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RELIGIOUS FREEDOM IN RUSSIA

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Washington, DC

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CONTENTS

TUESDAY, JANUARY 14, 1997

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Commission on Security and Cooperation in Europe

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The Commission met, pursuant to adjournment, at 2:05 p.m., in room 2200, Rayburn House Office Building, John Finerty [Commission staff] presiding.

Mr. *Finerty.* Ladies and gentlemen, good morning. On behalf of Chairman D'Amato and Co-Chairman Smith, I'd like to welcome you to this briefing presented by the Commission on Security and Cooperation in Europe. The Commission was founded in 1976 by law to monitor and encourage compliance with the Helsinki Accords of 1975 and with subsequent documents of the Organization for Security and Cooperation in Europe.

Our guest today is Mr. Larry Uzzell, the Moscow representative of the Keston Institute of England. Keston Institute is one of the most respected and oldest organizations specializing in religious life and religious freedom in Communist and former Communist countries.

Despite the undisputed progress made in religious liberty with the fall of the Soviet Union, our speaker today wrote recently in the *Moscow Times* that there is less religious freedom in Russia than there was when the Russian Constitution was adopted in 1993. Today we'll have an opportunity to hear why he believes this is the case and what it portends for the people of Russia, particularly among the faith community.

Mr. Uzzell has had a lot of time to examine the issue of religious freedom in Russia. He's been living in Moscow for 5 years. He has traveled around the country, including Chechnya. I can report that he speaks very good Russian. Once I called him in Moscow at his apartment, and we started to talk, both of us, in Russian. About 5 minutes later he said, "Well, why don't we speak English?"

I'll turn the mike over to Larry, and we'll see what he has to say.

Incidentally, we're more than glad to take questions following Larry's presentation. Thank you.

Mr. *Uzzell.* Thank you very much, John. Thanks for this weather, which will make the transition back to Russia a lot easier when I go back next week.

One of the things I know as a former congressional staffer is that, when the cat's away, the mice will play, and since there are no Members here, we can be more informal than we might be otherwise. I understand that all of you have (or can get, if you want to) a copy of my testimony. So I won't utter every word that you see here. I'm going to race right through this and allow maximum time for questions.

I do believe that the prospects for religious freedom are growing darker in Russia; that unless current trends are reversed, there will be less religious freedom at the end of 1997 than there is today. It is significant that no provincial official has been punished by the Yeltsin administration for the provincial laws which now more than one-fourth of Russia's provinces have passed and which openly violate the 1993 Constitution's guarantees of religious freedom.

In religion, as in many other areas, Russia is, to a very large extent, a lawless state. We see the old Soviet-era *Council for Religious Affairs being revived under new names* in various provinces. I have met with *"upolnomochennye"*—plenipotentiaries—all across the country in various provinces who just have new titles now. They're now expert adviser to the provincial administration on church-state relations or something like that. But these are the same people who were the KGB informers of the 1970s and 1980s.

We see complicated systems of registration being put in place which in effect give provincial governments the power to regulate every aspect of religious life. We see the word "missionary" or the term "missionary activity" being defined in such a way that it would apply to virtually any committed believer of any serious Christian church, any church or religious organization which calls upon its members to proclaim its doctrines publicly. If these laws are enforced literally, all believers would be forced to register, to report in detail on their activities, and to pay a fee for what is supposed to be the constitutionally guaranteed right to proclaim one's religion in public.

I would expect in practice that these laws will be enforced rigorously only against those religious groups which do not have good connections, good political connections. *There will be discrimination in practice.* Indeed, we're already seeing explicit discrimination in the text of some of the laws themselves. The Sverdlovsk province in the Ural Mountains explicitly states in its law that the Russian Orthodox Church and five other specifically named confessions are exempt from its requirements, but not the Baptists or the Pentecostals.

The good news is that lawlessness in Russia these days cuts both ways. Laws which ostensibly protect human rights turn out not to mean that much in practice, but at the same time, laws that violate, that assault human rights, often turn out not to mean that much in practice. When I was in Kostroma, northeast of Moscow, a year ago, I saw an example of the former. Going around talking to American missionaries, the Keston News Service found that, when we asked them how the new provincial decree against former missionaries affected their lives, many of them said, "Well, what decree?" They didn't know what we were talking about.

At the other extreme, in Tula, south of Moscow, about 200 miles south of Moscow, the very first provincial law against foreign missionaries was enacted in that province. The law's milder than more recent laws. There's been a tendency toward more and more harshness in these provincial laws over time. But what we found in going around Tula is that the law is being enforced against Russian citizens, even though ostensibly it has nothing to do with any clergy or any laity except foreign citizens and foreign religious organizations.

