist is Mr. Gerard Powers, who is Foreign Policy Adviser for the U.S. Catholic Conference, which is the public policy arm of the Roman Catholic Bishops of the United States. He has a particular expertise in the links between religion, nationalism, and conflict. And, like Father Kishkovsky, he has had direct participation in the OSCE process and most recently was a distinguished member of the United States delegation to the human rights review meeting in Warsaw, Poland, in October of this year.

Mr. Powers?

Mr. Powers. Thank you, Mr. Wise. I really appreciate the opportunity to be a member of the U.S. delegation. It was a valuable experience for me, and it was, in fact, the first time I had been to an OSCE meeting. My particular purpose there was to address the religious liberty question. The intervention that I gave is available outside.

I'm also glad to be here to get into a broader question of the relationship between minority and majority religions. I'm going to focus specifically on the Catholic Church in Central and Eastern Europe. This is not a problem that's confined to Central and Eastern Europe, but that will be the focus of my remarks, and is the focus of a longer paper which I've prepared for this briefing, which is also available.

My paper lays out first the Catholic perspective on the right to religious liberty. Second, I note four or five particular religious liberty problems that arise and that tend to have a relationship to majority/minority tensions. Third, I look at the church/state separation question and how that relates to religious liberty. Because a lot of attention has already been paid in the hearing in September to particular problems associated with particular manifestations of religious intolerance, I want to focus on the third part of my paper, which is church/state separation and religious freedom, because this in a way gets to one of the central issues that's of concern here.

In general the historical experience of religions in many Central and Eastern European countries has approximated one of two models. The pre-Communist model was a state church in many places. The state church had a monopoly on religion in society and relied on the state both for special privileges and—the “and” is important—to limit or deny the rights of minor-

ity religions and non-believers. During the Communist period, a second model, the atheist state, which was intolerant of all religion, was the norm. Obviously neither the state church model nor the atheist state model fully respects religious liberty.

With the transformation of 1989, many in the West hoped and expected that Central and Eastern Europe would quickly adopt a third model, something akin to the American-style religious pluralism based on a sharp church/state separation and the state's neutrality toward religion. Instead, in some countries there is a tendency of majority churches to revert to the pre-Communist model of a state church because, among other reasons, it was the model under which the majority church was free and flourishing and from the perspective of some nationalist politicians it is a model which can be easily manipulated to serve their interests.

In other countries, majority churches have not reverted to a state church model of the past, but neither have they embraced strict church/state separation as we would understand it in this country. Instead, their approach fits better under a fourth model in which the state gives practical preference to the majority church or to religion in general. But the majority church is not a state church because it and the state remain independent of each other and no effort is made to restrict minority religions.

The Catholic Church in Poland, Hungary, and Lithuania, for example, seems to be opting for a version of this model over strict church/state separation, because they see it as more in keeping with their historical and cultural realities. They fear the church/state separation is being promoted, often by former Communists, to promote secularism and to exclude the church from social life, effectively marginalizing and privatizing religion. The way church/state separation was misused under communism to repress religion only reinforces this fear.

Since the Second Vatican Council, the Catholic Church would consider both the church/state separation model, which we have in this country, and the church preference model, which I think is the model that the Catholic Church is opting for in the countries where it is a majority. The Catholic Church would consider both of these models acceptable means of protecting religious liberty, depending on the particular circumstances of a particular country.

Now obviously if one accepts this view, then one will be more tolerant of religious education in state schools, clergy salaries paid by the state, state funding for religious groups, Christian standards for the media, and other policies that might not pass muster under the American system and that might seem like religious liberty violations to an American's ear.

Religious minorities and non-believers often contend these policies are unwise, incompatible with a modern democracy or discriminatory. I would agree with Father Kishkovsky's point that religious groups in the region need to be focused more on whether they are being consistent in their approach to these issues. I'm not sure that you can demand religious education in the schools with all the appropriate opting out exceptions in a state where you are a majority, yet criticize it as a violation of religious liberty when the same thing is done across the border in a state where another religious group is in the majority.

Whatever one's view, it is necessary, I think, to appreciate the theological and cultural underpinnings of this model of church/state relations—that is, the church preference model—if you're going to understand the majority/minority church dynamics in Central and Eastern Europe.

I'd like to offer just a few concluding suggestions for a constructive approach to these

issues on the part of Americans. First, we should be careful not to impose a purely American church/state model on the countries of Central and Eastern Europe that have very different histories, cultures, and theological—and I emphasize theological—perspectives on this issue. Despite all the strengths of our First Amendment, American advocates for religious liberty should not fall victim to the temptation to remake Central and Eastern Europe in our image. As deep divisions in our own country reflect, there is no simple answer to the church/state question, nor is there only one legitimate church/state model for protecting religious liberty.

Second, the efforts by some traditional churches to impose restrictions on foreign and on minority religions derive in part from a deep-felt sense of insecurity and weakness arising in large part from their communist experience. Those of us from Western religious groups must make a special effort to understand and show respect for the culture, history and theology of these traditional churches. And it is vital that we reach out to leaders of these churches and even help them rebuild the life of their churches rather than seeing their countries and their congregants as fertile grounds for new converts. In some cases, it can be helpful for religious groups to make special arrangements with other religious groups to avoid misunderstandings and conflicts. I think a Catholic-Orthodox agreement on various aspects of their pastoral activities that was reached a couple years ago has helped lessen tensions between these two churches. And again, this is something that's done outside of the law. It's done voluntarily by two churches.

Third, ecumenism is in its formative stages in some parts of Central and Eastern Europe. Western religious groups can contribute to this development by ensuring that our activities are undertaken in a spirit of ecumenism and by looking for ways to support particular ecumenical initiatives in the region.

And finally the OSCE's Office for Democratic Institutions and Human Rights will be holding a seminar on religious liberty next year. I think this seminar should offer OSCE states and NGOs a valuable opportunity to delve more deeply into the specifics of the constitutional, legislative, and administrative aspects of religious liberty in an attempt to resolve some of these lingering problems that arise from majority/minority tensions. Thank you.

Mr. Wise. Thank you very much, Mr. Powers.

