

## **FREEDOM OF RELIGION AND THE LEGAL STATUS OF RELIGION IN RUSSIA**

By Larisa Skuratovskaya

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With Russia's accession to the Council of Europe, this pan-European organization now stretches from the Pacific Ocean in the East to the Atlantic Ocean in the West. Thus, de Gaulle's dream of a United States of Europe which seemed to be unreal became true.

It is of great importance that respect of human rights is guaranteed to the citizens of the countries which are members of the Council of Europe. Relations between not only states and high contracting parties, but also between a citizen and state are regulated by laws based on international principles. Forty-eight years have gone by since the summit in The Hague took place in 1948, at which the Congress of Europe decided to establish the Council of Europe--a council of federations open to all democratic countries that respect human rights. All the states of the world closely watched the development of this international organization.

Although some states already declared the guarantee of fundamental freedoms of citizens at the beginning of the eighteenth century (first on the basis of the Declaration of the United States (1776) and then France (1789)), such declarations did not have solid juridical ground, especially in Europe until the end of the World War II (the Supreme Court of the United States used to be the unique court examining cases of the violation of fundamental freedoms of citizens, providing in this way the fulfillment of law).

In Rome, on November 4, 1950, in order to secure the observance of the obligations entered into by High Contracting Parties, the European Commission of Human Rights and the European Court of Human Rights were established.

The Convention for the Protection of Human Rights and Fundamental Freedoms was signed in Rome on November 7, 1950, at the governmental level. It was based on the Universal Declaration of Human Rights, approved by the General Assembly of the United Nations Organization on December 10, 1948, and entered into force on September 3, 1953.

The European Convention on Human Rights established the first international system for the protection of fundamental freedoms based on law. It also contributed to the revision of state laws protected by the system of local courts. In the countries where the provisions of the Convention are not in local laws, it is extremely difficult for courts to claim their fulfillment. Reverse connection which contributes to democratic development of the state is being infringed. That is why among the requirements for new states acceding to the Council of Europe, there are conditions in the country to guarantee the observance of human rights.

Before the end of the Cold War, accession of new states was relatively infrequent, but since November 1990, fourteen countries from central and eastern Europe have joined the Council of Europe, bringing the number of member states from 25 to 39.

In Russia, as a republic within the Soviet Union, democratic reforms stemmed from the policy of the government headed by Mikhail Gorbachev. Soon after the beginning of the Conference for Security and Cooperation in Europe (CSCE) Summit in Vienna (November 4, 1986) the Russian Government made a sensational statement offering to hold a conference on questions of humanitarian cooperation in Moscow. It was common knowledge that human rights were being violated in the Soviet Union and that the Russian society lagged far behind in regard to democratic standards. It was a very important step demonstrating the new direction of the Soviet state's

development. Five days later, Gorbachev telephoned Alexander Sakharov, who lived in exile in Gorky, and informed him that he was free and could return to Moscow. When those who met Sakharov at the railway station asked him whether he considered his liberation as a beginning of democratic reforms in the country, he answered that he would believe this when all political prisoners were released.

It should be mentioned that one of the first steps of the government in this direction was the declaration of freedom of religion. The main reason for this was that freedom of religion was one of the most important rights stipulated by the CSCE. The issue of the violation of religious freedom in the USSR has been criticized by the international community more than once. Besides, it was not necessary to break structures of authority. This question had to be settled in view of the coming of the 1000th anniversary of the Russian Orthodox Church, and the far less important 70th anniversary of the "Decree on the Separation of the Church from the State and the Church from the School" which was signed by V. I. Lenin (January 23, 1918). Confirming the stability of constitutional principles, the leaders contributed to *perestroika's* success. At the official reception of the Patriarch and the Holy Synod of the Russian Orthodox Church on April 29, 1988, in the Kremlin, Mikhail Gorbachev confirmed the intention to protect general human values.

