

Russian Believers Write to WCC's General Secretary

On 6 March, 1976, Lev Regelson and Fr. Gleb Yakunin wrote a detailed letter (see summary in RCL Vol. 4, No. 2, pp. 9-10) to Dr. Philip Potter about the religious situation in the USSR. (Their letter to the Nairobi Assembly was printed in RCL Vol. 4, No. 1, pp. 9-14.) We print below some extracts from this document. The full text appeared in Religious Liberty in the Soviet Union (reviewed in this issue of RCL pp. 39-41) which can be ordered from Keston College.

TO THE GENERAL SECRETARY OF THE WCC,
PHILIP POTTER

FROM FR. GLEB YAKUNIN AND
LEV REGELSON, MEMBERS OF
THE RUSSIAN ORTHODOX CHURCH

Dear Mr. Potter,

Like many Christians in our country, we are sincerely grateful to you for your personal efforts to which were due in no small part the outstanding spiritual achievements of the Assembly in Nairobi.

The profound and sincere response evoked among delegates by your call for a spiritual resistance to contemporary inhumanity and, specifically, to all manifestations of religious discrimination, brought about a strengthening of Christian influence, a significant growth in the authority of the WCC throughout the world, and especially in our country.

We want to express our profound appreciation to all participants in the Assembly who showed a sincere and effective concern for the fate of the

confessors and martyrs who are victims of such inhumanity.

May all those whose hearts reacted with lively sorrow to the sufferings of their brethren hear the words of Jesus Christ addressed to them: "I was in prison, and ye came unto me" (Matt. 25:36)!

But the Assembly in Nairobi was not merely an arena for the display of love, courage and compassion on the part of Christians of various confessions; it was also an arena for polemic and argument among Christians. It is of profound significance that, probably for the first time in the history of ecumenism, the conflict between the opposing sides affected those fundamentals of our faith and hope which lie deeper than confessional and political differences.

The spiritual division which has taken place causes each one of us to look into the depths of his heart and unfeignedly answer the question: Do we really believe in the final victory of our Lord over the forces of evil in the world? . . .

Do we realize how strong our love must be to preserve this faith when He is bearing His cross to Golgotha, humiliated and jeered at by men?

It is not surprising that, seeing the apparent helplessness of Christianity in the face of the militant and advancing spirit of violence and falsehood, many Christians are saying even now: "Who is like unto the beast? and who is able to make war with him?" (Rev. 13:4).

Participants in the Nairobi Assembly saw and heard those who tried to persuade them not to oppose evil, not to irritate the mighty "beast", in order not to worsen the lot of its helpless victims.

Of course we as Christians, while maintaining a complete clarity of moral perception, must also display wisdom, caution and far-sightedness in our spiritual warfare. "Behold, I send you forth as sheep in the midst of wolves: be ye therefore wise as serpents, and harmless as doves" (Matt. 10:16).

But those who never summon others to anything but faint-heartedness, who become obedient instruments of the forces of evil, can only give warped advice, which is fated to destroy the work of Christ on earth.

They do not help the victims of violence; on the contrary, by constantly covering up injustice, they provoke the aggressors to fresh acts of cruelty, and condemn the innocent sufferers to profound moral isolation; they destroy the spiritual significance of the achievements of the confessors and martyrs, and bring about a disastrous inflation of moral values.

Christians who do not have the spiritual strength to become confessors, who do not believe it is possible to oppose violence openly, can by their *silence* testify to their faithfulness to Christ, to their inner resistance to the spirit of falsehood.

But those who take the initiative in seeking a spiritual union with the implacable enemies of the Church, who place their hopes not in Christ, but in the mighty ones of this world, who themselves become channels for anti-Christian influences, let them recall the warning words of the prophet addressed to them: "Woe to the rebellious children, said the Lord, that take counsel, but not of me; and that cover with a covering, but not of my spirit, that they may add sin to sin; that walk to go down to Egypt, and have not asked at my mouth; to strengthen themselves in the strength of Pharaoh, and to trust in the shadow of Egypt! Therefore shall the strength of Pharaoh be your shame, and the trust in the shadow of Egypt your confusion . . . nor be an help nor profit, but a shame, and also a reproach . . . therefore have I cried concerning this, their strength is to sit still" (Is. 30:1-7).

If Christians through faint-heartedness, spiritual confusion and lack of moral principles give in to evil advice and feed the forces of inhumanity, then there is

no doubt that the world really does face a tragic fate, as prophesied in the Holy Scriptures – to come under the power of evil triumphant.