Our next panelist is Lauren Homer, founder of Law and Liberty Trust, a non-profit organization assisting in the restoration of the rule of law in the former Soviet Republics, with a particular focus on religious liberty. Ms. Homer is also the Chairman of International Law Group, a law firm specializing in representing religious organizations in their international activities in Russia and other former Soviet Republics.

Ms. Homer, please.

Ms. Homer. Thank you, Mr. Wise.

I regret that I do not have prepared comments today, but I expect to submit them within the next week. And I also want to echo Father Papaioannou and say that, as I make my comments, I hope that nothing that I say will be interpreted as involving any hostility toward Orthodoxy. I consider myself a great friend of the Russian Orthodox Church.

But I'm going to speak today on the subject of the establishment of the state church, with particular focus on the potential for reestablishment of the Russian Orthodox Church Moscow Patriarchate as the established church in Russia. And I think that this hearing is particularly timely in light of the forthcoming Russian elections on December 17th, which

are widely predicted to bring about a resurgence of Communist or nationalistic power in the state Duma, which many of us fear will be followed by a similar event when the Presidential elections are held next Spring. I just received yesterday a Kennan Institute program which has a panel with the title: "Russia After Yeltsin: Authoritarian or Totalitarianism?" And I'm afraid that that sums up the concerns that many of us have about what's happening in Russia at the present time.

I think that we have to look at the issue of the legal and political and spiritual aspects of reestablishment of a majority church in the context of current political developments, as well as Russian history. We can't understand what's happening now without looking at the long history of the Orthodox Church, which has existed in Russia for over 1,000 years and has primarily been an established or state church. Very often its role as an established church in Russia has been purchased at a great price of giving up its liberty, its right to elect its own leadership and its own hierarchs, and turning those rights over to state representatives, beginning with the Tsars. And there has been a period certainly since Peter the Great of a very active subjugation of the leadership of the church to the state. This has led to an integration of the spiritual life of the church with the political goals of the state, which has had its very positive aspects, but has also had some negative aspects for minorities within Russia.

And of course Russia has had a long tradition of many different religions. It began as a mission church of the Ecumenical Patriarchate, and it fought continually throughout its history with representatives of Islam. It's always had Jewish populations and certainly since the time of Peter the Great has had representatives of Western Christendom from the Catholic and Protestant perspectives. This is not to gainsay that the predominant church in Russia has always been the Orthodox Church and that it greatly informs the philosophical, moral and spiritual history of that nation.

Toward the end of the 19th century there was a period of an influx of new ideas about religion in Russia which was followed by some fairly significant legal repressions and restrictions on these renewal and Protestant movements. These restrictions lifted in the early part of this century, around 1905, at the same time that there were other political liberalization trends. But that brief moment of freedom for the church was followed by its complete subjugation following the revolution, and the determination that militant atheism would become the new established religion of the Soviet state. I don't think it's necessary this morning to repeat that tragic history and what happened to the church during that period in which thousands of clergy and believers were martyred, churches were closed, seminaries were closed, and the church was only able to continue by submitting to a complete infiltration of the hierarchy by KGB elements and to a reduction of its activities to simply presenting the sacraments to existing believers. It was forced to turn away from proselytization, charity, education of children, to stop its publishing of books and many of its other traditional activities. And this was true of all churches and all faiths in the Soviet Union.

From a legal perspective, things really only began to change 5 years ago in 1990 with the enactment of new legislation, first by the Soviet Union and then by the constituent republics which gave all churches equal rights and gave them back the rights that had been taken away during the Soviet period. And this was really only completed in early 1992. With the dissolution of the Soviet Union, we saw a brief period of real liberalization for all faiths in Russia, Ukraine, Belarus and other former Soviet republics.

Unfortunately, what I am observing today is a continuation of the former history. And I see a very complex situation within the Orthodox Church and within other churches in Russia and former Soviet republics that survived throughout the Communist period. Russia itself is splintered right now into a small group of people who have consolidated power by employing methods of corruption and use of money and behind-the-scenes power to amass great wealth. And the vast majority of people are extremely poor, destitute, hopeless, and extremely upset, which is the reason why Communist and nationalistic elements are likely to prevail in the upcoming election.

I have spent considerable time in outlying regions of Russia and have been really blessed and astonished at the growth of the church in the country regions. The teams of babushkas, 10 or 20, who were required to keep the churches open during the Soviet period are still there, and they're being joined by large numbers of converts. Every church that I've been in on Sunday mornings has had lots of baptisms, and there are wonderful things going on.

Within the Patriarchate itself there are a number of different elements and different factors. And I think as Father Kishkovsky said, there is the spiritual Bolshevik element, but there is also an element that truly understands that the church needs to be reenergized and needs to work closely with its compatriots from Orthodoxy throughout the world and also from other Christian traditions if it's going to recapture the hearts, minds and spirits of the Russian people.

I attended a conference in January of this year at which one of the leading advocates of enactment of laws restricting activities of foreign religious organizations spoke, really very deeply from his heart, about this issue and pointed out something which those of us who read the opinion surveys all know, which is that probably only about 5 percent of the entire population of Russia could really be considered believers. That is, these are people who say that they go to church more than once a month. Anywhere from 51 to 76 percent of the population identifies itself as Orthodox. However, the vast majority of those same people say that they don't believe in God. So we're talking about a cultural and spiritual heritage, rather than a living faith. And this is the great problem of Russia as I see it today, which is that there are so few people of true faith. And this is really, if we think about it, the explanation of the lawlessness that we're seeing in the country right now, the emerging tyranny of the Mafia in which no one is safe from political or economic assassination. I was told by a friend that the price of a life in Moscow right now, the price of buying a hired assassin, is less than \$1,000, and \$1,000 isn't much in the current world of the Russian Mafia.

These are the forces that really threaten Russia, that really threaten its ability to reestablish democracy and to stabilize itself. And as we all know it's a huge nation, it's a varied nation. There are parts of Russia, for instance Tartarstan, which have decided that Islam is their predominant religion. There are other places that have decided that Buddhism is a predominant religion. And so I feel that it would be a great mistake for Russia to try to reestablish the Orthodox Church as a state church along the lines that it was prior to the revolution. However, there are many who are arguing in that direction.