Official bodies began to demonstrate all possible means of guaranteeing religious freedoms in the Soviet Union. Even Konstantin Kharchev, President of the Council for Religious Affairs of the Council Of Ministers of the USSR, whose name was closely associated with putting pressure on religious organizations for a quarter of a century, criticized the situation with religious groups in the USSR during his stay in the USA, and spoke about launching a new policy in connection with *perestroika*, establishing conditions for religious freedom. It was not surprising that such questions were raised in the USA. The USA was expected to grant considerable financial assistance and this was connected with the solution of the question of human rights including religious rights or freedom of religion.

The Social Committee for International Cooperation in the Field of Humanitarian Issues and Human Rights was established (November 30, 1987) within the framework of the Soviet Committee for European Security and Cooperation. This committee was proclaimed to be politically independent in order to demonstrate to western international organizations the compatibility of Gorbachev's policy with the realization of the Helsinki agreements and to neutralize the influence of civil groups for human rights in the USSR. A special committee was established comprising of Yuvenali, Russian Orthodox Metropolitan of the Moscow Diocese; Professor Y. Rozenbaum, expert in law on religion; B.W. Rausheibah, academic; and V. Yakovbo, director of the research institute of the Ministry of Justice.

An important event demonstrating Gorbachev's government's approval of the development of the protection of human rights proclaimed by *perestroika*, was the participation in the CSCE conference, "Human Rights and Religious Freedom in Europe for Peace and in the Spirit of Helsinki" which was held in Venice, February 3 - 6, 1988. At this conference the main issues discussed were the conditions existing in socialist countries regarding religious freedom.

Members of the Russian delegation, headed by Y. Kashlev, did their utmost to assure that a new law on freedom of conscience providing legal guarantees of religious freedom was under preparation. This law was entitled, "Law on Freedom of Conscience and Religious Organizations in the USSR," prepared by the Council for Religious Affairs of the Council of Ministers of the USSR. The Law on Freedom of Conscience and Religious Organizations (hereafter referred to as The Law on Freedom of Conscience) was adopted in the USSR on October 1, 1990.

### **The Legal Status of the Church in Modern Russia**

According to Article 14 of the Constitution of the Russian Federation it is proclaimed that in a secular society, "No religion can be set as an official or an obligatory one." Religious associations are separated from the state. The legal status of the Church in modern Russia is regulated, along with constitutional provisions, by the Russian Law on Freedom of Conscience dated October 25, 1990.

According to the law, Russian citizens as well as foreigners and those persons who have no citizenship enjoy the right to freedom of conscience both individually and also by means of establishing public associations (Article 4). This provision concerns both religious and atheistic associations. The law proclaims equality of all religious associations before the law (Article 10). It also means that no religion or religious association enjoys any advantages or can be subject to any restrictions in comparison with others. The state is absolutely neutral in the issue of the freedom of religion and convictions. This means that it does not defend any religion or religious ideology nor does not support any. This also pertains to atheistic organizations.

In the Russian Federation a registration process of establishing religious associations was stipulated. According to Article 18 of the Law on Freedom of Conscience, a religious association: a) can be established by a person of a certain age; b) can be established by not less than 10 persons; c) should have Statutes and be registered at the Ministry of Justice of the Russian Federation or its local bodies (depending on the territory where the organization functions). From the moment of its registration, a religious association acquires the status of a legal entity. Statutes should be registered within a month from the date of the presentation of the documents. Refusal to register the association is only allowed where promotional documents contradict the ruling legislation. Such refusal is subject to an appeal to the court.

Religious organizations in Russia have the right to property (buildings, construction, cult objects, money and also enterprises producing cult objects or publishing religious literature). It should be pointed out that religious organizations enjoy the exclusive right to establish such kinds of enterprises (Article 23).

The law also stipulates religious organizations' rights to hold religious rites (Articles 16 and 22) and ceremonies in houses of worship and on land belonging to them, at places of pilgrimage, in institutions of religious associations, at cemeteries and crematoriums, in apartments and houses of citizens. Citizens have the right to hold and participate in religious rites in military units, in hospitals, in hostels for old and disabled persons, in orphanages and boarding schools, at places of preliminary imprisonment, and in prisons including solitary confinement cells. At any other place, religious rites and ceremonies should be held in conformity with the rules provided for holding meetings, demonstrations, etc., namely by notifying the appropriate bodies.

