HUMAN AFFAIRS *18*, 1–9, 2008 DOI: 10.2478/v10023-008-0001-9

INTRODUCTORY: CIVIL SOCIETY, PARTICIPATION, AND RELIGION[1]

JANA PLICHTOVÁ

The Role of the Church within Civil Society

The civil society that fills the gap between the private and the strictly political state sphere plays an irreplaceable role in the democratic system both from the perspective of the articulation of various social perspectives and from the perspective of the moral health of society, establishing organizational support for active participation in public affairs. Civil society consists not only of prominent personalities but also of a variety of collective entities (cooperative unions, civil associations) including churches and religious communities. According to Lefort (1981) religious communities are especially important for several reasons. Firstly, they play a major role in cultivating the virtues that are essential for self-government and a healthy civil society. Secondly, the church speaks out from a specific point of view—traditional ethics. It demands participation and solidarity, especially with the society's least favoured. Thirdly, the church has "bonding and bridging social capital" (using Putnam's concepts). It has the potential to bring people together within the groups from which they come and across different groups such as race, economic status, etc. However, religion could also be dogmatic, violent and irenic, a source of terrorism and according to Philpott's hypothesis (2007) it depends both on the degree of autonomy between religious actors and states and on political theology—the set of ideas about political authority and justice held by religious actors.

The idea of the church and religious communities as public actors encompasses several presuppositions. Among the fundamental ones are freedom of thought, faith, and opinions, ethical pluralism, openness of the churches; this means that all churches compete for the spiritual favour of religious people because none of them has its existence guaranteed by the state. This also presumes a sort of civil culture, i.e. the interest of citizens to take part in public affairs as well as their expectation that churches and/or religious communities will also participate. Only under such conditions can we imagine that churches enter into a dialogue between themselves and with the lay public.

[1] The author acknowledges the support of the EuroEthos Research Project, funded under the European Commission's 6th Framework Programme and Centre of Excellence for Research and Development of Citizenship and Participation: Facing the Challenges of the 21st Century.

Is the church in the current globalizing world prepared for the role of actor in the public sphere? How can the church contribute to democracy and to the promotion of liberal values? How will liberal democracies cope with increasing religious pluralism? How does the church solve the tension between its claims to eternal, absolute truth and equal dialogical partnership in relation to the state, other churches and to the public? Are there differences between the political roles of the churches in traditional liberal democracies and the churches in the democratizing states of Central and Eastern Europe, which, after the fall of communism, were presented with new, previously unimaginable possibilities of public acting? Do churches want to return to their traditional pre-communist position or are they prepared to function as open and free communities? Is the current status of churches in post-communist countries connected with their political role during communism?

The Movements for Democracy and Human Rights in the Communist (Eastern) Bloc

According to Freedom House roughly three-fourths of the thirty countries that made the transition to democracy between 1974 and 1990 were predominantly Catholic. Philpott (2007), commenting on this striking finding posed, an important question "Why would countries the majority of whose population belong to a particular religious community, especially one that has historically distrusted democracy, compose the motor of a global trend in democratization?" On the basis of historical and political comparative analysis, he comes to the following conclusion: the change in the relation between the church and the state was primarily motivated by a deep change in the Catholic Church's political theology after the Second Vatican Council (1962-1965), where the Church adopted human rights, religious freedom, democracy, and economic development into its teaching and declared its withdrawal from temporal privileges. Did a similar shift also take place in the former communist countries where the Catholic Church was kept in international isolation and where its role was socially marginalized?

There is no simple answer. On close inspection we see remarkable differences. The Polish Catholic Church was able not only to resist the state and to maintain its different social roles but it succeeded in defending its autonomy, inner integrity and in fighting for religious freedom, human rights, and democracy as well. Those were precisely the themes which were powerfully reinforced by John Paul II. Human courage and solidarity, internal integrity and strategic thought withstood communist power, which was an undeniable merit of Stefan Cardinal Wyszinski. The political power of the church would not have been possible, however, without an alliance with workers' movements—*Solidarność* under the leadership of Lech Wałęsa.