If Christians do not find within themselves the strength to resist the expansion of falsehood, to resist the spoliation and spiritual decay of the world, then who will?

"Ye are the salt of the earth," Christ said to us, "but if the salt have lost its savour, wherewith shall it be salted? it is thenceforth good for nothing, but to be cast out, and to be trodden under foot by men" (Matt. 5:13).

If we who preach the coming enthronement of Jesus Christ (Rev. 11:15) ourselves show spiritual faint-heartedness before the "beasts of the earth" (Rev. 6:3), will not "the name of God be blasphemed among the Gentiles" (Rom. 2:24) because of us, even though we are called to glorify it?

Dear Mr. Potter,

Turning to that manifestation of inhumanity which caused the greatest indignation among Christian delegates at Nairobi, to the question of the lack of rights of religious believers in a number of countries, including the Soviet Union, we would ask you to look carefully at the ideological actions with which official figures of the Soviet State responded to that indignation.

In their agreed public statements, these official figures¹ made the following basic assertions:

1. In the Soviet Union there are cases of incorrect behaviour by local authorities towards religious societies and individual believers; the State wages a systematic struggle against such violations.

2. Soviet legislation on religion, which reflects the general direction of state policy in this area, not only satisfies all generally accepted standards, but is "the most humane and democratic in the world".

3. The generally satisfactory state of affairs in the realm of freedom of religion is affirmed by the personal testimonies of church leaders², and also by the personal impressions of visitors from abroad.

4. In the Soviet Union there is no-one suffering for his religious activity, but

only a few criminal offenders, sentenced for violating the law on the separation of Church and State. People who testify to restrictions on religion in the USSR are slandering the Soviet State, sometimes for selfish or profiteering motives.³

Of course these statements are aimed at preventing a broad international movement in defence of human rights, specifically religious liberty, in countries which have signed the Helsinki agreement.

These actions are also intended to hamper the activity of the sub-committee of the WCC, organized at the behest of the Nairobi Assembly to investigate the situation of religion and believers in these countries.

The willingness of Soviet state representatives to admit individual cases of religious discrimination on principle, but interpreting them as injustice on the part of the local authorities, may cause confusion to world public opinion and the members of the WCC sub-committee, pre-empting any formal possibility of accusing the Soviet State of anti-religious policy on the basis of individual, although flagrant cases. The reassuring statements of church leaders are also a crucial factor in this kind of disinformation.

In this connection we would suggest that the WCC sub-committee base its investigation of the situation of religion in our country upon an analysis of the legislation on religion. We feel that only in the light of such an analysis can an objective interpretation be given to those facts of religious discrimination about which the sub-committee is able to gather information.

In spite of all statements and false testimonies, the legislation on religion, which was carefully revised in 1975, on the eve of the Helsinki Conference, serves as a convincing, objective and ready-made proof of the fact that there is in the USSR religious discrimination sanctioned by the State.

In this letter we do not intend to consider Soviet legislation on religion in all its details, but we would like to draw your attention to the basic principles of that legislation, which determine its discriminatory character.

We see four such basic principles:

1. The unjust registration of religious societies as a sanctioning act.

2. Religious societies are deprived of property rights to the prayer buildings and basic items of the cult.

3. Religious societies are forbidden to carry on missionary and cultural-social activity.

4. The educational system is discriminatory in character; organized forms of private religious education are forbidden.

Let us examine these principles one by one.

1. UNJUST REGISTRATION OF RELIGIOUS SOCIETIES AS A SANCTIONING ACT

Article 4 of the 1929 Law on Religious Associations, as amended by an Edict of the Presidium of the Supreme Soviet of the RSFSR on 23 June 1975⁴, states that:

"A religious society or group of believers may start its activities only after the Council for Religious Affairs under the USSR Council of Ministers has taken a decision about the registration of the society or group of believers".

Article 7 of the same law underlines the arbitrary nature of the decision to permit or refuse registration:

The Council for Religious Affairs under the USSR Council of Ministers, after considering the materials concerning the registration of the society or group of believers takes a decision about registration or denial of registration for the religious society or group of believers and informs it about its decision.

Article 12 of the law introduces an important limitation, which deprives the registered society of freedom in its internal life:

For each general assembly of a religious society or group of believers, permission shall be obtained from the executive committee of the district or town *soviet* of workers' deputies.