According to the law and in compliance with the principle of the separation of the church from the state, religious associations are not authorized to interfere in the state's affairs and participate in elections of the state authorities or in political parties' activities. For example, they do not enjoy the right to propose a candidate to the position of Deputy. As far as members of religious organizations are concerned, they, as citizens, enjoy all constitutional rights and have the right to personal participation in political life, including becoming members of any political parties or taking part in elections, etc.

For the first time in the post-Soviet period of history of Russia, religious organizations are entitled to carry out charitable activities and also to establish cultural and educational organizations, using the mass media, including radio and television (Article 24). In this respect their status is equal to that of common public organizations. So religious associations can participate in the social-cultural life of society like any other public association.

The guarantee of secrecy of confession is also very important. According to Article 13 of the law, "Secrecy of confession is protected by law. The priest cannot be questioned or give explanations to any person on circumstances which he has learned from a citizen's confession."

The law proclaims the secular nature of the state educational system. This means that the system does not aim at displaying any particular attitude towards religion. Teaching religion can take place in non-state educational establishments, privately at home, by religious associations and also optionally, taking into consideration citizens' wishes, at any pre-school establishments and at schools (Article 9). Teaching religious-educational and religious-philosophical disciplines can form part of the program of state schools but cannot be followed by holding religious rites because it only has informative objectives.

Therefore, we can see that in Russia, as in many others, complete separation of the church from the state does not exist. In a number of spheres close cooperation, especially in spiritual and moral fields was established.

In the Russian Federation there is state control over the observance of legislation on freedom of conscience. This is carried out through the registering of religious associations, for instance by the Ministry of Justice. State

control is also held over industrial enterprises run by religious organizations. If they are profitable then their profit is taxed as is the profit of any other organization. However, taxes are not imposed on assets and financial donations which religious organizations receive from citizens nor on funds for charitable and cultural educational purposes, which are allocated from industrial activities of properties of religious organizations.

All citizens working in religious associations enjoy social security and social insurance. Religious organizations, their enterprises and establishments pay premiums to the state social insurance and security fund, so that their members receive pensions from the state, again showing that there is no complete separation of the Church from the State.

The Constitution of the Russian Federation (Article 59, part 3) secures the right to substitute military service by an alternative civil one in cases where the convictions of a citizen or his religion are in opposition to military service. This right is guaranteed by the Declaration of Human Rights and Freedoms adopted by the Supreme Soviet of the RSFSR of November 22, 1991 (Article 15). But, the draft law on an alternative service prepared by the working group of the State *Duma* is still wandering in the 'corridors' of power. It was approved in the first reading in 1994, but was not passed in the second reading in May 1995.

The absence of this law leads to numerous violations of human rights. Many young people leave Russia and apply for political asylum on this ground. The discipline in military forces gets worse and the tension in society grows. According to A. Pchelintzev, more than 23,000 men evaded military service in the Russian Federation in 1994. As the Constitution of the Russian Federation has supreme judicial authority, and since international legal acts are enacted in Russia, the bodies of prosecution quite often refuse to start criminal cases against those who refuse to serve in military forces. Because of Russia's participation in several military conflicts, young draftees supported by their parents do not want to serve. They send letters to the President of the RF with a request to substitute military service by an alternative one, declaring their convictions (even if they do not have any). As a result they do not serve at all. In some regions of Russia, on the other hand, the courts condemn these young men to a certain period of imprisonment and after that they are drafted again. Some of them evade the draft again until they are 27 years old. In general, not more than 4% of draftees find themselves on dock.

It would seem reasonable that the Ministry of Defense should be interested in the adoption of this law, but in reality this is not the case. The high officials of the Ministry asked for the postponement of the adoption of the law on alternative service until 1997. Trying to settle the issue, the Moscow Municipal *Duma* prepared a draft resolution on an alternative service for draftees in Moscow in February 1995. However, it was not adopted.

