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## COMMENTARY: No religious freedom without democracy: a lesson from "Orange Ukraine"

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*Ukrainian President Viktor Yushchenko's surprise announcement last month of the abolition of the State Committee for Religious Affairs is a powerful signal to the rest of the region that governments should end their meddling in religious life, argues former Soviet political prisoner Professor Myroslav Marynovych, who is now vice-rector of the Ukrainian Catholic University <http://www.ucu.edu.ua> in Lviv, in this personal commentary for Forum 18 News Service <http://www.forum18.org>. He regards the feeling in Ukraine that the communist model of controlling religion is now dead as the greatest gain of the "Orange Revolution" in the sphere of religion. Yet Professor Marynovych warns that other countries will find it hard to learn from the proclaimed end of Ukrainian government interference in religious matters without wider respect for human rights and accountable government. Without democratic change – which should bring in its wake greater freedom for religious communities from state control and meddling - it is unlikely that religious communities will escape from government efforts to control them.*

Within weeks of becoming president in what was dubbed the "Orange Revolution", Viktor Yushchenko took a bold move in church-state relations. Surprising his listeners on a visit to Zhytomyr in central Ukraine on 8 February, he announced that among a whole sweep of government agencies to be abolished was the State Committee for Religious Affairs, including its local offices. More than 150 officials employed on religious affairs will thus be axed. "The government will work with every religion openly," Yushchenko pledged, promising the equal treatment of all faiths and an end to state interference in the internal life of religious communities. "It is not our goal to create deliberate obstacles for one or another faith or church." He stressed that it is "the business of the individual" to choose which faith to follow.

Yushchenko has more than once outlined his insistence that the state must be religiously neutral. "My government's policy proceeds from the basis that no-one in this hall can point their finger at you and say which church you must attend," he explained to an audience in the eastern town of Donetsk soon after his inauguration. "I'm speaking above all about a secular state. It's none of our business - it's the right of each person to choose. There might be people here who attend synagogue, others go to the mosque, others to an Orthodox church, others still to a Catholic church. No one of them has any privileges compared to the others."

Amplifying this, and explicitly citing Yushchenko's authority, deputy prime minister Mykola Tomenko insisted in March that the state budget could no longer be used to finance the building of places of worship of whatever faith. "If a community wants a new church to appear in their village, they should raise the funds themselves," he said.

Yushchenko's move to end state meddling in religious affairs is a powerful signal to the entire region. Yet it remains open how far other former Soviet republics which have continued the Soviet-style government agencies to control religion will succumb to the wind of change coming from Ukraine. Two of our country's neighbours, Belarus and Moldova, have religious affairs agencies that have been eager to implement discriminatory official policies favouring the Moscow Patriarchate and protecting it from rival Orthodox and non-Orthodox groups. Further afield – especially in Azerbaijan, Uzbekistan and Turkmenistan – powerful religious affairs committees seek to suppress disfavoured religious communities. Few of these government agencies – and the secret police that stand behind them – are likely to yield their control over religious communities soon, though hope is greatest in Moldova, which has just seen fairly free elections.

In Ukraine, the general feeling that the former communist model of church-state relations has finally been left behind is perhaps the Orange revolution's main gain in the sphere of religion. It became clear that not only must the state be free from interference by the Church, but also that the Church must not be wedded to the interests of the government and political parties. Some religious congregations - even entire Churches - which did not realise this before the start of the revolution lost out strongly in the eyes of their own members, while those participating in the protests on Kiev's Independence Square against the falsification of the election results passed the test with flying colours.

The religious and denominational polyphony of Independence Square illustrated splendidly how in today's Ukraine the state can only be neutral towards religious bodies. Yet it soon emerged how much easier this is to say than to put into practice. On 4 February, the day the new government was inaugurated, conflict broke out between warring parts of the Ukrainian Autocephalous Orthodox

Church when one faction violently seized premises in Kiev occupied by a rival faction. The state organs, however, did not dare to intervene, failing to distinguish between the state's duty to be neutral in internal church conflicts and the duty to respond promptly to violent acts committed by any citizen.

The striving of the new president and his government to maintain neutrality seems to be sincere and is even born of suffering (clergy and believers of the Ukrainian Orthodox Church of the Moscow Patriarchate openly campaigned against Yushchenko during the elections). Yet at least one more challenge to this goal remains: the schism within Ukrainian Orthodoxy. Many in the different Orthodox jurisdictions are calling on the state to facilitate the unification of their faith. Since the different communities have differing ideas about how such unity should be achieved, there is a collision of concepts which government officials – who generally fail to understand the nature of the Church – will be hard put to resolve.

Few of Ukraine's religious leaders will mourn the demise of the State Committee for Religious Affairs, the instrument of the former communist tradition of controlling religious organisations. On the other hand, many analysts are concerned at the absence (even if only temporary) of a body which could have a coordinating function and be a mediator between religious organisations and the state. Whether this concern results from the inertia of old ways of thinking or a real need which could be met by other mediatory structures will soon become clear.

Ukraine is not for the first time trying to forget the Soviet model of repressive control over the activity of religious organisations. The first attempt to abolish the Committee took place soon after Ukraine's independence in 1991, but it was fairly quickly reestablished. Since then its work has illustrated the much higher level of religious freedom compared with the Soviet regime and at the same time the surviving tradition of administrative control in the sphere of religion for the benefit of the regime of the then President Leonid Kuchma.

However, the main bastion of such traditions of administrative control is not in the structures as such but in the functions they are given. Russia has no government Council for Religious Affairs, but the degree of subordination of the Orthodox Church to the state and the extent to which laws are discriminatory is much greater than in Ukraine. Everything depends not on the formal titles of mediatory structures but on the tasks the government gives them.

As the almost 15 years of Ukrainian independence show, the best guarantee of religious freedom was the country's religious, confessional and denominational pluralism and the approximate parity of strength of the main religious communities. These factors do not permit the system to renew the former model of the Church being an instrument of the state. However, the parity of strength and the absence of an obvious monopoly religion is a specific feature of Ukraine in contrast to all the other post-Soviet republics (not taking into account the Baltic republics).

So while Orange Ukraine's move to abolish the government agency that sought to control religious communities is admirable and an example other states would do well to follow, implementing such a move elsewhere would be far from simple.

It is likely that Ukraine's example of setting religious groups free from the state will be encouraging for the whole post-Soviet space not as a model for direct imitation, but only in the sense of encouraging general democracy. Such a model cannot be imposed mechanically on other countries. Ukraine's example, if successful, will facilitate the search by its neighbours for forms of state administration which will not allow those flagrant abuses of human rights which sparked the non-violent revolutions first in Georgia and later in Ukraine. In other words, these countries have helped to raise the level of respect for the worth of individual human beings.

I have to be realistic though. Hope for wider democratic change – which should bring in its wake greater freedom for religious communities from state control and meddling - is greatest in Belarus and Moldova, which share a similar mentality to Ukraine. In Belarus a democratic segment of the population looks to Europe, while for Moldova the example of Romania is a great encouragement. Unfortunately hopes for greater democracy and genuine freedom for religious communities are probably unrealistic in Central Asia in the near future – these states have a completely different style of government.

But what has already proved true for Ukraine goes for all: without wider respect for human rights and accountable government, it is unlikely religious communities will escape from government efforts to control them.

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Myroslav Marynovych , contributed this comment to Forum 18 News Service. Commentaries are personal views and do not necessarily represent the views of F18News or Forum 18.

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