Article 14 ensures complete control on the part of the local authorities and the Council for Religious Affairs over leadership appointments in the religious society, thereby depriving it of any freedom of action:

The registration agencies are entitled to remove individual members from the executive body of a religious society or group of believers.

Article 43 provides for a purely administrative, non-judicial procedure for the closure of a religious society:

Religious associations may be removed from registration if they have infringed the legislation on cults.

Religious associations are removed from registration at the decision of the Council for Religious Affairs under the USSR Council of Ministers on the proposal of the Council of Ministers of the autonomous republic, the executive committee of the territorial, regional or city (the cities of Moscow and Leningrad) *soviet* of workers' deputies.

Behind these words lies a fundamental drawback in Soviet legislation on religion: registration is understood not as an act of recognition, but as an act of *sanction*, i.e. not as simple confirmation of the fact that a religious society exists, but as *permission* for it to exist.

In other words, not merely does the legislation not guarantee freedom for religious societies to exist and to be founded, but actually declares them outside the law. In fact, a religious society cannot exist on its own account, at the will of its members and on a legal basis. On its own account, up to and apart from registration, it is *prohibited*, and only the administrative sanction of the authorities in each individual case can remove that prohibition.

To clarify the situation, let us imagine that we decided to gather some friends in our flat for some sort of celebration, or simply to spend some free time together – but we have no right to do this, for fear of criminal prosecution, without obtaining the permission of a certain government agency.

This example corresponds exactly to the actual situation, since the law also provides for the registration of "religious groups" of less than 20 persons, gathering in believers' private homes and flats, in which case special permission is needed each time.

This is covered by articles 57 of the law:

"Prayer meetings of believers may be performed in premises not specially adapted for these purposes, if notification is made" to the local authorities.

The only alternative is: "Prayer meetings of believers who have formed a group or society may be held, without

notification to or permission of the authorities, in buildings of the religious cult or specially adapted premises . . ."¹⁵

The Edict of 1975 introduced a new limitation on the freedom of religious cults, which was a serious one in comparison with the 1929 legislation, prohibiting the conduct of any religious rites (even if only two or three persons take part in them) in the open air or in private flats without special permission from the local authorities. According to article 59:

Special permission granted for each case separately by the executive committee of the district or town *soviet* of workers' deputies, is required for the performance of . . . religious rites in the open air and also in the flats and homes of believers.

It may have been with this "innovation" in mind that V. A. Kuroedov said, in connection with the 1975 Edict, that "Soviet legislation guaranteeing the implementation of freedom of conscience continues to develop and improve" (*Izvestia*, 30 January 1976).

Now believers cannot invite a priest to baptize a child, to dedicate a home, or even to conduct a service in a forest clearing without the permission of the district *soviet's* executive committee.

"Unauthorized" invitation of a priest to visit a believer who is ill or very old is also a crime, if it cannot be proven that the person is "seriously ill or dying" (article 59).

The principle of registration as a sanction has always been a weapon of religious discrimination.

Even before the February Revolution of 1917, there was sharp criticism in the Russian State Duma for the principle that non-Orthodox religious congregations, which had sprung up again, only had the right to commence their meetings after special permission had been granted by the authorities. Those who defended this principle made no secret of the fact that this constituted religious discrimination, since the Orthodox faith was at that time officially recognized as the chief religion of the State, enjoying a series of privileges. Those who opposed the principle of registration (including some Orthodox) pointed out that in fact it negated the law on freedom of conscience.

The principle of registration as a sanction was re-introduced in the Soviet State by an Instruction of the People's Commissariat of Justice as early as 24 August 1918, and then made more precise and detailed by a series of ordinances in 1922-23.⁶ Inasmuch as atheism was now the ruling philosophy of the State, the unjust principle of registration as a sanction spread to all religious societies.

The introduction of the principle of registration deprived religious societies of any legal defence against arbitrary administrative action on the part of the state bodies, whose attitude to the problem of religion, or to be more precise, to the struggle against religion, was determined exclusively by political considerations.

Thus, in 1922-23 there was a decisive persecution of religion, in particular the Orthodox Church, several thousand of whose members were shot over a short period of time in the artificially-provoked "affair of the church valuables". The renewalist schism which arose at that time, with the encouragement of the State, was furthered mainly through the registration principle: "Tikhonite" Orthodox congregations [under the jurisdiction of the elected Patriarch] did not get registration, and in consequence lost the right to use their churches. For a number of years Orthodox congregations existed illegally, ignoring the demand of registration and subjected to every possible reprisal on this count.