On January 1, 1996, judging from the registration of the statutes of religious associations, 13,073 religious associations were established. Among them are the following:

	1996	1995
Russian Orthodox Church	7195	6414
Russian Orthodox Free Church	98	
Ukranian Orthodox Church (Kiev Patriarchate)	6	
Authentic Orthodox Church	26	24
Starobryadtzy (ancient religion)	164	137
Roman Catholic Church	183	163
Islam	2494	2294
Buddhism	124	92

Judaism	80	72
Evangelical Christians - Baptists	677	622
Seventh Day Adventists	222	182
Lutherans	141	121
Christians of Evangelical faith - Fives	351	256
Krishnas Consciousness	112	103

and so on (total: 58 titles).

In spite of pressure from state atheism for more than seventy years, the Russian Orthodox Church, according to A. Solzhenitsyn "captured, oppressed and pressed but not fallen," managed to keep its force. Nowadays, it is the most significant confession of Russia and the post-Soviet territory.

Historically and traditionally, the Orthodox religion remains the most widespread in Russia, especially among the Slavic population. The second position belongs to the Islamic people, then Judaism, and Buddhism (which was officially registered in 1742). The Roman Catholic and Protestant Churches are considered the most popular churches in our country. The State Government provides the budget for the restoration of ruined church buildings, holy places and historical monuments. However, the level of donations remains much too low. Delays in supplying money has been observed, as in other areas of economic life.

The highest authority of the Church is the so-called *Pomestny Sobor*. It is the supreme authority in Church management and canon law. Its members are all the bishops, as well as delegates of eparchies, elected by eparchy meetings, monasteries, and seminaries. The *Pomestny Sobor* elects the "Patriarch of Moscow and All Russia" who enacted the executive power of the Church after Patriarch Pimen died in 1990. In June 1990 the *Pomestny Sobor* elected Alexei, Metropolitan of Leningrad and the Ladoga Diocese as the new Patriarch Aleksii II (his secular name was Alexei Ridiger).

The Episcopate of the Russian Orthodox Church has 129 bishops: the Patriarch, 19 Metropolitans, 32 Archbishops, and 77 Bishops. Bishops make up the Bishop Council which is convoked by the Patriarch to define the themes to be dealt with by the *Pomestny Sobor*, to interpret canonical rules and to create new eparchies and Church establishments. The Holy Synod is a standing body consulting with the Patriarch.

In 1993 the Russian Orthodox Church had about 12,000 parishes, 5,000 of them in Russia's territory. Orthodox parishes are divided into 105 eparchies and 22 vicariates, of which 53 eparchies and 14 vicariates are in the Russian Federation.

Under the jurisdiction of the Moscow Patriarchate there are about 120 parishes which are situated abroad. The parishes of South America are governed by the Argentine Eparchy and the parishes of North America (the USA and Canada) are ruled by one of the vicars of the Moscow Patriarchate. The autonomous Japanese church, headed by the Archbishop of Tokyo and Metropolitan of Japan, also forms part of the Orthodox Church. In 1993, the Moscow Patriarchate governed 2441 monasteries and convents, about 100 of them were in the Russian Federation.

There is no information about the official discrimination of Muslims who constitute about 10% of the population of Russia. The Government of Russia facilitated the pilgrimage, *hajj* in Saudi Arabia. Every year between four and six thousand Russian Muslims go on a pilgrimage. In several regions, for instance in Chechnya, there was tension in relations between Muslims and Christians.

In Chechnya two priests of the Russian Orthodox Church, Father Sergi and father Anatoli, have been taken as hostages and were detained for a long time. Moreover, in Vladikavkaz, terrorist destroyed two Orthodox cathedrals. The Patriarchate is trying to get in touch with local residents and with representatives of the Muslim

religion, but their attempts are not always fruitful.

The Government of Russia does not forgive acts of anti-Semitism. At the summit in 1994, President Yeltsin fully approved of President Clinton's statement on the protection of human rights. In particular, this statement condemned manifestations of religious intolerance and prejudices, including acts of anti-Semitism. With the assistance of American non-governmental organizations, the Russian Black book about the Holocaust was published and released in September. The idea of this book was supported by Stalin, but later its publication was forbidden.