My Seventh Day Adventist contacts in Tula told me that they are finding it increasingly difficult to rent any kind of public auditorium for use in worship services. In Tula, as in most of Russia, there is really no free market in real estate, and any kind of place that would be suitable for a large public meeting is under the control of the provincial authorities. When the Adventists try to rent these places, they are told that the policy of the provincial government is that for Protestant services they can be rented only with the permission of the local Orthodox priests. These Adventists are Russian citizens of ethnic Russian descent. Their families in some cases have been Adventists for generations. They're all Russian citizens, but they are being treated as second-class citizens in their own country.

There is also the possibility of Federal legislation. Maybe we can get into that in some of the question and answers. I think that, even in the worst case, however, Russia is not going to be like China, where people are arrested in their own homes for having private Bible studies. It is, after all, part of Europe, even though some Russians like to deny that. The West and Western ideas do have leverage in Russia. It's important that it's not just international treaties, but Russia's own constitution that's being violated by these provincial laws, and I would suggest that Western leaders, both in government and outside of government, should state clearly that, if Russia wants to be treated as a normal law-governed state, it should simply obey its own Constitution. I really don't think that's too much to ask.

With that, John, you get the privilege of the first question.

Mr. *Finerty.* When you said that, it reminded me that one of the first major demonstrations in the old Soviet Union in 1965 was by dissidents saying, "Obey your own constitution." We seem to have gone back to that, at least in the area of religious affairs.

I will ask my question, and then if you all would raise your hands, and it would probably be the most convenient also for the audience and for our transcriber if you would come up to the microphone.

My question is: There was an article in *The Christian Science Monitor* very recently by Vladimir Shlapentokh, in which he wrote that the West is increasingly viewed as responsible for Russia's miseries. I know we heard a lot about this a few years ago. I wondered if this is a trend all over, if you think that the reason the Russian government has been less amenable to foreign religions is that Russia is less amenable to foreign influences overall. Or is this exaggerated, this anti-Western attitude? I should say that my impression, when I have been in Russia lately, is that it's exaggerated. I don't see a lot of anti-Western feeling.

Mr. *Uzzell.* My impression is that we've already passed through the second phase, as well as the first phase. The first phase was when everything Western, and especially everything American, in Russia was wildly popular. Just an American like me going out to the provinces felt like a movie star. School children just wanted to touch you. They wanted to touch a real, live American back in '92 and '93. That was a fad. It was ephemeral, as all fads are. It provoked its own natural reaction: the pendulum swinging in the other direction, going to the other extreme. I would say a year ago, 2 years ago, we were in a phase where there was a sharp reaction against the West, and especially against American popular culture, American advertising, Rambo movies and what Solzhenitsyn called "the liquid manure" of the worst of Western culture. Some day I'd like to write an essay about why it is that Britain manages to export the best of its culture, like Jane Austen, and we manage to export the worst of ours. Be that as it may, I think we've now passed that phase as well. Russians realize that they're not at the mercy of the West, and they will decide their own destiny. I personally experience less hostility now than I did a year or 2 ago.

Mr. *Finerty.* Would anyone in the audience like to direct a question? When you ask a question, we'd appreciate it if you identified yourself and, if you care to, whether you're affiliated with an organization or not.

Questioner. My name is Ludmilla Foster, and I'm here from the Congress of Russian Americans. The Orthodox Church in America has taken a very definite position about this question of lack of religious freedom, proceeding from the following reasoning: [a] Russia is a historically unified country with its own ethnicity and its own religions. Such as Spain is a Catholic country, Italy is a Catholic country, and Poland is a Catholic country, Russia has, for 1,000 years, been an Orthodox country. The main numbers of the population are Russian Orthodox. However, as Russia had been expanding (this is the reasoning of the OCA), and accepting territories that were historically Muslim or Buddhist; or, as in the 18th century, Jewish immigration from Poland, those peoples with their established religions were treated with utmost respect. They were allowed to have their own synagogues and mosques and everything. Up until 1917 when the Bolsheviks took power, all of those religions had their own houses of worship, their own priests, mullahs, rabbis, and everything. Of course, it was a different question after the Communists took power.

