

Banal, benign or pernicious?

{ The relationship between religion and national identity from the perspective of religious minorities

Pluralism and religious freedom in majority Orthodox contexts

Bulgaria, Romania, Greece
and Russia (2010-2013)

‘Kokkinakis is in the drawer’

- Representative of the Greek
Ombudsman's Office

The religion-national identity link as conundrum

- & Banally manifested
- & Resists judicialization
- & Deeply embedded
- & Mobilises powerfully
- & Evades authority

Interviewees

- ⌘ Representatives of religious minority groups
- ⌘ Representatives of the Orthodox Church
- ⌘ The directors of the state 'Religious Affairs' departments/ministries
- ⌘ Representatives of NGOs dealing with religious freedom issues
- ⌘ Lawyers handling religious freedom cases

Banal

- ⌘ **Religious education:** *'What we say is that since the Orthodox here are more than 85% of the population, the course ought to be taught as Orthodox.'* - *'What many don't understand is that what one paper says is one thing, and what happens in a classroom is another. If someone thinks that a 15-year old child will become Orthodox because the theologian teaches him Orthodoxy, then that person is in the dark.'*
- ⌘ **The Metaxas laws:** *'It doesn't mean that the law must be abolished because he was a dictator. All the governments following the dictatorship, all recognised the law and left it in force. I know that the study of law says there must be continuity in the law...'*
- ⌘ **Public presence of GOC clergy:** *'But you see...also present is the Catholic archbishop, and the rabbi, the mufti... No one takes them out of the parade. That's how we see religious freedom. But we can't understand why the Orthodox Church must relinquish its freedom, for the sake of others. All of us have our freedom.'*

Benign

- ⌘ **Religious education:** *'The revolution had as a basic parameter the Church. And so the Church was with the ethnos when the ethnos was established. And it was established through blood in the revolution. They came to die as Orthodox, and not as Greeks or something else. Kolokotronis made the clear statement, we took arms first for our faith and then for the fatherland. These are things our history has written.'*
- ⌘ **The Metaxas laws:** *'They will change... they can't help but change at some point. But at this point in time because of the crisis the far right forces are heightened...'*
- ⌘ **The public presence of GOC clergy:** *'At the highest level there is a difference; we are on the list of invitees for foreign ministry events, but this is a matter of protocol and has nothing to do with real life; it does not influence the experience of the common people.'*

Pernicious

- ⌘ **Religious education:** *‘There was a teacher always putting him outside of class, with the excuse that he was causing trouble. Never before had a teacher taken him out of class. Of course, I had the right and I asked for exemption, and so it was ok. He sat in an empty room and studied.’*
- ⌘ **The Metaxas laws:** *‘Yes, things are better than in the 70s and 80s, when we had 100+ court cases per month about proselytism especially. But there are still annoyances, “come to the station with me, and stay for 2 hours”, trying to stop them passing out literature ... a priest could have called, a fanatic Orthodox. But not a word about removal of that law. No one dares remove that law.’*
- ⌘ **‘Private’ presence of GOC clergy:**

Pernicious

⌘ 'Private' presence of Orthodox clergy

'Even now the Church comes in the Parliament to bless them. Most of the problems of religious freedom don't have as much to do with laws as much as with relations of the church with the state, because that relationship gives the impression to the [local] administration that church and state are one and the same.'

'We have to move carefully on these issues, because our competence to intervene on issues with an ethno-political character is doubted. In other words, whatever may result in the limiting of the power of the Church.'

'Remember what happened with the identity cards! No one wants to open a front against the Church when it can help you win votes, or at least when it's quiet, it doesn't prevent you from winning votes.'

Religious pluralism from a human rights perspective

‘Particularistic identity politics, often hand in hand with political partisanship on behalf of specific religious kin groups, threatens to obscure the universalistic normative aspirations around which freedom of religion or belief has been conceptualized.’ (Bielefeldt 2013: 34)

‘The various lists of recognised religions may be short or long. In any case, the problem remains that, based on such an understanding, religious...pluralism can only unfold within a predefined set of permissible options. This is unacceptable from a human rights perspective as such limitation runs counter to the foundational concept of normative universalism.’ (Bielefeldt 2013: 37)

Critique of the human rights perspective on religion

‘The need to restrict the manifestation of religion by believers in order to secure pluralism and tolerance between religions is becoming something of a counter-intuitive mantra in human rights circles ... This is deeply problematic for all religious believers since it is tantamount to elevating secularism in the name of pluralism, and achieving this by ‘sanitising’ public life of traces of the religious’ (Evans 2008: 312).