Nevertheless, anti-Semitism exists and is shown through acts of vandalism and verbal attacks on those who look like Jews. On December 30, 1993, three Moscow synagogues were destroyed as a result of fires. The Jewish community believes, and the authorities suspect that those fires were caused by arson. In October, an explosive was found in Moscow synagogue during evening rehearsal. The explosive was defused.

Pinkhus Goldsmid, the Head Rabbi in Moscow, affirms that he had good relations with the Moscow Government and Mayor Y. Luzhkov. On February 10, 1996, the Congress of Jewish Communities took place. The organizers of the congress hope that it will infuse new life into the Jewish community. There is hope that the wealthy Jews in Moscow will provide more financial help because the flow of money from Israel and the USA has been greatly reduced. Furthermore, the Rabbi, as well as representatives of Islam, welcome the adoption of the new Law on Freedom of Conscience.

The members of the congress in Moscow are currently collecting information about the difficulties which exist in certain regions (absence of synagogues or rabbis, etc.) in order to eliminate them. Rabbi Pinkhus said that these difficulties did not lack the government's attention. The latter assists in developing Jewish communities, grants state financial help for Jewish schools, and helps build new synagogues. In compliance with the instruction of the mayor (355-PM of April 2, 1993) and the resolution of the Moscow Government (442 of May 17, 1994), on *Poklonnaya* hill which is a memorial to the Patriotic War of 1812, it is planned to construct a mosque, a synagogue and a memorial to Jews who gave their lives in the Great Patriotic War. (It should be said that the Russian community has reacted to this decision differently. The Moscow Regional *Duma* took a decision (25/60 of July 13, 1995) that the construction of any additional monument in the Victory Park would be absolutely impossible in view of its extreme public danger. But the Government of Moscow immediately reacted to this decision of the Regional *Duma* and declared that it would definitely prevent any provocations of international intolerance, whoever they came from.) Muslims and Jews want to have their places of worship on *Poklonnaya* hill along with the recently built Orthodox churches, and are watching the development of these events with alarm.

Since the mid-seventies the Evangelical Church has started to develop successfully in various parts of the former Soviet Union and Russia. In addition, new religious communities and sects have come into existence. The numerous non-traditional cult communities in the territory of Russia can be divided into three formal groups:

**Eastern type:** International Society of Krishna Conscience, Mission of Jaitshanji, Tantra Sangha, AUM Senrikje, Dgiva Chram Ingiyi, Karma kunsan, Drodge Ling, etc. All these sects have the following in common: they seemed to appear first in Europe, gained experience and then moved into Russia.

**Evangelical type:** White Brotherhood, The Godmother Center, The Church of Christ, The Church "Dew," The Family (Children of God), Community of United Faith (Vissarion), New Holy Russ, The Church "Unity," The Church "Spirit of Life" (in Kazan, Tatarstan), The Church of Satan, and number of Korean religious organizations like Agape Mission, House of Christians, The Church on Nu Rii Chaptong, The Church of Free Evangelization, etc.

**Mixed type:** The Church of Unification, Scientology Church, Baha'i Faith, and others. These are a mixture of ancient, Christian, and eastern religions and traditional cults.

There is much competition among them for people, buildings, popularity--especially in the large cities. What is characteristic of this movement is the dominance of young men (40% - 70%) with a rather high education (30% - 40%). A remarkable increase in the number of Russian people in non-traditional sects is associated with the loss of members of traditional churches. Some of them are well-known in other regions by the violation of human rights and religious freedom (The Church of Scientology, AO Sen Ricke).