So what is happening now after communism is gone, which was also a religion of sorts (but that's a separate story; I won't go into it right now) is that so many new movements are coming in because the old religions, the original religions, have been so much destroyed during 75 years that people don't know them very well. For example, people don't even realize that Jewish refers to their religion. They think Jewish is the fifth point in the passport, meaning nationality. General Lebed didn't even realize that Judaism was a religion when he enumerated different religions, because his entire life he identified Jewish as a nationality. He had never seen a Jewish church [sic]. They were all destroyed during the Communist regime.

So now the church has come out, whatever of it that was preserved, and it is trying to reestablish itself in the country—to teach the people again to come to the church. But so many new movements that are, should I say, foreign to the country are coming in, like the Adventists and all of them. Plus the cults are coming in: Scientology, Moonie, Aum Shinrikyo. I just finished reading this new book about Aum Shinrikyo written by two journalists in Japan. They said that there were three times as many members of Aum Shinrikyo in Russia as in Japan. They were also doing business. They're buying weapons and then this gas that they threw in the Tokyo subway. They——

Mr. *Finerty.* Could we get to the question?

Questioner. Well, that is really my question and my statement, that the Orthodox Church is really trying to be reborn and to spread itself, and here come these two separate things. You must distinguish this, Larry. One is the Western Protestant denominations, and one is outright sects, like the White Brotherhood and the Moonies and Aum Shinrikyo and so forth, coming in there, some of them not exactly with religious motives. So the church is trying to fight them back because they are trying to rebirth, reborn the Orthodoxy, which is the original Russian religion. Do you not share this opinion at all, that hence come some of the clashes of people such as yourself?

Mr. *Uzzell.* Well, I have good news for you, which is that Russia is still going to be a country in which Orthodoxy culturally is the dominant religion. Russia is not going to become a Protestant country. Unlike what we're seeing in Latin America, and I don't know Latin America from direct experience but understand there's an explosion of North American evangelical Protestantism in Latin America. I don't see that happening in Russia. It's not unusual for me to visit cities in Siberia, in the Russian provinces, where American missionaries tell me that their congregations are actually smaller now than they were a couple of years ago.

That's not true of Protestantism as a whole in Russia. There are lots of indigenous Baptists. There were millions of Baptists and Pentecostals in the Soviet Union before the collapse. Protestantism as a whole in Russia is still growing, and so is Orthodoxy, and so is Roman Catholicism. They're all growing somewhat more slowly than they were during the real spiritual boom of the early 1990s, when the pent-up demand of decades was being satisfied, but those congregations that are the most effective are those that are headed by indigenous Russian Baptists, and those are scattered all over the country, just as Catholics, thanks to Stalin, are scattered all over the country. There is no part of Russia that demographically is purely Orthodox.

It's fascinating to me that the indigenous Baptists are more effective than the foreign Baptists. If you really want to make Protestant witness more effective in Russia, then the thing to do is to ban foreign missionaries, because the foreign missionaries are less effective than the domestic Baptists are.

As for Western cults versus Russian religions, there are Western extremist sects and indigenous Russian extremist sects. There are Western traditional religions and Russian traditional religions. I think it's very dangerous to try to write into law those categories of what is a sect and what is a legitimate religion. You start down that road, you start down the road of making the Orthodox Church a state church, and what you see is the church becoming dependent on the government for favors. Already the Patriarchate of Moscow is too timid in its moral witness. Already it fails to speak out on issues such as the war in Chechnya which just cry out for prophetic witness from the religious community. I think one reason is that the Orthodox Church places too much hope on being a state church and getting favors from the state. I wish it placed more emphasis and lobbying on moral issues and less on lobbying for its bureaucratic interests as an organization.

Having said that, I'll add just one more quick point. I think that Protestants, and especially American Protestants, have a lot to answer for in the way that they have poisoned the waters of religious dialog in Russia. Many Protestants have gone over to Russia as if they were going into New Guinea, as if they were going into a land that had never heard the Gospel preached before, that did not have its own Christian history. They have done so without studying Orthodoxy. Sometimes I run into American Protestant missionaries who have never even read the text of the Orthodox liturgy or who have never set foot in an Orthodox Church before going to Russia. It's understandable that Russians react with great annoyance to that phenomenon, and I think the people who have behaved that way have helped to contribute to the religious repression that we're now seeing in so many of the provinces.

Mr. *Finerty*. A question back here.