‘[It entails] an attempt to brush aside the reality of church-state relations and with it a foundational element of national identity in many member states of the Council of Europe ...’ (Evans 2008: 303).

Financial support to the GOC as an expression of inequality

'Think about how all of us, we not only don't get paid, we have our own other jobs and rather even contribute financially to the running of the church. Meanwhile, Orthodox priests have pay of civil servants. They justify this saying we've given, we've offered, etc. This, for us, as a serious injustice: for me to pay taxes, from my work, for the priest to be paid who fights me and sees me as his enemy.'

Financial support to the GOC as fair exchange

'And they may complain: why does the state give part of the pay of the clerics? And I ask, which of the non-Orthodox churches gave to the state any of its property? We have given 96% of it. And the state undertook, in exchange, to pay the clergy. Let's leave aside the national dimension, regarding the freedom of '21, of '41, etc., and let's just look at the financial side: all the things you see around, hospitals etc., were the Church's. How can they demand equal treatment, without having given something to the church, I mean, state?'

Ideal-typical models of religion-state relations

- ⌘ **Militant separation:** inadequate protection of RFs; official support & promotion of scepticism or atheism by the state; secularist anti-religious state
- ⌘ **Modest separation:** adequate protection of RFs; no official support of religion(s) by the state; no public funding of RE and no state aid to religious groups
- ⌘ **Modest establishment:** adequate protection of RFs; official support of religion(s) by the state; public funding of RE and state aid to religious groups
- ⌘ **Full establishment:** inadequate protection RFs; official support & promotion of religious orthodoxy by the state; theocratic anti-secular state

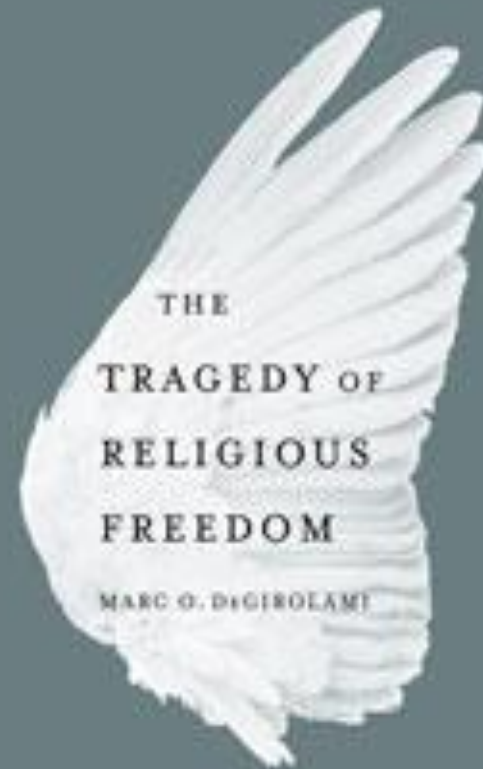
Conditions for acceptable modest establishment

‘A state of modest establishment may be justifiable in public reason, if adequate protection of freedom of religion is interpreted as requiring positive assistance by the state, or if equality between believers of different religions is interpreted as mandating even-handed support of all by the state. So, while a state of ‘single-faith’ establishment would be ruled out in public reason as being incompatible with equality, a state of ‘multi-faith’ establishment is compatible with political liberalism.’ (Laborde 2013: 72)

The Impossibility of

RELIGIOUS FREEDOM

Winnifred Fallers Sullivan



Jehovah's Witness representative

'Personally, I believe it depends on the leaders of the Ministry of Education and Religious Affairs at a given time how they will use it, either liberally or to control the religious groups, since there is now [with this new bill] central control from the General Secretary of Religious Affairs. From our side, we are waiting to see what will actually happen.'

References

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