Sociologists also mention the growth of different religions at the end of the 1980s and the beginning of the 1990s, and its further stabilization. Thus, according to the information taken from a public opinion poll from 1989 to 1992, the number of believers grew from 29% to 57% (based on self-estimation). Research carried out from 1993 to 1995 shows its stabilization (atheists 34%, Orthodox Christians 46%, believers of other confessions 9%, believers who do not belong to any traditional confession 11% (1993) and 13% (1995)). But the number of practicing believers is far smaller, about 10% - 15%. Thus, according to the information provided by the Center of Sociology of International Relations of the Russian Academy of Management (RALT), out of 1200 inhabitants asked in Orenburg and Samara, only 72 people go to church at least once a month (6%). The level of women's religiousness is 1.5 times higher than that of men (21% of women consider themselves atheists while 44% are men).

Of followers of the Orthodox Church, 45% are young people and 55% are elderly. Of those people who confess non-traditional religions, 17% are young people and 8% are elderly. Confessional self-identification of people who traditionally confess to Islam, is much stronger than that of the Orthodox Church. Thus, among Tatars, 76% said that they were adherents of Islam. Among Russians, Ukrainians and Byelorussians, 52% called themselves Orthodox Christians. There is a declining tendency to have confidence in the church among Russians. Between 1992 and 1994, 57% of Russians felt confident in the Church as a social institution. In 1995, only 33% do and 42% do not have confidence in the Church. Religious faith occupies the last place among the values considered important for a safe, happy life. Good health is important for 75% of Russians, welfare for 60%, a close-knit family for 50%, and faith only 2%.

It is difficult for foreigners to understand the situation regarding religious tolerance in Russia correctly. Moreover, official documents assure that there are no violations of religious freedom in Russia. Thus, a special reporter of the Commission on Human Rights of the Council of Europe in his report says:

There have been no allegations that the freedom of religion is threatened or limited by the Russian State. On the contrary, the Law on Religious Activities secures wide freedom in this field. However, there seems to be some problems concerning the return of property, which seems to be made difficult sometimes by officials at local levels.

On the other hand, there have been allegations that the somewhat dominant position of the Russian Orthodox church obstructs the freedom of other confessions.

The report of the Commission on Human Rights by the President of the Russian Federation, drawn up at the end of December 1995, does not contain any indication that violations of religious freedom; when they occur, are of minor importance and are not worth attention. Reading the press publications, however, shows that there are many violations. Information about new religions and sects is available but without any concrete details.

Thus, the status of the Orthodox Church is developing in two contradictory directions. On the one hand, its position in the field of education is getting stronger (Sunday schools have opened, there are optional disciplines in ordinary schools, etc.), the return of religion to the army is receiving official support, charities are expanding and religious themes occupy an important place in the mass media. But securing favorable conditions for the Church does not lead to the strengthening of religiousness. The church has to look for new ways of involving citizens in order to gain a real influence on the spiritual and moral state of society.

There is no need to mention that the response of the clergy of traditional religions is very negative in relation to the fast growing sects. The Moscow Patriarchate heads the fight against these newly born sects. As a result, a new version of the 1990 Law on Freedom of Religion has been prepared for new discussion in the *Duma*. The aim of this amended law is to seriously block the activity of any missionaries with alternative views and sermons. The passing of this 'famous' law has been vetoed twice by President Yeltsin. Opponents claim that it would be enough to accept only a few addenda to the old 1990 law to have almost exemplary legislation in the field of religious practice in Russia. Sixteen districts of Russia accepted the local administrative decrees about the compulsory payment for the registration of new religious organizations. These decrees go against the central federal legislation and against the Law on Freedom of Religion.

In spite of evident progress concerning the legal recognition of religious freedom in Moscow, St. Petersburg, and other large cities in Russia, as well as active positive changes in the recognition of the role and place of the Churches in the state and society, the rest of Russia remains very resistant to democratic progress in religious

life.

This may be connected with the following:

- a. Very weak religious traditions and activity of the Church during the Soviet period;
- b. A small religious community consisting mainly of elderly people, without a real influence on the local authority and insufficient contacts with the local intelligentsia;
- c. Traditional isolation of parish churches from the real life and needs of local residents;
- d. Local leadership consists, even now, of genuine old Communists coming to power by the traditional ladder for *nomenklatura*.