Questioner. I'm Father Alexander Webster, the parish priest of St. Mary Orthodox Church in Falls Church and, incidentally, Larry's pastor. This is a friendly question, but it'll be with a bit of a barb. Taking up the question that was made moments ago, I'd like to make it a little bit more pointed, Larry. Why should we in America try to export the notion of a strict separation of church and state which, arguably, hasn't worked in this

41-833 97 - 2

country very well, to a country that historically, as my preceding questioner tried to point out, has a pretty strong religio-cultural identity spanning about 1,000 years? Even now the population of Russia, at least nominally, is roughly half or more Russian Orthodox or Ukrainian Orthodox or various Orthodox old believers and so on. There's a critical mass, a virtual majority, there.

We don't do the same thing when it comes to Israel and the predominance of the Jewish religion in that state. We don't do the same thing when it comes to even the state church of Sweden, nominally a Lutheran country. We're not demanding that they disestablish in order to abide by our canons of separation of church and state. We're not doing it with our ally, Croatia, with a predominance of the Catholic Church there. I think there's a double standard going on here, and I'm hoping you're not going to fall into this double standard of demanding of Orthodox countries a strict separation of church and state—not just toleration of minorities, but a refusal to allow the majority religio-political cultural at least some favoritism in the way of state holidays and things of that nature.

So if you would take up that challenge, please.

Mr. *Uzzell.* Good question. I don't think we should export the American model. I think there's a certain tendency toward messianic Americanism to think that the American model is the only one that's appropriate for the whole world. There are countries in the world that do not have separation of church and state, that have established religions, but that nevertheless have religious freedom. England comes to mind as one.

I don't think it's good precisely for the Orthodox Church for it to be a state church in today's Russia. The Russian state is riddled with corruption. In fact, I would say that the dominant fact of political life in Russia today is not ideology either of the left or of the right, but corruption. I'll give you an example.

This was given to me by an Orthodox priest in Russia. I won't mention his name because it was a private conversation; he didn't think he was speaking for the record. But he told me that he witnessed a presentation by the then-Defense Minister of Russia, Grachev, one of the architects of the war in Chechnya, in which bishops and priests of the Orthodox Church were present. Grachev told the assembled company that one of the first groups to support the military effort in Chechnya was the Orthodox Church. There was not a peep of protest by any of the Orthodox clergy present. None of them dissented from that view. None of them challenged that view. I think that's because they put the quest for favors from the state ahead of the bearing of moral witness to the timeless truths of Orthodoxy.

If Orthodoxy is going to be a state church in Russia today, it's going to be a state church as it was since the time of Peter the Great, during the last 200 years before the Bolshevik takeover, and that is not a classic Orthodox model. That is not a Byzantine model. It is a Western model which Peter the Great adopted from Lutheran Sweden as part of his effort to Westernize Russia. It corrupted the church, hurt the church, much more than it hurt the state.

I see among some Orthodox today in Russia a tendency toward what I would call the Russian version of Japanese Shintoism, a neo-pagan version of Orthodoxy—not as a universal, evangelical religion which seeks and wins converts from people of all ethnic backgrounds, but simply as the tribal religion of the Russian people. I'll give you an example of that.

I was out at Sergiev Posad near Moscow, one of the principal monasteries of the Orthodox Church, the center of the most important divinity school in the Russian Orthodox Church. The divinity school invited a candidate for parliament to speak to the faculty and students, just before last year's parliamentary elections. This particular candidate was a former Soviet and Russian military officer. He had a dozen opponents for that seat, but he was the only one who was invited, and in fact he got privileged access to the seminary. He, in effect, was being endorsed by the leadership of the seminary.

He stood before an audience about the size of this one, students, lots of faculty members as well, and he began his pitch by saying, "I'm a Russian. I'm Orthodox. Here's why I want your vote." He began his pitch by saying, "I'm Orthodox." Nobody in that audience, including the faculty members, asked him what that meant concretely. "What does it mean to be Orthodox today?" All of the questions he was asked, with one exception, had to do with geopolitics, with the war between the Croats and the Serbs, with the expansion of NATO. Nobody asked him about abortion, capital punishment. I happen to be for capital punishment, but it is a serious moral issue which you would expect a politician in that setting to talk about.

Finally I got a crack at him myself. I got to interview him privately after the gathering. I said, "Well, what does it mean to you to be an Orthodox politician?" He paused, and he said, "Well, to tell you the truth, I'm still making the transition from communism to Orthodoxy." I said, "Well, what does that mean? Where do you go to church?" He paused and said, "Well, I don't go to church." Remember, he had begun his pitch by saying, "I'm Orthodox; I'm Russian." Remember, he was, in effect, there as the candidate of the Russian Orthodox Church, endorsed at least by this institution within the Russian Orthodox Church.