And the terrible risk that we face is that we will go back to a situation in which the desire of the church for economic stability and for power will become entwined with the desire of various, and fairly negative, political elements for political power and legitimacy. And the two could become tied together in a most unfortunate way, leading to stagnation of the spiritual renewal of the church and also to great suffering and great persecution of mi-

nority faiths across Russia, and possibly Belarus and Ukraine as well. And I think that our Orthodox colleagues this morning expressed so eloquently what has happened to Orthodoxy in countries in which it is in the minority and where political elements have decided to embrace a particular faith.

The task of the CSCE is not to impose any set of spiritual views on any constituent nations, and it's also not to impose any particular model of legal regulation of religious organizations. I don't believe that the Russian model has to be exactly the same as the U.S. model. I'm not sure that Russia can continue to stand up under the onslaught of different ideas and opinions that it has been dealing with, either religious or other types of ideas and opinions. It's completely overrun by free speech of every sort, including pornography and every form of politically evil speech. Some of the things that are being published in the papers are absolutely astonishing and are rightly termed destructive and the subject of laws that are trying to stop this type of hate speech.

But on the other hand, I think that the CSCE, with its responsibility to deal with the stability of the region, has got to try to at least encourage very strongly the maintenance of tolerance in the former Soviet republics. The comment was made earlier about the reciprocity in religious speech. What tends to happen is, if Russia feels that it can do something to promote Orthodoxy, well then Kazakhstan may decide that it can do something to promote Islam, and we know that Kazakhstan has a substantial Russian population of which the majority is at least historically Orthodox, which has already suffered and is likely to continue to suffer.

We're looking at a region with a tremendous amount of variability. And part of the reason why the Soviet state declared the existence of the Soviet man was in order to mask and suppress those differences. They're coming to the surface now and provide great risks for the stability of the region. And so I just hope that the CSCE will continue to take its stand in support of the Helsinki Accords and try, in a very sympathetic but also very strong way, to see to it that tolerance remains the operative word in these republics. Thank you.

Mr. Wise. Thank you very much, Ms. Homer. I think the CSCE—the OSCE as it's now called—will continue to be active in trying to support religious freedom for all kinds of religions, including, of course, the minority.

Our final panelist to speak today is Mr. Lee Boothby, vice president, Council on Religious Freedom, and, at the same time, counsel, Seventh Day Adventist Church. He also serves as vice president and a fellow of the International Academy for the Freedom of Religion and Belief and has served as a member of the Religious Liberty Committee of the National Council of Churches of Christ in the United States.

Mr. Boothby?

Mr. Boothby. Thank you, Mr. Wise.

Perhaps the dimension that I bring to the panel discussion today is the perspective of a religious community that may generally be a minority in every country. The laws of the countries of the former Soviet Union on paper generally guarantee governmental equal treatment of religious organizations, but, paraphrasing George Orwell's "Animal Farm," in these countries some religious organizations are more equal than others. Traditional religions are commonly treated more favorably than minority religions. It is perhaps most distressing that minority religions, even those that had been in a given country since the 19th century, are experiencing more and more difficulty carrying out their ministries. This is especially

true when representatives of the traditional or dominant faith exert pressure, as they often do, on the local authorities.

Unfortunately, many of the laws give extensive authority to local government officials in religious matters, thus violating the equal treatment provisions of the countries' laws.

Ukraine provides an example of the problem experienced by minority religions. The Ukrainian law of freedom of conscience and religious organizations of April 23, 1991, defines freedom of conscience accordingly: "All citizens shall have the guaranteed right of freedom of conscience. The above right shall include the freedom to have, to adopt, and to change religion or convictions of one's own choice and the freedom to profess individually or together with other persons any religion or to profess no religion, to establish religious cults, to express openly and to spread freely one's own religious or atheistic convictions."

The official handbook used by the Council for Religious Affairs in Ukraine during the years 1991 through 1994 claimed that freedom of conscience is guaranteed in Ukraine to anybody who stays on its territory, irrespective of the period of stay. While this is what the 1991 law should say to be in compliance with international human rights commitments, a comparison of this statement with the law demonstrates that the text of the law does not extend to non-citizens full rights and freedoms bestowed on citizens. This legal defect was amplified when, in December 1993, the Ukrainian parliament, in an amendment to Article 24 of the Ukrainian law, stated, "Clergymen, preachers, of religion, instructors and other representatives of foreign organizations who are foreign citizens temporarily staying in Ukraine may preach religious dogmas, perform religious rites and practice other canonic activities only in those religious organizations on whose invitations they come and upon an official agreement with the state body which has registered the statute of the corresponding religious organization."

Ukrainian law purports to establish no dominant church or churches and does not utilize the terms "traditional" or "non-traditional" in making any distinction among confessions.

Unfortunately, Article 24 is ambiguous in indicating that "foreign preachers may preach or perform rites only in those religious organizations on whose invitation they come." The law's ambiguity is exacerbated by the fact that the invitation of the local religious community is not in itself sufficient to obtain a visa for a foreign religious minister. The invitation must be approved by a local government official that registers the religious community. Furthermore, there is no appeal from the local authorities' determination.

I make reference to Ukraine because Ukraine is rather unique. There you have a competition within the religious community by three separate Orthodox groups. You have two Catholic groups and you have several Protestant groups. This amplifies the problems that develop at the local level, and that's what I want to focus on.

Recently the President of Ukraine entered an order to be executed no later than December 1, 1995. It provided that the Ministry of Nationalities, Migration, and Cults and the Ministry of Justice should examine the activities of organizations established on the basis of their religious or national cultural attributes to determine if they are operating in accord with the demands of legislation of Ukraine and their own provisions, and to discontinue work of those organizations transgressing the laws of Ukraine and their own statutes.

Another order to be executed not later than October 30, 1995, was the following: "The Ministry of Education, the Ministry of Culture, the State Broadcasting Committee, and the

National Academy of Sciences are to examine the professional level of representatives of foreign religious organizations who rent the edifices and equipment of these institutions.” The order further directed them “to implement measures for discontinuation of the religious propagandistic and other activities of the foreign functionaries, whose dealings do not conform to the laws and national interests of Ukraine.”