Nowadays the Orthodox Church in the countryside of Russia is facing a great challenge in terms of property, people, authority, and social self-determination. This is why the problem of religious tolerance is clearly "one of the great and most urgent problems now confronting the country."

Some typical, recent examples, given below, illuminate the state of the art with the implementation of a new mentality in the old and odd conditions of economical survival and great disparity of people, separated by social reforms.

In Krasnodar, the capital of Stavropol', on September 24, 1995, the members of the Municipal Board and active Kozaks (local military people) visited the President of the Krishna Temple, Mr. I. Bilas, and suggested that he and the local Buddhist community leave the city within one month. If they refused, they threatened to destroy the temple and all cult things, and make them disappear with the help of military people. Only the intervention of the *Duma* and the special deputy commission helped to prevent this tragic incident.

In Moscow, Smolensk, and Kaliningrad (Koenigsberg), all attempts to open a Roman Catholic Church failed due to reluctance and sabotage from official city power. These three cities have, historically and architecturally, remarkable domes for the local Catholic population. The local Russian Orthodox Church is using its own influence to prevent the appearance and registration of any alternative church or sect.

The Moscow Patriarchate and its local branches are trying to keep on peaceful terms with the Muslim Councils, since they do not practice proselytism. Tatarstan, Dagestan, and the North of Caucasus, having almost a homogeneous Muslim population enjoy independence from Moscow. However, in central Russian cities, like Saratov, Ulyanovsk, and Orenburg there are difficulties in opening new mosques (see the proceedings about the violation of freedom of conscience in Russia (1994-96).

Certainly, this is one of the potent hot-spots for future social outbreaks. However, the most serious problems have been addressed to the list of non-traditional religions and sects, including Evangelical and Protestant Churches, Baptists and Buddhists. The end of this long 'black list' contains so-called 'totalitarian sects,' which are officially blasphemed. The common practice with all of them is the direct interference of officials in the affairs of believers. For example, the compulsory splitting of children and parents in Ekaterinburg (in the case of Tatjana Beczkich, her children were sent to the Novodivichky Orthodox Convent without her being informed or having given consent. July 1995-February 1996).

In June 1994, the officials of Irkutsk, Siberia, refused to register the Church of the Transfiguration of the Godmother (Chairman of the Committee, Mr. I. I. Makarevich). In the far east, in Primorie, the local authorities refused to register the "Society of Native Indigenous Faith, Ussuri 1995," expressing pagan pantheistic tradition of local aborigines. Obninsk, the famous center of nuclear physics near Moscow, was shaken by a scandal in 1995 about the registration of a New Prophet Church. Censorship was once again organized with enormous pressure from the local press and television, which talked about the "evil attempts of German Protestants."

The political crisis in the former Soviet Union and Russia, in synergy with the free market of religious ideas and practice, created additional painful problems to the Orthodox Church. As a result of ruthless fighting between central and peripheral churches for independence, more than 100 parish churches formed the so-called "Alternative Orthodoxy." The reason for this autonomy can be found in the general tendency of local bureaucrats to

get more freedom than Moscow bureaucrats. An important goal is to start, at least locally and by minimal steps, the reformation of Russian church life to make it acceptable and attractive to ordinary people, especially the younger generation (such as the old Russian language used for sermons, explaining symbols and services for unprepared visitors and many other small things which play an important role).

The Trinity Parish Church in the small city of Obajan, near Kursk, was destroyed as a result of fighting between Archbishop Yuvenaly (local leader of the Orthodox Church) and the priest, Iosaf Shibaev, who tried to put the parish church under the jurisdiction of the Orthodox Church Abroad (1993-94). Now this desolate Church has no community and no priest.

A similar thing happened in the Holy Panteleimon Parish Church in Wotkinsk, Udmurti, as a result of a conflict between Father Valery Eltzov and Archbishop Nicolai of Udmurtia. A dissident religious movement was registered in Rostov, Vladivostok, Kurgan, Szhadrinsk and many other rural areas. The main reason for the conflict was intellectual disagreement between the local community and the central, rigid, and formal clergy.

