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Towards Participatory Political Theology:
Democratic consolidation in Southeastern Europe and
the Role of Eastern Christianity in the Process

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ABSTRACT

This thesis defends the position that the Eastern Orthodoxy has the potential to develop, on the basis of its core concepts and doctrines, a new political theology that is participatory, personalist and universalist. This participatory political theology, as I name it, endorses modern democracy and the values of civic engagement. It enhances the process of democracy-building and consolidation in the SEE countries through cultivating the ethos of participation and concern with the common good among and the recognition of the dignity and freedom of the person.

This political-theological model is developed while analyzing critically the traditional models of church-state relations (the *symphonia* model corresponding to the medieval empire and the *Christian nation* model corresponding to the nation-state) as being instrumentalized to serve the political goals of non-democratic regimes. The participatory political-theological model is seen as corresponding to the conditions of the constitutional democratic state.

The research is justified by the fact the Eastern Orthodoxy has been a dominant religious-cultural force in the European South East for centuries, thus playing a significant role in the process of creation of the medieval and modern statehood of the SEE countries. The analysis employs comparative constitutional perspectives on democratic transition and consolidation in the SEE region with the theoretical approaches of political theology and Eastern Orthodox theology.

The conceptual basis for the political-theological synthesis is found in the concept and doctrines of the Eastern Orthodoxy (theosis and synergy, ecclesia and Eucharist, conciliarity and catholicity, economy and eschatology) which emphasize the participatory, personalist and communal dimensions of the Orthodox faith and practice. The paradigms of revealing the political-theological potential of these concepts are the Eucharistic ecclesiology and the concept of divine-human communion as defining the body of Orthodox theology.

The thesis argues that with its ethos of openness and engagement the participatory political theology presupposes political systems that are democratic, inclusive, and participatory, respecting the rights and the dignity of the person. The political theology developed here calls for a transformation and change of democratic systems towards better realization of their personalist and participatory commitments. In the context of the SEE countries the participatory political theology addresses the challenges posed by alternative authoritarian political theologies practiced in neighboring regions.

I am grateful to Professor Kallin Yanakiev (University of Sofia) and Professor Michail Nedelchev (New Bulgarian University) for our academic collaboration and friendship throughout the years as well as for the invaluable chance to share and discuss participatory and personalist aspects of Eastern Orthodoxy and political philosophy related to my research.

Without enjoying the unconditional love, trust, and encouragement on behalf of my family – Donka, Vladislav, Nedyalka and Sonya, this research would have not been completed. They have always inspired me and to them I dedicate this work.

DECLARATION

I declare that, except where explicit reference is made to the contribution of others,

that this dissertation is the result of my own work and has not been submitted for any

other degree at the University of Glasgow or any other institution.

Signature:

Printed Name:

Date:

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Introduction

In the last decade, complex interactions between politics and religion are gaining higher visibility in the public sphere. In the globalizing world religion is far from being a private matter left to the conscious of a believer. Religion in modern societies continues to influence the political agenda and to play a significant role in the policy-making process.[1] The societies in Southeastern Europe (SEE) experiencing a process of democratic transition and consolidation are not excluded from that tendency.[2]

The issues of interaction between religion and politics in the course of democratic consolidation of SEE societies will be at the focus of this study. The political and social context to which the argument will refer to is that of countries with still fragile democratic institutions with heavy authoritarian legacy. Democratic achievements in the SEE countries are continuously exposed to radical changes, emerging populist movements and decline of social trust. Despite the seemingly irreversible belonging of some states to the Euro-Atlantic community (Greece, Bulgaria, Romania), the region as a whole continues to be an intersection of geopolitical interests and struggles (EU and NATO, Russia, Turkey). The relative progress and democratization in the SEE countries in the last decades is not irreversible given the interests and influence of authoritarian neighbor states and the fragility of the democratic institutions facing strong nationalist or populist movements, corruption and oligarchy at home.

In this context, the traditional public role of Eastern Orthodoxy for the state-formation, nation-building and cultural development could be employed either in strengthening the forces of democratization and Europeanization in the SEE countries and the region, or in hampering this process. As far as religion provides a source of values and social commitments, as well as gives a sense of meaning and belonging to the larger community,[3] it is important to be identified as an ally in enhancing pro-democratic tendencies in the society.

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[1] Peter Berger, *The Desecularisation of the World: Resurgent Religion and World Politics* (Grand Rapids: Eerdmans Publishing, 1999), 2;
Hent de Vries and Lawrence E. Sullivan ed., *Political Theologies. Public Religions in a Post-secular World* (New York: Fordham University Press, 2006).
[2] The region of Southeastern Europe (SEE), for the scope of this research, will be defined not in geographical terms only, but will include political, cultural and religious dimensions as well. For the purposes of this study expressions 'the SEE region', 'the SEE countries' and the similar will be used in the sense of including countries where Eastern Orthodoxy is a majority religion and in which it played an important role in the process of nation- and state-building (Greece, Romania, Bulgaria, Serbia, Montenegro, Macedonia). These countries also share in common the Byzantine religious-cultural and political legacy.
[3] Peter Berger, *The Sacred Canopy. Elements of a Sociological Theory of Religion* (New York: Anchor Books, 1990), 133-134.

Regional Context and Problem Formulation

As the history of the SEE region suggests, for the most part of the 19th and the first decades of the 20th century, Eastern Orthodoxy was able to influence the public sphere due to its institutionalized position as a traditional, official, national and established denomination. For instance, before the imposition of the communist regime in the late 1940s, the Orthodox churches, being in collaboration with the monarchs and the governments, ensured religious legitimacy to the ceremonies of elevation to political office, higher clergy served in public offices (as regents, members of the parliament, or ministers), church leadership was often consulted for the most important political decisions. Meanwhile, the churches took part in the social and cultural processes by means of compulsory religious education provided at the public schools. The societies were shaped according to the political-religious ideology provided by the Eastern Orthodoxy. Furthermore, the societies necessarily recognized Christian values and traditions as worthy of respect and preservation. In consequence, through all these diverse channels, Eastern Orthodoxy was able to influence, directly and indirectly, the larger socio-political context.

After 1989, all countries in the region have adopted democratic constitutions based on the principles of the rule of law, popular sovereignty, separation of powers, and limited government, safeguarding fundamental rights and freedoms, including the freedom of religion and the separation between church and state. In this context the role of Eastern Orthodoxy in the public sphere and particularly in enhancing the democratic culture in SEE societies is changing. Most importantly, the channels of direct influence over the political and legislative process are not available and not considered legitimate anymore. If the organized and institutionalized religion aims at playing a role in the public sphere, it should consider options other than collaborating with temporary governing majorities. There are opportunities for the Orthodox churches to engage with activities in the civic sphere - raising public consciousness and awareness, cultivating values of participation and active citizenship, participating in an open public discourse, attracting support on behalf of civil society groups and organizations. These could be legitimate mechanisms of influencing the decision-making process the Orthodox Church recognizes the existing pluralism and diversity in the society. In more conceptual terms, Eastern Orthodoxy could be a valuable contributor to the public discourse to the extent it critically reimagines, reinterprets and develops its basic doctrines in line with the democratic values and principles of the civic culture. Whether Orthodox doctrines and

concepts have a democratic and participatory potential that could be delivered to the wider public will be studied in this research.

For this new role to develop, the Orthodoxy has to reconsider its traditional political theology, shaped by traditional and early modern authoritarian and paternalist legacies and models in church–state relations. There should be growing recognition of the fact the historically shaped political-theological models, elaborated and sanctioned by the Church, remained imperfect accommodations to the existing political regimes. The present study will demonstrate that these models have not been fully consistent with the core values and concepts of the Orthodoxy. These political-theological models could not be interpreted as something inherently Orthodox, rather as specific and contextual accommodations to the existing political conditions. The ecclesiastic history suggests the Church has been reflexive in relation to the social and political conditions, that it has been actively present in the world, engaging with the socio-political processes rather than isolating itself from them. To remain faithful to its own traditions of social responsibility, the Church needs also to engage with the current issues of democracy, constitutional government and civil society.

In studying traditional political-theological doctrines and models in Eastern Christian context several stages could be identified. During the Byzantine period the concept of *symphonia* was elaborated. The concept mandates close cooperation, collaboration and mutual support between the church and the empire (the state) in ensuring the social and spiritual well-being of the Christianized population. This concept and political-theological model continues to capture political imaginary in traditionally Orthodox countries and has been practiced with some modifications for centuries. From Byzantium this model of church-state relations was gradually accepted in other predominantly Orthodox medieval states (Bulgaria and Serbia) where it was practiced until the Ottoman Conquest. In the 19th century after the formation of the nation-states in the SEE region, this model re-emerged in a slightly modified form.

The next stage of development is connected to the elaboration of the concept of *ethnarchy* which had to accommodate Eastern Orthodoxy to the conditions of political dominance of a non-Christian empire, during the Ottoman period. It structured a model of interaction between the Orthodox ecclesiastic leadership and the Ottoman state making the Ecumenical Patriarch in Constantinople responsible for the organization and administration of the conquered Christian population. This interaction had to struggle with continuous tensions and conflicts with the hostile empire.

A decisive stage in the modern political-theological development was the period of national liberation movements, revolutions and state-building in the 19th century. During this

period, Eastern Orthodoxy became preoccupied with the nationalist ideology and church-state relations evolved towards the model of an established church (official state-supported national churches) that provided legitimacy to the newly founded monarchies. It employed a modified form of *symphonia* model, in which the relation between the church and the state was 'enriched' with the concept of the nation. Thus the church was uniting and collaborating not only with the state, but also with the nation, understood in ethno-cultural terms.

All these models have corresponded to concrete socio-political realities. They have been developed and established in collaboration with the Church, primarily serving the legitimation of the political authority and recognition of certain ecclesiastic rights and privileges. Relating the political and the theological, these concepts and models of church-state interaction could be labelled with the terms 'imperial political theology' (related to the *symphonia* concept) and 'ethno-nationalist political theology' (based on the concept of 'Christian nation').

Currently, the stage of development of Eastern Orthodox political theology is not yet completed. On the one side, the Orthodox political-theological imagination is often shaped by either the imperial or the nationalist model, both being outdated for contemporary political conditions of democratization and Euro-Atlantic integration of the SEE societies. In this sense, there is no correlation and correspondence between the traditional religious-political conceptualizations and the contemporary political processes. Moreover, the compatibility between Eastern Orthodoxy and western liberal democracy has been questioned in authoritative studies of politics and international relations.[4] The effect is further multiplied, given that some Orthodox churches in the region still employ their nationalist political-theological concepts. Taking into account the populist and nationalist tendencies in some countries, this form of political theology may be used for weakening the democratization process.

On the other side, a powerful political-theological model is emerging in Russia that is openly authoritarian and paternalist in its concepts and practices, and it is used to legitimize Kremlin's regime. Given the traditionally and historically good relations between the SEE states and Russia, and between the Orthodox churches from the region and the Russian Orthodox Church, open institutional channels exist for disseminating this authoritarian

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[4] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of the World Order* (N. Y.: Simon & Schuster, 1996). See also his earlier essay: Samuel P. Huntington, 'The Clash of Civilizations?' (Summer 1993) 72 *Foreign Affairs* 3, 22-49.

political-theological model in the SEE region.[5] This development, in turn, may challenge the incomplete democratic consolidation in the SEE countries.

Yet, another process of framing a political-theological model with more participatory and democratic dimensions could be traced in the official statements of some Orthodox churches and particularly in some declarations, issued by the Ecumenical Patriarchate and pan-Orthodox councils and meetings. In my research, I will argue that such participatory political theology could be constructed and justified on the basis of the core Orthodox Christian concepts and that such a model may enhance the democratic consolidation and civic culture in the SEE societies.

Methodology

The methodology of the research is interdisciplinary linking constitutional and political theory (in respect to the concepts of democratic transition, consolidation and political theology) with aspects of the sociology of religion (in respect to the public presence and visibility of Eastern Orthodoxy) and religious studies (the meaning of Eastern Orthodox theological concepts). In elaborating the thesis, political theology will be employed both as a method of revealing correspondence and analogy between the theological and secular political concepts and as an object of study with respect to the political-theological models and doctrines that have been developed in the Eastern Orthodox context. The construction of the new participatory political theology will emerge from a genealogical study of theological and political-theological concepts starting with the scriptural perspectives, and then moving to the Byzantine *symphonia* model and *Christian nation* model.

While the first part of the research will focus on contemporary issues of democratic consolidation and church-state relations, providing also the necessary historical background, the second part will engage with the political-theological doctrines, concepts and models. It is worthy of note, this study will engage with political theology in a more contemporary perspective not being fully dependent on Carl Schmitt's themes and concepts.[6] Recently published works on the relation between Eastern Orthodoxy and democracy have presented

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[5] This model endorses centralized and authoritarian state leadership in the form of a modified *symphonia* model where the president is invested with superpowers and the patriarch enjoys rights and privileges of a high state official. See also the works of the ultra-conservative Russian scholar and propagandist Alexander Dugin, advocating *Eurasianism*, Alexander Dugin, *The Foundations of Geopolitics* (Moscow: Arctogaia, 2000).

[6] Carl Schmitt, *Political Theology. Four Chapters on the Concept of Sovereignty* (transl. G. Schwab) (Chicago, IL: The University of Chicago Press, 2005); Carl Schmitt, *Political Theology II. The Myth of the Closure of any Political Theology* (transl. M. Hoelzl and G. Ward) (Cambridge, UK: Polity Press, 2008); Carl Schmitt, *Roman Catholicism and Political Form* (transl. G. L. Ulmen) (Westport, CT: Greenwood Press, 1996), 1-45.

approaches, themes and concepts that are important starting points for this study.[7] In applying political theology as a method three different stages will be followed: a genealogical inquiry of a concept, analogy between the religious and political concepts and construction (architecture) of a systematic political-theological model.[8]

The study of the problems of interaction between democracy and Eastern Orthodoxy could be justified in several directions: 1) democratic consolidation is not a completed task for the SEE societies and it is important to identify the forces and tendencies that may enhance or challenge the process – in this regard, Eastern Orthodoxy, being publicly visible, demographically significant and historically linked to the state, could play an important role in either direction; 2) religion in the SEE societies, despite the constitutional separation between church and state, is publicly present and recognized, interacting actively with political institution, social and cultural organizations; 3) the process of ethno-genesis and state-building in the last two centuries has been intertwined with the emergence of autonomous and autocephalous Orthodox churches; 4) the national Orthodox churches themselves have justified their existence and legitimacy with the emergence of the nation-states, with the mission of preserving the nationhood in times of political and social change, as well as with protecting cultural and spiritual traditions of the national community.

Another more general precondition for studying the interaction between democracy and Eastern Orthodoxy is related to the fact the SEE region has experienced a different socio-historical trajectory facing Western secularization and modernization only to a limited extend. A closer look to the history of the region reveals the countries in the SEE region have stayed in the periphery of the processes of Reformation and Counter-reformation, of Industrial Revolution, and Enlightenment in their standard forms. In this context, the interaction between the political and the theological spheres in SEE countries have produced rather different religious-political synthesis compared to the Western models. This is visible when the *symphonia* model and *Christian nation* model are compared to the church-state separation and secularization models. However, the foundation of the modern nation-states in the SEE region and the institution-building that followed generally corresponds to the conceptual and political-institutional patterns of the Western European societies. Consequently, in the SEE countries all basic institutional principles and structures are also present: written constitutions,

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[7] Aristotle Papanikolaou, *The Mystical as Political: Democracy and Non-Radical Orthodoxy* (Notre Dame, IN: University of Notre Dame Press, 2012);
Pantelis Kalaitzidis, *Orthodoxy and Political Theology* (Geneva: World Council of Churches Publications, 2012).
[8] Paul Kahn, *Political Theology. Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011), 122.

rule of law, popular sovereignty, separation of powers, human rights and political pluralism, elections and parliamentary democracy. This development, in turn, has led to accommodation between the traditional political-theological doctrines and models and the predominant political model which is an exemplar case for the adaptability of the Orthodoxy to different social conditions.

Content

The research will be developed in five main stages. *First*, the concept of democratic consolidation will be introduced and elaborated in comparative regional context, with specific inputs from different SEE countries. A particular emphasis will be placed on incompleteness of the consolidation and the weaknesses and fragility of democratic institutions, highlighting the importance of civic engagement as a precondition for a democratic and accountable government (Chapter one). *Second*, issues of contemporary public presence of Eastern Orthodoxy in the SEE region will be studied, providing some historical background information on tendencies and processes that shaped and influenced the contemporary situation. The analysis will be focused mainly on the trends and developments of the last century that shaped the models of church-state relations (the creation of independent nation-states, the communist regimes and the democratization of the last two decades). Country-specific cases of public engagement of the Orthodox churches will be discussed and different approaches (endorsing democracy or challenging the democratization) will be outlined (Chapter two). *Third*, the political-theological themes and concepts will be presented in reference to both Western and Eastern traditions. This will be done along with engaging with the political-theological studies of different scholars. Contemporary Eastern Orthodox perspectives (of Orthodox scholars and official statements of Orthodox churches) on democracy and political theology will be further analyzed (Chapter three). *Forth*, the political-theological models in the Eastern Orthodox tradition will be evaluated through the prism of their biblical foundations, Byzantine and post-Byzantine synthesis, and the modern nation-state ideology. At this stage a conceptualization of the two interconnected political-theological models (*symphonia* model and *Christian nation* model) will be elaborated (Chapter four). This will serve as a point of departure for constructing the participatory political theology advocated here. *Fifth*, the emergence and development of participatory political theology, as rooted in the core Orthodox theological concepts and remaining distinct from the Byzantine and nationalist models, will be studied. In this most constructivist part of the research, the basic values of the new political theology that relate to democratic

participation, will be highlighted (Chapter five). Theological concepts identified as underling and inspiring the new participatory political theology are *theosis* and synergy, *ecclesia* and Eucharist, conciliarity and catholicity, economy and eschatology. They correspond to and nurture the values of personalism, participation, and universalism that define the new political theology presented in this study. The general thesis would be that the emerging participatory political theology in Eastern Orthodox context may strengthen and enhance the process of democratic consolidation in SEE societies by supporting civic engagement and an inclusive socio-political framework that corresponds to its defining values and principles.

What distinguishes this study from other recently published works on Eastern Orthodoxy and democracy[9] is its more contextual approach taking into account the historical legacy of the SEE region, the incompleteness of democratic consolidation and the importance of civic engagement in strengthening democratic institutions. It also takes into account the rival political theology used to legitimize the authoritarian state in Russia. This study examines critically the political-theological models, recognizing the possibility for their political instrumentalization for legitimizing the socio-political establishment. It is also aware of the fact that liberal democracy has never been fully established in the SEE region, that it might never be fully embraced by these societies, and the opportunity to implement the participatory political theology to enhance democratic consolidation, may encounter different socio-political constrains (the viability of the liberal democratic project, the absence of well-structured civil societies in the countries, the inconsistent public presence of the Orthodox churches).

In contrast to the competing traditional and contemporary doctrines and models, the new participatory political theology, elaborated further, is offered as a conceptual approach better consistent to the core Orthodox Christian doctrines and open towards democratic values and practices.

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[9] Papanikolaou, *The Mystical as Political*; Kalaitzidis, *Orthodoxy and Political Theology*; Nicolas K. Gvozdev, *Emperors and Elections: Reconciling the Orthodox Tradition with Modern Politics* (Huntington, NY: Troitsa Books, 2000).

Part I. Democratic Consolidation and Church-State Relations in South East Europe. Historical Trends and Contemporary Issues

Chapter One. Democratic consolidation in Southeastern Europe: concept, context, experience

Introduction

Studying the interaction between democratic consolidation and Eastern Orthodoxy in the context of SEE societies through the prism of political theology requires first an exposition of the context in which this interaction takes place. The first chapter will focus more extensively on the elaboration of the concept of democratic consolidation and its regional contextualization, while the second will study different dimensions of church-state interaction in the region in a historical and institutional perspective. With their contextual, conceptual and empirical content the first two chapters are designed to serve as a basis for the theoretical work in the second part in developing a political-theological perspective that relates Eastern Orthodoxy to the wider liberal democratic and participatory framework.

This chapter will analyze democratic consolidation in the region of Southeastern Europe as an on-going process and will highlight the importance of civic engagement and participation in maintaining the democratic governance in the SEE countries. Despite the membership of Greece, Bulgaria and Romania in the EU, and the prospects for accession of the Western Balkan countries, issues regarding consolidation of democratic institutions are still at stake. There are multiple factors which contribute to the weakened state of constitutional democracy in the countries while hampering their future political progress.

A realistic view on the process of democratic transition and consolidation implies that backsliding from democratic politics may occur at any time. In the second half of the 20th century Western societies have developed adequate institutional remedies against such negative scenario. In these societies, deeply rooted democratic traditions support well-ordered institutions, relying on high levels of institutional and social trust.[10] In developed Western democracies, political and social actors, as well as the general ethos of the public sphere, function in way to enhance and reinforce democratic traditions and institutions. Radical and populist movements exist, however, they are not powerful enough to erode and undermine the general functioning of well-established democratic institutions or effectively challenge the

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[10] Natalia Letki and Geoffrey Evans, 'Endogenizing Social Trust: Democratization in East-Central Europe' (2005) 35 *British Journal of Political Science,* 515-529.

democratic consensus in society. Unlike the Western democracies, political systems in the Central and Southeastern Europe are still threatened by long-lasting anti-democratic sentiments and practices. Though the political and social transformation from communist totalitarianism to liberal democracy might seem successful for the majority of the new EU member-states, there are processes that signal an increased concern in regard to the quality and sustainability of democratic institutions.

The purpose of this first chapter is introductory – to present the concept of democratic consolidation, regional context and emerging challenges to the sustainable democratization of the SEE countries. In doing this, different stages in the process will be highlighted – beginning with institutional reforms and constitution-making in early 1990s; continuing with the analysis of problems of transition and consolidation; providing a contextual perspective of challenges to democratic consolidation in two countries - Bulgaria and Romania, sharing similarities in their political (democratic transition from dictatorship followed by membership in the EU) and religious (Eastern Orthodox) culture. To illustrate the trends in regard to democratic development, some comparative data will be provided. The significance of the process of civil society awakening and civic participation for maintaining democratic institutions will be highlighted.

1. *Democratic consolidation in South East Europe: the concept*[11]

1.1. Defining the concept

In studying democratic consolidation, it is important to define the scope, meaning and content of the concept. In this respect two initial considerations apply. First, this concept is chosen because of its comprehensive, dynamic and multi-dimensional features linking all major preconditions for successful democracy-building: functioning rule of law, legitimate and representative political institutions, independent civil society and active civic participation, popular acceptance of democratic institutions and practices. Second, this multi-dimensional concept allows for a study focused on complex interaction between Eastern Orthodoxy and democracy on institutional (church-state) and conceptual (political-theological) level. Increased public presence of religion after the fall of communism and the historical linkage between the church and nation-states in the region, precondition the active

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[11] I have engaged with the issues of democratic consolidation in the SEE region, analyzing also challenges and perspectives, in a separate article, see Atanas Slavov, 'Democratic Consolidation in South East Europe – a Step Forward' (2015) 39*Southeastern Europe* 3, 347-368.

role Eastern Orthodoxy could play in contributing to the process of democratic consolidation through enhancing democratic values and practices of civic engagement and participation.