I then said to him, "Well, you've talked about your two strong loyalties—your loyalty to Russia and your loyalty to Orthodoxy. Let's suppose that there were a conflict between these two loyalties; which one would you put first?" He paused, and he looked at me. He was dumbfounded at the question. He said, "Well, I just can't imagine the possibility of such a conflict; Russia and Orthodoxy are inseparable."

In other words, in my opinion, this type of religiosity sees Orthodoxy as a tribal religion. Orthodoxy is not a body of doctrinal and moral truths by which one's own tribe and one's own state and one's own country is judged, but rather a set of symbols for rallying one's tribe against other tribes. I do not think that is what Orthodoxy or Russia or the world needs in the 21st century.

Mr. *Finerty*. Thank you.

Ms. Robin Saipe.

Questioner. Thank you. I'm Robin Saipe with the National Conference on Soviet Jewry. I missed the beginning, so I'm not sure if you answered this question, but before I ask it, I'd like to comment on a few things you've said so far.

I'm not very comfortable hearing a discussion where we in this room, by virtue of being here with you, are making statements legitimizing religious groups, whether one group is more legitimate than another over there in Russia. I don't see the relevancy of it in this discussion, and I think that, as Americans, we sometimes get into this discussion where it doesn't reflect well afterwards on us. I'm a little bothered by it.

My question relates to why you think these new provincial laws and the actions of some, but not all, are happening at this time. You mentioned political reasons in some cases, financial reasons in other cases, and a third for religious reasons. For all of us who have worked in the area of the former Soviet Union for so long, we all know that, if we had the answers to the questions, we could probably solve the problems. But my question is really if you can more clearly explain why you think this is happening now. If it's for religious purposes, do you think that these different groups have become that sophisticated so quickly in the religious environment to be able to exert that much power for religious reasons? Or do you think, which we believe in the Jewish community and seeing things change—we believe it's just straight political favoritism, as you used it, getting the job done, getting what you have to do, and bringing religion into it as just one more vehicle to use and abuse.

Mr. *Uzzell.* Yes, thank you. I can tell you that it's clear to me that the main cause is not a popular demand from rank-and-file Orthodox faithful. When I visit Orthodox churches around the country, the ordinary laity are not telling me that they're upset by the presence of Protestant and Catholic and other foreign missionaries and that they want to see this activity suppressed. The main source of this pressure is the upper hierarchy, the bishops of the Orthodox Church, and with the bishops it's very hard to distinguish between religious motives and other motives. Most of the bishops of today's Moscow Patriarchate are people who took office before the fall of the Communist system. In order to get the jobs that they now have, they had to be cleared by the Council for Religious Affairs, which reported directly to the KGB. These men are statists to the marrow of their being. They are unable to separate the interests of Orthodoxy from what they perceive to be the interests of the Russian state. They're unable to separate the interests of Orthodoxy as a belief system from the mechanical, material, bureaucratic organizational interests of the structure of which they are a part.

Any other questions?

Mr. *Finerty.* Mr. Scala.

Questioner. Armand Scala with the Congress of Romanian-Americans, and I'm an Orthodox Christian. I talk to my Romanian friends, those who are here now but only came recently from there. I talk to Russian people who came recently from there. I ask them, "What is your religion?" They invariably say Orthodox. I ask them why they don't go to church, and they say, well, they're not in the habit of going to church. "When do you go to church?" "Oh, to get married, get buried, to be baptized, maybe Christmas."

The fact is it seems that communism has, in fact, done the job. If I'm a student in the Communist society, I should not go to church. If I want the right position in my profession, I have to be a party member. Without question in Romania, you didn't go to church. Now, has communism succeeded in making all of Orthodoxy a tribal religion in the Communist world or not?

Mr. *Uzzell.* No, it has not. There's a great revival taking place at the parish level and at the level of monasteries and convents in Orthodoxy. Christian education is being revived. Christian publishing is being revived. There's a ferment of Christian student groups and discussion groups. Charitable activities in Moscow—I'm involved in a parish charitable activity at a children's hospital in which Muscovites of all ages, Orthodox Christians, but especially young ones in their twenties, come every week. Well, every day there is somebody there at that hospital helping these critically ill children from all over the country.

What I found especially impressive is that there are young people who, with Moscow's reviving economy (relatively speaking, Moscow is now an island of prosperity in an ocean of poverty, and young people with good language skills can get good jobs in Moscow.)—I have friends who are like Moscow yuppies and are working 60, 70 hours a week as translators or researchers for the Moscow offices of Western corporations. But these young Orthodox Christians are still showing up every Saturday and putting in the same amount of time that they were 4 years ago when they were just penniless students.