In a similar vein to the Polish Church, the Lithuanian and Ukrainian Catholic churches allied with the national movement of intellectuals and artists associated with the protection of national cultural heritage.

In East Germany, it was not the clergy but grass-roots Lutheran religious communities from below who resisted the regime more actively. Lack of support from the clergy was probably the reason why a large number of Protestants in the former German Democratic Republic abandoned their Church after reunification with West Germany (Kellog 2001).

The Catholic Churches in Slovakia and Hungary, politically marginalized and internally disintegrated,[2] came to contest their Communist regimes much later than the Polish and

[2] Small non-traditional churches (e.g. Jehovah's Witnesses, Moonists) were more active opponents of the communist regime.

Lithuanian Churches, and did so less vigorously. In the Czech Lands, where civic resistance against the communist regime was traditionally stronger than in Slovakia (Charter 77), the Catholic Church was rather passive.[3] Similarly, the movement for democracy in Slovenia and Croatia was mainly inspired by non-religious leftist intellectuals and nationalists, not by the new political theology of the Catholic Church.

On the other hand, Philpott's hypothesis about the impact of the new political theology of the Catholic Church is indirectly supported by the passivity of the Orthodox churches in communist countries (Russia, Romania, Bulgaria, Bosnia and Herzegovina, etc.), where their political theology is different and has not changed. According to Orthodox belief a liberal democracy is an unacceptable model of democracy because it introduces individual competition which disintegrates the religious community. However, there is also at least one exception. Orthodox communities in Ukraine (especially in the western half) were active as early as the 1980s and applied to the government repeatedly for permission to open orthodox temples (Jelenski 2003).[4]

Church and National Identity in Post-communist Countries

Philpott's hypothesis is also supported by the political analysis carried out by Knippenberg (2006) who noted that since the collapse of communism, Orthodox Churches have been returning to a historically traditional model of church-state relations in which the Church dominates religious life with the support of the state that uses Orthodoxy as a source of national ideology. This political practice is grounded in the theology of the Orthodox Church according to which the harmonious unity between society, state, and church is one of the most important prerequisites for the moral health of a community. Liberal democracy is the antithesis to this ideal, since through individual competition it violates the original integrity of the community (Berger 2005). This hypothesis is supported by the fact that the Orthodox Church received the status of state church in all post-communist countries where this church was dominant. According to sociological surveys, a significant number of inhabitants perceive orthodoxy as part of their unique national and cultural identity which has to be further protected and cultivated (Szilagyi, Flora 2003, Serafimova, Yakova 2003, Kovačević 2003). The only country that does not confirm this general trend is Ukraine, where there is no strong link between the church and national identity (for details, see Jelenski 2003). Ukraine is also exceptional in its openness[5] to new religious communities. In contrast to other post-communist countries there is no restrictive legislation and it is the only state which does not support churches financially. The principle of the separation of the church from the state is still questionable at a practical level since the political elites try to make use of the churches for their particular interests (Jelenski 2003).

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[3] The Catholic Church in the Czech Lands has been in a weak position traditionally, with few adherents due to widespread anti-Catholicism, which dates back to the Habsburg anti-reformation policy and enforced re-Catholicization, which suppressed the reform movement in the Czech Lands and buried the hopes of the Czechs for national autonomy.

[4] Religious persecutions as revenge for active resistance to the regime ceased under Gorbachev, but religious prisoners were set free as late as after 1989.

[5] Between 1992 and 1998, the annual average figure of new religious communities was 1150 and this trend reached its climax probably in 2002 with the record number of 1707 new religious communities.

The differences in political and civil culture between the traditionally Orthodox (e.g. Romania, Serbia, Bosnia and Herzegovina) and traditionally Catholic countries (e.g. Slovakia, Hungary, Croatia, Slovenia) survived even forty years of communism. The fact that after the fall of communism the principle of the neutrality of the state and the separation of the church from the state was constitutionally endorsed in each traditionally Catholic country, can serve as evidence. The principle of the equality of all religions and the principle of recognition of their autonomy together with religious freedom were also constitutionally embedded. The principle of the state's neutrality in education is applied more consistently in Hungary and in Slovenia compared to Slovakia. Social practice contrasts with this legal framework mainly because the dominant position of the traditionally dominant Church is preserved.