Elaboration of the concept of democratic consolidation is related to political changes that occurred in the last quarter of the 20th century with the democratization of Southern and Eastern Europe and Latin America. The concept is elaborated by political scientists Juan Linz and Alfred Stepan. As defined in their comparative study, democratic consolidation refers to a process leading given political system to a state where democracy becomes metaphorically 'the only game in town'. The definition also includes some important characteristics. *Behaviorally*, a democratic regime is consolidated when the leading national, social, economic, political, or institutional actors in order to achieve their objectives do not turn to support non-democratic policies or resort to violence to secede from the state. *Attitudinally*, a democratic regime is consolidated when significant majority of the public holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life in their society and when the support for anti-systemic/antidemocratic alternatives is insignificant or marginal. *Constitutionally*, a democratic regime is consolidated when governmental and nongovernmental forces become subjected to, and habituated to, the resolution of conflict through specific laws, procedures, and institutions sanctioned by the emerging democratic process. In short, with its consolidation, democracy becomes routinized and deeply internalized in the practices of social and political institutions, in the behavior of the people, as well as in their calculations for achieving success.[12]

Furthermore, a political system is considered consolidated democracy, when five other interconnected and mutually reinforcing conditions are also present. *First*, conditions for the development of *free and lively civil society* should be present. *Second*, relatively *autonomous and valued political society* has to exist. *Third*, the *rule of law* should be implemented securing legal guarantees for individual rights and freedoms, independent associational life and protecting the principles, values and institutions of the limited constitutional government. *Fourth*, well-organized state bureaucracy with sufficient institutional capacity should exist, thus ensuring the *governability and predictability of the social and political processes*. *Fifth*, an *institutionalized economic society* must be functioning. It is understood as a set of socio-

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[12] For the definition and the attributes of democratic consolidation employed in this paragraph, see Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation. Southern Europe, South America, and Post-Communist Europe* (Baltimore: The Johns Hopkins University Press, 1996), 5-6.

politically crafted and accepted norms, institutions, and regulations, useful in mediating between the state and the market.[13]

These multiple aspects of the concept of democratic consolidation allow for evaluation of the role Eastern Orthodoxy (mediated through the political theology) could play at the different levels of a democratic system – from values and principles to civic engagement.

1.2. Application of the concept and critique

The degree of democratic consolidation in SEE region could be evaluated on the basis of different criteria. Authoritative scholarship distinguishes between well-functioning institutions of developed democracies and weak institutions of unconsolidated democracies. The latter could be recognized by the existence of wide-spread practices of clientelism, corruption, parallel networks of power, which replace or dominate over the official institutions. These unfair and undemocratic practices gain such significance that they may transform the democratic regime into a façade, covering the real nature of corrupted political process.[14]

Another set of explanations of fragile democratic regimes in SEE societies is related to the lasting *cultural legacies* (weak democratic tradition; lack of receptivity to Western values; undeveloped institutional and political culture; hampered process of modernization of social and political structures) that characterize these societies for many decades. All these, it is argued, continue to slow down the advancement of democratic institutions and practices. Closely related to this explanation is the view that in SEE societies exist enduring *popular psychological stereotypes* (passivity, fatalism, voluntary submission to rulers, practices of dependency and cronyism) which predetermine the (low) degree of civic engagement in the public sphere.[15]

These approaches might be useful in differentiating between SEE societies and Western democracies, though they remain incomplete and insufficient in explaining the difficulties in consolidating democracy in the region. There are present-day challenges to consolidation which are of higher importance compared to the cultural legacies or psychological stereotypes. One of the most serious problems SEE societies are facing is *the*

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[13] Ibid., 7-11.

[14] Guillermo O'Donnell, 'Delegative Democracy' (January 1994), 5 *Journal of Democracy* 1, 55-69; Guillermo O'Donnell, *Dissonances: Democratic Critiques of Democracy* (Notre Dame, IN: University of Notre Dame Press, 2007), ix-xi.

[15] Stephen Holmes, 'Cultural Legacies or State Collapse? Probing the Post-communist Dilemma', in: Michael Mandelbaum (ed.) *Post-communism: Four Perspectives* (New York: Council on Foreign Relations, 1996), 22-77.

crisis of governability and the general weakness of state institutions. According to this understanding, failures in institutional performance are not predetermined by socio-cultural legacies; they result, instead, from weak institutional response to arising problems caused by lack of incentives, poor legislation, or insufficient funding.[16] This could be described as a state-centered approach to the study of problems of democratization that focuses both on dysfunctionality of bureaucratic apparatuses and the role of well-organized opportunistic elites who deliberately manipulate institutional performance in their own benefit.[17] This approach explains why the specific institutions that have been targeted and intentionally weakened during the initial phase of transition have been those responsible for wide redistribution of resources and exercising controlling functions (privatization agencies, public procurement, banking system, the judiciary). Hence, according to the state-centered approach, it is not the historical and cultural legacies, but the deliberate political action that strengthens or weakens institutions. Following this approach, it could be argued the SEE region is not predetermined to remain in the European periphery. In spite of its non-democratic legacy, strategic reforms could be undertaken to establish democratic, effective and accountable governance and limit the influence of opportunistic elites on the institutional structures.

In applying the concept of democratic consolidation, it is worth addressing the critique of some scholars.[18] The major criticism targets the claim of universality of transition and consolidation paradigm and its lack of concern for local and regional peculiarities. According to some critics, the concept does not take into account significant varieties of political culture, traditions, and social conditions in different regions that shape the process of major political changes. Hence, it is argued, it could not be defended that the process of political change in specific societies and regions outside Europe and North America will necessarily lead to acceptance of a liberal democratic system. In fact, the answer to this challenge is simple: the concept has no prescriptive normative meaning requiring the establishment of liberal democracy in the societies experiencing a transition from dictatorship to democratic regime. Rather it attempts conceptualization of recent democracy-building processes in different societies (Southern and Eastern Europe, South America) in the late 20th century.

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[16] Holmes, 'Cultural Legacies'.

[17] Venelin I. Ganev, *Preying on the State: The Transformation of Bulgaria after 1989* (Ithaca, NY: Cornell University Press, 2007), 3-6.

[18] Guillermo O'Donnell, 'Illusions about Consolidation' (April 1996) 7 *Journal of Democracy* 2, 34-51. O'Donnell, 'Democracy, Law and Comparative Politics' (Spring 2001) 36 *Studies in Comparative International Development* 1, 7-36; Thomas Carothers, 'The End of the Transition Paradigm' (January 2002) 13 *Journal of Democracy* 1, 5-21.

Democratic consolidation as a concept is challenged also by the representatives of the *realist* school of political thought emphasizing the importance of social and political preconditions before establishing of a democratic system.[19] Among these necessary preconditions priority is often given to the rule of law and the well-functioning state. The *realist school* (*sequentialism*) suggests that only after preconditions for effective state-building are established in a particular society, its political regime may be gradually changed into a democratic one. In this intellectual paradigm, stabilization of the state government has priority over democratization. If these preconditions are not established, continues the argument, rapid regime change and democratization of weak political institutions may give rise to different forms of extremism and populism. This, in turn, does not facilitate, but threatens the democracy-building. Following this line of argument, the conclusion it mandates is that regime change should be moderate, relying strongly on the will of well-minded and benevolent political leadership, not empowering citizens to participate actively in the political process.

These arguments could be answered in several directions. The presumption that postponing democracy and governmental accountability will contribute in the end to the establishment of the rule of law and effective institutions awaiting future democratic process to begin, is rather misleading. An autocratic, unchecked government could hardly be successful in establishing the rule of law and initiating democratic change. As benevolent as autocracy might be, it remains a form of unlimited and potentially arbitrary rule.[20] The resolution of tensions in society relying on physical force rather than debates or elections would be a constant threat. Hence, the need arises for the creation of procedures of checks and balances. Their role should not be underestimated and postponed for an imagined better period after the stabilization and solidification of state institutions. Otherwise, the opportunity to change the government without relying on revolutionary violence would remain a shallow option. This opportunity of a peaceful regime change is indeed the form of democracy considered to be Western and liberal.[21]

Yet another group of arguments critical of the use of the concept of democratic consolidation stems from the assumption that democratization necessarily unfolds as a predictable, sequential process with the following stages: it begins with *opening,* a period of

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[19] Fareed Zakaria, *The Future of Freedom: Illiberal Democracy at Home and Abroad* (New York: Norton, 2003); Robert Kaplan, 'Was Democracy Just a Moment?' (December 1997) *Atlantic Monthly,* 55–80.
[20] Thomas Carothers, "The 'Sequencing' Fallacy" (January 2007) 18 *Journal of Democracy* 1, 12-27.
[21] Karl Popper, 'Public Opinion and Liberal Principles' and 'What Does the West Believe In', In: *In Search of a Better World. Lectures and Essays from Thirty Years* (London: Routledge, 1996), 151-161, 204-223, 220.

political liberalization in the ruling dictatorial regime; which develops into *breakthrough*, most essentially defined by the collapse of the dictatorship and the emergence of new democratic institutional structure; followed by *consolidation,* a gradual and purposeful process in which democratic forms are transformed into democratic substance through institutional reforms, free and fair elections, strengthening of civil society, enhancing civic participation and 'the overall habituation of the society to the new democratic "rules of the game".[22] These critical views have already been addressed to some extent by emphasizing that the concept does not have prescriptive and normative meaning and it is constructed on the basis of democratization experience in specific societies and regions in last decades. The concept does not presuppose that all or even a majority of countries experiencing political change will be successful in establishing a democratic system. As the recent history of CEE/SEE countries after 1989 suggests there is no strict sequence of stages in achieving democratic consolidation. There are obvious backslides and periods of democratic stagnation in some countries (Hungary, Bulgaria, Romania, Poland) which questions the perspectives of democratic consolidation.

Not having a prescriptive and normative meaning the concept of democratic consolidation is sufficiently dynamic and useable in a more nuanced way. It is suitable for presenting the experience of different countries and regions undergoing political liberalization and democratic change. Nothing in the concept implies that once societies have initiated democratic reforms they will necessarily progress towards consolidation of democratic institutions. Rather, it implies the outcome of democratization is never certain, it remains an open-ended process. Depending on specific conditions, it may lead towards better quality of democracy, or may provoke reactionary forces to regain control and eliminate political opposition. It is true, rapid political changes produce multiple and often unexpected socio-political outcomes and democratic consolidation is only an option, sometimes very implausible one.

For the scope and purpose of this study no further theoretical engagement with the concept of democratic transition and consolidation is necessary at this stage. In the following sections a general overview of the regional context of democracy-building (with its phases of political change, civic engagement and constitution-making) will be outlined.

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[22] Carothers, 'The End of the Transition Paradigm', 7.

2. *Democratic consolidation in South East Europe: the context*

The process of regime change from totalitarianism to constitutional democracy started in the end of the 1980s with mass civic demonstrations, creation and involvement of civil society organization and dissident movements in the former communist countries. The scale and intensity of the civic involvement in the political changes of 1989 has been of such significance to be described as a 'velvet revolution', meaning a non-violent political change through mass civic mobilization.[23] These civic upheavals have led to the overthrow of the communist regimes in the Central and South East Europe and to the first steps of democracy-building: establishing political and civil society pluralism (guaranteeing freedom of speech, and freedoms of association and assembly), organizing general free elections and initiating a process of constitution-making.

2.1. *Democratic institution-building: constitution-making process after 1989*

Following the peaceful revolutions of 1989 the first institutional decisions have been directed to the dismantling of the party-state, providing legislative safeguards for political and civic association, assembly and participation, and ensuring the process of democratic institution-building. The inception of the constitution-making process was preceded by the political and civil mobilization and the appearance of the organized civil society (although very weak in the beginning) and the public sphere.

In the beginning of the democratic transition decisive constitutional moments, to use Bruce Ackerman's term, existed in each of the CEE states – in the beginning of 1990s citizens were preoccupied with fundamental constitutional issues of redefining the form of government, reevaluating the meaning, nature and scope of the public good, establishing the rule of law and safeguarding civil and political rights for all.[24]

This foundational process was multifaceted. Some countries (Bulgaria, Romania, Check Republic, Slovakia, Slovenia) have adopted their democratic constitutions in the beginning of the democratic process. Thus, they have framed the on-going, though not fully grown, democratic process with the intention of securing political stability deemed necessary for the good performance of the newly created institutions. Others, like Poland and Hungary, have chosen more pragmatic approach to constitutional change - first adopting significant amendments in their old constitutions, directed at safeguarding the fundamental principles of

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[23] Ralf Dahrendorf, *After 1989: Morals, Revolution, and Civil Society* (London: Palgrave Macmillan, 1997).
The political transition in Romania and the Western Balkans are the obvious exceptions from the 'non-violent' or 'peaceful' narrative.
[24] Bruce Ackerman, *We the People. Foundations* (Cambridge, MA: Belknap, 1991), 240.

the modern constitutional state (rule of law, human rights, separation of powers, political pluralism, free market economy); then, after a period of several years of intensive institution-building and democratic experience, allowing time to learn from practice and correct, national constitutional assemblies passed completely new constitutions which reflected national specifics in their road to freedom.

In either case, the visible result from democratization process has been the creation of constitutional states that fit within the Ackerman's understanding of 'dualist constitutional democracy' which distinguishes between normal politics (in which citizens and organized interest groups aim at influencing democratically elected representatives) and constitutional politics (in which citizens actively participate in the debate on fundamental principles of the social contract).[25] Thus, in terms of constitutional politics, citizens in emerging new European democracies, after proper constitutional debate and argument, have deliberately decided to establish liberal democratic regimes. Moreover, in line with Ackerman's concept, these societies have recognized the difference between the higher law of the constitution, enacted by 'We, the People' and the ordinary laws, adopted by the temporary political majority in a specific political moment.[26] To safeguard the higher law of the constitution, these countries have accepted an institutionalizied and centralized form of constitutional review and adjudication through constitutional courts.

It could be argued that CEE/SEE countries have experienced constitution-making process aimed at the creation of written constitutions as directly applicable supreme laws, not easily alterable by short-sighted political majorities or exposed to radical populist sentiments. From the point of view of the fully consolidated democratic system, newly established constitutional architecture yet had to be filled with authentic democratic content. The paramount political question has been how to create effective and efficient institutions that are able to cope with the challenges of the emerging democratic regimes. To balance between the need of effective constraints on political power (creating proper mechanisms of checks and balances) and yet allowing sufficient empowerment of institutions necessary to build and defend democracy, has been an important task before the framers in the constitutional assemblies.[27] A closer look to the recent developments in the region highlights emerging challenges to the formally established constitutional democracies.

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[25] Bruce Ackerman, 'Constitutional politics/ Constitutional Law' (December 1989) 99 *Yale Law Journal*, 453-547.
[26] Bruce Ackerman, *We the People: Transformations* (Boston: Harvard University Press, 1998), 5-6.
[27] Stephen Holmes, 'Precommitment and the Paradox of Democracy', in: Jon Elster and Rune Slagstad (eds.), *Constitutionalism and Democracy* (Cambridge: Cambridge University Press, 1988), 195-240.

In the first years of the transition period, new democracies faced challenges in several directions: in accepting and functioning according to the democratic values and principles; in defining the democratic form of government and empowering new institutions and yet providing effective checks and balances against arbitrary rule; in creating vibrant and independent civil society and cultivating civic culture of participation and engagement; in limiting the presence and influence of the former communist *nomenklatura* in the public sphere and the political process. At the stage of constitution-making, constituent assemblies in the new democracies had to consider different alternatives before deciding on fundamental issues such as the form of government, the political and electoral system.[28] Among the known and established republican political models in the liberal democracies (parliamentarism, semi-presidentialism, presidentialism), the vast majority of the CEE countries have chosen to implement a modified form of parliamentary or semi-parliamentary government. An important characteristic of these hybrid parliamentarian systems is the constitutional role of the president of the republic attributed with specific functions becoming an important veto-player,[29] with regards to the executive and the legislative branch. The legitimacy and the role of the institution are further emphasized in some countries where presidents are directly popularly elected for a term of office longer than the parliaments (Bulgaria, Poland, Czech Republic, Romania).

During the constitutional debates of the early 1990s, the general understanding has been that the exercise of constituent power should follow certain principles and limitations, in order to safeguard against arbitrary rule. In this context, the principle of popular sovereignty had to be moderated and exercised in conformity with other principles of constitutional democracy (rule of law, separation of powers, protection of human rights).[30] Though the

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[28] Walter Murphy, 'Designing a Constitution: Of Architects and Builders' (2009) 87 *Texas Law Review* 1303-1337;
Walter Murphy, 'Alternative Political Systems', in: Sotirios A. Barber and Robert P. George (eds.), *Constitutional Politics: Essays on Constitution Making, Maintenance, and Change* (Princeton, NJ: Princeton University Press, 2001), 9-40.

[29] George Tsebelis, *Veto Players: How Political Institutions Work* (Princeton, NJ: Princeton University Press, 2002), Chapter 3.

[30] For a contemporary and rather skeptical view on the principle of popular sovereignty encapsulated in the nation-state, see Fernando Atria, 'Living Under Dead Ideas: Law as the Will of the People', in Maksymilian Del Mar and Claudio Michelon (eds.), *The Anxiety of the Jurist. Legality, Exchange and Judgement* (Surrey, UK: Ashgate Publishing, 2013), 101-137 ('…unlike other legal concept, the democratic concept of 'the people' could not be understood pre-institutionally…But with no pre-institutional correlative to render it intelligible, democratic institutions can be nothing but form. Thus the options do not seem particularly attractive: democratic institutions are an empty formalism, an arrangement that is neo-liberal or plainly racist (ethnocentric). This is why nowadays we seem to be living under the domain of dead ideas: that is, ideas that operate, but are unintelligible… the non-institutional correlate of the institutional concept of the people is not pre-institutional, but actually *post-institutional*: 'the people' is an anticipatory way of talking about the whole of humanity. We already live according to the will of the people, but not yet', at p. 137);

people are considered the ultimate sovereign and the source of the political power, the exercise of their sovereignty, is not an arbitrary act, but is channeled through procedures and bound by principles.[31] In this regard, substantive constraints to the exercise of the popular sovereignty have been found to emanate from different sources - binding international instruments on human rights, international political context endorsing democratic change, popular will to create democratic constitutional states.

One of the challenges to democratic transition and constitution-making during the first years after 1989 has been connected to the place and the role in the process of the former communist elite. The foundational process of the new democratic polities has occurred in tension with the forces and actors of the old regime. In the beginning of the transition, the former communist elite were still powerful and played a significant role in directing the political change process in some CEE states. Participating in the process of regime change, the communist elite gained significant social and political capital that could be further used during the transition period. In some countries (Romania, Bulgaria) the former party elites secured dominant position in their economies (through the process of privatization[32]) as well as preserved their political influence. Several times in different countries from the region governments led by socialist had to step down after mass civic demonstrations in defense of the democratic values and principles against significant governmental abuses (e.g. Serbia - 1997 and 2000, Romania – 2014 and 2015, Bulgaria – 1997 and 2013, Hungary - 2010). This highlights the importance of civic engagement and mobilization in the CEE/ SEE region in maintaining the democratic political regime and consolidating democratic institutions.

As the overview of the constitution-making process in CEE/SEE countries suggests, democratically adopted constitutions had to create the conditions of their own validity and popular acceptance. They represent a form of prospective social engineering relying for their performance on social and institutional conditions yet to be fully developed (e.g. active civil society and civic participation, independent judiciary, fair political representation, free market economy). None of these were present during the short-lived foundational moments of constitutional deliberation and decision-making. To be positively evaluated, new constitutions have been expected to fulfill democratic promises and deliver intended results, to secure space for a vibrant civil society to grow and develop. This account does not underestimate the

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See also Neil MacCormick, *Questioning Sovereignty. Law, State and Nation in the European Commonwealth* (Oxford: Oxford University Press, 2001), 123-137.
[31] Ulrich Preuss, 'The Exercise of Constituent Power in Central and Eastern Europe', in: Martin Loughlin and Neil Walker (eds.), *The Paradox of Constitutionalism: Constituent Power and Constitutional Form* (Oxford: Oxford University Press, 2007), 211-228, 215.
[32] Ganev, *Preying on the State*, 62-95.

paradigm of liberal constitutionalism dominating the first years of democratic transition focused on ensuring effective checks and balances, limiting arbitrary government and protecting fundamental rights and freedoms.[33] In fact, such liberal constitutions were important for fostering democratic growth and consolidation in CEE/SEE region. Nonetheless, they have to be complemented by further initiatives, polices and institutions enhancing social cohesion and civic engagement.

2.2. Types of constitutionalism in CEE/SEE countries

The process of democratic consolidation in the region could be studied through the prism of the types of constitutionalism that have spread across Central and Eastern Europe. The role of constitutional design for democratic growth in the CEE countries could not be underestimated. Constitutional scholars often focus on both substantive and procedural issues in regard to CEE constitutions. To be legitimate and popularly accepted a constitution should meet certain preconditions: it should be adopted by a qualified majority in the constituent assembly (and/or confirmed by majority of the citizens on a popular referendum) within a complex procedure ensuring a high degree of agreement among the population in regard to the basic values, principles, procedures and institutional structures; it should safeguard these substantive values and principles along with providing effective mechanisms of governing; it should be considered 'respect-worthy' on the basis of recognition and performance in a specific social and political context.[34]

One of the primary objectives of the constitutional re-founding of the states has been to ensure public trust in and provide legitimacy of the legal and institutional systems lost during the dictatorship. Law and institutions had to be vindicated from their recent history of abuse and legitimation of injustice. The legal system had to be reinterpreted as embodying substantive values and principles (of freedom, justice, solidarity, rule of law), not as an instrument of arbitrary coercion. These principles have been considered an important safeguard against purely instrumental or merely facade character of laws experienced under communist dictatorship.[35]

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[33] Friedrich Hayek, *The Constitution of Liberty* (Chicago: The University of Chicago Press, 1978), 182.

[34] Frank Michelman, 'Is the Constitution a Contract for Legitimacy' (2003) 8 *Review of Constitutional Studies*, 101-128; Jack Balkin, 'Respect Worthy: Frank Michelman and the Legitimate Constitution' (2004) 39 *Tulsa Law Review*, 485-509.
For a critical assessment of the civic republican ideas expressed by Michelman and Balkin, see Emilios Christodoulidis, *Law and Reflexive Politics* (Dordrecht: Kluwer Academic Publishers, 1998), Ch. 4, 31-52.

[35] For a substantive approach to the rule of law and a criticism against instrumental understandings, see Brian Tamanaha, *Law as a Means to an End: Threat to the Rule of Law* (Cambridge: Cambridge University Press,

To define constitutionalism in the region, different concepts could be employed. A major distinction between 'radical-democratic' and 'institutionalist' types is drawn in the constitutional scholarship.[36] The radical-democratic type is considered to capture revolutionary spirit of great social transformations, thus embodying the genuine popular will. Not only does it create new institutional framework, but also provides an expression of popular hopes and incorporates social promises for a better political and social system. According the concept, people should remain the ultimate arbiter of political conflicts. This type of constitutionalism is safeguarded by powerful popularly elected assemblies, as well as through proportional representation, imperative mandate of the elected representatives and frequent use of referenda.

In contrast, the institutionalist type of constitutionalism gives preference to the process of institution-building, procedures of institutional functioning, principles of separation of powers and checks and balances, instead of direct exercise of popular will. Within this framework, constitutional design is focused on the process of problem-solving and conflict-resolution, rather than on substantive policy issues. The institutional type opens opportunities for normalization of politics through channeling popular sentiments into well-established rules and procedures of decision-making.