Of course, whether something conforms to Ukraine “national interest” is completely arbitrary, and the language is vague enough to allow governmental officials to deny the requested activities of minority religious organizations.

Under international norms, state authority with respect to manifestations of religion either by individuals or by religious organizations may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights of others. Moreover, such limitations on manifestations of religions must be proportionate to its aim to protect any of the listed interests. As an example, limitations that have as their purpose the protection of morals must be based on principles not derived exclusively from a single religious tradition.

It is clear Ukrainian local governmental authorities believe they have the prerogative to intrude into the internal affairs of religious organizations. For instance, the Director for Religious Affairs in the city of Kiev said that the Seventh Day Adventist Church would be permitted to baptize only 100 people into their faith during an authorized public meeting. A recent directive from the President of Ukraine specifically directed local governments to exercise greater control over religious organizations within their territory.

There was also the threat of having visas canceled when local authorities concluded that the religious organizations have engaged in agitation against the state establishment. This is clearly intimidating to a minority religious faith.

Other republics also provide us with similar examples of local government restrictions on religious organizations. On July 3, 1995, a decree was issued by the cabinet ministers of Belarus concerning activities of foreign church ministers. The decree provided in part: “Foreign church ministers can be invited by existing religious centers only after counsel with the Council of Religious Affairs to satisfy needs of the believers. The ministers are permitted to conduct their services among believers of their denomination on the territory of church activity and only in buildings either belonging to a particular church or having long-term leasing.”

But there are two examples involving the Seventh Day Adventist churches which show the inequality of treatment by local government authorities. This fall, the Adventist Church planned to hold meetings in one city using foreign evangelists. However, the church was informed by the local authorities that the meetings could only be conducted by a local minister. However, at approximately the same time in another city in Belarus, the administrative head of that city granted authority for a foreign evangelist to hold similar meetings in that city.

Several countries in Eastern and Central Europe are also contemplating legislation that would severely impact minority religious groups. In Croatia, consideration is being given to limit the activities of those religious organizations that do not have a substantial number of members already in their country. Other countries in Eastern and Central Europe are considering legislation which would give to the traditional religious organization within the country privileges not enjoyed by other religious organizations for a specified number of years.

In sum, in the former Soviet Union, nationalism is on the rise, with a corresponding movement toward granting the dominant religious faith or faiths within that state privileges not enjoyed by all. This inequality restricts the religious freedom, speech, and assembly of minority religious faiths.

Thank you.

Mr. Wise. Thank you very much, Mr. Boothby.

That finishes our presentations from the panel and brings us to the point where we have questions from you in the audience. I would ask that those of you who would like to ask a question after being recognized by me proceed to this microphone on my right and ask your question there so that we can have the question and all of the responses put in our record, which is being taped today. If you have a specific panelist to whom you'd like to direct the question, please indicate his or her name. And now it's open for your questions.

Yes, in the back, sir.

Questioner. Hi. My name is Scott Hibbard, and I'm with the U.S. Institute of Peace. This being Washington, we're always very interested in policy prescriptions, aside from the descriptions which you all have so ably given. I'm quite curious for all the members of the panel what your feelings are on some of the conclusions which Gerry Powers laid out in his presentation.

Mr. Powers. Does anyone remember? [Laughter.]

Questioner. I mean the premise that there is more than one answer to the separation of church/state, but that the premise of some kind of church/state separation is a valuable means of ensuring some kind of religious liberty. I guess the second issue would also be that there's the notion of rebuilding or helping the churches rebuild their constituencies as not necessarily seeing these new areas as grounds for a conversion.

Mr. Wise. Father Kishkovsky says he'll respond.

Fr. Kishkovsky. The question of religious liberty is clearly one that I personally and we as Americans want to affirm strongly. At the same time I do agree with Gerry Powers' point that we cannot effectively approach this question when we presume that the only model that will work is the American one. For example, in Northern Europe, in Scandinavia, I mean, we can agree or disagree about this obviously, in terms of whether this is good or bad, but the reality is that in Scandinavia you have state churches. They happen to be Lutheran. The reality also is that by and large as a principle and as an experience religious liberty is protected in Scandinavia. I know that some free churches would certainly criticize that model in Scandinavia itself. So would the Roman Catholics in some places, I'm sure. But nonetheless, more and more as years have passed the model of having an established church in such countries as Scandinavia has not militated against having guarantees of religious liberty.

Therefore when one deals with the situation in Croatia or Poland or Russia—who are all, after all, in Europe and not in North America—when we as Americans come in with only our model in mind, they very quickly point out that, well, in Scandinavia and Great Britain and so on and so forth there are European democratic societies in which you have a historic religion which has some form of establishment and yet very strong guarantees of religious liberty for others.

Now, I happen to be personally somewhat uncomfortable about the state-established church model, but it is not practical as a policy prescription, it seems to me, for us as Americans in the OSCE process to insist only upon our model. And therefore, there is a certain

pluralism of models, it seems to me, that in fact exists.

The question is, is religious liberty for all, and certainly especially for minorities, protected in the models that are operating? So we ought to have the kind of list of qualifications or criteria without necessarily imposing or thinking only in terms of our own American model.

Mr. Wise. Other comments? Yes, Mr. Boothby?

Mr. Boothby. Many of you may know that I am in the United States a separationist. But I do not believe that we can impose our views on other traditions. But I do think that there are two principles that are somewhat uniquely American that I think are very applicable to all the societies that we're dealing with. The one principle which Justice O'Connor has articulated recently is that no one within the country should, because of his religious beliefs, ever be considered to be a political outsider. I think that is a principle that we can all agree on, and it's a basic principle necessary for equality of treatment.

The second one that I am increasingly concerned about is another American principle, and that is that the state should to the least extent necessary for its legitimate governmental concerns permit governmental intrusion into the internal affairs of religious organizations. That's an American principle that I think we all hope every country will ultimately put in place. I think some of the countries struggle with that concept after having lived under years of Communist domination where the government did control the religious activities of religious organizations. But to the extent that those principles apply, I think the American model is very realistic.