Poland is again an exception among traditionally Catholic countries. After 1989, two conceptions of the relation between church and state were widely discussed in Poland: a lay, neutral state understood as the common good for believers of all denominations as well as for non-believers and a Catholic State where religious rules represent the premises or indications for state legislation. Many legislative steps indicate that Poland chose the second model in spite of internal criticism pointing to the violation of the rights of non-believers and atheists (Pietrzak 2003).

A striking fact is that in spite of the imposition of the same ideology of Marxism–Leninism during the forty year reign of communism and in spite of the same kind of anti-religious policy which combined the persecution of religious dissidents with atheist education from kindergartens to universities, religiosity still matters and makes a difference across post-communist countries. According to Eurobarometer 225 these differences are even greater than in Western European countries. Two of the most religious European countries are Romania and Poland where 90% and 80% of respondents respectively declare that they believe in the existence of God, while the Czech Republic and Estonia with 19% and 16% of respondents respectively believing in the existence of God are the countries with the lowest religiosity in the world. Croatia with 67% and Slovakia with 61% of respondents believing in the existence of God display higher than average levels of European religiosity (the mean is about 52%). A lower than average level of religiosity was found in Hungary, Bulgaria, Ukraine and Slovenia where 44%, 40%, 38% and 37% respondents respectively believe in the existence of God.

Church in the Politics of Post-communist Countries

The dominant churches in each post-communist country regained much of the power they lost after 1945. They re-established their official ties with states (in the case of the Catholic Church by international agreements with the Holy See), they re-entered public schools, revitalized their pastoral and charitable activities in hospitals, they were given back much of their property and gained many privileges (Jozefčiaková 2003, Zrinščak 2004). In spite of these favourable positions both in economic and legislative terms, churches do not act autonomously and do not play the role of moral arbiter, who decisively criticizes social immorality and disorder and protects those who are weak and marginalized. A remarkable sociological fact is that the public does not expect the Church to hold such an autonomous and active position (Zrinščak, *ibid*.).

Instead of open involvement in public affairs, most churches seek informal but close ties with the state which enables them to maintain privileges and financial support from the state in exchange for their loyalty. And vice versa, most politicians in post-communist countries count

on the indirect support of the dominant church in favour of their particular political interests. Such informal cooperation acquires significant dimensions mainly in countries without a fully developed system of political parties, with weak and partially functioning civil associations and trade unions. In those countries, the Orthodox Church is the only deeply stratified communication system through which it is possible to spread political ideas effectively and mobilize believers. It is one of the reasons why the church is extensively dragged into politics. In order to restrain such political practice, a law was adopted in Ukraine which significantly restricts the activities of the churches to the religious arena and forbids them from joining the activities of political parties in promoting their candidates or supporting them financially (Jelenski 2003).

The dominance of traditional churches in post-communist countries and their informal character of self-interested politics seems to be the main reason why religion has not lost its taken-for-granted status in society and in the consciousness of individuals and why the churches have not yet transformed into freely chosen denominations which is, according to Berger (2005), a necessary condition for religious freedom. As long as the fact that there are many sects but only one traditional religion which, moreover, is closely tied to the national or ethnic identity, remains in the minds of politicians and the majority population, an unofficial alliance between the church and state that breaches the constitution will continue. In this case, the traditional church has no reason to re-evaluate its position, open itself to equal dialogue and become one of the public actors.

In countries with a monopoly of one church and with a weak autonomy of civil society, there is a risk that the rights of non-believers will be violated, and a limitation on the freedom of speech and opinions of those whose job description includes criticism of social reality, namely journalists, artists, and writers. The autonomy of science is at stake as well. However, this is a more general problem of ethical and political pluralism. According to American philosopher Daniel Dennett "even today religion is the greatest threat to scientific progress and rationality..." To document his worries he reminds us of the fact that half the population in the USA due to the pluralist policy in education rejects the theory of evolution believing that humans appeared on this planet by direct intervention of the divine. He also pointed to several areas of scientific inquiry which are now banned on religious grounds.