In the region, after the period of intensive civic mobilization in the beginning of democratic transition, the constitutions that have been adopted are of the institutionalist type. In these supreme laws a variety of internal checks on direct popular decision-making is provided: indirect exercise of constituent power through distinct constitutional assemblies (Grand National Assembly in Bulgaria), constitution-making procedures requiring supermajorities, clear separation of powers provisions, free mandate of elected representatives, relatively rare use of direct democratic instruments (referenda, popular initiatives and agenda initiatives), entrenchment clauses regarding fundamental rights, mechanisms for constitutional review of legislative acts. These features have been contemplated as safeguarding the direction of the democratic political change.

In the first years of democratization, it has been believed that adopting rigid constitutions that channel the popular will in more moderate forms (emphasizing

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2006); Brian Tamanaha, *On the Rule of Law: History, Politics, Theory* (Cambridge: Cambridge University Press, 2004).

[36] For this and the following paragraphs, see Ulrich Preuss, 'The Exercise of Constituent Power in Central and Eastern Europe', 220-222.

In addition, a similar distinction between constitutional populism and liberal constitutional democracy is provided in Frank Michelman, 'Constitutional Authorship', in Larry Alexander (ed.), *Constitutionalism. Philosophical Foundations* (Cambridge: Cambridge University Press, 1998), 64.

representation, rather than direct democracy) will serve better the transition towards liberal democracy. This has been seen as counterbalancing the risks of strong populist and nationalist movements in the first phase of the transition. In the last decade, however, this institutionalist and liberal model of constitutionalism in CEE/ SEE countries is changing. There is more frequent use of the forms of direct and participatory democracy (referenda, citizens initiatives, public consultation of legislation) that have been seen as ways of overcoming deficits of democratic representation. These forms of direct civic participation are often considered by the citizens as more reliable and efficient checks on the governmental power compared to the traditional institutional forms of representation and review. These mechanisms are presented as empowering active civil society groups to stand up in defense of democratic values and principles, to require governmental accountability, when the institutions are 'captured' by special corporatist interests.[37]

In addition to the distinctions presented above, recent studies suggest that there has emerged a specific type of constitutionalism in some SEE countries (Bulgaria, Romania, Serbia) defined as 'weak-state constitutionalism.'[38] It has been described as allowing wider discrepancy between relatively well defined constitutional structures on paper and their weak performance in practice. This explanation is more adequate in the SEE context, compared to the simple institutionalist model, presented above. The concept of weak-state constitutionalism is multi-layered taking into account the role of human agency, institutional change and social context in the region. One of the persisting problems in the SEE constitutional systems is their inefficiency – formal observance of constitutional norms and procedures does not necessarily fulfill citizens' expectations for good governance, accountable and efficient administration and advancement of polices in public benefit. Important institutions remain captured by the special interest groups (corporatist networks, oligarchies) and do not perform in the benefit of the citizens. This account of the existing social and political relations corresponds to the findings of political scientists who have argued that radical institutional reforms may, in the beginning, lead to 'political mutations' - new institutions remain weak and dysfunctional.[39]

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[37] Bruno Kaufmann, Rolf Buchi, Nadja Braun, *Guidebook to Direct Democracy in Switzerland and Beyond*, (Switzerland: The Initiative & Referendum Institute Europe, 2010), 6-13.
[38] Ganev, *Preying on the State*, 123-150.
[39] Robert Sharlet, 'Legal Transplants and Political Mutations' (Fall 1998) 7 *East European Constitutional Review* 4, 59-68; Claus Offe, *Varieties of Transition* (Cambridge: MIT Press, 1996).

2.4. *Risks of early constitutionalization in CEE/ SEE countries*

In this introductory part on democratic consolidation in CEE/SEE societies constitutional paradigms and doctrines are used with caution given the specific contexts, political and social traditions as well as the deficiencies in their democratic development. In the political science literature discrepancies between the consolidated Western liberal democracies and the semi-consolidated and defective democratic regimes in the SEE countries have been highlighted.[40]

The process of constitutionalization in the CEE/ SEE countries could be critically evaluated due to the fact it frames institutions that are not rooted in the social environment, democratic practices are not yet fully accepted, and nationalist and populist policies continue to attract significant support (recent developments in Hungary and Poland highlight the emerging challenges to the liberal constitutional model). There are open statements by key political leaders (e.g. Victor Orban in Hungary) defending the ideas that democracy could be illiberal, without proper checks and balances, relying exclusively on the strong popular mandate and the majority rule.[41]

On the other hand, the process of constitutionalization at a too early stage of the democratic transition creates the risk of settling the most important political issues without proper political debate, thus eliminating or foreclosing significant political options. For instance, issues of transitional justice (persecuting perpetrators of political crimes, adopting effective disclosure and lustration legislation)[42] have remained for more than a decade after 1989 unresolved in some countries (Bulgaria, Romania). They adopted new constitutions in 1991 without properly addressing the specific issues of transitional justice. Furthermore, these countries had to experience intensive political struggles in the beginning of the 2000s, in the course of negotiating their accession in the EU, in order to have some transitional justice legislation approved by their parliaments. Consecutively, important portions of this legislation have been challenged before the constitutional courts and repealed. Thus, issues of transitional justice have not been resolved in a predictable and sustainable way.

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[40] Wolfgang Merkel, 'Embedded and Defective Democracies' (December 2004) 11 *Democratization* 5, 33–58; *Freedom House Nations in Transit 2015 Report*: https://www.freedomhouse.org/report/nations-transit-2015/democracy-defensive-europe-and-eurasia#.VdG3d_ntmko (last accessed 20.12.2015).

[41] *Freedom House Nations in Transit 2015 Report, Hungary:* https://www.freedomhouse.org/report/nations-transit-2015/democracy-defensive-europe-and-eurasia#.VdG3d_ntmko (last accessed 20.12.2015)

[42] For administering transitional justice in post-communist states including lustration legislation, see Ruti G. Teitel, *Transitional Justice* (New York: Oxford University Press, 2000), 15-17, 166-171; Roman David, *Lustration and Transitional Justice, Personnel Systems in the Czech Republic, Hungary, and Poland* (Philadelphia: University of Pennsylvania Press, 2011).

Another dimension of the process of the too early constitutionalization is having fundamental values and principles laid down in rigid constitutions which makes them appear as if already granted and stable, not corresponding to the popular demands for transitional justice, as well as not open for creative re-interpretation and renovation in the course of the gradual democratic development. There are risks, henceforth, that the overemphasis on constitutionalization and judicialization of politics[43] may lead to stagnation of democracy, not to its further development and consolidation. In such context, judicialization may work in favor of the political establishment, petrifying the status quo and the role of post-communist elites who instrumentalize the weak democratic institutions in their own profit.

Within the framework of rigid constitutions and judicialized politics, significant reforms are hard to achieve. Fragile democratic practices and poor institutional performance thus become entrenched in the constitutional system and yet remain formally legitimate. This, in turn, blocks active civic mobilization to achieve a meaningful political change. In times when radical political change is much needed, judicialized politics is not what the society deserves. More viable alternatives have to be explored. The concept of 'reflexive politics' could provide such an alternative approach. Reflexivity in politics insists on the possibilities of multiple actions and routes to social change, it questions the reduction of the political to the already established legal form and to the 'one-size-fits-all' reformist policies.[44] Context specific adaptations and accommodations of political reforms have to be preferred to the imposition of top-down or center-periphery political measures.

3. *The liberal democratization in South East Europe reconsidered*

In the last two decades, the popular and scholarly explanations of the process of democratic transformation in CEE/SEE countries have been clearly dominated by the liberal paradigm of political change. The concepts and ideas of the rule of law and limited government, free market economy and open civil society have shaped the public discourse. Liberal concepts employed in explaining the process of political change have been conceived applicable and valid in all democratic states regardless of the national contexts. Later developments have proven that the formal reception of liberal values, principles, and institutions is not sufficient for making new democracies perform properly. Being more realistic about the regional context, Ralf Dahrendorf has provided a rather sobering view:

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[43] Martin Shapiro, Alec Stone Sweet, *On Law, Politics and Judicialization* (Oxford: Oxford University Press, 2002), 184-188.
[44] Christodoulidis, *Law and Reflexive Politics*, 251, 282-285.

'Democracy is more than elections. The creation of sustainable institutions and a spirit of active citizenship is the more difficult part of the process.'[45]

In the first years of democratic transition, the modern liberal paradigm was adopted too uncritically, being viewed as an antithesis to the totalitarian regime. Paradoxically, in the SEE countries the liberal legal framework has been instrumentalized in stabilizing the post-communist political establishment and in protecting its economic gains from the transition. Moreover, any attempt to question the allegiance and association of the political and economic elites with the former communist regime by adopting a special legislation for lustration and disclosure has been resisted with arguments driven from the rule of law and human rights principles. Any attempt to convict members of the former communist elites for heavy crimes (forced labor and mass murder in labor camps and other correctional institutions; torture and inhumane treatment on the basis of political and religious convictions; arbitrary detention and imprisonment) has been found by the courts inadmissible under the existing criminal procedure (due to the statute of limitations or absence of reliable evidences). Thus, the crimes of the communist party leaders have not been properly investigated; justice has been distributed only in few isolated cases. To some extent, the liberal constitutional framework embraced by the SEE countries has served as an excuse not to deal with the totalitarian legacy. Casting a veil of legality over the past, not engaging with issues of transitional justice, liberal constitutionalism has been used for maintaining the new balance of powers and for upholding the status quo. Thus, constitutionalism and jurisprudence in transitory post-communist countries do not completely follow the well-defined models of liberal constitutionalism in developed Western democracies. Given the specific context in the SEE region, attempting legal transfer of principles and institutions from the developed democracies could often lead to unexpected results.[46]

By the end of the first decade of democratic change it has become clear that liberal concepts and principles are not self-fulfilling. Creating new liberal orthodoxy as well as the reception of liberal paradigms in academic literature and legislation has not been sufficient for their real life implementation. To the large extent, ongoing political and social processes diverted from these principles, thus leading to wide discrepancy between the written law, in formal conformity with continental European legal standards, and emerging social practices.[47]

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[45] Ralf Dahrendorf, *Reflections on the Revolution in Europe* (Piscataway, NJ: Transaction Publishers, 2005), viii.
[46] Adam Czarnota, Martin Krygier, Wojciech Sadurski (eds.), *Rethinking the Rule of Law after Communism* (Budapest: Central European University Press, 2005), 2-3.
[47] For a critical socio-legal account and analysis by leading Bulgarian scholars of the process of establishing the rule of law in Bulgaria and the emerging challenges, see Ivo Hristov (ed.) *(Ne)stanaloto pravovo obstestvo v*

The weakened state of civil society in SEE countries has further contributed for the insufficient enforcement of democratic principles and rules. For the most part of the period, the result has been favorable for the post-communist political and economic elites – they have been left free from effective public control, while using public resources in their own benefit. Only in key political moments – when corrupted governments have challenged the overall direction of Euro-Atlantic integration of the countries and/ or the democratic principles of the political system – significant civic mobilization and engagement with political issues has been provoked.

Nowadays, more than two decades after the democratic transition has begun, democratic regimes in the SEE countries face serious weaknesses. Establishing liberal democracies in these societies is only a recent experiment with still inconclusive results, but already showing significant institutional deficiencies and dysfunctionalities. For the most parts of their history SEE societies had existed under non-democratic regimes. Predominant popular beliefs still struggle with accepting the liberal principles based on individual freedom, personal responsibility and initiative. Even nowadays, liberal values are shared only within thin social strata of people living in big cities, well-educated, well-paid professionals. The strong statist and populist sentiments continue to play an important role in the political choices of SEE societies. Popular expectations rather favor strong personalized leadership and demands for governmental intervention in order to maintain an expansive social and paternalist state. Consequently, the liberal political and constitutional project emphasizing limited government and individual liberty encounters difficulties in some societies. This context leaves mixed impression in regard to the viability of liberal democracy in some countries.

Nevertheless, the fragility of the liberal democracy in the region does not necessarily mean it has to be replaced by alternative political regimes. What the alternatives might be – illiberal democratic regime focused on conservative traditions, national unity and religious beliefs; or more radical democratic regime emphasizing social cohesion and solidarity, social justice and social economy, direct participation of citizens in the decision-making, more deliberative forms of democracy. In this respect, with the rise of the left-wing parties

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Bulgaria [*The (Un)Established Rule of Law in Bulgaria*] (Sofia: Centre for Advanced Study Sofia/ Riva Publishers, 2012).

questioning the political establishment (in Greece, Spain, Italy) it is now visible that different accommodations of the democratic ideal are possible.[48]

In the context of deepening economic and political crisis in some European societies, countries in the CEE/SEE region can easily experience ideological shifts away from the liberal model. Resolution of emerging social tensions is sought in different directions: in more nation-centered models of democracy (vs. the liberal model being too universalistic and abstract; vs. the supranational model being too distant, foreign, 'cold' and ineffective); in populist movements; in direct democracy and civic participation movements; in the call for more governmental intervention, regulation and protectionism in the national economics in order to secure social benefits and support for citizens threatened by social exclusion (henceforth, to preserve the European social model). Thus, alternatives are sought in both conservative right and radical left directions. While Southern Europe moves to the left (Greece, Italy, Spain), Northern and Central Europe become more conservative and nation-centered (right-wing parties gain victories: National Front in France, Conservative Party in the UK, Law and Justice Party in Poland, Fidesz in Hungary; some right-wing movements gain popularity: anti-emigrant PEGIDA in Germany).

Shifts from the liberal democratic model towards more nation-centered, tradition-based and community-oriented political projects (Serbia, Hungary, Poland) may create further challenges to democratic consolidation in the region. These trends question the liberal consensus of the first two decades after 1989. Emerging populist political projects would either accept the constitutional framework of the democratic regime, thus conforming to the principles of the rule of law, human rights and equality before the law, or move towards authoritarian policies, demanding strong and centralized leadership, appealing to the nation (defined in ethno-cultural terms) and relying on traditional values for their legitimacy. The latter model would necessarily lead to social and political exclusion of certain groups, which would violate the basic principles of democratic citizenship.

Notwithstanding the ideological and populist turn towards more nation-centered politics in some CEE/SEE countries, the majority of the citizens continue to conform to the liberal constitutional framework and to support the membership of the countries in EU and NATO seen as guarantors of democracy, human rights, national security and prosperity.

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[48] For a critical examination of the dominant liberal constitution-making paradigm and warning against an initial closure of other political and economic options, as well as for understanding of 'reflexive constitutionalism' that is directed at the redress of disadvantaged, disempowerment, and injustice, see Emilios Christodoulidis, 'Against Substitution: The Constitutional Thinking of Dissensus', in: Martin Loughlin and Neil Walker (eds.), *The Paradox of Constitutionalism*, 189-208.

4. *Challenges to democratic consolidation in South East Europe: a comparative overview*
   4.1. *Comparative data and trends*

Studies of the process of democratic transition and consolidation suggest there are significant risks for some countries to stagnate in their democratic development. The visible outcome of this stagnation is the emergence of semi-democratic regimes. Their typology is rich and multi-layered: semi-democracy, pseudo-democracy, weak democracy, formal democracy, electoral democracy, façade democracy, partial democracy, illiberal democracy.[49] Countries experiencing these forms of hybrid political regimes are defined as entering the political 'twilight zone'.[50] Formally, in these countries some basic democratic characteristics are preserved – political pluralism, new democratic constitutions, semi-independent civil society, regular multi-party elections. However, serious democratic deficits are also present, including very low levels of public trust in the governmental institutions, absence of political and civic participation, high levels of corruption and organized crime, poor institutional performance, frequent abuse of electoral process. Some of the SEE countries, especially from the Western Balkans, still fall within this category. Others, like Bulgaria and Romania continue to struggle with these weaknesses even after joining the EU.

In this respect, the SEE regional context provides a rich variety of country models and levels of democratic development. The EU membership of some countries as well as perspectives for joining of others triggers necessary institutional reforms in fulfillment of Copenhagen Criteria (rule of law, democracy, free market economy as preconditions for EU membership). This, in turn, contributes to democratic development. The end of the conflicts in the Western Balkans and the overthrow of the authoritarian regime in former Yugoslavia have facilitated some degree of stabilization and democratization of the whole region. Nonetheless, some challenges still remain present given that the democratic process is not one-directional and persisting problems threaten further democratization in Macedonia, Bosnia and Herzegovina, Kosovo - countries with continuing ethnic tensions, high levels of political clientelism, corruption and oligarchic structures.

In the last decade, it became clear that joining the EU is not the ultimate answer to completed democratic consolidation in the region. Some countries, despite their membership in the EU, continue to struggle with safeguarding the rule of law, ensuring the independence

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[49] David Collier and Steven Levitsky, 'Democracy with Adjectives: Conceptual Innovation in Comparative Research' (April 1997) 49 *World Politics* 3, 430-451. See also, Carothers, 'The End of the Transition Paradigm', 7.

[50] Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore: Johns Hopkins University Press, 1999), 22.

of the judiciary and effective administration of justice, enhancing procedures of checks and balances between institutions, ensuring fair electoral process, civic participation and control – the most important features of constitutional government that had to be present before the EU accession of a single country. Providing expertise and support for overcoming these institutional deficiencies the EU has elaborated special Co-operation and Verification Mechanism (CVM) for two member-states from the region - Bulgaria and Romania. This monitoring mechanism highlights the deficiencies in the political and constitutional systems of these two countries. After nine years of CVM monitoring, there are still many problems with respect to the functionality and efficiency of their judicial systems and their institutional capacity to fight political corruption and organized crime.[51] To compare with other countries from the region, Croatia has joined the EU in July 2013 without being included in the CVM monitoring thus showing better institutional capacity and better quality of the democratic process.

Persisting institutional problems in some new member-states directly affect the process of democratic consolidation. On the other side, a critical evaluation of the CVM suggests the EU has limited capacity to push for institutional reforms in the new members. CVM is a soft policy instrument, relying on mutual trust and negotiation, as well as on the willingness of the national governments to implement strategic institutional reforms (which is not always the case).[52] Moreover, CVM weaknesses are visible in cases where recommended and implemented measures turn out to produce results contrary to initial expectations due to the specific context and lack of incentives for reforms.

The process of democratic consolidation in the region could be evaluated by means of different qualitative and quantitative methodologies. There are authoritative international

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[51] Comparing two different reports renders a rather negative conclusion concerning the progress of the countries, see *Report from the Commission to the European Parliament and the Council on Progress in Bulgaria under the Co-operation and Verification Mechanism*, Brussels, 22.1.2014, COM(2014) 36 final: '… overall progress has been not yet sufficient, and fragile. Public confidence is conditioned largely by key moments when decisions or events are of sufficient importance to warrant more general interest. Most such events over the last 18 months – a period during which Bulgaria has had three different governments – have been the source of concern rather than reassurance, with appointments having to be aborted due to integrity issues, the escape from justice of convicted leaders of organised crime and a succession of revelations about political influence on the judicial system. There remain very few cases where crimes of corruption or organised crime have been brought to conclusion in court.

There are voices in favour of reform in Bulgaria, frustrated by the slow pace of change, which deserve encouragement. To progress more quickly towards the CVM benchmarks, the Bulgarian authorities need to work with them and to provide leadership based on a vision centred in core principles like the rule of law and the independence of the judiciary. This would imply a political commitment to a long-term strategy for reform as well as concrete and practical measures in the short term to bring the process forward.' available at: http://ec.europa.eu/cvm/docs/com_2014_36_en.pdf (last accessed 8.03.2014).

[52] Georgy Dimitrov, Kaloyan Haralampiev et al. *The Co-operation and Verification Mechanism: Shared Political Irresponsibility* (Sofia: St. Kliment Ohridski University Press, 2014).

surveys that provide multi-dimensional data regarding the level of democratic development in various regions and single countries. For instance, 2015 *Freedom House Report* considers Bulgaria a free state and gives overall freedom rating of 2.0 for the country, with scores 2.0 for both civil liberties and political rights categories (where 1.0 is the highest positive score indicating complete development and consolidation of democracy and 7.0 is the lowest negative score indicating stable authoritarian government).[53] This represents a decline of 0.5 for the last few years. In a comparative regional perspective, the majority of the CEE countries have received better results in both categories. In Southeastern Europe, the overall freedom rating of Romania, Greece and Serbia is 2.0, Montenegro receives 2.5 (still remaining 'free state'), while Macedonia backslides to 3.5 rating, thus having the status of a partly free state.

According to the *Nations in Transit 2015 Report* the EU member states from the SEE region receive lower democracy scores (compared to the CEE countries) - Bulgaria (scores 3.29), Romania (3.46) and Croatia (3.68). These countries are considered semi-consolidated democracies along with non-member states Serbia (3.68), Montenegro (3.89), while Macedonia (4.07) dropped to the status of a hybrid regime ('partly free'). After experiencing several consecutive years of democratic decline under Orban's government, Hungary also moved to the status of semi-consolidated democracy (democracy score 3.18).[54] Most notably, in the case of Bulgaria and Romania, these countries experience decline after joining the EU, thus illustrating the limited opportunities for direct EU influence over national political elites for institutional reforms.

The analysis of the survey results provided by *Freedom House* experts emphasizes the fragility and vulnerability of democratic consolidation in Central and South East Europe. The 2015 report while recognizing democratic achievements in the last decades, also underlies the deficiencies in democratic performance: 'Nearly all the EU member states of Central and Southeastern Europe have consolidated their democratic institutions and created strong protections for civil society organizations and the media in the quarter-century since the fall of communism. Nevertheless, the average *Nations in Transit* democracy score of the countries that joined the EU in 2004 and 2007 has declined by 0.25 points over the last decade. With Russia working actively to destabilize and demoralize democracies in the region, factors including the role of money in Central European politics, the pliability of judicial institutions,

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[53] *Freedom House Freedom in the World 2015 Report:* https://www.freedomhouse.org/report/freedom-world/2015/bulgaria#.VdGnyvntmko (last accessed 17.08.2015).

[54] *Freedom House Nations in Transit 2015 Report:* https://www.freedomhouse.org/report/nations-transit/nations-transit-2015#.VdG2hvntmkr (last accessed 17.08.2015).

and economically weakening media sectors all raise concerns about the durability of these countries' gains.'[55]

Another international survey *Corruption Perception Index 2014*, developed by Transparency International, ranks the countries from South East Europe in the lower category compared to the rest of the EU members from Central Europe. For instance, Bulgaria (ranked 69 out of 175 countries), Romania (69), Greece (69), Serbia (78), Montenegro (76) and Macedonia (64) perform worse compared to Czech Republic (53), Poland (35), Slovakia (54).[56] These data are important for the evaluation of the quality of performance of democratic institutions. Indirectly, it measures the degree of democratic consolidation, public trust in institutions and the establishment of the rule of law. In this respect, SEE countries are yet to develop fully democratic, inclusive and accountable political institutions.

To have a more comprehensive picture, another authoritative survey - *The WJP Rule of Law Index* – also highlights the key factors (legal and institutional) conditioning democratic consolidation (establishing the rule of law, independence of the judiciary, access to justice, limited and accountable government). The performance of the SEE countries, compared to their CEE counterparts, is significantly lower. For instance, the global rank of Bulgaria is 45 (from 102 countries overall) which is the lowest performance among the new EU members from the CEE/SEE region (in the categories limited and open government, corruption and efficient criminal justice system). Czech Republic (ranked 20), Poland (21), and Slovenia (28) perform better compared to Romania (32), Hungary (37), Greece (33), Croatia (35), which hold medium positions in the studied region Western Europe and North America.[57] This discrepancy between the CEE and SEE countries indicates that democratic consolidation is not completed task for the countries of the SEE region.