Mr. Wise. Father, would you like to comment? Father Papaioannou.

Fr. Papaioannou. I just wanted to make a brief comment. It is very difficult for those who have not lived in or whose origin is not connected with countries that have established churches. I'm referring in particular to Orthodoxy, both in Greece and in Eastern Europe. In Greece for instance, a church has identified itself with the ideas, the ideals, the beliefs of the people, their dreams at the most crucial moments of their existence. Take for instance Greece under Turkish conquest. There had been nothing left of their faith, but also of their ancestry, of their civilization, of their language without the church. So that is why, because the church plays such an important role in the preservation of those ideals, that following the Greek revolution and the independence of the Greek nation as an expression of gratitude for everything the church had done for the preservation of Helenism, it made it the official faith.

That doesn't mean that in the 20th century that we should continue to exclude other people from having freedom of religion, freedom of conscience and people to visit and ministers to participate. But I talk the way I talk because I am an American. I have this opportunity to see how things work here. When it comes to Eastern Europe, I think there is a need for us to show some empathy, because, although there was a period of 70 years where officially atheism was the religion of those countries, these people historically are identified with Orthodoxy. All of a sudden communism fell and so many of us, so many religious groups, find the opportunity to go to Eastern Europe and make converts. And it is not an easy thing for them to accept. It's difficult. Thank you.

Mr. Wise. One last.

Fr. Kishkovsky. Just a little addendum. The principles and policy implications of establishing, affirming, and protecting religious and civil liberties it seems to me we can agree on. It's very important, though, to see in each instance what the texture of the actual situation is, and what is the meaning of what is occurring. Two quick examples.

In Russia, in the secular media, for a while the following tension and conflict played itself out. A minority religious group, a new religious group, and I have in mind the Unification Church, had in the process of its contact with Russian governmental departments established for itself a channel through which it was able (with the approval of the Ministry of Education) to have direct access to teaching of values in Russian schools. Now, when the Russian Orthodox Church or some of its representatives objected to that, they were attacked as being, you see, against religious liberty. When some of the Russian Orthodox, rather than attacking what had occurred with the Unification Church and the Russian Ministry of Education, promoted the notion that the Russian Orthodox Church should have some access to the teaching of values in the Russian schools, then they were also attacked in some of the secular media for seeking dominance and domination.

So you can't have it both ways, in other words. If a minority group can achieve some access to the educational system, why would then one prevent the majority group from having some in appropriate circumstances. That's just one illustration of what can go on around these issues of religious liberty.

The other one is about Ukraine. When Mr. Boothby was speaking, it occurred to me that in Ukraine, as far as I know, Ukrainian national interest has been used by some of these civil authorities in a way that puts at a disadvantage minority religious groups, but in other times and places in Ukraine, Ukrainian national interest as interpreted by some local authorities has been used against the majority, in fact, because among the Orthodox the majority is still without any question the Orthodox group which associates itself with the Russian Orthodox Church. It's some 5,000 or 6,000 parishes. It's by far the greatest, the largest group. And yet the way the laws have been written and interpreted has allowed in a number of instances local authorities to make decisions which put at a great disadvantage the majority. And that was done also with a view of protecting or advancing Ukrainian national interests.

So sometimes minorities can be trapped in these situations and sometimes even majorities can be trapped by how laws and civil authorities interrelate and function.

Mr. Wise. Thank you. I saw a hand in the back there.

Questioner. Hello. I'm John Hanford with Senator Lugar. I'm interested in asking some of the panelists what they think can be done when we see one denomination strive to achieve for itself a position of dominance in that country. Perhaps we can start with our Orthodox friends and then ask Mr. Powers from the Catholic perspective.

And then I might just say quickly there are several things that frustrate me. One would be that many traditions over the years have worked to try to achieve freedom for the Orthodox Church in some of these contexts. Then when they see that church become suppressive of minority faiths, of course they feel betrayed in a sense.

A second thing that I think causes frustration about this are indications that there has been cooperation behind the scenes between the Orthodox and at times suppressive regimes like the Soviets. The Furov Report would be one indication of this where a KGB document was leaked which ranked Orthodox priests according to their cooperation with the church. And for some reason the priests which had over the years cooperated very heavily have not been disciplined since that time and still some of them remain in power and still in a position to work with Communist sympathizers.

Another thing that frustrates me personally is when the Orthodox will appropriately lobby Congress on some of the concerns that our friend from Bethesda was mentioning. I

have a pile of things that we've gotten in Senator Lugar's office asking for our help as problems that you mentioned concerning the Ecumenical Patriarchy in Turkey and problems in Cyprus. And this is entirely appropriate. But I'm asking you now what would your counsel be as many of us would like to work with the Orthodox so that they perhaps maintain or enjoy their traditional position in their country but not suppress minority faiths. What would your thoughts be on that?

Fr. Papaioannou. Wonderful.

Mr. Wise. Father Papaioannou?

Fr. Papaioannou. First of all, thank you for your statement and all your support for Orthodoxy. And I'm sure that my friend, Father Leonid, will be «MD30»the better person to talk about the Soviet Union, of course. But when it comes to the help that you have given us, yes, I appreciate that, but I have to confess that when it comes to results we have gotten zero. Zero. We have nothing. I cannot justify any results coming from the United States and from other denominations in support of our Patriarchate. So that doesn't mean that I should not render my hand to you, and I believe that if something comes to my attention, for instance, and of course the only area that I can help is the area of Greece and already I have written things. And I think now especially now with Greece being in the European Community has to open and it is open and there are churches—Evangelical churches and Roman Catholic institutions—in Greece that began coming to what you said before. Unfortunately we have not gotten anything.

The situation with the Ecumenical Patriarchate with which we have asked you for help is deteriorating. There is a slow death. And so don't tell me that you have given us, because we have not received.

Thank you.

Mr. Wise. Father Kishkovsky, any comments?