Removing religious societies from registration was one of the weapons used to destroy them in the period of the "Stalinist persecution" of the 1930s, and also the "Khrushchev persecution" of 1959-64.

The 1975 Edict introduced a change in the law on registration which has made the actual situation of religious societies worse, giving sole power of registration to the Council for Religious Affairs, whereas previously this power belonged to the local authorities. Although it is true that anti-religious activities were already carried out in a centralized fashion before, nevertheless the believers do have a few possibilities of exercising psychological pressure (as we have seen, the law does not provide for any legal pressure) on the local authorities - but they are absolutely

helpless before the Council for Religious Affairs.⁷

At the present time, the main victims of the anti-religious law on registration are the *initsiativniki* Baptists, who on principle ignore the demand for registration as a contradiction of constitutional rights of freedom of conscience and freedom of cults.⁸

The fact that they ignore the discriminatory demand of registration gives a continual opening to instigate legal reprisals against them, accusing them of violating the "law on the separation of Church and State" (Criminal Code of the RSFSR, art. 142).

The head of the registered Evangelical Christians and Baptists in the USSR, in his speech at the Nairobi Assembly, asserted that the normalization of relations with the *initsiativniki* was chiefly linked with the problem of registration. The emergence of a schism because of refusal to register⁹ only underlines once again the importance of this problem for religious life in the USSR.

The law on registration as a sanction in practice negates article 125 of the Constitution of the USSR, which states that "freedom of assembly" is "guaranteed by law" to citizens of the USSR; it also nullifies article 124 of the same constitution, where it is proclaimed that "in order to ensure to citizens freedom of conscience, the Church in the USSR is separated from the State"; it is a violation of article 20 of the Universal Declaration of Human Rights, which says:

Everyone has the right to freedom of peaceful assembly and association.

All religious life in our country would have taken on a different character if religious societies had been able to emerge and exist on their own account, without any registration, under the principles of freedom of assembly and freedom of cults; if the closure of religious societies had been possible only by a decision in court on the basis of genuine, proven delinquency.

Until such a reform is introduced, it may be said with full assurance that Soviet legislation on religion has a clearly expressed discriminatory, anti-religious character.

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Dear Mr. Potter,

In connection with the polemic that has developed among Christians on the question of the defence of human rights and the struggle against religious discrimination, the question of personal testimony is taking on a more and more important role. In our letter to the delegates of the Nairobi Assembly, we wrote: "The Christian conscience of our brethren abroad was facing the following question: 'If brutality is so great that those who are being massacred are forced to smile and protest against any offers of help, does this mean that we should not defend them?'"

This question has now become unexpectedly appropriate.

In connection with the fact that by August of this year a WCC committee should, at the behest of the Nairobi Assembly, study and present to the WCC the materials it has gathered relating to the violation of believers' rights in countries which have signed the Helsinki agreement, the Council for Religious Affairs under the USSR Council of Ministers sent out a directive to its local officials: to organize a protest campaign among rank and file clergy and parishioners, with the aim of "neutralizing" our letter to Nairobi, and undermining any possible attempts by the WCC to adopt a resolution of protest against the limitation of believers' rights in the USSR.

Whatever dimensions this campaign of false testimony might reach, we are confident that it will only achieve the opposite result; however many signatures they manage to obtain under various kinds of reassuring letters, the more they will serve as an obvious, clear and convincing assertion of the absence of religious freedom, a proof of the profound and manifold dependence of religious societies on the state administration, a proof of the lack of believers' rights.

No amount of signatures obtained under pressure will prove the absence of religious discrimination in the USSR; nor will it be proven by the insistent assurances of state and higher church figures.

Freedom is its own witness.

The only thing that could prove the absence of religious discrimination would be the adoption by the Soviet

State of a new legislation on religion and an honest fulfilment of it; it could only be proven by tens of thousands of new religious societies, churches, prayer houses, circles for religious instruction, associations for charitable and religious-cultural purposes, which would quickly spring up of themselves as soon as genuine religious freedom was established in the USSR.

We are confident that the WCC, guided by the "spirit of Nairobi", will prove worthy of its assignment and will study the problem of religious discrimination in the contemporary world with the necessary seriousness and objectivity.