A very important test for the real progress towards consolidation of democracy in the region is the existence and development of independent and active civil society in each country. In the post-totalitarian context, the levels of civil society institutionalization and civic participation are relatively low. These levels have to be increased in order to ensure legitimacy and accountability of democratic institutions. In this respect, more than two decades after the beginning of the democratic process, civil society in the SEE countries remains not well institutionalized and not fully independent.

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[55] *Freedom House Nations in Transit 2015 Report*: https://www.freedomhouse.org/report/nations-transit-2015/democracy-defensive-europe-and-eurasia#.VdG3d_ntmko (last accessed 17.08.2015).

[56] *Corruption Perception Index 2014*, Transparency International, http://www.transparency.org/cpi2014/results (last accessed 17.08.2015)

[57] *World Justice Project Rule of Law Index 2015,* http://data.worldjusticeproject.org/ (17.08.2015).

One of the authoritative comparative studies measuring the level of civil society development is the USAID *Civil Society Organizations Sustainability Index*.[58] The overall picture is of still evolving sustainability of civic organizations in the SEE countries. This is particularly visible when compared with the performance of the CEE countries enjoying fully developed sustainability for their CSOs (with the notable exception of Hungary). Bulgaria gets 3.3 score (*evolving sustainability*), facing difficulties with organizational capacity and financial viability, as well as having problems concerning the implementation of the legal environment. The overall index for Croatia is 3.2, having problems with financial viability; Romania scores 3.6 with weaker performance in financial viability, legal environment and organizational capacity categories; Serbia gets 4.1 score, performing worst on financial viability, organizational capacity and public image categories; Macedonia receives 3.8 overall score. To compare these results with some CEE countries: Czech Republic gets 2.6 and falls within the *sustainability enhanced* category; Estonia performs better with 2.0; Hungary has experienced sharp decline in the last years dropping from 2.8 in 2010 to 3.4 in 2014 due to the governmental intervention in the civic sector. Other countries from the CEE region (Latvia, Lithuania, Poland, Slovakia) fall within the enhanced sustainability category.

In a comparative perspective, the SEE countries underperforms vis-à-vis CEE countries in a number of areas fundamental for democratic consolidation – the rule of law; effective protection of civil and political rights; limited, open and accountable government; civil society development. In terms of development trends, it remains unclear whether these conditions will provide incentives for civic engagement and commitment to institutional reforms strengthening democracy in each country or political conditions will further deteriorate. Consistent and critical evaluations of these deficiencies, properly addressed to the active civic groups, might provide incentives for positive change and development. Notwithstanding the low levels of public trust in democratic institutions, there is an opportunity for committed civic engagement which receives support on behalf of the EU and other international organizations and institutions (the Council of Europe, OSCE). If this opportunity is realized, there is a chance to change the negative trends and reshape the social and institutional environment.

More than two decades after the beginning of democratization, it is visible that the formal adoption of democratic constitutions and legislation is only a precondition for establishing the rule of law and limited government. This constitutional framework has to be

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[58] United States Agency for International Development, *Civil Society Organizations Sustainability Index 2014*: https://www.usaid.gov/sites/default/files/documents/1863/CSOSI-Report-FINAL-7-2-15.pdf   (17.08.2015).

complemented with efficient enforcement of the laws, sustainable democratic practices and civil society engagement and mobilization.

4.2. Country-specific cases: Romania and Bulgaria

Regional political context and tendencies play a significant role in limiting or fostering the process of democratic consolidation and democratic institution-building in a particular country. A brief country-specific overview of Romania and Bulgaria – two SEE countries with significant Eastern Orthodox majority - may be useful in highlighting the regional trends.

4.2.1. Romania

Despite the accession of the country to the EU in 2007, Romania faced subsequent institutional and political crises. In 2012 political debate was centered on the clash between the directly elected right-wing president and the socialist prime-minister. The governing parliamentary majority initiated an impeachment procedure against the president. In this political crisis all major constitutional institutions were involved thus suffering a significant loss in the public trust. On behalf of the EU, questions were raised in relation to the weakened democratic system, inefficient mechanism of checks and balances and the lack of respect to the rule of law. The overall evaluation of the events was critical, thus, highlighting the absence of progress in democratic consolidation after the EU membership. As the comparative data presented in the previous section indicate, there is consecutive decline in all major categories measuring the state of democracy and the rule of law after the country joins the EU accession.

In 2014, the report under the CVM remained focused on the reform of judiciary, the need to uphold the principle of separation of powers and the system of checks and balances, the necessity to continue with effective fight against corruption and prevention of conflict of interests.[59] The general conclusion has been that these problems need to be addressed with systematic and committed efforts in order to achieve significant improvements.

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[59] *Report from the Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism*, Brussels, 22.1.2014, COM(2014) 37 final: 'This report assesses the progress made by Romania since these reports in the two core CVM areas of judicial reform and anti-corruption work. The history of the CVM so far shows that progress is not straightforward, so that advances in one area can be constrained or negated by setbacks elsewhere. In December 2013, decisions in Parliament served as a reminder that the core principles and objectives of reform are still being challenged – the intervention of the Constitutional Court was required to reiterate these principles. This makes it particularly difficult to assess the sustainability of reform and to judge how much domestic momentum exists to ensure that a broadly positive trend is assured.' available at: http://ec.europa.eu/cvm/docs/com_2014_37_en.pdf (last accessed 8.03.2014).

Some positive signals of democratic growth could be seen in the cases of civic participation and mobilization addressing specific causes. A resent example is the presidential campaign in November 2014. After the government attempted to restrict active participation in the elections of Romanian citizens living abroad, mass civic demonstrations erupted. Active civic engagement caused the government to withdraw the contested administrative measures. This high level of civic mobilization in defense of the electoral rights has influenced the turn out and changed the result in favor of the reformist center-right presidential candidate. Thus, the Romanian civil society supported Klaus Iohannis, a member of the German minority and a Lutheran Christian, who has served as successful mayor of the Transylvanian city of Sibiu. The socialist candidate Victor Ponta - then prime-minister suspected for involvement in corruption activities - lost the elections.[60] In these presidential elections nationalist and populist stereotypes have been overcome in favor of the clear political agenda for further modernization and democratization of the country. Iohannis' unpredicted victory owes much to the active civic engagement in support of institutional reforms and deepening of the Euro-Atlantic integration of their country.

In November 2015, mass civic demonstrations caused the socialist government led by Ponta to resign.[61] Meanwhile, criminal investigations have been opened against members of the government (Ponta included).

Romania is a good example of a SEE country overcoming its heavy post-communist legacy and undertaking strategic institutional reforms supported and defended by the active civil society.

4.2.2. Bulgaria

Bulgaria is a good storytelling case for the challenges to democratic consolidation that could be answered through increasing civic participation and engagement. In key moments of its recent development, civic mobilization and engagement in defense of the democratic and Euro-Atlantic political project of the country has changed the course of political events (mass civic demonstrations in 1997 and 2013 have caused corrupted governments to resign and have inspired significant political changes in support of democratic principles and politics).

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[60] 'Romania's Elections: Transylvanian Surprise', *The Economist*, 17 November 2014: http://www.economist.com/blogs/easternapproaches/2014/11/romanias-elections-0

[61] Alexandra Sims, 'Romanian Prime Minister Victor Ponta resigns the day after mass protests over nightclub fire', *Independent Daily*, Wednesday, 4 November 2015: http://www.independent.co.uk/news/world/europe/victor-ponta-resigns-live-romanian-prime-minister-quits-day-after-mass-protests-over-nightclub-fire-a6720486.html (last accessed 23 December 2015).

Despite the membership of the country in the EU, there are persistent challenges to democratic consolidation in Bulgaria. They could be described in several directions.[62] Firstly, there are *constitutional* deficiencies leading to weak and inefficient institutions, which, in turn, are easily captured by oligarchic structures. Secondly, there are *political* deficiencies which proceed from the weak and corrupted political system not ensuring fair representation of different groups and interests in the society (in the last years cases of 'corporate voting, conflict of interests and 'vote-buying' have increased').[63] Thirdly, there are challenges at the level of *civil society* arising from the weakness of the civic organizations and relatively low rates of civic engagement until recently. Having a limited number of active, self-organized and independent civil society actors leave politicians and governments without proper public scrutiny and accountability and allows abuses with power and public funds.[64] The situation has been changing in the recent years and civic pressure and mobilization has made the government to reconsider some of its most contested decisions.

Meanwhile, the existing low levels of public trust in all major political and judicial institutions are indicative for the problems with democratic consolidation. According to the recent polls, a majority of the citizens supports the democratic principles and values proclaimed in the constitution, or at least, there is no clear disagreement concerning these principles. However, the majority still remains dissatisfied with the performance of Bulgarian institutions and the low levels of law enforcement. This has remained the overall context even after the EU accession in 2007.

This popular dissatisfaction could be explained with the higher expectations of almost immediate change of the living standards and of the institutional performance after the EU accession. The absence of strategic institutional reforms to overcome the persisting practices of corruption and political clientelism also contribute to the low levels of public trust. Though there have been significant changes in the governing majorities the public trust in institutions has remained at very low levels.

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[62] The following analysis regarding democratic consolidation in Bulgaria is developed more comprehensively in: Atanas Slavov, 'Nezavursheniyat opit: varhovenstvoto na pravoto i Konstituciyata ot 1991' [The Incomplete Experiment: The Rule of Law and the 1991 Constitution of Bulgaria], in: Hristov, *The (Un)Established Rule of Law in Bulgaria*, 268-295.

For an earlier English version of the paper, see Atanas Slavov, *Challenges to Constitutional Supremacy in a New Democracy: Critical Study of Bulgaria*. CAS Working Paper Series No. 4/2011: Sofia 2011. *Shaken Order: Authority and Social Trust in Post-Communist Societies (Case Studies in Law)*, available at: http://www.cas.bg/en/working_paper_series/shaken-order-1561.html

[63] Transparency International – Bulgaria, 'Vote-buying and Corporate-voting in Bulgaria: a challenge to institutions and democratic standards of electoral process', 19 November 2015: http://www.transparency.bg/media/publications/Policy%20Paper_election_24.11.2015_FINAL_I-net_site.pdf (last viewed 20.12.2015) [in Bulgarian]

[64] Ganev, *Preying on the State*, Ch. 7

In the end of 2013, after a period of political and civic mobilization and demonstrations against wide-spread political corruption and oligarchic structures, only 14% of the Bulgarian citizens expressed satisfaction with the functioning of democratic institutions in the country. [65] After a period of interim government, early parliamentary elections and the formation of a new reformist center-right government, in the first half of 2015 the public trust in institutions is slightly improving, nonetheless remaining relatively low. In June 2015, the parliament is trusted by less than 10% of the citizens - this result remaining very similar for the last 5 years; the government is trusted by 20%. The judicial system receives consequently very low levels of public trust – below 10%, which is indicative for the problems with upholding the rule of law and enforcing the laws.[66]

Most notable developments in the field of civil society are connected to the emergence of grass-root civic movements and civic engagement with public policy issues. Well-recognized NGOs have formed thematic platforms, coalitions and civil society networks allowing them to exercise effective monitoring of the institutions and to influence the decision-making process.

The 2013-2014 political and civic mobilization, being the largest after the overthrow of the reactionary socialist government in 1997, could be described as the 'birth of Bulgarian civil society'.[67] Protests challenged the deficiencies of the established political model, including the incompleteness of democratic consolidation in the country. The emerging civil society demanded more effective checks on the governmental power, proper administration of justice and more opportunities for civic participation in decision-making.[68] Popular demands have revealed substantive expectations for organizing the common civic life on the basis of shared values and principles. It is noteworthy the protests mobilized citizens from very different social strata though the middle-class urban population clearly dominated. In the autumn of 2013 a strong and committed student movement joined the protesters occupying university buildings in Sofia and other big cities.[69] According to the analysis in *Nations in*

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[65] *National Public Opinion Polls* by Alpha Research Ltd.:
http://alpharesearch.bg/bg/socialni_izsledvania/political_and_economic_monitoring.html (last accessed 15.03.2014).
[66] *Political and economic monitoring* by Alpha Research Ltd.:
http://alpharesearch.bg/en/social_research/political_and_economic_monitoring.html (last viewed 18.08.2015).
[67] 'Bulgaria: Birth of a civil society. Will Bulgarians' daily protests have a lasting impact?', *The Economist*, 21 September 2013: http://www.economist.com/news/europe/21586571-will-bulgarians-daily-protests-have-lasting-impact-birth-civil-society (last viewed 16.03.2014).
[68] Ivan Krastev, 'Why Bulgaria's protests stand out in Europe', *The Guardian*, Tuesday, 30 July 2013: http://www.theguardian.com/commentisfree/2013/jul/30/bulgaria-protests-europe (last viewed 16.03.2014).
[69] Kit Gillet, 'Bulgarian students led wave of protest'*, The Guardian*, Tuesday, 26 November 2013: http://www.theguardian.com/world/2013/nov/26/bulgaria-student-protest-corruption (last viewed 16.03.2014).

Transit 2015 report 'The 2013 protests galvanized civil society, and demonstrations continued into 2014. Most of the initial energy transformed into institutionalized political participation. Civic initiatives that emerged from the protests continued, and activists focused on drawing attention to the overlap between political and economic power.'[70] This wave of active civic engagement has changed the course of Bulgarian politics, leading to early parliamentary elections and the formation of new governing majority with a clear reformist agenda.

This evaluation marks an important development if compared to other studies undertaken in the preceding period. For instance, the *Civil Society Index 2008-2010* for Bulgaria is sub-titled 'Citizen Actions without Engagement', thus revealing relatively low level of civic participation and involvement, as well as lack of confidence in civil society organizations as agents of social change.[71] Nowadays, there are positive signs of increasing civic self-organization and mobilization addressing the most persistent threats to democratic political system in the country.

Conclusion

The overview of the regional and country-specific contexts and experiences leave the question of the perspectives for democratic consolidation open to different interpretations. The viability of the liberal democratic project in SEE countries seems challenged by multiple factors: the authoritarian legacy, current governmental inefficiency, political corruption and organized crime, as well as by the regional geopolitical threats (authoritarian regimes in Russia and Turkey; weak dysfunctional states in the Western Balkans). The institutional capacity and performance in the SEE countries remains weak and unsatisfactory. The fragility of the democratic systems in the region should be recognized and properly addressed with adequate political and constitutional measures.

In this context, the process of democratic consolidation may evolve in different directions. Democracy in some SEE countries may erode and deteriorate, which may lead to a regime change towards semi-democratic model, or hybrid populist with authoritarian tendencies. If civil societies continue to emerge, self-organize and mobilize in support of democratic values and civic participation is enhanced, as well as popular demands for accountability and transparency of government are increased, the democratic system may be strengthened and some of the problems effectively addressed.

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[70] *Freedom House Nations in Transit 2015*: https://www.freedomhouse.org/report/nations-transit/2015/bulgaria (last viewed 18.08.2015)

[71] Dessislava Hristova, Petya Kabakchieva et al., Civil Society Index 2008-2010, *Civil Society in Bulgaria: Citizen Actions without Engagement* (Sofia: Open Society Institute, 2011), 34-35, 69-70.

One of the positive incentives for further democratic development could be the process of closer EU integration and the implementation of EU standards in the fields of the rule of law and democracy. Notwithstanding that the EU is weakened from inside – due to the emergence of strong national-populist movements and Euro-skeptic governments in some countries (Hungary, Poland), over-bureaucratization, and absence of a strategic political vision for the future - its united space of freedom, security and justice is still attractive to millions of people in the SEE region and beyond (visible through the immigration waves and the expectation of the Western Balkan countries to find their way to full membership).

Having a vibrant civil society and civic engagement is one of the important preconditions for the consolidation of democracy in the SEE countries. In their quest for meaning, values and identity a growing number of citizens seek answers beyond the scope of democratic procedures. One of the important sources of community ethos, solidarity, and shared values has always been the prevailing religion in the SEE region – the Eastern Orthodoxy. Given the historical significance of the Orthodox Church in the process of state- and nation-building, and its current public presence, the next chapters of the study will engage with the possibility to relate Eastern Orthodox concepts and doctrines to the wider civic and democratic values. This will be a political-theological study investigating the democratic and participatory potential of the core Orthodox doctrines.

The leading hypothesis is that renovating its public image and public role in the SEE societies, the Eastern Orthodoxy could provide incentives for evolving democratization. Constantly calling for solidarity, justice, compassion, engagement in the public service, recognizing the dignity and uniqueness of the human person, actively cooperating with civil society organizations, the Eastern Christianity could recognize and endorse the civic participatory ethos much needed for the consolidation of democracy.

Next chapter will focus in more details on the increased public visibility of Eastern Christianity in the SEE societies and the current models of church-state relations in the region. It will be demonstrated that the active public witness and engagement of the Orthodox Church remaining faithful to its core doctrines and values may enhance civic participation in general. In turn, this may lead to a better quality of democracy in the SEE societies.

Chapter Two. Church-state relations and the public presence of Orthodox churches: historical perspectives and contemporary issues

Introduction

The general claim of the first chapter has been that the consolidation of democracy in the SEE societies is not a completed process. It remains open for different influences – positive or negative and it could be modified in either direction. Countries in the region have struggled with the rise of populist, nationalist and Euro-skeptic political movements alongside the general political instability. Yet, some countries have made considerable democratic progress and have been invited to join the EU.

In the SEE societies, the popular demands for more civic participation in the decision-making go alongside statements on behalf of the national Orthodox churches for more just, responsible and participatory governance. It is part of the tradition of public presence of Orthodox churches in the region that the major political and social processes find their critical interpretation and reflection in the religious doctrines. Thus, without being the only decisive factor and not by means of direct political involvement, the public religious engagement on social and political issues, may either foster democratization, or undermine it, depending on the content of the values and public statements of the churches.

This chapter will engage more extensively with the complex interaction between the modern democratic states in the region and the established national Orthodox churches with particular focus on the political-theological aspects of their relationship. Before going into the contemporary issues of church-state and church-politics relations, the relevant historical context will be presented. For elaborating a more conceptual view of these relations, it is important to reveal mainline historical trends and development of ideas, and then engage with current issues. Meanwhile, the analysis in this chapter will be instrumental in outlining the basic features of the political theology experienced in the last two centuries in Eastern Orthodox context – the ethno-nationalist political theology. Thus, the emergence of the new participatory political theology and its role in the public sphere will be more clearly articulated in the subsequent chapters and confronted to other political-theological models.

1. Democratic consolidation and the public presence of Eastern Orthodoxy in the SEE countries

Looking towards the present state of church-state relations in the SEE region, one should acknowledge common tendencies. Despite the historical legacy of having a strong alliance between the church and the state, nowadays, democratic constitutions in the SEE countries safeguard the separation between church and state as well as the freedom of religion and conscience (only Greece being an exception recognizing the Orthodox Church as an official state religion with certain privileges). Thus, the role of the Orthodox Church in the public sphere is changing compared to traditional models of state-supported national churches.

Once being closely related to the political establishment, presently it is expected that the Church would influence the public sphere not by means of allying with the governing majorities, but through raising popular consciousness and awareness, engaging in civic causes and attracting support on behalf of civil society actors. This new role, however, is hard to play given the traditional alliance between the nation-state and the autocephalous national church. The Orthodox Church still faces the burden of its historical legacy and very often embraces the political-theological models of the past – either in the form of mutual support and cooperation with the state (*symphonia* doctrine), or in the form of a national state-supported church (or a specific blend between the two political theologies).

The study of democratic consolidation and Eastern Orthodoxy in this chapter relies on a theoretical background. Recent scholarship of the process of secularization suggests there is a tendency towards increasing public presence of religion in the beginning of the new century. According to these studies, after the period of secular radicalism and anti-traditionalist movements of the 1960s in the Western societies, religion returns on the political agenda of modern societies.[72] While the positive effects of the process of secularization cannot be underestimated – functional differentiation of various spheres in society released from the monopoly of the church and theology – this process should not necessarily result in privatization of religion and denial of its public function. However, the idea of the public presence of religion should take into account objective social limitations – generally, religious explanation of the world and social processes has disappeared from important social spheres, the religion itself has become less enchanted and attractive spiritual practice. From a social imperative less than a century ago, religion now is considered voluntary and optional.[73] In this

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[72] Peter Berger, *The Desecularisation of the World: Resurgent Religion and World Politics* (Grand Rapids: Eerdmans Publishing, 1999), 2.

[73] Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007), 1-2, 423.

regard, public presence of religion should respect the pluralism of views and beliefs that emerged in the last century and thus becoming a defining feature of modern secularized societies. As Charles Taylor has eloquently put it: 'the change I want to define and trace is one that takes us from a society in which it was virtually impossible not to believe in God, to one in which faith, even for the staunchest believer, is one human possibility among others… Belief in God is no longer axiomatic. There are alternatives'.[74]

Notwithstanding that religion has become one among many other options of belief and social practice it remains an active and reflexive social experience. In this respect, a profound social and political transformation could not remain without proper interpretation and reflection within the dominant religious tradition. This is specifically the case with the Christian traditions perceived as having a mission in the world and as engaging with the world in order to transform it. Consequently, such a significant social and political process as democratization in South East Europe necessarily evokes reflection in the social teachings of the predominant Christian tradition in each society. This religious-political reflection and interaction with the society could be presented as following two ideal-typical models: accommodation of the predominant religion to the situation of religious pluralism, thus positively addressing demands and expectations of the society; or remaining isolated from and in opposition to the social changes thus defending the traditional moral and social order.[75] A third option also exists and should not be underestimated – remaining faithful to the core teachings of the religious tradition, while engaging with the new social order and institutions, in order to transform them. In the course of the study, these different models of religious-political interaction will be further highlighted.

Public presence of religion has different dimensions in the modern democratic societies. Current political debates on ethical issues (gay rights, abortion, bio-ethics, and euthanasia) provoke major religious traditions and denominations in mostly secularized societies to become visible in the public sphere. This development has made some scholars of secularization to reconsider their earlier claims on the exclusion of religion from participation in the public discourse. In his resent works, Jürgen Habermas, who has been known for defending the role of reason and rationality in the discursive communication in the public sphere, reserves a special place and recognizes the value of public religious input in ongoing political debates. By admitting that the process of secularization of the state and the secular

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[74] Taylor, *A Secular Age*, 3.
[75] Peter Berger, *The Sacred Canopy. Elements of a Sociological Theory of Religion* (New York: Anchor Books, 1990), 153.

legitimation of politics does not necessarily lead to secularization of civil society, Habermas offers a challenging conclusion. In a civil society, unlike the public sphere of politics and governance, comprehensive religious doctrines could be freely expressed (here Habermas follows John Rawls).[76] Insofar religious communities play a significant role in the civil society and the public sphere, the concept of discursive politics would have to admit the public argumentation by religious citizens. Moreover, he holds, religious sources of values, meaning and motivation continue to be vital in the contemporary 'post-secular' social and political conditions. Yet, in order to be able to inform and nourish political principles such as solidarity and equal respect among citizens, religious concepts and traditions should be translated into 'universally accessible language'. Thus, mediated through the universal notions and concepts, religious values and concepts could be accepted and recognized by non-religious citizens and used by democratic institutions.[77]

In the last two decades, the secularization paradigm is reconsidered. The concepts of 'deprivatization of religion' and 'post-secularism' are now gaining much attention among social scholars.[78] In the Habermas' interpretation, the term 'post-secular' encompasses at least three meanings: continuing public presence of religion in secular societies; admitting functional contribution of religious communities in sustaining and reproducing popular motives and attitudes; an active political interaction between believing and unbelieving citizens.[79]

It is noteworthy, that the public presence of religious communities could be defended within the framework that recognizes the necessity of church-state separation as a precondition of the modern liberal democracy. This separation, in Chantal Mouffe's interpretation, does not entail a requirement for complete privatization of religion and its exclusion from the public sphere. The form of strict separation between church and state is grounded on the modern political idea that only the state is recognized as having the legitimate monopoly on coercive power, which could be used in defense of common interests

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[76] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), Lecture II, Sec. 3; Lecture IV, Sec. 6 and 8; John Rawls, 'Idea of Public Reason Revisited,' (Summer 1997) 64 *University of Chicago Law Review*, 765-807.