Fr. Kishkovsky. I take your point very much about the need to engage the Orthodox, among other religious groups and churches, on the question of the protection of minority rights. I would have to say that when I am over there I suppose I might make your speech, and that's as it should be. I have made your speech. When I'm here I find myself really compelled to point out other dimensions. I think it's very important, in talking about Central and Eastern Europe, to see everything that is happening as being part of this so-called post-Communist era.

There is this syndrome of social reactions to very disorienting phenomena and new events and new phenomena for those societies. And the reactions are generally really quite similar, whether it is Estonia which is mostly Lutheran, or Latvia which is primarily Lutheran and Catholic with a small Orthodox minority, or primarily Orthodox Romania and primarily Orthodox Russia. That is the reaction after a closed system collapses and many new groups, phenomena, manifestations, very confusing and very disorienting, enter into social life. The reaction of the society, of the state, and of the traditional churches, all of them, is defensiveness and a certain search for mechanisms that would bring these phenomena under some form of limitation.

And it's politically and psychologically an understandable reaction, but we do need, as Americans, to realize that these reactions are part of this period of the collapse of closed systems of totalitarianism, resulting in confusion—political, religious, philosophical, ideological, economic. And in a country like Latvia, you may be surprised to learn that the tradi-

tional churches are considered to be Roman Catholic, Lutheran, Orthodox and Baptist because they've been there for a long time. And so the state in Latvia regards these churches plus the Jewish community as being the traditional expressions of religious life in Latvia and seeks their guidance and their input as to how the society should deal with new religious phenomena.

Something of the same dynamic occurs in Russia, where the majority in one way or another is connected to Russian Orthodoxy. Maybe it's a kind of cultural inheritance for many and for a smaller number. In Russia the Baptists in certain contexts are considered to be a traditional church because they have been there for some time. And it is those new groups and phenomena that come from other countries which create new tensions and difficulties. We—they think—we must try to stand with them and help them go through this period in some way that is as just and equitable and juridically proper as possible, protecting the rights of all. But I do think we need to understand what the dynamic of reaction to the new phenomena is.

And, finally, on the KGB. Yes, there was KGB secret police control, manipulation, and infiltration of religious groups throughout the Communist world. It was an ecumenical phenomenon. It certainly was not only Orthodox. It was ecumenical. It was interfaith, in fact. Whether you're speaking of Muslims or Jews or Buddhists or Roman Catholics or Orthodox or Protestants, the secret police were pretty much about the same business with all of them. In the churches which don't elect their officials every two or 3 years but which ordain and elect their leaders quite often for life, it is certainly the case that some of those who were in some fashion implicated are still in office. But actually that at least gives the impetus for a continuing moral scrutiny. What did it mean that under this tremendous oppression and persecution still some of our leaders, maybe many of them, were in one fashion or another coopted? At least it's a continuing issue.

And I must say, as an ecumenical worker and an ecumenical colleague of many who are not Orthodox, I have to say that in Protestant churches, for example, in Eastern Europe, it's been a little too easy. They've elected new officials and there's "no problem." We never had a problem, you see. So the moral issue in a sense is taken off the agenda by simply kicking out a whole generation of leaders and electing new ones. We have no problem. We cleaned up our house. Yet the problem remains: morally speaking what did it mean that religious leaders, be they Baptist, Orthodox, or others, were coopted into a system of state-controlled manipulation? That's the real issue to discuss, not have those churches who have gotten new leaders done the right thing. Maybe they've done the right thing, but they also refuse to discuss the issue anymore. There's no issue. We took care of our problem by removing the old leadership, but the moral problem is there. How did it happen the religious communities were, through their leaders, in many instances coopted?

Questioner. I wanted to just ask the Orthodox gentleman what can be done—that really was the point of my question—what can be done to address situations such as Bulgaria, Russia increasingly, and even Greece as you mentioned, where the Orthodox Church is seeking to assert a more controlling influence than some of us would wish? Is there a mechanism within the Orthodox community where parts of the Orthodox community that have a different perspective are speaking out forcefully to ask of their brethren, because you're going to have greater credibility than some of the rest of us? Or is the National Council of Churches, which sometimes in the past has been more mute than it should be at times of religious

suppression, have they spoken out trying to set a standard where one denomination will not assert itself over others?

Mr. Powers. Let's finish this point, if we may.

Fr. Kishkovsky. We should continue this conversation. Very briefly the Orthodox Church is not a highly centralized and monolithic body, so to look for one mechanism in the world to address this issue in every country is impractical. However, I think one of the mechanisms that ought to be used by us as Americans, as American citizens and as people of religious faith in America, would be to make sure that as often as possible our forays into those regions are inter-Christian and maybe inter-faith, so that when we appear as Americans in the various situations, we are there even in some silent way as witnesses to the fact that we who are Orthodox, Roman Catholic, Protestants, Jewish, and Muslim in the United States have a certain commonality of concern about what is occurring in the context of religious liberty in the various societies.

I think it's a lot less helpful when it is a Roman Catholic delegation, only a Roman Catholic, that appears in Zagreb and then only an Orthodox delegation that appears in Belgrade and only a Protestant delegation goes to some other place. Then we ourselves are not in fact modeling what is our best intuition about what interreligious cooperation and tolerance is all about.

Mr. Wise. Father Papaioannou, do you have one quick—

Fr. Papaioannou. What I wanted to say is that you have to realize that when you take Greece, for example, you go to a village, 100 percent of these people are baptized Orthodox. The country as a whole has a religious tradition. They were born, practically all of them, baptized, and this is their faith. So if you want us to make—some don't believe, by the way, in proselytism; we Orthodox do not believe in that. So if you have in mind that Orthodoxy should accommodate other faiths to go and proselytize, we cannot do it. And this is what you are facing in most of the Orthodox countries with the exception for the time being in the countries behind the old Iron Curtain.

Questioner. I think what people would wish for is the same freedoms that the Orthodox enjoy here. You know, the Southern Baptists are the largest denomination, that they do not suppress the Orthodox in this country. It would be nice to see the Baptists in Greece, if they wanted to build a church, because there are Baptists there, be given permission by the government—

Fr. Papaioannou. I agree with you.