The resolution on "Disarmament and the Helsinki agreement" by Policy Committee III calls on governments who signed the Helsinki agreement to respect the Ten Principles determining relations between nations, including the following:

7. Respect for human rights and fundamental freedoms, including freedom of thought, conscience, religion and faith,

and also:

10. Honest fulfilment of obligations imposed by international law.

The resolution goes on to proclaim:

"We pay particular attention to the text of the Agreement relating to the observance of human rights as proclaimed by the United Nations Organization in the Universal Declaration of Human Rights. The Churches have the responsibility to testify, wherever it is necessary, that security and the development of truly humane relations across all frontiers go hand in hand. The Churches must show special concern in the question of the necessity for rules of behaviour and aims, by means of which it would be possible to prevent any attempt at violent actions in response to the establishment of new relationships guaranteeing security and the respect for human dignity . . .

. . . The Churches will also be deeply concerned about those points of the Helsinki agreement which relate directly to their own situation and functions (freedom of religion, free-

dom of belief and worship, contacts among Churches, exchange of information). They will in all clarity bring to the governments their own understanding of these sections, likewise of how they should be implemented."

We hope that these appeals from delegates of the Assembly will be heard and supported by Christians throughout the world.

Being conscious, together with the Assembly delegates, of all the reality of "the power of evil in this world", we

are sure that Christians will find in themselves the courage and the patience to fight against inhumanity and religious discrimination, however much time and effort this might cost.

May the word of Jesus Christ go with us:

"Be of good cheer, I have overcome the world!" (John 16.33).

With sincere and profound respect,

FR. GLEB YAKUNIN
LEV REGELSON

Moscow, 6 March 1976.

FOOTNOTES

¹ Interview of the Deputy Minister of Justice for the USSR, A. Sukharev, in the journal *New Times*, 4 January 1976; interview of the Chairman of the Council for Religious Affairs under the USSR Council of Ministers, V. A. Kuroedov, in the newspaper *Izvestia*, 30 January 1976; editorial article in the newspaper *Pravda*, 20 February 1976.

² For example, the declaration of Metropolitan Yuvenali at Nairobi; the interview of Patriarch Pimen to *Novosti* press agency.

³ We do not consider it necessary to reply to such accusations, including those addressed to us. The only thing that is necessary is to clarify the assertion of Metropolitan Yuvenali at Nairobi to the effect that one of us had been guilty of anti-ecumenical activity. In 1972, in an appeal to the Council of the Russian Orthodox Church (*Sobor*) Fr. N. Gainov and the laymen F. Karelin, L. Regelson and V. Kapitanchuk criticized the theological doctrines of Metropolitan Nikodim and his school (Fr. G. Yakunin also participated in the writing of this appeal, but did not sign it for canonical reasons, as a priest under ban). This appeal did not state that "ecumenism represents a danger for Orthodoxy on the theological level", as Metropolitan Yuvenali claimed, but, on the contrary, expressed the fear that Metropolitan Nikodim's modernist theology, which he gave out as traditionally Orthodox, would be a danger to ecumenism. The appeal did not touch on the activity of the WCC at all - it only criticized some aspects of the work of the Christian Peace Conference. It is

surprising that Metropolitan Nikodim, who is well acquainted with this appeal, did not consider it necessary to correct Metropolitan Yuvenali's statement.

⁴ *Gazette of the Supreme Soviet of the USSR*, 1975, No. 27, p. 572; see also *On Religious Associations* published by Khronika Press, New York, 1975.

⁵ The words which we have omitted: "which comply with the technical and sanitary regulations" are partly intended to distract the attention of the uninformed reader from the real content of this article, which essentially prohibits all meetings of believers which cannot be kept under surveillance. What could one say about a legislation under which citizens could only celebrate their birthdays in "specially adapted premises which comply with the technical and sanitary regulations" - unless they had special permission in each case.

⁶ *Church and State: a Collection of Statutes . . . Part 1*, ed. Gidulyanov, 1923, Part 2, ed. Fioletov 1924.

⁷ The believers' lack of rights is conclusively demonstrated by the story of the vain attempts by the inhabitants of Naro-Fominsk to obtain registration for a religious society. See the book by V. Chalidze, *Human Rights and the Soviet Union*, Khronika, New York, 1974, pp. 213-247.

⁸ The Baptists have on occasion sought registration, but it is true that they reject the more restrictive legislation - [translator's note].

⁹ In fact, the schism took place on the wider issue of compromise with the State, not specifically on the question of registration - [translator's note].