I think that it's now clear after the initial euphoria of a couple of years ago, the atheist system has collapsed. It's now clear after that euphoria that, yes, the Bolsheviks were more successful than we like to think they were. The farther east you go into Siberia, generally speaking, the less religiosity you find.

I was in Irkutsk, near Lake Baikal, in October. I would estimate that, if you add the Orthodox and the Catholics and the Protestants together, probably 1 percent of the population of Irkutsk is in church on a Sunday. So to a very large extent Russia, like America, is not a Christian society, but a post-Christian society, and needs to evangelize itself.

At the same time, I think Russia is more like America than either America or Russia is like Western Europe in another sense. It is a society of believers, a society of God-hungry people. Just basic polling, if you ask Russians, "Do you believe in God?" the percentage who say yes, substantially more than half, is comparable to America, rather than comparable to Western Europe. I think that there's a great spiritual ferment in Russia today. There's a great interest in all forms of spirituality, including fraudulent forms, including extremist sects. There are people who regard themselves as Orthodox, maybe even go to Orthodox church on Sunday, who regard themselves as Methodists and go to Methodist services, but at the very same time are flirting with New Age movements and other types of neo-paganism.

In one city, in Ulyanovsk, the birthplace of Lenin, I found the local provincial government actually favors the neo-pagans over other religions, including the Orthodox. The best religious building in town, the best temple in town, is the one that belongs to a home-grown Russian neo-pagan sect called "Ararikhi," and they enjoy better relations with the provincial administration than the Orthodox do. I think it's not a coincidence that city is one of the most Soviet cities in Russia, basically anti-religious and anti-Western. There's a certain attraction.

Eurasian ideology—those who dislike the West and want to distance Russia from the West—are in some ways attracted to various forms of pseudo-oriental mysticism or even real oriental mysticism. I think it's not a coincidence that, when Aleksandr Lebed talked about the traditional religions of Russia, he mentioned not just Orthodoxy and Islam, but also Buddhism. There's a Buddhist revival underway in Russia. At the rank-and-file level, quite different from the bishops, one might even say from an Orthodox point of view that the rank and file are probably too tolerant, probably too willing to mingle other elements with their Orthodoxy.

But I think, if you have genuine religious freedom in Russia, those things will sort them out faster and better than if you have the kind of situation you have in Ulyanovsk, where the provincial authorities are able to favor one sect at the expense of others based not on religious, but on political criteria.

Questioner. I'm Nick Dumavich with the OCA. Larry, could you speak a little bit to the relationship between the Russian military, which as you'll agree, I'm sure, is a real wild card on the Russian scene today, between the Russian military on the one hand and the church or religion on general on the other?

Mr. *Uzzell.* There is a "concordat," a contract, between the Orthodox Church and the military, whereby the church is to get access to the military, is to provide chaplains and so on. My impression is that not a lot has been done concretely to carry that out. Both the church and the military are incredibly complicated institutions. Every faction that you can find in Russian politics and in Russian society is reflected in the church and is also reflected in the military. There are pro-reform officers, anti-reform officers.

It is disappointing to see that the Moscow Patriarchate has not done more to speak out on moral issues that affect the military. Metropolitan Kirill, the head of the Moscow Patriarchate's Department of External Church Relations—in effect, he's the foreign minister of the Moscow Patriarchate—issued a statement a year ago during the time of the annual military call-up for conscription in which he called on young Russians to do their duty, to obey the call to serve their country. It was disappointing to see how unbalanced that statement was. It could have been a press release from the Ministry of Defense, and it didn't talk about any issues such as the scandalous hazing which drives hundreds or perhaps thousands of Russian young men every year to commit suicide.

It did address the problem of obeying unjust orders—in the wrong way. Metropolitan Kirill specifically said that if a soldier receives an order to do something immoral—in the context, it was clear what he meant was killing civilians in Chechnya at that time—then he has the duty to obey that order, that the sin falls on the shoulders of those who gave that order, not those who obey it. I think this is not only against the post-Nuremburg consensus of Europe, but also against the classic Orthodox tradition.

More recently, Metropolitan Kirill openly allied the Moscow Patriarchate with the nuclear arms establishment of the Soviet military and delivered himself of the amazing pronouncements that he considers nuclear scientists, the developers of Russia's nuclear weapons, to be the "podvizhniki" of our era. "Podvizhniki" you could translate as ascetics. It's a tradition that comes out of the Russian monastic ascetic tradition, and usually not applied to people who make weapons.