Questioner [continuing]. But often they are—

Fr. Papaioannou. I agree with you.

Questioner [continuing]. Flatly denied.

Fr. Papaioannou. I agree with you completely. If there is a group of people that legally applies for a church, they must be accommodated. And I believe that you feel the same way.

Questioner. I'm just encouraging you Orthodox to speak to your brethren. We've helped you, tried to help you on a number of fronts. We will continue to. And no country is perfect, but we would like to see the reciprocal concern—

Fr. Papaioannou. You have a man here who has served as the head of the National Council of Churches and he feels more than anybody else this ecumenical spirit, and I am sure that he will pursue that. And on behalf of the other part that is Greek Orthodoxy, I'm saying to you that we will continue to advance that spirit of ecumenism.

Mr. Wise. I think your question's been pretty well answered. You can please sit down. But Mr. Powers had a comment.

Mr. Powers. Well, I want to address your concern about dominance, which relates to Lee Boothby's principle that religious identity should not make one a political outsider. I think the traditional distinction between church/state and state and society might be helpful here. Clearly no single church should dominate the state. Clearly no single church should use its tradition or history, its dominance, to—in terms of its numbers—to limit the religious freedom of other bodies. And I think we all agree with that. I agreed with almost everything, every concern that Lee Boothby mentioned regarding Ukraine, for instance. I agree that those are violations.

But I don't think that you can expect or it is a requirement of religious liberty that every religion have the same influence in society. It's only natural that the Catholic Church in Poland would have more influence in Polish society and culture than the Seventh Day Adventists or the Orthodox. And the reverse is true in Russia, for example.

And I don't think you can expect a church that's a majority simply to refrain from speaking to issues that they feel very much affect their moral teachings or human dignity simply because they will have too much influence on public policy. Part of the right to religious liberty is that you have an opportunity to free speech so that you can address matters of private concern and also public concern.

And a lot of the debate that's taking place regarding constitutional questions in Eastern Europe relates to this question of the secular state and what that means. What at least the majority religions fear in the efforts to put in the constitution that the state is a secular state, is a partial return to the bad old days under communism or they see that as perhaps an introduction of what they consider extreme versions of secularism coming from the West where religion is essentially privatized and marginalized in society. They would legitimately see that as a problem.

So I think you can demand all religions should have equal access, but I don't think you can demand that they all have equal influence in society.

Mr. Wise. Any other comments down there?

Ms. Homer. Well, just one very brief comment along the same lines. I think Gerry used a term of church preference model, and I would go even a little further than you have that I don't think that a state is under any obligation to support churches that do not represent the majority of the culture. You know, obviously in Russia the Church of the Saviour is not being reconstructed with the kopeks from the faithful believers. There's a great deal of state money going in, and I don't think anyone would argue that foreign religious organizations or necessarily other religious organizations should have the same privilege. But it always goes back to the right, the right to be free from arbitrary treatment, the right to be able to express one's faith and lead others to that faith as such.

Mr. Wise. Lee Boothby.

Mr. Boothby. Just a brief comment in response to the last question. There are interesting things occurring. President Yeltsin within the last few months, two or 3 months as I recall, has appointed a council made up of representatives of the various religious communities in Russia. I think that group really has the potential of resolving a lot of problems if, in fact, all of the religious groups—Catholic, Orthodox, Protestants and the other religious communities—actually seize that as an opportunity to do what we have really done effectively in

the United States.

I have been impressed by involvement which a number of us have had in ecumenical groups. I serve, as do a number of you, on the Religious Liberty Committee of the National Council of Churches, which is made up not only of constituent groups of the National Council of Churches, but also the Catholics and Jewish groups and other groups that are not members of the National Council. The Religious Freedom Restoration Coalition four times a year brings together all the religious groups in the United States and we talk out the problems. We may not agree on everything, but we talk out the problems.

A couple of months ago I was meeting with the adviser to President Kuchma, and he was searching. He was saying, What can we do to bring the religious groups together in Ukraine, because at that time, as you may remember, they tried to bury the patriarch of the Ukrainian Orthodox Church, and there were a lot of problems. I think there is a real searching, both voluntarily and by government, to bring the groups together.

And if Orthodox and Catholics and Protestants can get together like we have here, we may not agree, but there are some common problems that we all experience. For instance, in Ukraine there is a commonality of problems as was indicated, according to what region you happen to live in. And if the Orthodox and Catholics and Protestants and Jewish groups and other religions can get together in dialog and talk about the problem, it's going to eliminate a lot of the problems that, when we stand off and throw stones at each other, exacerbate the problem.

Mr. Wise. All right. You still have a question there? Good.

Questioner. Mr. Chairman and distinguished panel, I'm Sam Ericsson of Advocates International. I'd just like to make one comment. I read the United Nations Charter the other day, opening lines that there's a commitment to practice tolerance and live together in peace with one another as good neighbors. It's the first few lines of the charter. I agree with Lee Boothby that if the six of you were running the show we could get these issues resolved quite quickly.

I do feel that we have all failed, all faith traditions—Evangelicals, which is my faith tradition, Protestants, Catholic, Orthodox, Jewish—we've all failed in one very serious area: We only speak up when we're under attack. It's rare when we speak up for the others. And therefore I think we should all as we end the year admit that in 1995 we fell short. In 1996 let's do better.

What to do? Some specifics. And I have submitted a very brief statement that includes this. One specific thing is to let us speak with one voice on behalf of the Eastern Orthodox Church who has been denied the right to operate its seminary for 25 years. Let us speak with one voice. Let the Roman Catholic community, let the Protestant community, let all speak to this issue.

I've been to Ankara three times on this issue myself, but when I get to Ankara they say to me, if the Greeks would love their neighbor as themselves in Greece, maybe we would see some progress in Turkey. That may be politics, but that's again their response to me, and I'm not here to attack Greece.