Religious Freedom and Freedom from Religion

From the modern history of post-communist countries we have learned that the existence of a monopoly of one traditional church excludes real competition among churches and hinders their transformation into denomination. Thus for the individual, membership is not the result of a deliberative act but is taken for granted and decided by the parents.

In large empires with many religions (e.g. the Ottoman and Habsburg empires) and one official religion, the situation was similar. The plurality of the different religious groups led on favoured occasions to the tolerance of minority churches, but not to religious freedom on an individual level.

Authentic religious freedom according to Berger (*ibid.*) requires the existence of a plurality of denominations. However, what is nearly forgotten is that religious freedom in the fullest sense includes the right not to believe. In other words, religious freedom encompasses its anti-thesis—belief in human reason. This idea was one of the major contributions of the Enlightenment to European ethos. The revolutionary idea of laïcité and of the secular national

state would not exist without the critical questioning of traditional institutions, customs, and morals that is associated with the Enlightenment (1668-1789).

The principle of the separation of state and church—a consequence of secular government legitimized by the will of people—opened the way to full recognition of religious freedom on an individual level. According to republicanism the government has to be granted by the undivided sovereignty of public authority to decide whether, and under what conditions, individuals and associations would enjoy liberty of action. The undivided sovereignty of public authority is justified by the argument that only strong public authority is able to secure peace and to achieve civic health and morality. The polity can prosper only with the unified spirit of contribution and the sacrifice of its citizens for the common good (Galston 2006).

European republicanism generally went the way of gradually increasing recognition of rights for minority religions, which means the expansion of religious freedom by its collective dimension. However, even today the rights of religious organizations are often limited by the state to prevent them intruding upon individual religious freedom.

It should be admitted that in spite of this revolutionary turn many traditional privileges of the churches and their organizations have been preserved until now. One significant privilege is that the state collects taxes for the benefit of the churches.[6] In addition, the recognized churches are entitled to provide religious instruction at public schools, to establish schools, kindergartens, colleges and universities, hospitals, and publishing houses or provide charitable and social services. Moreover, churches are given exemptions from duties with which other citizens are burdened (e. g. they do not have to pay land tax, real estate tax, and sales tax). Churches are exempted by law from respecting the anti-discrimination legislation protecting women, physically and mentally disadvantaged, people with different sexual orientation, if it is in conflict with their morals and internal rules.

If comparing the privileges mentioned with the support given to civil associations in general, and specifically to those with similar or equal humanitarian or charitable objectives, we have to admit significant levels of inequality. How can such inequity be justified? Why should lay organizations established by the church be privileged in that way?

One of the most frequent arguments is that the church provides an invaluable service in the area of morality. Religion is conceived as valuable, not only for the contribution it may make to politics and society, but in its own right. Is, however, justification of these arguments confirmed empirically? Is religion really necessary for good government and moral behaviour?

The example of the countries where the majority of the population does not profess any religion (Czech Republic, Estonia)[7] as well as sociological research do not support this thesis, or support it only partially (see e.g. Stark 2001).

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[6] In most European countries, taxes paid by the citizens are used for the salaries of clergy and lay employees of church institutions regardless of whether they are believers or not. Only in some countries is support differentiated. For instance, in Hungary each citizen has the right to decide whether a certain percent of his taxes will be remitted to a church, civic organization or public service institution according to his choice.

[7] Data using Nation Master, comparing the position of the Czech Republic, Poland (95% Catholic) and America shows the following: Crime: Murder: Czech Republic 0.01 per 1000 people, Poland 0.05 per 1000 people and 23. United States 0.04 per 1000 people. Rape: Czech Republic 0.04 per 1000 people, Poland 0.06 per 1000 people, United States 0.30 per 1000 people. Robbery: Czech Republic 0.39 per 1000 people, United States 1.41 per 1000 people, Poland 1.38 per 1000 people. Health: HIV/AIDS adult prevalence rate Czech Republic less than 0.1% (2001 est.), United States 0.6% (2001 est.),

Liberalism: Political and Ethical Pluralism

A much stronger argument for autonomy of the church follows from liberalism and the associated idea of pluralism which was introduced by British political pluralists[8] and began to be influential in the nineteenth century as a reaction to the growing tendency of the state institutions to be all-powerful (Galston 2006).