[77] Jürgen Habermas, "The Political": The Rational Meaning of a Questionable Inheritance of Political Theology', in: Judith Butker, Jurgen Habermas, Charles Taylor, Cornel West, *The Power of Religion in the Public Sphere*, ed. E. Mendieta and J.Vanantwerpen (New York: Columbia University Press, 2011), 15-28; Jürgen Habermas et al. *An Awareness of What is Missing. Faith and Reason in a Post-Secular Age*, trans. Ciaran Cronin (Cambridge: Polity Press, 2010), 15-23.

[78] Jürgen Habermas, 'On the Relations between the Secular Liberal State and Religion', in: *Political Theologies. Public Religions in a Post-secular World*, ed. Hent de Vries and Lawrence E. Sullivan (New York: Fordham University Press, 2006), 251-260; Georgi Kapriev, 'Dialogut mezdu Religiite i Stoynostta na Malchanieto' ['The Inter-religious Dialogue and the Value of Silence'] (2012) 68 *Christianity and Culture*, 105-113.

[79] Habermas, 'On the Relations between the Secular Liberal State and Religion', 258.

of the people and society, not in the benefit of a particular religious community. Only in this context, the state-church separation thesis could be defended. It should not be expanded to include complete separation between religion and politics, religion and civil society. Rather, defends Mouffe, political contestation should remain open for religious presence and argumentation, as far as constitutional principles and limits are respected. More importantly, there is recognition, in Mouffe's account, that in some cases political struggles for a more just society have been informed and supported by the participation of religious communities in them.[80]

In analyzing the public presence of religion and the constitutional requirements on church-state separation, a concept elaborated by the political scientist Alfred Stepan could be employed. The concept is defined as 'twin tolerations' and embraces two meanings.[81] First, it requires that the religious institutions should not have a privileged constitutional and legal status, nor should they have the right to enforce their convictions as a mandatory public policy. Second, the concept relates to the public exercise of the freedom of religion, individually or in community. It presupposes the opportunity to disseminate publicly religious convictions as long as they do not infringe human rights of others, or violate democracy and the law.[82] The 'twin tolerations' concept could be particularly useful in the analysis of church-state relations in the contemporary context in SEE countries.

In presenting the church-state/church-politics interactions, the general assumption will be that pluralism (political, social, religious) is an irreversible and irreducible social reality, which should be respected by the Orthodox Church. The Church is able to participate actively in the public discourse on the condition it accepts and respects fundamental rights. The Church could ground its voluntary participation in a pluralist society on the theological notion of 'otherness', as developed by Orthodox scholars (most notably John Zizioulas), thus accentuating the personalist and relational aspects of the human being.[83]

Regarding the public presence and witness of the Church, Emmanuel Clapsis' view expresses an authentic Christian perspective: 'the Church must resist simultaneously its relocation in the private sphere and the temptation to be identified voluntarily with the power of government or of market forces. It must recognize its place in "civil society", the social

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[80] Chantal Mouffe, 'Religion, Liberal Democracy, and Citizenship', in: *Political Theologies,* 318-326.
[81] Alfred Stepan, 'Religion, Democracy and the "Twin Tolerations"' (October 2000) 11 *Journal of Democracy*, 37 – 57.
[82] Ibid., 39-40.
[83] The notion of otherness in a Christian perspective and as related to community and participation will be further analyzed in Chapter three. See, John Zizioulas, *Communion and Otherness: Further Studies in Personhood and the Church*, ed. Paul McPartlan (New York: T&T Clark, 2006).

realm that links the private and the public spheres of life.'[84] Clapsis maintains that the Orthodox doctrines, views and values (the eschatological dimension, the sanctity of the human persons, the significance of the communion, the universal dimension of the Christian gospel) demand active engagement of the Church in the public sphere and its contribution to the public good. He is convinced that the religion 'can be a source of inspiration and empowerment to movements of social and political transformation ... it can defend religious freedom, human rights, and the very right of a democratic civil society to exist against an absolutist, authoritarian state.'[85]

Questions regarding the modes of church-state relations, and of the participation of institutionalized religion and religious communities in the public discourse, remain important for both developed and new democracies in Europe. With their official statements on important political and social questions, with their ability to generate support in the civil society and raise awareness within communities, Christian churches continue to shape the contemporary democratic politics. In a regional perspective, the SEE societies have experienced intense secularization in the last century which has changed the modes of the public presence and engagement of the Christian churches in these societies. Contemporary forms of the public presence of the churches should be viewed in the light of the historical involvement of the national Orthodox churches in the modern state- and nation-building in the region.

For a comprehensive evaluation of the complex church-state/church-politics interactions historical context will be highlighted. Depending on the specific period (medieval, early modern, authoritarian/totalitarian and democratic transition and consolidation) the content and the intensity of these interactions have been different. This presentation, however, would be a rather selective interpretation of historical events and processes and by no means will be exhaustive or complete. Its primary goal is to illustrate tendencies and common perceptions in the church-state/ church-politics interaction in the region that could be later interpreted in political-theological terms.

2. *State- and nation-building in the SEE region and Eastern Christianity: an overview*

To understand the role of Eastern Orthodoxy in the process of democratic consolidation in South East Europe, it is also necessary to have a brief overview of the process of state- and

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[84] Emmanuel Clapsis, 'The Orthodox Church in a Pluralistic World', in his *Orthodoxy in Conversation. Orthodox Ecumenical Engagements* (Brookline, MA: Holy Cross Orthodox Press, 2000), 127-150, 133.
[85] Ibid., 128-129, 134.

nation-building in the region. The Orthodox Church has been an important player in this process for centuries, though changing its institutional role and its means of influence. As a general observation, it could be maintained that the emergence of the nation-states in the region is closely related to the history of the national Orthodox churches - it is virtually impossible to analyze the former without referring to the latter. The movements for independence and autocephaly of the national Orthodox churches have found their logic in the equation of religious unity with political unity and national identity (Orthodoxy – Nation – Nation-state).[86] Merging modern nationalism with historic romanticism and religious symbolism in the 19th century was decisive for the success of national liberation movements and the foundation of the first nation-states in the region. Consequently, church-state relations that emerged in these countries have been influenced by this syncretic religious-nationalist political ideology.

The models of church-state relations in in the nation-states in the region could be further presented in three different categories entailing both substantive and procedural dimensions.[87] The first form may be defined as *'nationalism'* in which the connection or even equation between the religious self-identification and ethno-national identity is emphasized. In this case, the national autocephalous church has often been instrumentalized in several ways: in serving the general nationalist and patriotic policies of the regime (evident in the majority of national Orthodox churches); in legitimizing highly contested measures such as ethnic or linguistic assimilation (e.g. Serbian Church); in sacralizing the idea of the nation, producing a messianic religious-political mythology (e.g. the idea of 'Greater Serbia', 'Greater Bulgaria'); in contributing to the preservation of the national cultural heritage.

The second form is *'co-optation'* – it is understood in terms of developing a stable cooperation with the state (usually under non-democratic regime), though being in a subordinate condition, ensuring support to the regime and its political goals. In turn, the church receives limited support for its organizational, functional or financial needs (e.g. minimum toleration for religious services; educational activity in theological schools and academies, limited access to public funds). The *co-optation* is a form of church-state relations which is not necessarily connected to the communist regimes. The national Orthodox churches could be co-opted under different political circumstances, thus acquiring a

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[86] Pedro Ramet, 'Autocephaly and National Identity in Church-State Relations in Eastern Christianity: An Introduction', in: *Eastern Christianity and Politics in the Twentieth Century,* ed. Pedro Ramet (Durham, N.C.: Duke University Press, 1988), 4.

[87] For this classification, see Ramet, 'Autocephaly and National Identity', 6-7.

privileged status in a society, being recognized as an established and official religion of the nation (e.g. the Greek Orthodox Church).

The third form is *'opposition'* – emerging within the church and directed against the authorities under various political and social circumstances.

Beyond these forms of church-state relations, a sufficient number of the clergy and the laity has always professed that there exists a spiritual core of fundamental beliefs of the Orthodox Church, which cannot be reduced to mere political or social doctrines, or used in legitimation of different ideologies and regimes.

For a more systematical and comprehensive presentation of the church-state relations during different historical periods, a simple periodization could be elaborated. It is focused on the essential and defining characteristics of each period and refers to the political-theological doctrines which have been predominantly accepted and practiced:

[1] *Medieval period: foundation of states, Christianization, and political development (7th-14th centuries).*

This period of the political and cultural development of the SEE states is strongly influenced by the political and religious models, practiced in the Byzantine Empire. The Byzantine governmental structure, political culture and religious tradition had been accepted as civilizational standard, creatively adopted and developed by the emerging SEE countries (Bulgaria and Serbia).

During this period, in all countries with predominantly Orthodox population, the church had been instrumentalized by the state in offering divine legitimacy for the autocratic rulers and in elaborating a political theology in support of the established socio-political system. The doctrine and the model of *symphonia* between the state and the church had been adopted in the new monarchies. The period had been dominated by continuous struggles with Byzantium for recognition of the new monarchial rulers (recognition of the full kingly power and the title of *'tsar'*) and recognition of full independence of the local state churches.[88]

[2] *Ottoman period: loss of political and religious independence during the times of the Ottoman Empire (15th -19th centuries).*

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[88] Spas T. Raikin, 'Nationalism and the Bulgarian Orthodox Church', in: Pedro Ramet (ed.), *Religion and Nationalism in Soviet and Eastern European Politics* (Durham, N.C.: Duke University Press, 1989), 352-353.

The Ottoman Conquest in the region had been conceived by all Christian states in terms of a national collapse. It had led to the abolishment of the independent states and the autocephaly of their churches. The imposition of the Ottoman rule and of deeply foreign models of political and social organization had played a catalytic role for the continuous struggles for preservation of the Christian societies in the region. In this period, the lack of institutionalized political structures of the Christian communities had been partially compensated by the preserved hierarchical structures of the Orthodox Church (represented by the Ecumenical Patriarchate of Constantinople). The Ecumenical Patriarch had been recognized by the empire as *'ethnarch'*, both a religious and political leader of the Orthodox Christian population, organized within the *'millet'* system (which represents communities, designed and defined on the basis of a particular religious affiliation, not an ethnic origin).[89] The result of such political organization had been the placement of all Orthodox Christians, regardless of their ethnic origin, under the administration of the same *millet* structure. For the Orthodox Christians this had been the 'Rum-millet' (the community of the Romans), with the Ecumenical Patriarch as its administrative and religious leader.

Despite the religious character of the imperial power, within the ecclesiastic structures of the Orthodox Church (parishes and bishoprics) and under its protection, certain social activities had been possible (organization of schools; commemoration of religious feasts, some of them connected to the communal and professional life; support for continuing higher education; adjudication of civil and religious cases according to the canon law and the old Byzantine law). However, the Ottoman rule had never been recognized by the predominant part of the Christian population as a legitimate political form and popular uprisings and liberation movements had been common. For the whole period, the Ottoman rule had been considered by the Christian population a foreign and oppressive type of regime.

[3] *National Awakening in the late 18ᵗʰ and 19ᵗʰ centuries.*

In the 18ᵗʰ -19ᵗʰ centuries the gradual development of the societies and of the economic activity among the Christian populations in the Ottoman Empire had led to the formation of a small and isolated, but relatively wealthy and educated class. This phenomenon could be traced to the opportunity to travel and trade within the large empire. Meanwhile, the Ottoman Empire had initiated political reforms in 1839 and 1856 leading to the introduction, at least

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[89] Timothy Ware (Bishop Kallistos of Dioclea), *The Orthodox Church* (London: Penguin Books, 1997), 87-102; Pantelis Kalaitzidis, *Orthodoxy and Political Theology* (Geneva: World Council of Churches Publications, 2012), 67-68.

formally, of the principle of equality before the law of all subjects regardless of their religion, recognition of the rights of education, free exercise of religion, access to justice and to appointments of Christians in the administration. These reforms had been implemented along with the gradual adoption of secular legislation based on the European legal tradition. These had been important preconditions for the process of political and cultural emancipation which resulted in the periods of 'National Awakening' for the Christian population in the region. Under these conditions, struggles for recognition of national identities of different peoples and of the independence of their Orthodox churches had followed. The intensification of the developments in the spheres of culture, economy and religion prepared the ground for the revolutions for national independence.

[4] *Liberation/ independence and state-building in 19th – 20th centuries*

The elaboration of a national identity of different ethnic groups living in the region had resulted in emerging claims for political autonomy and independence from the empire. Nineteenth century is significant with the organization of national liberation movements in Greece, Serbia and Bulgaria which had coincided with the period of decline of the political power of the empire.

Shortly after the period of the liberation movements, in the newly found nation-states modern political institutions had been created. The legislation had been transferred from the most developed European legal systems – the French and the German, without taking into account the undeveloped local social practices. Countries in the region had been constituted as monarchies where members of the European dynastic families had been elected to the throne (Serbia being an exception).

Politically oriented and connected to the Western countries (through their monarchs, political and intellectual elite), the nation-states from the region with predominantly Orthodox population had remained spiritually influenced by both Constantinople (Ecumenical Patriarchate) and Moscow (Moscow Patriarchate). The Orthodox churches had received the opportunity to be involved in and to influence the social and political life of the national communities. All major political and social events had involved the participation of the church. Yet, the process of secularization had been unfolding in a direction that affected the role of the church in society: national Orthodox churches had been instrumentalized by the dominant political regimes.

This had been a period of intense modernization of traditional societies in the region which caused deep social tensions and conflicts within the communities. During these

struggles, the churches had often sided with the conservative, nationalist and traditionalist social forces. During the period authoritarian regimes had been established in most of the countries and had often received support on behalf of the national Orthodox churches. In this period, the national churches had systematically developed their ethno-nationalist political theology.

[5] *Under the communist regime (1944-1989).*

The communist regime had been imposed violently by the Soviet Army occupying the states in the region with the aid of local partisan movements. During this period, the communist state significantly suppressed the activity of the churches. At the same time many individual church members (both clergy and laymen) had been severely persecuted (including measures of arbitrary detention in prisons and labor camps, torture, and murder). In the last decades, however, the regime in some communist countries had been slightly relaxed, allowing some basic religious activities. The policy of active persecution of the first years had evolved into a policy of administrative repression towards active believers and low-ranking clergy and measures of co-optation and control over the high clergy (bishops, abbots and metropolitans). Different ecclesial bodies had been systematically infiltrated by the communist secret services, in order to secure their compliance with the policies of the regime.

Generally, this period of co-optation and collaboration of the churches with the communist regime had led to questioning their legitimacy by the emerging anti-communist opposition in the late 1980s. If recognized as a potential oppositional force, the churches could have played more decisive role in the process of democratic transition and consolidation in the 1990s.

Overall, the compromises made with the regime still affect the prestige of the churches and their recognition in the democratic societies.

[6] *The period of democratic transition and consolidation (since 1989).*

In the beginning of 1990s, after 'gentle revolutions' in the region, democratic states have been reestablished. The general direction of political change has been toward creating societies that will respect the rule of law and democracy, will develop a free market economy and a vibrant civil society. In the political sphere, the key moment in this period is the adoption of new democratic constitutions providing the framework of democratic institution-building along with the protection of rights and freedoms. This has affected the religious sphere through the recognition and protection of the freedom of religion as a fundamental

right, establishing the separation of church and state as well as allowing active public presence of the church in society.

Meanwhile, the present place and role of the Orthodox churches in the SEE societies is predetermined by the heavy communist legacy (compromises and collaboration with the communist regime), on the one hand, and the lack of vision, creativity and understanding on behalf of some ecclesiastic leaders of the current moral, political and social trends and challenges, on the other. The general weakness of the public presence of the churches continues to be their public defense of nationalist sentiments (instead of more personalist and universalist) and their state-oriented public engagement (instead of more civil society oriented).

In the following sections, the emphasis will be placed on the socio-political processes that have developed in the last two centuries, as they are closely linked to the research goals – analyzing the interaction between the Eastern Orthodoxy and democracy in the light of the political-theological dimensions of the Orthodox doctrines. The introduction of the historical periods (early modern and contemporary), which are decisive for the formation of distinct Eastern Orthodox church-state relations, will be followed by critical analysis, of the central problems and trends of this interaction. National contexts that will be analyzed are these of Greece, Bulgaria, Serbia and former Yugoslavia, Romania. Having very similar historical experiences (though with deep tensions and conflicts between them), in the last decades these countries have faced the challenges of democratic transition and consolidation. Occasional references would be made to Russia, which according to the statistics, has the largest Orthodox Christian population in the world, despite the fact it has suffered the longest atheist and coercive regime in the modern history. Referencing to Russia is also justified on the grounds of its historically developed relations with the SEE region and the ongoing political and religious influence among the SEE countries.

3. *Church and Politics in the SEE countries: from state independence to the modern nation-state*

3.1. Greece

The church-state relations in Greece have been shaped by different traditions: Byzantine political-theological legacy, early-modern secular constitutional monarchy, contemporary parliamentary republic. The Byzantine religious and political heritage and models of interaction between church and state have been re-interpreted in relation to the modern forms of church-state relations. It is noteworthy, that the Greek modernity, historically developed

first in the region, has been a laboratory for experiments regarding the church-state relations. The complex interaction between the doctrines of secular Enlightenment and the traditionalist Orthodox teachings has been a constant source of tension and contradictions in the Greek society. Insofar the elaboration of the Byzantine doctrine of *symphonia* and its subsequent interpretations and applications will be more extensively studied in the next chapters, the analysis here will focus on the modern dimensions of church-state and religious-political relations.

The current shape of church-state relations in modern Greece is a product of the last two centuries. The historical claim to the Byzantine heritage is much more visible in the Ecumenical Patriarchate, embodying the continuity of almost two millennia, than in the autocephalous Orthodox Church of Greece (CoG). It has been established in the first half of the 19th century (1833) which coincided with the formation of the Greek nation and the state-building process. This development has been a deviation from the Orthodox traditions. As it was highlighted above, during the times of the Ottoman Empire, the Ecumenical Patriarchate had been vested with administrative and spiritual jurisdiction over all Orthodox peoples within the empire regardless of their ethnicity. Hence, the creation of a national church had fallen in conflict with the tradition.

Initially, the independence of both the state and the church has been proclaimed in 1821 with the beginning of the national revolution. In 1833, with the adoption of the first Greek constitution, the autocephaly of the Church of Greece has been reasserted. This unilateral proclamation of the church independence had been strongly opposed by the Ecumenical Patriarchate which had caused a temporary schism between the two churches. The controversy was resolved in 1850 when the Patriarchate recognized the independent status of the Church of Greece.[90]

Furthermore, according to the foundational charter of the church, the institutions of the state had to play a decisive role in its governance. Ecclesiastic governance had to be exercised by a synod consisting of five members nominated by the government, while the decisions had to be approved by the secular government in order to be valid. Moreover, the validly of the synod session depended on the presence of a responsible royal commissioner.[91]

This development has laid the foundation of a problematic synthesis between the Greek Orthodoxy and the Greek nationalism which viewed the religion as an integral element of

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[90] John Anthony McGuckin, *The Orthodox Church: An Introduction to its History, Doctrine, and Spiritual Culture* (Oxford: Wiley-Blackwell, 2011), 62.

[91] Evangelos Karagiannis, 'Secularism in Context: The Relations between the Greek State and the Church of Greece in Crisis' (2009) *Arch. europ. sociol.*, L, 1, 133–167, 149.

national identity.[92] This had resulted in a political-religious fusion, in which the Greek Church gained a state-supported status (mandatory religious instruction in the schools, weekly attendance of religious services by students; important religious holidays being celebrated as official national holidays; public presence of religious symbols and ceremonies including in the official state ceremonial). In turn, the church had offered religious legitimation and loyal support to the governing regime.

Alongside nationalism, during the Civil War in Greece (1946-1949), the church embraced another ideology – anti-communism. This step had affected both the church and society. Consequently, the left-leaning clergy was dismissed from office, while the progressive intellectuals and left-wing groups in the society were alienated from the church for several decades. Further, the problematic cooperation between the church and the state, as well as the elaboration and practice of a specific blend of reactionary political theology, distinctive with its active support for the nationalist, authoritarian and ultra-conservative policies of the regime (including the regime of the military junta between 1967-1974), had significantly damaged the public image of the Church of Greece.[93] Thus, the national church is often considered by the left-wing political groups a reactionary force that should be reformed from the outside by passing restrictive legislation (e.g. continuous attempts at confiscating or limiting the use of the excessive church property).

Moreover, during the military dictatorship, the official doctrine of the regime had been intertwined with religious symbolism and teachings. For instance, one of the official propaganda slogans of the junta had been 'Greece of Christian Greeks' - a striking example of the politically dangerous blend between nationalism, religion, and authoritarianism.[94] In this way, the junta sought religious legitimation and popular approval of its truly repressive policies. The church had also been instrumental in securing organized support for the regime through one of its influential lay organizations, the Brotherhood of Theologians Zoe. It had maintained close ties with the junta government, ensuring religiously motivated and highly disciplined social base that could be engaged in pursuing the goals of the regime and in disseminating the right-wing populist propaganda.[95]

What is distinct in the development of the church-state relations in Greece, it has never experienced the repressive character of the communist atheist regime leading to persecution

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[92] Victor Roudometoff, 'Greek Orthodoxy, Territoriality, and Globality: Religious Responses and Institutional Disputes' (2008) 68 *Sociology of Religion* 1, 71-72.
[93] Karagiannis, 'Secularism in Context', 154-155.
[94] Roudometoff, 'Greek Orthodoxy', 73.
[95] Kalaitzidis, *Orthodoxy and Political Theology*, 33-34; Karagiannis, 'Secularism in Context', 155.

and alienation of the believers and radical secularization of the society. However, the general process of secularization and modernization of the Greek society has triggered tensions, struggles and contradictions between the state and the church in a way similar to other countries in the region.

Facing the process of democratization of the country and the EU integration in the 1980s the Church of Greece has reconsidered its allegiance to the nationalist ideology and its role as a protector of the ethno-cultural identity and has become more supportive of democratic values and human rights.

3.2. Bulgaria

3.2.1. The National Awakening and the struggle for independent Bulgarian Church

The period of National Awakening in the late 18th - 19th centuries had been closely linked to the social activity of the local churches and monasteries, where first schools had been organized by educated clergy. These schools under the protection of the church had disseminated both religious and secular knowledge in a vernacular language. The formation of educated elite had been supported by many ecclesiastic officials who offered a number of scholarships for Bulgarians to study in the big religious and political centers of the Ottoman Empire (Constantinople and Thessaloniki) or beyond its borders – in the universities in Russia and Central Europe.