Metropolitan Kirill was present in the room, as was I, when one of the spokesmen from the military industrial complex at this conference said that, unlike the American bomb, the Russian bomb is moral, because the Russian bomb was developed near the homeland of St. Seraphim of Sarov, and therefore is under the blessing of St. Seraphim. That auditorium on the grounds of the Danilovsky Monastery, the headquarters of the Moscow Patriarchate, was full of Orthodox priests. I didn't hear any of them protest that statement.

Again, the tradition—or let us say custom—of servility to the state, rather than what I would regard as the normative Orthodox tradition of prophetic witness, the kind that Metropolitan PHilip of Moscow demonstrated when he denounced Ivan the Terrible in the 16th century, that latter kind of Orthodox spirituality is what I don't see in today's Moscow Patriarchate hierarchy.

Mr. *Finerty.* Stephanie.

Questioner. Hi, I'm Stephanie Barger, and I'm an intern with the Commission on Security and Cooperation in Europe. I would to ask that you take a look into the future, Mr. Uzzell. If you could, please, tell me if you think there are any prospects for religion in Russia becoming de-politicized in the future given the prospect that the old Communist leadership will eventually die off in the next few decades.

Mr. *Uzzell.* Russia is the most interesting place in the world to work right now, because it is the most volatile place in the world and the most unpredictable place in the world. I really have the feeling that it's up for grabs, everything is up for grabs, and anything can happen. I think that we could see an evolutionary process in which religion is de-politicized in Russia. There are certainly lots of people of goodwill who would like to make that happen, but it hasn't happened yet, and I don't see it happening yet so far. I often ask my Russian friends to compare the new bishops, the bishops of the Moscow Patriarchate who have been consecrated since 1990 with the more senior bishops. Are we seeing a gradual evolutionary cleansing of the church? Not always, but most of the time, the answer that I get is, no, there is not a fundamental difference between them.

Questioner. Kim Lawton [sp], Religion News Service. Larry, if you could just talk a little more specifically about the possibility of Federal legislation. We've been hearing about this for years now. What is your best sense for whether, indeed, this may be a possibility, how serious a possibility is it this time around, and what might it look like?

Mr. *Uzzell.* My sense is that the lower house of parliament, the Duma, will pass some kind of bill which will shrink religious freedom. What happens after that, I don't know, but a task force in the Duma is working on that bill right now. The Russian holidays having just ended, the task force was scheduled to have resumed this week. In November they told me that they would be finished in December. In December they told me they would be finished in January. So don't hold your breath. They may not finish by the end of this month. Once they do, it will go to the full Duma, and if they pass the kind of bill that I think they are likely to pass, it probably would also pass the upper house as well.

As you know, Russia has a system more like the British than like the American system. The so-called lower house is really by far the more powerful of the two houses. Lots of people who work in this building would like that system.

Then question then is, will the President sign the bill? If it is presented to Yeltsin in the form that I have seen, the answer is probably yes, but there are lots of powerful forces that are trying to add restrictive amendments to the bill to make it more like these provincial laws that I've been talking about. Metropolitan Kirill has proposed that the bill should include a provision outlawing all independent activity by foreign missionaries; missionaries could operate in Russia only at the invitation of, only as the guests of Russian religious organizations.

There are people in Yeltsin's legal team, equivalent of counsel to the president, although that's not the title that they use, who are strongly opposed to that kind of language and who will advise Yeltsin to veto it if that language gets into the final bill. Whether their advice will prevail is very much an open question. As you know, 3 years ago, three and a half years ago, Yeltsin did veto a bill restricting minority religions, but many people, including myself, think that the decisive influence there was pressure from the West.

Mr. *Finerty.* Are there any more questions? Maybe if I could just follow up on this, on the politicization and Moscow and the Duma and things like this, do you think that what is occurring now is simply a result of the return of the local Communist psychology and the fact that a lot of people locally haven't changed? Or do you think that, if Gaidar had won, for instance, in 1993, we'd be seeing something different? To what effect do the

Communists and the Zhirinovsky victories in Moscow have to do with the average bureaucrat out in Barnaul?

Mr. *Uzzell.* If Gaidar had won in 1993, I don't think we would be worrying about Federal legislation at all in this area. But the provincial situation might not be very different from what it is. What we're seeing—and in general I think this is a good thing, although it's happening in a wild and lawless way—is decentralization. Russia, for most of its history, certainly for all of the 20th century, has been overly centralized as a polity. A space that vast is not going to be governed as a free country unless it adopts some kind of federal form. It doesn't need to be the American form of federalism, just as Russian religious freedom or Russian capitalism doesn't need to be precisely the American form of those things.