The irony though is—and this is the point that John Hanford raised—is in Bulgaria, where I've been a dozen times. For the last 4 years a very small Bible institute has been fighting for registration for the right to exist. And they've been there in Bulgaria for 150 years, so they're part of the tradition, Baptist. They were almost shut down, and not a single

Orthodox clergy spoke up one time for a little group of 25 or 30 people meeting in a little room trying to learn the scriptures. Not one Orthodox. Let's all admit we fell short in 1995, but let us all love our neighbor as ourselves, to do unto others as you would have them do unto you. That is what all religions say they believe in, and they give lip service to. And I say let's for 1995, let's speak with one voice on issues like Halki, and issues like those in Bulgaria.

And with that I would like to introduce one guest here this morning who is a judge in Bulgaria, has been a judge for 3 years. He is vice chairman of the Rule of Law Institute that focuses on these issues. He's been involved in these issues. He has lived there for 28 years under the system. And he has just one little parting comment and a question and a challenge to the panel. His name is Aleksey Ivanov, and he is here for two more days before he returns with his wife to Bulgaria. If he could, Mr. Chairman, just make a closing comment and make a question?

Mr. Wise. If you'll make it not too lengthy, please come forward. Yes? Not too long because our time is running out, but please, sir, you have a question.

Questioner. I just only want to read part of my statement, just to make my point clear, because I'm sure that the members of the panel understand what's going on in Bulgaria, but I'm not sure that the people in the room understand what's going on in my country. The problem facing Protestants is a very practical one. For example, it's nice to talk about the freedom of worship. I just want to excuse myself. I want to read it to make it more fast, because I'm not so fluent in English. But that freedom sounds very hollow when in 1994 the government began similarly canceling the registration statutes of many Protestant church groups, thereby preventing them from owning or renting any place to meet or entering into any binding contracts. It has had a devastating impact on many church groups.

I have been a regional judge in Sofia for over 3 years. When someone of the Orthodox faith is in my court in a case against Roman Catholic, Muslim and Jew, their religious tradition cannot be relevant to the way I make my decision. According to our constitution all citizens shall be equal before the law and there shall be no privileges or restrictions on the grounds of religion.

These level-playing-field principles should govern when it comes to how the states view Protestant and other faiths under the law. Protestants do not ask for preferential treatment in Bulgaria. They don't want to be treated any better than Eastern Orthodox, Roman Catholic, Muslims or Jews. But they do not want to be treated any worse either. All they ask is that they be treated by the government as equal before the law and the constitution requires.

At this holiday season when we sing Christmas carols about doing good will toward one another, it's my hope that all the faiths' traditions can come together to promote an open society in Bulgaria. I challenge the leaders of the faiths represented here today to help Bulgaria put into practice its constitutional provision and the cornerstone of all law, as taught by Jesus and other religious leaders, to do to others as you would have them do to you.

And here's my question. Will you be willing to help advance this principle on behalf of minority faiths in Bulgaria? I'm asking this question because there is nobody to speak to my country. There is a small Protestant group. Most of the people are out of jobs. The pastors live all their life under the Communist regime, and they have a difficulty just to speak for their people. That's my question.

Mr. Wise. Who would like to comment? Father Kishkovsky?

Fr. Kishkovsky. Would I be willing to help advance these principles on behalf of minor-

ity faiths in Bulgaria? Yes. But then we have to find a way to do it, and then it becomes a question of mechanisms, channels and who are the people in the Orthodox and other communities who will do that together. But I don't think you would find in the Orthodox community in North America opposition to your point of view on the grounds of just simple fairness. Maybe you would find it, but I think it would be a minority view.

At the same time certainly the Orthodox—speaking now only about the Orthodox—clearly feel in the situations in Central and Eastern Europe that they are under something of an assault from religious groups from outside. Now, whether this is correct or not is debatable perhaps. But the fact is that I know Russia better than Sofia. I've been in Sofia, but clearly when you turn on the television set in Moscow and you hear on Sunday morning two, three, four preachers who are Protestants, who are on the television because they could buy the time—right? The Russian Orthodox Church does not have the money to buy the time. And so they do feel under a kind of cultural assault from religious groups of various kinds. And when they see that, they feel that these are well-funded groups, well-supported. This does not apply to what you have been saying in Bulgaria about the Bulgarian Protestants who need to have their rights defended. We should all do that, and I will do it, if I can, with you.

But in some of the situations the Orthodox may be the majority in a given place but feel as if they are a minority in the world scene, very much under assault from new religious groups, new philosophies, et cetera, et cetera. I tell them that they should be much less worried than they are. Believe me, I make that speech in Orthodox settings. But I think we need to enter imaginatively into what this feeling and attitude and perception is, because if we understand that then we will be better able to address it. If we don't understand it, we will be speaking at cross purposes with them and we'll not be engaging them at all.

Mr. Wise. Other comments?

Fr. Papaioannou. I agree with—

Mr. Wise. Father Papaioannou?

Fr. Papaioannou [continuing]. The father on the matter. Perhaps we can help you. We have to know better the subject, because I don't know it, and see what we can do.

I also wanted to express my appreciation to Mr. Ericsson for what he said. About going to Ankara two, three times is true. And I think his comment—I was just saying something about you, Mr. Ericsson. I wanted to express my appreciation and the appreciation of the church and of the Patriarch for all your efforts on behalf of the Patriarchate and the Theological School of Halki.

Now, I have a comment. When your friends in Ankara told you let the Greeks show their friendliness to their neighbor, my answer to that is that in Thrace there are about 100,000, 120,000 Turks. The numbers are increasing. They are not decreasing. In Constantinople, in Istanbul, when I was there in 1958, there were about 100 officially. This is the human rights ethnic identity, the Greeks of Turkey. According to this report that was written here, there were 110,000 Greeks. According to the report there are about 2,500. I can tell you there are about 2,000 people and most of them are elderly. So you missed the point there, Mr. Ericsson. You should have told them.

Questioner. [Off mike]

Fr. Papaioannou. Good. Thank you. Thank you.

Mr. Wise. Any other final comments?

Ms. Homer. I just—

Mr. Wise. Yes?

Ms. Homer [continuing]. Have one very brief one responding to what John Hanford had to say. We found in both Ukraine and in Russia within the last 12 months that group meetings—and Lee Boothby was one of the proponents of them—amongst the leadership of a wide variety of denominations in those countries were very useful to talk about these religious