According to the accepted historical interpretation, in the second half of the 19th century, the evolving process of spiritual, social and political awakening of the Bulgarian nation had gradually led to the movement for independent Bulgarian Orthodox Church. The ecclesiastic independence from the Ecumenical Patriarchate was self-proclaimed by the Bulgarian clergy and laity in 1860. It was enhanced with the establishment of Bulgarian Exarchate in 1870 based on an official imperial decree (Sultans' firman). It is also significant that the the Exarchate was designed as a proto-democratic institution. Its structure and internal organization was based not only on the implementation of the conciliar principles of the Eastern Orthodoxy, but also on direct participation of lay Christians in the governing and decision-making at all church levels (parish church councils, eparchy councils and the Exarchate council). Moreover, lay members had taken part in the procedure of election of an Exarch, of metropolitans and priests.[96] This experience has cultivated a practice of participation and engagement in the public sphere that was decisive for development of

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[96] Statute of the Bulgarian Exarchate, adopted 1870: http://lib-shumen.iservice.bg/abwstaro/scan/F0000264.PDF (viewed 11.01.2016).

organized educational and cultural activities, as well as for the formation of modern Bulgarian national identity.

Close relations between the Bulgarian Church and the formation of the modern nation is evidenced in the fact that the ecclesiastical jurisdiction of the Exarchate had been designed to encompass the ethno-national Bulgarian territories. Again the religious affiliation had been equated with the national identity. According to the canon law of the Orthodox Church, however, such unilateral act of secession from the Patriarchate is illegitimate and leads to a schism and excommunication of the seceding group. This act had been rejected by the Ecumenical Patriarchate as grounded on 'ethno-phyletism' (religious nationalism), and caused the excommunication of the Bulgarian Church. The decision was taken by a pan-Orthodox church council convened in Constantinople in 1872 and the schism continued until 1945. There are justified claims, however, that this decision had been itself influenced by the specific Greek cultural nationalism (Hellenism).[97]

It is also significant, that the process of acquiring church independence had been interlinked with the movement for national liberation from the Ottoman Empire in the 1870s. The religious awakening had inspired the political and revolutionary movements. The national revolution of 1876 (the April Uprising of 1876), though unsuccessful, had been a result of the joint endeavors of the newly formed Bulgarian intellectual elite, revolutionaries, local clergy and the common citizens.

The history of the Bulgarian Church in the late 19th century is exemplary for the formation of ethno-political theology in the region where the independent national church is comprehended as an outpost of the nation-state and is instrumentalized by the authorities. In ethno-cultural terms, the following decades the Bulgarian Exarchate had played a role for the religious integration of the divided Bulgarian nation, as an aftermath of the decisions of the international Congress of Berlin (June-July 1878).

3.2.2. Church-state relations during the Third Bulgarian State (1878-1944)

Close relations between the church, the nation and the state had been enhanced after the national liberation and the formation of the semi-independent Bulgarian principality in 1878. Notwithstanding the fact that only a part of the historical ethno-cultural Bulgarian nation had been integrated in the newly formed principality, the role of the Exarchate, headquartered in Constantinople, had been to provide spiritual guidance and a sense of cultural community for

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[97] Basilius J. Groen, 'Nationalism and Reconciliation: Orthodoxy in the Balkans' (1998) 26 *Religion, State & Society* 2, 116.

these parts of the population which remained under the Ottoman rule (in Macedonia and Trace).

The state-building in Bulgaria had started with creation of the institutions of government and the convocation of the first constituent assembly with the main task to adopt a constitution. The constitution was adopted in April 1879 (1879 Tarnovo Constitution). In this founding document the Eastern Orthodoxy had been recognized as the official religion of the state (Art. 37). The freedom of religion had been safeguarded (Art. 40), at least formally. The primacy of the Orthodox Church in the public sphere had been guaranteed with the requirement the monarch should confess the Orthodox faith (Art. 38).[98]

These constitutional guarantees for the privileged position of the church had served as a precondition for having an active role in the society and the politics. In different times, members of the clergy had served as MPs and as governmental officials. For instance, the chairperson of the Constitutional Assembly had been the highest ranking cleric of the Bulgarian Church - Exarch Antim I. He also presided (April – June 1879) the first Grand National Assembly for the election of the first monarch – Prince Alexander of Battenberg. This close cooperation between the state and the church had been publicly visible: all official state ceremonies (taking constitutional oath by the monarch, MPs and ministers; celebration of official state holidays) had been conducted with the blessings and the participation of the higher clergy. In the field of family and inheritance law, religious marriage had been recognized officially and judicially enforced.

In the society, the church had played a significant charitable and social function. It had maintained educational and missionary activities organizing a well-developed structure of charities and Christian fellowships (e.g. Union of Orthodox Christian Fraternities with more than 50 000 active members in 1930s).[99] In the primary and secondary education in public schools, basic religious studies (core doctrines and rituals of the Eastern Orthodoxy) had been part of the mandatory curricula.

The role of the church in elaborating and supporting a patriotic and nationalist political theology is visible in the social activities of some high-ranking clergy. In the interwar period (1920s-1930s), members of the Holy Synod of the Bulgarian Church had been involved in the creation and support of patriotic nationalist organizations, such as *Otec Paisij All Bulgarian Union* (in 1927: Vsebulgarski sayuz 'Otec Paisij'), presided by the influential Metropolitan of

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[98] For the text of the 1879 Tarnovo Constitution, see the web-page of the Bulgarian Parliament: http://www.parliament.bg/bg/17

[99] Atanas Slavov, 'Sobornost i suzdavane na pravoslavni miryanski organizacii' ['Conciliarity and Establishment of Orthodox Lay Organizations'] (2012) 10 *Christianity and Culture*, 42-50.

Sofia Stefan, and the more secretive and extreme nationalist organization *Ratnik* (in 1936: 'Ratnichestvo za napreduk na bulgarstinata').[100]

Thus, the church had not remained isolated from the social and political processes. It had seemed that the church, for some time, had supported the established authoritarian form of government. Unfortunately, this authoritarian 'medicine' for the corrupted political party regime, as had been considered at the time, had proven to be neither proper, nor effective and more dangerous than the 'disease' itself. Once had been lost in the 1930s (with the coup d'état on 19th of May 1934) the democratic government had not been restored for the next sixty years.

One example of the influence of the church over the political process, in defense of the dignity of the person and religious tolerance, is connected to the status of the Bulgarian Jewish population in the 1940s. In accordance with the Law for the Protection of the Nation, adopted by the Bulgarian Parliament in January 1941, following the Third Reich's policies, the authoritarian government had been expected to deport the Jewish minority to Nazy concentration camps. However, the intensive campaign and support in favor of the Jewish cause by the Bulgarian Church, including metropolitans, priests and the lay people, enhanced by wider civil society movement, along with some parliamentarians, had led to the preservation of the Jewish community within the sovereign territory of the Bulgarian state (thus around 50 000 lives have been saved).[101]

The history of the church-state relations after the formation of the modern Bulgarian state has proven concrete the close relationship between the two institutions. This connection had resulted in the elaboration of a specific nationalist political theology that had been enforced by the secular legislation.

3.3. Serbia

The process of state- and nation-building in Serbia is closely interconnected with the history of the Serbian Orthodox Church. In the late 18th century the Serbian Church had been

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[100] Nikola Altunkov, *Narekoha gi fashisti* [They Were Called Fascists] (Sofia: Tangra TanNakRa, 2004), 118-126, 683-684.

[101] Michael Bar-Zohar, *Beyond Hitler's Grasp: The Heroic Rescue of Bulgaria's Jews.* (Holbrook, Mass.: Adams Media Corp., 1998); Stephane Grueff, *Crown of Thorns: The Reign of King Boris III of Bulgaria 1918-1943* (Madison Books, 1998), Chapter 21.

It is not the whole story, however. There is also a darker side: in the territories of Northern Greece and Macedonia, temporarily administered by the Bulgarian authorities between 1941and 1944 (without having sovereignty over these territories), more than 14 000 Jewish people were deported to Nazi concentration camps. Thus, the Bulgarian authorities, while saving the Jewish population within the sovereign territory of the state, were instrumental in following Nazi policies in the so called "New territories".

closely linked to the organized national resistance movements against the Ottoman rule. Similarly to other Balkan nations, this had resulted in identifying the Orthodoxy with the Serbian national identity. Consequently, the church had been instrumentalized in the process of state-building that followed in the 19th century.

In the first half of the 19th century, Serbia had been re-founded as an autonomous principality dependent on the Ottoman Empire. An autonomous status of the church was also recognized in 1832 by the Ecumenical Patriarchate. The full independence and autocephaly of the Serbian Church was recognized in 1879 following the official proclamation of state independence. The patriarchal status of the church was restored in 1920.

During this period, the Serbian Church had acquired extensive social functions far beyond its purely religious jurisdiction. The church had been gradually infiltrated by the nationalist ideology and co-opted by the state as a powerful ally in enhancing the Serbian national identity and in assimilating minority ethnic groups (with non-Serbian origin).[102] During the interwar period (between 1920s and 1930s), the extreme nationalist organizations ('Zbor' and paramilitary royalist 'Chetnik' movement) had the support of some high-ranked Serbian Orthodox clergy along with the state support in their pursuit of the 'Greater Serbia' program.[103] Moreover, notable theologians and clergy had taken an openly critical position against modernity, secularization, individualism, capitalism, and in defense of a homogenized Orthodox national community. For defining and classifying the synthesis between Orthodoxy and Serbian nationalism, given the active political involvement of both the clergy and the laity, a new term 'Political Orthodoxism' is elaborated in a recent study of church-politics relations in interwar Serbia.[104]

In 1930s, Orthodox theologians had tried to accommodate the ideology of nationalism in the doctrinal frame of the church and the traditional concept of *symphonia*. The nation had been described as a necessary link between the family and the humankind that have to be supported by the church, as far as it constitutes the 'body' of the church. The goal had been defined in terms of bringing the nation into harmony and perfection with the divine. Consequently, the church had been perceived as overlapping with the national community,

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[102] McGuckin**, *The Orthodox Church*, 65-66.

[103] Maria Falina, 'Between "Clerical Fascism" and Political Orthodoxy: Orthodox Christianity and Nationalism in Interwar Serbia,' (2007) 8 *Totalitarian Movements and Political Religions* 2, 247-258; Jovan Byford, 'Christian Right-Wing Organizations and the Spreading of Anti-Semitic Prejudice in Post-Milosevic Serbia: The Case of the Dignity Patriotic Movement' (2002) 33 *East European Jewish Affairs* 2, 43-60.

[104] For a comprehensive study of relations between Serbian Orthodox Church and nationalism in 19th and early 20th century, as well as the ethno-theological synthesis, see Maria Falina, *Pyrrhic Victory: East Orthodox Christianity, Politics, and Serbian Nationalism in the Interwar Period* (Budapest: CEU, 2011, Ph.D. Dissertation in History), 129, 153-155, 175-176, 186-188.

thus forming a unified national-ecclesiastical body. This understanding had found its most comprehensive interpretation in the particular Serbian political-theological doctrine of *Svetosavlje* (called after St. Sava who was the first archbishop of the autonomous Serbian Church in the 13th century) – thus relating the foundational moments of the state and the church with the modern nationalist ideology.

Moreover, the understanding of the church as a *community of believers*, rather than an institution, had contributed to equating the ecclesial with the national community. This fusion, according to the Serbian Church, had resulted in the formation of a *national-ecclesiastical body*.[105] In terms of their ideological content, these doctrines emphasize the organic unity between the church and the nation, the communal and the spiritual. This communal concept differs from the predominantly institutional views of cooperation between the church and the state, imagined as distinct entities and two separate realms. The political-theological dimension is discernable in the approach focused on integration, community and unity of the nation-church, rather than on the church-state mutual recognition and institutional interaction. A particular organizational embodiment of the ethno-political-theological approach had been the formation and growing acceptance of the *Devotionalists'* movement (*Bogomoljci*), associated with the popular Archbishop Nikolaj Velimirović. Similar developments had been witnessed in other Orthodox churches in the region (*Zoe* in Greece, *Otec Paisij Union* and lay Christian fellowships in Bulgaria, *Legion of Archangel Michael* in Romania). Common features of these lay organizations had been the fusion of religious spirituality, symbolism and practices with nationalism and right-wing ideology, public activity and mass mobilization of their lay members.

Some of the most influential exponents of this ethno-theological fusion had been high-ranked clerics - Archbishop Nikolaj Velimirović and Archimandrite Justin Popović (both glorified as Orthodox saints in 2003 and 2010), theologians Dimitrije Najdanovich and Djoko Slijepcević, political activist Dimitrije Ljotić (*Zbor*). Their ideological legacy is still visible in the contemporary Serbian Church.

The political-theological ideology that emerged with the aid of the church in the 1930s could be distinguished from the earlier period doctrines of church-state cooperation. It is noteworthy, that the new doctrine, with its religious-national integralism, in fact undermined church's own institutional independence. This is particularly understandable in the light of the internal logic of the nation-state building: the need to establish legitimacy, based exclusively

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[105] Falina, *Pyrrhic Victory*, 179-187.

on a secular legal and political paradigm and recognition of undivided sovereignty, hence all other allegiances, including religion, have to be revoked or placed in a subordinate position. The state intervention in the domain of the church is notable with the adoption of legislation which regulated the election procedure of the Serbian primate.[106]

The internal weakness of the church vis-à-vis the state had existed despite the fact that Serbian constitutions of 1888 and 1903 recognized a privileged status of the church and the Orthodox faith as an official state religion. Likewise, these constitutions had guaranteed the public presence of the church during celebration of the national holidays, as well as provided for compulsory religious instruction in public schools. The situation formally had changed with the adoption of constitutions in 1921 and 1931 of the newly formed Kingdom of Serbs, Croats and Slovenes, which guaranteed freedom of religion and equal rights for the legally recognized religions.[107]

The history of the Serbian Church is also indicative for the trend of political-theological developments in the region during the interwar period. Quite remarkably, despite their self-proclaimed anti-Westernism and anti-modernism, national Orthodox churches had embraced the model of active political involvement, defending the values of homogenous national communities, infused with religious ideas and symbolism, typical for the Western Christian communities during the inter-war period.

3.4. Romania

The history of the Romanian Orthodox Church is also interlinked with the processes of nation- and state-building. The movement for national liberation in the 19th century and the forming of an autonomous principality in 1829 has led to the establishment of an autonomous Orthodox Church in 1856. In the following decades, after the recognition of the state independence in 1864, the autocephaly of the church was self-declared in 1865. The subsequent recognition of the kingdom status of the state in 1881 was followed by canonical recognition of the autocephaly of the church by the Ecumenical Patriarchate in Constantinople in 1885.

The elevation to the rank of a patriarchate happened in 1925 after the territorial enlargement of the state following the collapse of Austro-Hungarian Empire in the end of the World War I. The Romanian case of church-state relations is also exemplary of the way the political recognition and the state power are interconnected with the status of the national

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[106] Fallina, *Pyrrhic Victory*, 50-51.
[107] Fallina, *Pyrrhic Victory*, 79.

church. These are certain tendencies and internal logic of the processes revealing some general characteristics of the Eastern Orthodox understanding of church-state relations applicable in the nation-states.

Similarly to other Orthodox churches in Southeastern Europe, the Romanian Church had merged religion with nationalism and had been an important instrument of the state in shaping and defending the Romanian national identity.[108] During the inter-war period in the 1930s, the existence of religious nationalism had been connected to the authoritarian regime and the activity of reactionary political forces (such as the ultra-nationalist Iron Guard), which placed great emphasis on the Orthodoxy and used extensively religious symbolism in their public demonstrations. There had been organizations, affiliated with the regime, which collaborated with members of the higher clergy, in order to strengthen, as they believed, both the nation (the state) and the church.[109]

A political-theological understanding of the relations between the church, the state and the nation could be discerned in the works of an influential Orthodox intellectual Nichifor Crainic.[110] His interpretation overemphasized the role of the homogenous Orthodox culture for the preservation of the Romanian state and society. In his view, Western democratic principles and ideals constituted a threat to the unity of national culture and religion.[111]

These ideological developments had been representative for the inter-war period in Romania and the region, where the fear from bolshevism had contributed to the unholy alliance of ultra-nationalist and fascist authoritarianism with the national Orthodox churches. Thus the potential for elaboration of a political theology that is focused on some inherently democratic values had been severely weakened. The Christian view of engaging with the world in order to witness for the truth and love found in God had been replaced by fear and exclusion of others.

This brief historical account of the simultaneous process of church-state-nation development in the region reveals their interdependence. Certainly, this development could not be evaluated in positive terms. From this alliance there had been many challenges arising for both the church and the state. For the church, one of the significant challenges had been to remain faithful to its core teachings and specific mission, hence, not to compromise with, rely

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[108] Cristian Romocea, *Church and State: Religious Nationalism and State Identification in Post-Communist Romania* (London: Continuum International Publishing Group, 2011), 122-123.
[109] Ramet, 'Autocephaly and National Identity', 8.
[110] Christine Hall, 'Spiritual tradition and ecclesiology in the Romanian Orthodox historical and political context' (2011) 11 *International Journal for the Study of the Christian Church* 2–3, 152–172.
[111] Aristotle Papanikolaou, *The Mystical as Political: Democracy and Non-Radical Orthodoxy* (Notre Dame, IN: University of Notre Dame Press, 2012), 44.

on or submit to the state as powerful as it might be. This primarily means the church should have not confused Christ and the Gospel with the nation, neither the state with the heavenly kingdom. For the state, the challenge had been to remain respectful to the mission of the church, not willing to dominate and transform the church's powerful liberating massage into a new nationalistic ideology.

On both sides, however, accommodations had been made under particular historical circumstances. While the state had been strengthened with the elaboration of the new nationalist political theology, veiled in religious symbolism and mythology, the church had been weakened and instrumentalized to serve temporary goals foreign to its core doctrines. The predominantly authoritarian politics during the inter-war period had influenced the general ideological horizon in which a comprehensive political theology could be developed. Consequently, the political-theological statements of that period had undemocratic overtones.

The prevailing strong nationalist sentiments had contributed to another tendency emphasizing the importance of attaining independence of the national church as a means of safeguarding the national independence. This tendency should be critically evaluated. According to prominent Orthodox scholars John Meyendorff and Alexander Schmemann, the struggles for national church independence had their roots and justification not in Orthodox ecclesiology, but in the nationalist movements of the last two centuries.[112] The focus on independence has revealed the self-understanding of the national church as a protector of national culture, language, and traditions. It has shaped the church's own position of exclusiveness towards the West, Western Christianity, modernity, globalization, to the extent they have been considered threats to the traditional national culture and social order, protected by the national churches. Though not justified theologically, such a position has remained widely accepted until recently.

While the modern nation-state has made certain accommodations to allow a free space for the church to exist and practice its teachings, to develop good cooperation with the state on many social issues, the imposition of totalitarian communist dictatorships in the region had radically changed the context in which the church had to function. Initially, the communist regimes had tried to eliminate and destroy the church. The difference with the preceding periods had been sharp and the very existence of Christianity and believers had been threatened.

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[112] John Meyendorff, *The Byzantine Legacy in the Orthodox Church* (Crestwood, N. Y.: St. Vladimir's Seminary Press, 1982), 225-29, 251-53.
Alexander Schmemann, 'A meaningful storm: some reflections on autocephaly, tradition and ecc1esiology' (1971) 15 *St. Vladimir's Theological Quarterly*, 3-27.

The present-day Orthodox churches in the region are still affected by the long period of restrictions, persecution and infiltration of the church ranks by the secret services of the communist regime. The following section will provide a brief account of the position of the Orthodox churches under communist dictatorships in the region highlighting the political instrumentalization of the churches in the later period of the communist regime. The heavy legacy of that period is still traceable in the contemporary public image of the churches.

4. Eastern Orthodox churches and the communist regime: between formal cooperation and tacit resistance

Nothing has been more dangerous in the last centuries for the existence and the mission of the Orthodox Church, than the period of its persecution and subordination to the communist regimes. The ambivalent role played by the Orthodox churches during the communist dictatorship – preserving minimum religious functions at the price of collaboration of the higher clergy with the regime - still affects its present-day mission in post-communist societies.

To understand the complex situation in which the Church had been placed, a general typology of church-state relations during communism could be developed. Three strategies had been employed for ensuring the submission of the Orthodox Church to the communist regime. *First*, in order to eliminate the active resistance of the church against the regime in the first years after 1944, severe persecution and oppression against the clergy and believers had been undertaken. These actions had been justified with the legitimizing role the church played under the previous authoritarian regimes and its collaboration with the 'reactionary forces' in society. Thus, the church had been held accountable for supporting the atrocities against communists and other left-wing opposition groups during the previous regimes.

Second, after the elimination of the 'reactionary elements' within the church, its ranks had been infiltrated by the communist secret services. Some influential members of the episcopate and other clergy ranks, as well as some distinguished lay members (professors at the divinity schools and academies) had also been co-opted, in order to eliminate internal opposition and to prevent actions hostile to the regime.

The *third* strategy had focused on the instrumentalisation of the church in serving the regime goals – most notably, to express public support for the ideological policies of the regime, both domestically and internationally.

4.1. Soviet Russia as a model of church –state relations during communism

The first strategy of brutal persecution and oppression was very actively implemented during the first decade of the communist regime. In Russia, for instance, some of the most symbolic churches in Moscow and Petersburg were destroyed, closed or converted to museums.[113] Moreover, during the first years after the October Revolution the Bolsheviks executed twenty-eight Orthodox bishops and 1215 Orthodox priests, while thousands were imprisoned, deprived of their rights or exiled. The number of churches functioning (remaining open for divine services) had dropped 100 times for 30 years: from around 54 000 in 1914 to 500 in 1941.[114]

The ultimate goal of these policies had been the total extermination of Christianity and complete transformation of the Russian society according to the state supported ideology of scientific communism and militant atheism. However, following the strong patriotic engagement of the church during the World War II, the restrictions were slightly relaxed and thousands of churches were reopened. This process did not last long: between 1959 and1964, during the Khrushchev's campaign against Christianity, half of the Orthodox churches in operation (10 000 out of 20 000) were completely closed.[115] By the end of the communist regime, the number of churches in operation had dropped significantly (the total being around 6 500). These oppressive policies had been constant threat to the church despite the formal constitutional proclamation of complete separation between the church and the state during the atheistic regime.

The second strategy of co-optation or at least formal cooperation between the episcopate and the regime had been practiced thus threatening the very essence of the church. While the first strategy had created martyrs and inspired true believers, the second had corrupted the life of the church from inside. This had been done in a number of ways, the primary goal being the same - the ultimate submission of the church to the regime and overshadowing its mission in society. For instance, one of the requirements towards the Russian Orthodox Church had been to endorse in its official public statements the Soviet foreign policy, thus defending the superior character of the socialist form of political and social organization. Public appearances of formal church-state cooperation had been used by the official party propaganda to claim

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[113] Ironically, Issakievsky Sobor (St. Isaak's Cathedral), one of the most spectacular cathedrals in Petersburg, was turned in 1931 into the first State Antireligious Museum. http://www.cathedral.ru/istoriya (17.08.2015).

[114] Pedro Ramet (ed.), *Religion and Nationalism in Soviet and Eastern European Politics* (Durham, N.C.: Duke University Press, 1989), 18.

[115] Harold Berman, 'Atheism and Christianity in Soviet Russia' and 'Christianity and Democracy in Soviet Russia', in: his *Faith and Order. The Reconciliation of Law and Religion* (Grand Rapids, MI: Eerdmans Publishing Company, 1993), 355-365; 393-401.

internationally that religious freedom had been protected within Soviet Russia. Thus, the church had been used in polishing the international public image of the communist regime.[116]

As far as the USSR had been the general model for other communist countries to follow, its policies on church-state relations had been practiced in other countries. Similarities are easily traceable comparing the initial phase of the imposition of the communist regime in each country (the strategy of radical persecution) and during the period of regime consolidation (the strategy of infiltration and co-optation). These periods will be briefly analyzed in the historical trajectories of the countries in the Southeastern Europe. The existing challenges toward the public presence of the Orthodoxy in the SEE countries and the potential of elaborating a political theology in line with democratic values are still related with the ambivalent role the church had played during communism.