But what makes my job so interesting right now is that the provinces are more and more different from each other. Provincial governors have grabbed more and more power into their own hands in plain violation of the Constitution and lots of other laws, and they behave in unpredictable ways. Tula, until recently, had a governor who had been a Gaidar supporter, continued to be a Gaidar supporter even after Gaidar got his teeth kicked in the December 1995 elections, and yet that particular governor is authoritarian on the issue of religious freedom.

So I think Russia would be a mosaic anyway. That's not necessarily such a bad thing.

Questioner. My question was also coming back to the provincial legislation that she mentioned. Is it the case that you feel that's also coming from the hierarchy in the church or from officials that are trying to retain some form of control? Also, is there some kind of challenge that's been given to those laws? You mentioned Yeltsin had not given any kind of punishment. Have these laws been challenged? If so, what's the response of the courts?

Mr. *Uzzell.* Good question. The most militant supporters of religious repression in Russia are Orthodox, but the most militant supporters of religious freedom are also Orthodox; and both at the provincial and national level you have lots of secular politicians who are practicing members of the Orthodox Church and effective and strong supporters of religious freedom.

The pressure for religious repression at the local level in some cases comes from secular sources, Russian nationalists who are looking for a set of symbols, a rallying cry, to take the place of the discredited Communist ideology. In some cases, it does come from the hierarchy of the Orthodox Church. In Kostroma, an Orthodox cleric showed me a copy of the law that he and his fellow clerics were presenting to the provincial legislature asking them to pass. It was directly modeled on a law that had already been passed in Tula. The main source of pressure in Kostroma clearly was the Orthodox hierarchy.

Perhaps one of the most disappointing things, for those of us who would like to see Russia become a truly law-governed state, is the fact that one court has even considered any of these provincial laws. The oldest, the one in Tula, is now more than 2 years old, and not any court at any level has yet taken up the issue of the constitutionality of any of these laws. The laws are brazenly unconstitutional.

There was an attempt by some 90 deputies, members of the lower house of the parliament, to get the Constitutional Court, which is, roughly speaking, the equivalent of our Supreme Court on constitutional issues, to review the law. There's a fast-track provision by which 90 deputies can make that happen quickly without going through a long appeals process. The Constitutional Court found a technical reason to avoid taking up the question, and it has still not been taken up.

The Constitutional Court also found a technical reason to avoid taking up the question of the constitutionality of the war in Chechnya, and overall I don't know of any issue that was really important to the Yeltsin administration where they were challenged in Constitutional Court and lost. I mean, basically you do not have an independent judiciary in Russia.

Mr. *Finerty.* A question from the State Department.

Questioner. If you don't mind, I'd like to just ask my question from here. Larry, you mentioned with regard to the laws and regulations from an historical perspective that pressure from the West has had an impact. I was wondering if you would want to comment. At this present point in time, what is your assessment of the West's focus on these issues? Do you have any counsel or advice? What should U.S. policy look like at this point in time? I had to come late. If I missed any of this, I apologize.

Mr. *Uzzell.* I'll only answer that question in a very general way, because I've lived for 4 years in Moscow now and don't feel that I'm on top of American politics and what's possible in the American polity. When Russians ask me questions about American politics, I find myself answering on the basis of information that I had 4 years ago.

I think the West should be making it clear that this issue matters to us, that Russia cannot expect full integration into the free world if it continues to violate its own constitution and international pacts which it has signed and agreed to observe, such as the Helsinki Accord. Other countries with strong traditional religions, such as Spain, Italy, Poland, do find that it's possible to observe those pacts, and Russia should likewise.

I think the West should link that to other issues. I think there should be letters of protest from congressmen. In 1993, as I recall, there was not a congressional resolution, not any legislation, but letters of protest signed by congressmen had a powerful effect. I would like to see the same thing. I would like to see the Clinton administration eleva this issue as one that matters in bilateral discussions with Russia.

Mr. *Finerty.* Well, if there are no more questions, I'd like to thank you all for attending today's briefing, and I'd certainly like to thank Larry for what I think has proven to be a very informative and thought-provoking presentation.

I'd also ask if you'd care to receive our *Digest* and our material, we have a sign-up sheet out on the table in the corridor.

Thank you.

Mr. *Uzzell.* Thank you all.

[Whereupon at 2:48 p.m., the Commission briefing ended.]

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