According to liberalism religious freedom is a fundamental human right; however, the state should not enforce any ideology, religion, worldview or conviction on its citizens. The public authority has to restrict its power over religious associations and does not determine the substance and scope of permitted belief. Consequently, the state has to recognize the autonomy of religious associations and their right to establish their own criteria for their religious offices. For example, public law cannot invoke general public norms of antidiscrimination to compel the Catholic Church to admit women into its priesthood. The state has to respect the autonomy of church administration as well as that of lay institutions established and managed by the church.

In contrast to republicanism, according to liberalism the state has no right to require the complete devotion of citizens to the common civic good and to determine secular character of public spheres. Instead, the state recognizes multiple forms of human activities and associations and their independent identities. In addition, liberalism recognizes limits in the competence of courts and in the rightful authority of political power in the doctrinal and scriptural interpretation of religions. Summing up, in the liberal political community there is no single authority which is dominant in all spheres, for all purposes, on all occasions.

In our opinion, republicanism and liberalism are both viable alternatives of how to deal with religious pluralism and it depends on the political context which one is more appropriate. Liberalism, which recognizes the autonomy of religious organizations and their political role to a larger degree than republicanism is more appropriate in differentiated and non-authoritarian communities, open to critical inquiry, to dialogue and to negotiation on the mutual limitation of individual and associational freedoms. In a less differentiated society (with a lower degree of independence of church, courts) there is a risk that political pluralism would be misused and lead to the monopolization of public discourse by dominant church. In this context republican principles would be function better.

However, the crucial question is whether political pluralism is the only viable model on how to deal with growing religious and ethnic plurality; in his paper, *Liberal Democracy and the Challenge of Ethical Diversity,* Enzo Rossi (in this issue) argues for this option. He focuses on the following questions. Firstly, whether liberal democracy is sufficiently 'inclusive' towards diversity and secondly, which version of liberal democracy is more suited to dealing with ethical diversity. His analysis is grounded on the judgement of consistency and the adequacy of the prescriptions generated by a theoretical model of liberal democracy.

The other important question is how democratic societies could try to accommodate religious diversity in a way that is both respectful to the specificities of each religious group and compatible with the typically liberal commitment of the democratic state to safeguard individual freedom and equal treatment. Tiziana Faitini and Alessandroantonio Povino (in this

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111. Poland 0.1%. Overall, the Czech Republic comes out ahead of America and Poland in quite a few important ways.

[8] E. g. John Neville Figgis, G. D. H. Cole and Harold Laski.

issue) in their paper *Handling religious diversity: the case of 'holy/rest days' in Italy* draw attention to the case of requests for the legal recognition of religion-specific holy/rest days with the intention of disclosing some indication as to the ways in which democratic societies could try to accommodate religious diversity.

A more critical stance toward the application of political pluralism in a society where the dominant church is perceived as a substantial part of national identity is taken by Jana Plichtová and Magda Petrjánošová in their paper *Pluralism of beliefs, institution of conscientious objection and political practice in post-communist Slovakia* (in this issue). They analyze the failure of government to recognize equally the right to conscientious objection by gynaecologists and the reproductive rights of women.

Juan Carlos Siurana, Isabel Tamarit and Lidia De Tienda analyze in their paper on *Ethical, religious and legal arguments in the current debate over euthanasia in Spain* the recent changes in public discourse on a religiously sensitive issue—euthanasia. The substance of the debate indicates that Spanish society is gradually moving from Catholic traditional morals toward ethical pluralism where there is room for secular philosophy and humanism as well.[9]

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[9] My sincere thanks go to my co-editor of this special issue Juan Carlos Siurana from the Department of Philosophy of Law, Morals and Politics, University of Valencia for his precise, insightful and valuable comments.

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Department of Social and Biological Communication
Slovak Academy of Sciences
Klemensova 19, 813 64 Bratislava
Slovak Republic
Tel.: 421-2-54 77 56 83
Fax: 421-2-54 77- 34 42
E-mail: Jana.Plichtova@savba.sk