4.2. Bulgaria

The Bulgarian Orthodox Church and other traditional religious institutions (Catholic Church, mainline Protestant denominations, Islam) were severely oppressed in the first years under the communist regime. Many Orthodox priests and believers were imprisoned, tortured and killed in prisons and labor camps.[117] The traditional church jurisdiction over marriage, divorce, issuance of birth and death certificates, of religious instruction in public schools had ended with the adoption of new communist legislation. The religious life had been restricted to the divine services only in church buildings, while the public function and the social activity of the church had been terminated.

Formally, communist constitutions of the People's Republic of Bulgaria, adopted in 1947 and 1971, had provided for complete separation between the church and the state (Art. 78 of 1947 Constitution and Art. 53 of 1971 Constitution). The constitutional protection of the antireligious propaganda had been guaranteed, as well as the leading role of the communist party in the society and the state (Art. 1 of the 1971 Constitution). Moreover, there had been included constitutional requirements for educating the youth, as well as for developing of the science and research, arts and culture in a communist spirit (Art. 39 and art. 46 of the 1971 Constitution). The legislation, adopted during the period, had also limited the opportunities for free exercise of religion, while placing religious institutions under the control and

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[116] Ramet, *Religion and Nationalism*, 19.
[117] The suggested number of all priests being imprisoned or sent to labor camps is approximately 300 (out of 2500), see Momchil Metodiev, *Mezdu vyarata i kompromisa. Bulgrskata Pravoslavna Curkva i komunisticheskata durzava 1944-1989* [Between Faith and Compromise. The Orthodox Church and the Communist State in Bulgaria 1944-1989] (Sofia: Ciela, 2010), 174-194.

supervision of the governmental Committee for Church Affairs. Most importantly, the communist secret security services had been instrumental in infiltrating members of the clergy as well as some professors at the theological academy, thus ensuring obedience and influence over church life and the career development of the clergy and theological scholars. The process of election of metropolitans (diocese bishops) and a patriarch had been subject to the monitoring and influence by the State Security, the Committee for Church Affairs and the communist party Politburo. Hence, only candidates ready to compromise and cooperate with the regime, had been selected for the highest church offices.

Alongside the oppression of the church, two other major events in its organizational life had occurred during the period. First, the disputed autocephaly of the church was recognized by the Ecumenical Patriarchate in 1945. This process gradually led to the restoration of the Bulgarian Patriarchate in 1953 (recognized by the Ecumenical Patriarchate in 1961) and the election of Patriarch Cyril (then Metropolitan of Plovdiv and a distinguished church intellectual). In 1971, he was succeeded by Patriarch Maxim, who had remained in divine office for the next four decades (until 2012). These significant events had been preceded by complex church and state diplomacy moves. There should be no doubt that the patriarchal election process had been predetermined by the decisions of the Politburo of the Bulgarian Communist Party.[118]

The process of pan-Orthodox and international recognition of the Bulgarian Church had been supported by the influential Russian Orthodox Church. To some extent, this recognition had been a side result from the struggle for primacy within the Orthodoxy - between the Greek churches (represented by the Ecumenical Patriarchate and having pro-Western orientation) and the Slavic churches (existing in the Eastern European states under the influence of Moscow Patriarchate). Furthermore, this power-play had involved the Bulgarian Church to participate on the international arena and to accept membership in the World Council of Churches where it allied with other 'progressive' and 'democratic' churches on important social and political questions. These 'progressive' churches had also been influenced by the communist/socialist parties in their states and infiltrated by communist secret services. Thus, in the field of international relations, the Bulgarian Orthodox Church had supported the official propaganda of the communist state. Notwithstanding this collaboration and compromise with the regime, the domestic control over the church had not

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[118] Daniela Kalkandjieva, 'The Restoration of the Patriarchal Dignity of the Bulgarian Orthodox Church' (1994) 4 *Bulgarian Historical Review*, 101–105;
Daniela Kalkandjieva, *Balgarskata pravoslavna tsarkva i darzhavata, 1944-1953* [The Bulgarian Orthodox Church and the State 1944-1953] (Sofia: Albatros, 1997), 26.

been significantly relaxed. Control and restrictions on the church services and activities had persisted, though not to the degree of mass persecution witnessed in the first years under communism.[119]

In a recent study on the role of the Bulgarian Church during this period, an elaborate classification of the stages of church-state relations is suggested.[120] The first period could be described as the period of 'the Repressed Church' (from 1944 to the middle of 1950s), when many members of the clergy had been oppressed and the church subordination to the state had been achieved by the use of force. The second period could be presented as 'the Provincial Church' (starting with the election of Patriarch Cyrill in 1953 to 1971), when the church had been successfully marginalized and isolated in the periphery of the society through effective administrative repression. The third period could be described as 'the State-controlled Church' (during the 1970s and 1980s) – this period includes the first two decades of the office of the elected with the endorsement and the aid of the communist regime Patriarch Maxim. During this period the church had been instrumentalized to support the communist policies through participation in the international socialist peace movement and engagement with the social justice movements.

During the third period, the regime's policy towards the church had begun to change allowing its increased public presence. As the regime's ideological legitimacy began to weaken, it had turned to other motivational sources other than the belief in the world-wide proletarian socialist revolution. Moreover, the change in the church-state relations coincided with the general political shift towards the nationalist ideology. Thus the role of the church for the preservation of the Bulgarian nation under the Ottoman rule and for the national cultural and political awakening in the second half of the 19th century had been publicly recognized by the official state propaganda.[121] The church had been acknowledged as a protector of the national identity as well as a living museum of the national history.[122] Academic interest in the religious art (icons, chants, manuscripts, architecture) had also been revived.

Despite the anti-religious policies of the regime, the church had retained a degree of limited autonomy in its everyday parish life (though with very low active participation of believers). While being instrumentalized to a certain degree, the church had resisted the

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[119] Metodiev, *Between Faith and Compromise*, 345-369.

[120] Metodiev, *Between Faith and Compromise,* 638-648.

[121] Daniela Kalkandjieva, 'The Bulgarian Orthodox Church', in: Lucian N. Leustean (ed.) *Eastern Christianity and the Cold War 1945-91* (London and New York: Routledge, 2010), 90-92.

[122] For the state of the Bulgarian Church under the communist regime and its instrumentalization by the official nationalist propaganda, see Spas Raikin, 'Nationalism and the Bulgarian Orthodox Church', in: Ramet, *Religion and Nationalism*, 352-370.

temptation of becoming a vocal supporter of the nationalist polices of the regime in the second half of the 1980s (unlike the Serbian Orthodox Church).[123]

Though being infiltrated by the secret services, the church had never completely abandoned its spiritual mission. As late as the 1960s/70s and despite the official atheist propaganda, some basic church rituals (baptism, marriage, memorial services) had been widely practiced. In attempt to limit and replace the use of religious rituals in a socialist society, the regime had taken a decision to introduce secular 'civic rituals' for commemoration of important family events.[124]

Notwithstanding the numerous oppressive measures, including the forced secularization, persecution and other oppressive actions against the clergy, infiltration by secret services, limited opportunities for active parish life, and marginalization of believers, the church had tacitly resisted. However, the church's public role and legitimacy had been significantly affected. This had weakened the legitimate position of the church and hampered it active public role during the first years of democratization.

4.3. Romania

With the establishment of the communist regime in Romania oppressive measures against the church had immediately followed: several bishops were arrested; hundreds of priests were detained in concentration camps; a number of schools and seminaries operating under the church jurisdiction were closed. In the late 1950s, a new wave of oppression against the church let to the arrest of thousands of monks, priests and lay members, as well as to the closure of many monasteries. Moreover, these members of the church had not received proper protection on behalf of the patriarch and the Holy Synod which remained overly submissive to the government.[125]

With the change of political course of the country in the 1960s, the attitude to the church was reconsidered. The church had been rediscovered as an ally in strengthening the new nationalistic propaganda, being respected for its contributions to the preservation of the Romanian culture and the nation during the centuries. This new mode of closer church-state

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[123] In the 1980s the communist state elaborated a new nationalist ideology, rejecting the recognition of the Muslim and Turkish identity of a large number of Bulgarian citizens (approx. 10% of the population). Using administrative measures the communist regime decided to replace their Muslim names with Bulgarian names, which provoked genuine protests. The enforcement of these policies was ensured by the use of organized police force and thousands of people belonging to the Muslim minority were repressed.
[124] Metodiev, *Between Faith and Compromise*, 30-32.
[125] Ramet, *Religion and Nationalism*, 19-20.

relations had allowed many Orthodox churches to be reopened and the church itself to become more visible in the public sphere.

In a larger context, these more tolerant policies toward the church and its increased public visibility could be critically evaluated as ambivalent, due to the infusion of nationalistic ideology into the church life and the cooperation with the regime. This shift towards cooperation and compromise with the regime had become visible with the elaboration of unique ideological symbiosis between Christianity and socialism – the doctrine of *social apostolate*. This doctrine has been define in terms of reconciling the mission of the church with the ideas of social justice.[126] As a recent study suggests, the blend between nationalism and Orthodox Christianity in Romania, as well as the legacy church state cooperation during communist regime, have remained some of the main challenges to the active role of the Romanian Orthodox Church in the post-communist period and in the process of democratic transition.[127]

4.4. Serbia and former Yugoslavia

Serbian Orthodox Church had faced similar experiences during the first years under the communist regime. Initially, being associated with the former monarchy and the reactionary forces, the church had to be isolated, suppressed and placed under the state control. However, the nationalist sentiments within the church continued to be strong.

The ideological shift of the regime towards Serbian nationalism, which happened with Slobodan Milosevic's rise to power in 1987, made the church once again closely associated with nationalistic politics and recognized by the state as an important ally. During the Yugoslav wars that followed in the 1990s some members of the Holy Synod supported the official nationalist policies of the regime.[128] Despite its religious nationalism, the church during the communist regime had retained its spirituality and its active parish life, along with developing a distinguished Orthodox theological scholarship.

The church's embracement of Serbian nationalism had provoked an unexpected development. In 1967 a group of bishops and laity in the Yugoslav Republic of Macedonia

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[126] Romocea, *Church and State*, 3; 150-180.

[127] Lavinia Stan and Lucian Turcescu, *Church, State and Democracy in Expanding Europe* (New York: Oxford University Press, 2011), 136-145; Lavinia Stan and Lucian Turcescu, 'The Romanian Orthodox Church and Democratization: Twenty Years Later' (May-August 2010) 10 *International Journal for the Study of the Christian Church* no. 2-3, 144-159.

[128] Sabrina Pedro Ramet, *The Three Yugoslavias. State-Building and Legitimation, 1918-2005* (Washington, D.C.: Woodrow Wilson Center Press, 2006), 501.

proclaimed an autocephalous Macedonian Orthodox Church. This act, however, was not recognized by the canonic Orthodox churches in communion with the Serbian Orthodox Church. After its secession from Yugoslavia, and recognition of its state independence, the Macedonian state continues its support for the national church, which serves the state-building and nationalistic policies of the new political elite.

The profound political changes in the end of the 1980s opened new opportunities for the Orthodox churches in the region to participate as an active force in the development towards liberal democracy. Their status under the communist regimes had been neither easy, nor secure. It would be oversimplification to describe their position as mere collaboration or compromise with the regime. During the whole period, there had been moments of severe persecution and everyday oppression for the lower clergy ranks and the laity. Nevertheless, the Orthodox churches in the SEE countries had tried to perform, though to a very limited scale, their spiritual function. This had been done despite the forceful forfeiture of their material resources and the restrictions of their presence in the public sphere.

Consequently, being for the most part of their history placed in societies lacking liberal and democratic experience, the some ranks and communities in Orthodox churches had often been infused with anti-modernist and nationalist ideologies. This heritage, though being foreign to the Orthodox theology and tradition, has remained a principal challenge to the church's positive role in the years of democratic transition and consolidation that followed in the 1990s.

5. *Democratic consolidation and Eastern Orthodox churches in the region*[129]

The church-state relations in the process of democratic transition and consolidation in the region have been complex. Liberated from the communist dictatorships, the SEE countries have approached the Western models of constitutional democracy. This process, however, has not been without challenges and deep concerns about the institutional capacity and the level of democratization in each country. The implosion of the communist system has revealed an ideological vacuum which had to be replaced by the civil society and the new hopes for democracy and European integration of the whole region. A number of complex reasons – social, geo-political, cultural – have contributed to the political choice made by some of the

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[129] Issues of church-state relations during the period of democratic transition and consolidation in the SEE countries are further discussed in my research paper at the Centre for Advanced Study Sofia (Bulgaria), see Atanas Slavov, *Between Endorsement and Ambivalence: Democracy and Eastern Orthodoxy in post-communist South East Europe*, CAS Working Paper Series No. 7/2015: Sofia 2015. Available at: http://www.cas.bg/uploads/files/WPS-APP-7/Slavov,%20Atanas.pdf (last viewed 20.12.2015).

countries and their political elites (e.g. in former Yugoslavia) to turn to ultra-nationalist policies, rather than to pursue democratic ideals. In this process, some national Orthodox churches (Serbian Church; Macedonian Church) have offered a new form of political theology to replace the lost ideological security of communism. The Orthodox churches in Bulgaria and Romania have tried to play an important role during the first years of the democratic transition. Due to a number of reasons, they faced different social reality– in Bulgaria the role of the church was weakened, mainly due to the internal divisions in the 1990s, while the Romanian Church enjoyed a period of revival.

In either case, however, the present role of the Orthodoxy in the public sphere in the post-communist societies is still affected by the legacy of the decades of atheistic regime. Meanwhile, the opportunity to interpret the interaction of the Orthodox churches with constitutional democracy and civil society in the light of the experience of the Church of Greece is beneficial for the study. The Church of Greece has been the first from the region to experience and accept the gradual democratization of the state and society and to cope with the challenges arising from the Euro-Atlantic integration of the country.

5.1. Democratic consolidation and church-state relations in Greece since 1975

The process of democratic transition and consolidation in Southeastern Europe has begun not in 1990s with the fall of communism, but in mid-1970s – with the democratization of Greece. Greece has been the first among the countries in the region to face the challenges of globalization, democratization, and EU accession, thus having a chance to elaborate meaningful answers that could be considered by the rest of the states. In this respect, it is worth having a brief overview of the role the Greek Orthodox Church has played in that process, most importantly, the direction it has influenced the new constitutional order of the republic (established with the 1975 Constitution).

The recent history of church-state relations in Greece is also indicative for the complex and often ambiguous position of Orthodox Christianity concerning the challenges of modernization and democratization of society. In this process, unfortunately, the church very often sided with ultra-nationalist, reactionary and authoritarian governments (1967-1974), similar to the Romanian and Serbian churches in the 1930s.

The degree and intensity of church-state relations in Greece is reflected first in the constitutional 'preamble', which consists of a direct invocation of the Holy Trinity in the Orthodox dogmatic formula: 'in the name of the holy, consubstantial and indivisible Trinity' (similar invocation of the Holy Trinity could be found in 1937 Constitution of Ireland). The

established, official state status of the Church of Greece is constitutionally entrenched in the Article 3 of the 1975 Constitution:

> The prevailing religion in Greece is that of the Eastern Orthodox Church of Christ. The Orthodox Church of Greece, acknowledging our Lord Jesus Christ as its head, is inseparably united in doctrine with the Great Church of Christ in Constantinople and with every other Church of Christ of the same doctrine, observing unwaveringly, as they do, the holy apostolic and synodal canons and sacred traditions. It is autocephalous and is administered by the Holy Synod of serving Bishops and the Permanent Holy Synod…

It is noteworthy, that the section of church-state relations is placed at the second position in the Constitution, after the section on the form of government. Furthermore, the privileged position of the Greek Church is also enhanced through the constitutional recognition of its special function as a protector of the text of the Holy Scriptures: 'The text of the Holy Scripture shall be maintained unaltered. Official translation of the text into any other form of language, without prior sanction by the Autocephalous Church of Greece and the Great Church of Christ in Constantinople, is prohibited.'

The constitutional protection of the church is further ensured: there is a prohibition of proselytism which in fact limits the scope of religious activity of non-Orthodox denominations, despite the constitutional guarantee of the freedom of religion in Article 13.

The public presence of the Orthodoxy is visible in the political sphere as well. Thus, the Constitution provides that solemn oaths taken by the president, MPs and ministers should be in the name of the Holy and Consubstantial and Indivisible Trinity (Art. 33, par. 2; Art. 59).[130] In the field of the public education there is a constitutional obligation for the state to be committed to nurturing the national and religious conscience of the Greek people (Art. 16, 2). This general constitutional provision is used as a legal foundation of the daily prayers at schools.[131]

The strong connections between the state and the church are further revealed in the public sphere: many national holidays coincide with the most celebrated religious feasts; the government ministers have to take oath at the presence of the archbishop of Athens on the day of assumption of their duties (with the exception of non-believers or professing other faiths); the state pays the salaries of the Orthodox clergy, which have the status of civil servants; metropolitans are appointed by the president on the proposal of the Holy Synod of the Church of Greece. This mode of church-state relations is often defined by scholars of religion and

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[130] Respecting the freedom of religion and conscience, there is an opportunity for non-religious ceremony.
[131] Karagiannis, 'Secularism in Context', 146.

politics as *sunallelia* ('being together').[132] The logic of this relationship, however, does not exclude controversies, opposition and heated debates on certain political and moral issues. The church is also criticized for not taking into account the modernization of the country and the liberal and pluralistic tendencies in the Greek society.[133]

In relation to the public engagement of the church with nationalistic causes, two different cases could be highlighted. First, in 2000, a dispute arose between the government and the church regarding the entry of information on the religious affiliation of the citizens in the new ID cards. The government insisted that the anti-discrimination legislation of the EU prohibits the disclosure of religious affiliation in official documents as a means of guaranteeing the freedom of conscience and equality before the law. The church opposed this decision with arguments driven by the modern political-theological synthesis between religion and nationalism. Even the archbishop took a nationalistic, rather than religious stance. He insisted on the importance of the link between the church, the nation and the state in preserving the Greek national identity. Moreover, he envisaged the role of the church in terms of resisting the forces of globalization that would undermine the national identity.

The second case, in 2004, concerned the jurisdictional dispute between the Ecumenical Patriarchate and the Church of Greece regarding the election of metropolitans in the so called 'New Lands' (the Northern Greek provinces which were incorporated in the state territory after the Balkan Wars 1912-1913 that brought to an end the Ottoman dominion in the region). It is noteworthy, that during the arguments that followed, each side employed mutually challenging interpretations of both secular and canon law. The Church of Greece relied more on the support of the Greek authorities and on the secular legislation rather than on pure canonical grounds. Thus, once again, the close church-state alliance was emphasized.

In contrast, the Ecumenical Patriarchate has employed supra-territorial and universalist argumentation driven from the Sacred Tradition, the cannons of the Orthodox Church as well as from the Patriarchal Act of 1928 which provided a specific procedure for election of metropolitans in the New Lands (requiring submission of a list with candidates to the Ecumenical Patriarch and his rights to withdraw and add candidates as well as to approve the election). To some extent, this dispute has been indicative for the ideological currents within the Orthodoxy, the one focused on nationalism and nation-state and opposing globalization

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[132] Groen, 'Nationalism and Reconciliation', 117-118;

[133] Antonis Manitakis, *Oi sheseis tis ekklisias me to kratos-ethnos sti skia ton taftotiton* [The relationship of the church with the nation-state in the shade of the identity cards crisis] (Athens: Nefeli, 2000), 14, quoted in Karagiannis, 'Secularism in Context'.

and modernity (employed by the national Orthodox churches), the other, emphasizing the universality of the Christian faith and the church's mission, addressing positively the process of democratization and globalization (the Ecumenical Patriarchate).[134]

In this context of church-state relations, one of the contemporary political-theological currents among the Orthodox intellectuals in Greece, after the end of the dictatorship, has been the 'neo-orthodox' movement (with his notable representative the conservative religious philosopher Christos Yannaras). Some of the distinctive features of this movement are anti-westernism, nationalism, anti-liberalism, while holding a critical stance on modernity, globalization and multi-culturalism. This neo-orthodox movement continues to be influential among the theological and ecclesiastical establishment and shapes in rather conservative fashion the Orthodoxy in Greece.

Despite the predominant traditionalism of the Greek Church, a remarkable development during the period of democratization has been its gradual openness for left-wing Christian intellectuals and the engagement with social issues. Although the church has not developed a comprehensive 'liberation theology' primarily engaging with issues of social justice, there is growing influence of progressive intellectual groups over some high-ranked clerics (e.g. Metropolitan of Volos). For almost two decades after the fall of the military junta, the Christian Socialist movement ('Christian Democracy' and its youth organization EXON) and the publication of a weekly newspaper *I Christianiki* have started to change the traditional association of the Greek Orthodoxy with conservative groups and ideologies. This movement has tried to elaborate a third way between capitalism and socialism, offering perspectives of social change and liberation from Christian positions. Thus, a fundament for a more progressive reading of the Orthodox tradition has been laid.[135]

5.2. Democratic consolidation and church-state relations in Bulgaria since 1989

The process of democratic consolidation is ongoing in Bulgaria and the church's public engagement with different moral and political issues is becoming more visible. There is growing understanding of the fact that without such wide popular acceptance and internalization of democratic values, principles and practices, democratic institutions and procedures would remain a mere façade of oligarchic structures and practices.

The public presence of the church in the first years after 1989 was shaped by several factors: first, the heavy legacy of collaboration of the high-ranked clergy with the regime in

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[134] Roudometoff, 'Greek Orthodoxy', 67-91.
[135] Kalaitzidis, *Orthodoxy and Political Theology*, 52-53, 79-80.

the last decades, especially in the fields of international socialist initiatives (the international peace movement of the socialist countries) as well as in the nationalist propaganda during the infamous 'Revival Process' against the Bulgarian Muslim minority; second, the involvement of members of the Holy Synod in the communist secret services, which in turn had weakened their legitimacy among believers; third, the internal tensions within the Holy Synod and the division among its members leading to the creation of an alternative synod of metropolitans. All these have contributed to the problematic public image of the church in the first years of democratic transition.

In the beginning of 1990s, there was a high expectation among emerging democratic opposition and civil society that the church will render its powerful support for the democratization of the country and will side with the anti-communist opposition groups in the society. The reasons for this expectation were logical – the church, as the prevailing religious denomination, was one of the most suppressed during the communist atheistic regime. All its functions – religious, educational, social and charitable, were severely limited, while the majority of the clergy suffered intense persecution in the first decades of the regime. In the view of Bulgarian democrats, all these conditions should have made the church a natural ally which will stand for a democratic political change. These hopes, however, have remained unfulfilled. With the exception of some parish priests, the higher clergy and the Holy Synod had remained mostly silent on political issues. The synod had functioned as if the bureaucratic socialism had been there and the opportunities for public engagement of the church had been limited.