These spontaneous events demonstrate the drive for expression of freedom, individual diversity, the needs of real people with real problems, not to have religion without a human face.

## Conclusion

Liberalization of religious life in contemporary Russia is resulting in the appearance of many new 'diseases of growth,' inevitable at a time of great social and economic upheaval. Unfortunately, many new religious conflicts are connected with the persistence of the old, rigid, centralized system that permeates Russian social and religious life. The old, rigid bureaucracy remains very resistant to democratic changes, to personal enterprise, and to diversity. Central religious leadership in the Moscow Patriarchate is seeking to solve many problems by monopoly in faith, unification, standardization, and homogenization of religious life. It is not difficult to see that this approach is depositing many new malignant viruses inside the organism which can induce many new state diseases. Each religious community in our state is obsessed with its own interests and mentality. In practically all cases, it leads to the ideology of separatism and struggle for properties, historical and museum treasures, buildings, bunkers, political influence and many other small and big issues. Many people spend plenty of time on these war-like competitions.

In the Russian Constitution, Article 55 provides that "human and civil rights and freedoms may be restricted by federal law only to the extent necessary for upholding the foundations of the constitutional system, morality or health, [and] rights and lawful interests of other persons, or for ensuring the defense of the country and state security."

It was undoubtedly such an historic argument--that the constitutional system itself is founded on the heritage of the Russian people, including its religious heritage--that the Moscow Patriarchate wished to invoke in the summer of 1993, that caused the Supreme Soviet to pass the new version of the 1990 RSFSR Law on Freedom of Religion. It should be noted that the leaders of the traditional religions (Islamic and Jewish) supported the new version of the law since they did not want to lose their own believers. Although the argument is flawed, it must be taken seriously if religious peace is to be established between foreign missionaries in Russia and the Russian Orthodox Church and other Russian churches that are striving, each in its own way, to restore spiritual health to the tormented Russian soul.

Life in Russia is changing every day. On February 23, 1996, the world heard that there was going to be a separation between the Moscow and Constantinople Patriarchates. During the liturgy in the Moscow Bogoyavlensky Cathedral, His Holiness Patriarch Aleksii II of Moscow did not mention the name of Patriarch Bartholomew of Constantinople because the Patriarchate of Constantinople supported the separation of the Orthodox Church of Estonia from the Moscow Patriarchate. This has happened for the first time in 1008 years in the history of the Russian Orthodox Church. That conflict was later ironed out although some tension remains. In February 1996, the members of the *Yabloko* party proposed an alternative law on freedom of religion (they made several amendments to the 1990 law). From time to time there are attempts to pass legislation which either restricts or expands religious liberty and the situation remains very fluid.

As we mentioned at the beginning, Russia is now a member of the Council of Europe and needs to follow its recommendations, such as Recommendation 1202 on religious tolerance in a democratic society. What we really

need in this field is a shift of paradigm to a new holistic vision of the future for Orthodox, Muslims, Protestants, Catholics, Jews, and other diverse religious communities in Russia. Each denomination must acknowledge the right of freedom for and survival of other denominations. To do otherwise will only end in a new civil war and local military conflicts.

In order to find justice, peace, and integrity, we need to elaborate and insert in our collective mentality new imperatives for collective survival in Russia. The only way to find peace and justice in our diverse multi-confessional society is to give everyone a new, common road for the future. Nowadays the most important practical religion of survival is associated with the preservation of life in every place on our planet and maintaining survival conditions for our children. We need to create criteria and goals which are able to unite mothers and children of any confession and any theology, to concentrate only on practical aspects of local and global survival. It is vital to explain to people the real situation regarding the ecology, greenhouse gases, and depletion of natural resources, and that killer No.1 among us--the virus of super-profit and super-industrialization.

This daily religious practical initiative can help to unite various religious people with common goals for a healthy future and peaceful integrity of our creation. It is important that these aims unite both believers and atheists, and through this to find a common ideology for a healthy, peaceful future for the next generation, regardless of their national or religious orientation.