In this context, the emerging civil society had been looking for spiritual guidance, but had found an empty phraseology on behalf of the church leaders. The reasons for this situation had been complex. As stated above, most of the members of the higher clergy had been co-opted by the communist regime. They had collaborated on some foreign policy and nationalist issues, while the functions of the church had been reduced and severely restricted. Their infiltration by the communist secret services had influenced their career as they had been elected as bishops and metropolitans with the aid of the regime after pledging allegiance. Until recently this has been an issue in the church: in 2012 after public disclosure of the communist State Security files it was announced that more than two-thirds of the members of the synod had been recruited as secret services agents (11 out of 15 metropolitans). Consequently, their public legitimacy has been eroded and the polls measured significant decrease of the public trust in the church (from above 55% to around 40%). After the election and enthronement of the new Bulgarian Patriarch Neophite in February 2013 and the

replacement of some older metropolitans with younger bishops non-related to the communist regime, the public trust in the church is increasing up to 66%.[136]

The public presence of the church during the 1990s has been rather problematic. Some democratic politicians, representing the pro-Western and reformist liberal opposition (Union of Democratic Forces - UDF) started to question the ambivalent role of the church in the democratic process, demanding its radical de-communization and renovation. These politicians had criticized the Synod and metropolitans for their collaborative role under the totalitarian system.

After the first democratic elections in June 1990 some members of the Synod and the lower clergy were elected in the constituent assembly (Grand National Assembly). Their participation in the constitutional debates was memorable with the attempt to defend certain rights and privileges for the Bulgarian Orthodox Church. The constitutional formula that has been accepted in the new democratic constitution (adopted 12 July 1991), defining the role of the Eastern Orthodoxy in the society, stipulates as follows: 'Eastern Orthodox Christianity shall be considered the traditional religion in the Republic of Bulgaria' (Art.13, 3).

It should be pointed out, however, that the term 'traditional religion' differs from 'official religion', and the constitutional provision should not be considered an establishment clause and does not provide for a 'state' or 'official' religion. With this provision, it is only acknowledged that the Orthodoxy is the religion of the majority of the population and it has existed for a long period of time. This constitutional provision does not secure any specific privileged position for the church, though the practices that have emerged and the subsequent legislation have moved towards this direction. In line with the prevailing liberal and democratic character of the 1991 Constitution, it provides for church-state separation (Art. 13, 2), as well as guarantees the freedom of religion and its free exercise (Art. 37). A specified provision bans the use of religious institutions, communities and beliefs for political ends (Art. 13, 4), thus limiting the possibility for religiously motivated political extremism.

In 1991, with the development of the democratic process, it became clear that the church will remain mostly apolitical, though without initiating reforms from inside the church. Meanwhile, the political situation in the country became so antagonistic that a clear line of division between 'democrats' and 'communists' had been drawn. On the parliamentary

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[136] National Center for the Study of Public Opinion, March 2013 Survey: http://dveri.bg/xu8u3 (last accessed 15.09.2013).

elections in October 1991 the democratic reformist forces won the popular vote and were able to elect the first non-communist government of the country.[137]

Along with the reformist policies, undertaken by the new democratic government it also tried to pursue a reform in the religious sphere. The democratic government was convinced that the church could be reformed only through active involvement of politicians and laity in the process (therefore through new legislation and political statements). They also tried to ensure support for the progressive wings within the church. However, the active governmental involvement in the church issues provoked resistance from the conservative ecclesiastic groups and inspired internal division within the Synod of metropolitans. In the following years two opposing groups of synod members had challenged the legitimacy of the whole church as an institution. These events have led to continuous controversy and arguments between the two groups with respect to the legitimate representation of the Bulgarian Church. The tensions were fueled by acts of mutual ex-communication of both groups.[138]

The governmental and political involvement in the church issues has been found violating the international and European standards of human rights protection and especially the freedom of religion. The European Court of Human Rights ruled against the country reasoning that the Bulgarian legislation on the free exercise of religion as well as the measures undertaken by the state (of direct involvement in denominational disputes) has been found to be in conflict with the principles and standards of Article 9 of the European Convention. Thus, in 2010 the Court decided that the country had to compensate a group of Orthodox Christians, led by metropolitan of the 'Alternative Synod'.[139]

Significant steps towards reunification of the two groups have been made during the pan-Orthodox Church Council convened in Sofia between 30th of September and 1st of October 1998, chaired by the Ecumenical Patriarch. The council was attended by six patriarchs (of

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[137] Linz & Stepan, *Problems of Democratic Transition and Consolidation*, 340-341.

[138] For the detailed chronicle of the events, see James Lindsay Hopkins, *The Bulgarian Orthodox Church: A Socio-Historical Analysis of the Evolving Relationship between Church, Nation, and State in Bulgaria* (Boulder, CO: East European Monographs, 2008), Ch. 7; Spas Raikin, 'The Schism in the BOC, 1992-1997', in: J. D. Bell (ed.) *Bulgaria in Transition* (Boulder, CO: 1998); Janice Broun, 'The Schism in the Bulgarian Orthodox Church, Part 2: Under the Socialist Government' (2000) 28 *Religion, State & Society* 3, 263-289; Janice Broun, 'The Schism in the Bulgarian Orthodox Church' (2000) 21 *Religion, State & Society* 2, 207-220.

[139] For legally significant interpretation of facts, see the ECtHR judgment: *Holy Synod of the Bulgarian Orthodox Church (Metropolitan Inokentiy) and Others v. Bulgaria*, no. 412/03; 35677/04, Judgment of 22 January 2009- §§ 14-49; §§ 159, 160.

'The Court finds that while the leadership dispute in the Bulgarian Orthodox Church was a source of legitimate concern for the State authorities, their intervention was disproportionate. In particular, the pertinent provisions of the 2002 Act, which did not meet the Convention standard of quality of the law, and their implementation through sweeping measures forcing the community to unite under the leadership favoured by the Government went beyond any legitimate aim and interfered with the organizational autonomy of the Church and the applicants' rights under Article 9 of the Convention in a manner which cannot be accepted as lawful and necessary in a democratic society, despite the wide margin of appreciation left to the national authorities.'

Alexandria, Antioch, Russia, Serbia, Romania, Bulgaria), as well as by representatives of the other autocephalous Orthodox countries. Its session concluded with publicly announced return of the majority of the clergy of the Alternative Synod in communion with the recognized canonic church (Bulgarian Patriarchate).[140]

Despite the formal reunification at the pan-Orthodox Council some issues remained unresolved until the adoption of new legislation on religious freedom and association (2002 Denominations Act), which has provided a privileged role of the Bulgarian Orthodox Church (Bulgarian Patriarchate). including special *ex lege* status of legal personality (no need to register with the court as is required by other denominations and religious institutions). As a preventive regulation against future divisions, the law prohibits persons who had seceded from a registered religious institution to use the same name or its assets.

The preamble of the 2002 law is indicative for the principles and objectives of the following normative regulation. First, the freedom of religion and the equality before the law is proclaimed for all persons, regardless of their religious convictions. Second, the 'traditional' role of the Bulgarian Orthodox Church in the history of the country and in the development of its culture and spirituality is emphasized. Third, the preamble states that legislators pay due respect to Christianity, Islam, Judaism and other religions, while supporting mutual understanding, tolerance and respect among them.

Several provisions of the new law restate the principles laid down in the constitution. The freedom of religion along with the principle of separation between religious institutions and the state and the ban of any form of discrimination on the ground of religion are protected (Art. 1 to Art. 4 of the law).

The role of the Eastern Orthodoxy for the state and society is defined (Art. 10) along with its traditional character, it is stated that the Orthodoxy has 'a historical role for the Bulgarian state and actual meaning for its state life'. Furthermore, the law stipulates that the Eastern Orthodoxy is represented by the self-ruling (autocephalous) Bulgarian Orthodox Church - Bulgarian Patriarchate, which is the legitimate successor of the Bulgarian Exarchate and a member of the One, Holy, Catholic and Apostolic Church. It is governed by the Holy Synod and is represented by the Bulgarian Patriarch. It is also provided that the Bulgarian Church

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[140] For these and the following paragraphs, see Janice Broun, 'The Schism in the Bulgarian Orthodox Church, Part 3: Under the Second Union of Democratic Forces Government, 1997-2001' (2002) 30 *Religion, State & Society* 4, 365-394.

has a legal personality established by the law, while its structure and governance are laid down in its statute.[141]

Conditions and procedures of active lay participation in the governance of the church in line with the principle of conciliarity are provided in its statute. Lay Christians are eligible for election and participate at different levels of ecclesial decision-making: 1) in the general church council which exercises the highest legislative authority in the church and is convened every 4 years; 2) in the general church council convened for an election of a new patriarch; 3) in the eparchy council, as well as in the procedure for election of a metropolitan; 4) in the parish council. Participating at all these levels lay Christians exercise full voting rights. However, they form a qualified majority of all members only in the local parish councils, where they can directly influence the day-to-day activities of the local church and Christian community. All other higher decision-making bodies are dominated by representatives of the clergy and proposals of the lay members will be discussed but not necessarily included in the final decision.[142] These rules, however, are only preconditions for active lay engagement in church life and the public sphere. In reality, very often they remain inoperative due to long-lasting practices of passivity and obedience with respect to the high-ranking clergy.

Beyond the factual description of the steps which had caused the division within the Bulgarian Church, it is noteworthy to focus on tendencies. Due to the long-lasting schism (*de facto* more than 10 years) during the important stages of democratic state-building and consolidation, the church had been significantly weakened and expelled from meaningful participation in the public sphere. Instead of participating with positive and thoughtful positions on socio-political processes, providing spiritual witness and moral direction in times of deep social, economic and political transformation and turbulence, it had been visible rather with scandals. Being divided, its leadership lost respect and influence, thus becoming once again easily used by the political actors of the day. The church, in fact, had been made a

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[141] However, the ECtHR has considered the 2002 law to be in collision with the standards of the Convention: *Holy Synod of the Bulgarian Orthodox Church (Metropolitan Inokentiy) and Others v. Bulgaria (Just Satisfaction Judgment)*, no. 412/03; 35677/04, Judgment of 16 September 2010, § 49:

'In the Court's view, the 2002 Act did not meet the Convention standards of quality of the law, in so far as its provisions disregarded the fact that the Bulgarian Orthodox Church was deeply divided and left open to arbitrary interpretation the issue of legal representation of the Church ... Moreover, although the *ex lege* recognition of the Church cannot be seen as incompatible with Article 9 in principle, its introduction in a time of deep division was tantamount to forcing the believers to accept a single leadership against their will. Those provisions of the 2002 Act – still in force - continue to generate legal uncertainty, as it can be seen from the contradictory judicial decisions that have been adopted and the events that have unfolded since the Act's entry into force ...'.

[142] For the text of the Statute of the Bulgarian Orthodox Church – Bulgarian Patriarchate, adopted in 2008 (officially published 9.01.2009), see the official Internet site of the Bulgarian Patriarchate: http://www.bg-patriarshia.bg/index.php?file=statute.xml (11.01.2016)

hostage of the power struggles between the former communists with their parallel power networks and the emerging democratic movement. In this process of subordination of the church to the shortsighted political agenda, personal ambitions and shortcomings of the members of the Synod had also played a role. Beyond the formal recognition of the 'traditional' role of Eastern Orthodoxy for the state and society, the most important civil society players – the civic organizations and the media – have often regarded the church as a marginalized structure, focused on its own survival, detached from any meaningful social activity.

In providing an objective evaluation of the public presence of the church, it should be taken into account that for the last two decades the Bulgarian society has remained extremely secularized, lacking the basic knowledge of the Christian faith, symbols and rituals. There should be no doubt that the high percentage of people (almost 60 % of the population of 7 millions) declaring themselves Orthodox, is due to the traditional overlapping between the national identity and religious affiliation which is accepted by the majority of the population.[143]

In the last years, a positive development is under way. There is a growing community of Christian intellectuals, academics, civic leaders that engage critically with contemporary political and social issues. They participate in lay organizations and engage actively in the public debates regarding the role of the Eastern Orthodoxy and the church in the society. The majority of this group embraces democratic values and principles and is closely associated with the modernization and democratization project of the country, including deepening the Euro-Atlantic cooperation and integration of the society. Some of these intellectuals (among them academic religious philosophers and historians Kallin Yanakiev, Georgi Kapriev, Toni Nikolov, Momchil Metodiev) are involved in the publication of the academic journal *'Christianity and Culture'* which is a platform for open and critical discussion among different Christian denominations on religious, cultural and socio-political issues (Orthodoxy in dialogue with other major Christian churches, with modernity, and democracy).[144] Some political-theological interpretations of the Orthodoxy could also be found within the journal. Along with these public intellectuals and scholars, a small, but vibrant community of academic theologians (Marian Stoyadinov, Svetoslav Ribolov, Svilen Tutekov, Delyan

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[143] According to the last national census in 2011 the statistics reads as follows: 4 374 135 out 7 364 570 citizens declared their religion as Eastern Orthodox Christianity. However, the percentage of people which regularly attend religious services and actively participate in the religious life of their community is much lower (around 10 %): http://censusresults.nsi.bg/Census/Reports/2/2/R10.aspx (last viewed 16.02.2012).

[144] *Christianity and Culture* (issued by Communitas Foundation): http://www.hkultura.com/

Nikolchev and others) is also active in the public sphere and inside the church, very often challenging official church statements and advocating for public engagement on the side of democracy, justice and human dignity thus opposing the ethno-nationalist interpretation of the Orthodox tradition. These scholars also emphasize the role of the laity in the life of the church, thus connecting the value of civic participation in public life with an active position in the ecclesial life. Moreover, the growing emphasis on the participation in the Eucharist and church life in general highlight the development of an inclusive community based on the values of personalism and participation. In the field of public policy, these Christian groups defend democratic and participatory values.

Until recently, the voice of the church in popular debates and the decision-making process has been marginal. This is partly due to the communication problem of the church with respect to the civil society and the media. Within the church leadership there is still inability to speak the language of civic culture, human rights and non-discrimination, social justice, pluralism and tolerance, while linking these values and principles to the religious doctrines and values. The decisions and encyclicals of the Holy Synod often use inappropriate language and formulations, while addressing contemporary issues as bio-ethics, social conflicts, migration and refugees.

In the last years, however, the church's attitude towards public participation is changing. The Synod has adopted declarations and encyclicals on significant moral-political issues. In its positions, the Synod has advised legislators and the government to change provisions in the drafts of the Denominations Act, Family Code, Education Act, Protection of the Child Act, as well as has expressed positions in relation to the issues of religious education in public schools, freedom of religion, 'in vitro' fertilization, migration and refugees. Not all of these statements have been positively evaluated in the society. Nevertheless, the church has defended its public role and involvement becoming one of the important players in the public debates. These positions sometimes have challenged the established popular views (e.g. on the issues of bio-ethics); on other cases they have relied on constitutional arguments and human rights justification.[145]

In 2013, in the official statements of the Patriarch and the Holy Synod during the mass demonstrations and protest movements against the corrupted political elite and the oligarchy, some democratic political ideas were also endorsed – the right to live under a just political order and limited and accountable government, the idea of the popular consent for the

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[145] Encyclicals of the Bulgarian Orthodox Church – Bulgarian Patriarchate: http://www.bg-patriarshia.bg/index.php?file=appeal.xml

government, the right to protest against an unjust and arbitrary rule, values of religious and ethnic tolerance. Even before that, in 2011, the Synod issued a declaration in which emphasized that the principle of justice originates from God and it demands a just punishment for committed crimes and that the state should be responsible for the administration of justice. The Synod defended that in cases when the just political order is not guaranteed, the people have the right of resistance against an unjust rule. Moreover, the basic forms of social justice and solidarity have to be guaranteed for every citizen and each group in society, otherwise it is legitimate for them to seek recourse in the right of resistance. According to the Synod, the principles of justice and solidarity are the fundament of the state and should be implemented by the government.[146]

In the last two decades of democratic transition and consolidation, the role of the Bulgarian Church has gradually increased in the society. Though weakened and divided in the first half of the period, in the last decade the church has become much more visible in the public sphere. Not always, however, the church has supported vocally the positive processes of democratization and Euro-Atlantic integration, due to its negative experience with internal crisis and division, and the initial inertia of non-involvement in political and public processes. In some instances, the church has endorsed more traditional and nationalist-leaning policies, instead of the universalistic values of human rights and democracy. Other times, the church has vigorously defended justice, rights and democracy in the official encyclicals.

The overall impression of political-theological debates in the Bulgarian context could be described as ambivalent.[147] The Holy Synod's official statements oscillate between endorsement and ambivalence on the issues of democracy and human rights, but with growing acceptance of new political realities; small, but strong and active Christian communities continue to shape the debates within the church defending the compatibility between the Orthodoxy and democracy. Nonetheless, there are also Orthodox groups remaining critical to the liberal democratic project, as based on the Enlightenment as foreign to the Orthodox tradition, however, they remain in the periphery. There is also growing acceptance and advocacy of the active lay participation in both the ecclesial and public life, thus cultivating a culture of engagement and inclusion, based on the understanding of the Christian tradition.

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[146] Encyclical of the Holy Synod of the Bulgarian Orthodox Church for Peace and Unity of the People (September 2011): http://dveri.bg/a8 (last visited 16.08.2015).

[147] See Slavov, *Between Endorsement and Ambivalence*.

5.3. Democratic consolidation and church-state relations in Romania since 1989

The end of the communist regime in Romania involved violence and clashes between the mass demonstrations and the organized institutional resistance. Until December 1989 the Romanian communist system had remained one of the most closed and, embracing a radical nationalist ideology. The beginning of the democratic process had been hampered by the remaining powerful networks of the former communist party.[148]

Unlike the rest of the countries in Central Europe, in Romania the democratic opposition had been very weak in the first years of the transition period. Its organizational capacity had not allowed winning the national elections until 1997. Hence, former communists had controlled the direction of the democratic transition in the first decisive years of the process. This has affected the institutional performance and has caused problems with democratic consolidation even after the EU accession of the country in 2007.

In the beginning of democratization, due to the collaborative role of the Romanian Orthodox Church with the communist regime, its position in the society had been initially weakened. In 1990, in order to prevent critical statements against the church on behalf of the emerging democratic opposition, and to clear the way for a positive change and renewal, Patriarch Theoctist offered his resignation to the Holy Synod. Though this act was publicly justified with health issues, its true reasons were the civic pressure and expectations on behalf of the Orthodox clergy and laity. However, the Patriarch had received organized public support on behalf of pro-nationalist movement in the church and returned to the office.

Further acts of public confession and repentance by the leadership of the Romanian Church (Holy Synod, metropolitans and bishops) for their collaboration with the regime had been limited to formal declarations without significant consequences for ecclesial life. Nevertheless, this process was not one-sided. During the political events that followed, some members of the church have taken an active role in providing spiritual support and leadership for the people participating in the mass demonstrations across the country (the clergy led public prayers in support of democratization movement).[149] In 2007, Theoctist was succeeded by Patriarch Daniel, a distinguished theologian of the church with active public presence.

Meanwhile, reinvigorated theological and parish life of the church and its missionary endeavors as well as an active community service program have led to increasing public trust and support for the church. In the 1990s, a group of active clergymen, theologians and lay intellectuals was formed aiming to address the most persistent problems of church-state

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[148] Linz & Stepan, *Problems of Democratic Transition and Consolidation*, 344-365.
[149] Romocea, *Church and State*, 14; 17.

relations, the need of spiritual renewal within the church, as well as to develop adequate position toward the democratic transformation and the ecumenical relation of the church (the Group for Reflection and Church Renewal)[150]. This group has contributed to the active involvement of the church in addressing the current problems of the society.

Nowadays, the church is involved in partnership with the state and the local authorities, as well as with NGOs in a number of social activities: preventing domestic violence, human trafficking, drugs abuse; preventing the spread of HIV/AIDS; promoting integration and social inclusion of those at risk (people with disabilities, unemployed etc.). Its public outreach is also enhanced by well-developed network of religious media (BASILICA Media Center is organized, including radio and TV services, newspapers and magazines; there is also press agency and communications office of the Romanian Patriarchate), functioning under the governance of the church. Thus, due to its social service and missionary efforts, being the second largest among the Orthodox churches in the world (around 18 800 000 believers, almost 87 % of the Romanian population)[151] the importance of its current development could not be underestimated.

Among the negative tendencies in the church life is the continuing identification of religious affiliation with the nation identity. In its official statements the church often focuses on the national dimension, on the church's spiritual role in the formation of the nation-state, on the organic link between the people and their religion.[152] In counter-balancing this tendency, it is suggested that the church could embrace a certain type of public theology resisting the temptation of sacralization and absolutization of any political system or ideology.[153] The church should resist absolutization of ideology of any kind, regardless its conservative or progressive dimensions. It is defended that this critical opposition to the ideological systems will contribute to the process of democratization in the country. On many instances, however, the Romanian Church has failed to distance itself from the ideological and oppressive policies (including the dispossession of churches and other buildings undertaken by the communist regime against the Greek Catholic Church in union with Rome).[154]

Furthermore, important developments for the church-state relations proceed from the constitutional and legal regulation. In the 1991 Constitution of Romania, alongside the

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[150] Among its active members was the incumbent Patriarch Daniel.
[151] Information from the official site of the Romanian Patriarchate: http://www.patriarhia.ro/
[152] Corneliu Constantineanu, *The Social Significance of Reconciliation in Paul's Theology* (London: T&T Clark International, 2010), 193.
[153] Romocea, *Church and State*, 214-215.
[154] Romocea, *Church and State*, 216.

provisions on the freedom of religion, the autonomy of the religious denominations from the state is safeguarded. The right of the religious institutions to receive support from the state for its public presence and social mission is also guaranteed ('including the facilitation of religious assistance in the army, in hospitals, prison, homes and orphanages' – Art. 29, par. 5). It is noteworthy that the religious denomination which mostly benefited from this constitutional provision is the Romanian Orthodox Church as the predominant religion in the country. Public presence of religion is also visible in the official state ceremonies − for instance, the ceremony of taking constitutional oath by the president during his inauguration ends with the solemn formula of invocation of God ('So help me God!'- Art. 82, par. 2).

This constitutional regulation, based on the principles of autonomy and cooperation between the state and religious communities, has been laid down after a heated debate on the role of the Romanian Orthodox Church. The church's claims had emphasized its traditional role as a national church with significant contributions to the formation of the Romanian nation. Though, not all groups in the society agree with such exclusivist claims, the church had attempted to influence the legislation in its own favor.

In December 2006, the new Law on Religious Freedom was adopted, securing to some extent the privileged position of the Romanian Church. Specific provisions in the law have been included limiting religious proselytizing. They are deemed highly restrictive by religious minorities (some Evangelical Christian denominations) and independent international observers. Questions in regard to other restrictive and discriminatory clauses of the law have been raised, though they have remained not properly addressed by Romanian institutions. Some of the controversial provisions include restrictive requirements for religious denominations on the eligibility for state support (twelve years of existence before being considered for the eligibility for preferential status granted by the state as well as requiring the membership of minimum 0, 1% of the population). Other restrictions include limits on certain forms of the freedom of expression and free speech which are considered violating established religious symbols (Art. 13 of the Law).[155]

The Romanian Church continues to play an important role in the public sphere. On numerous occasions the church has successfully influenced the legislation (e.g. in the field of religious education in the public schools); it has addressed the public opinion on important issues of bio-ethics (on abortion and euthanasia) and public morals (against legalization of homosexuality); politicians regularly seek support for their public campaigns by the church

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[155] Romocea, *Church and State*, 33-34.

leadership and promise to defend their agenda in the decision-making process.[156] Moreover, the church's connections to the state are rather strong as the state continues to pay the salaries of the priests.

With respect to the EU membership of the country, the church officially supports this political development. Beyond its nationalist sentiments, the church is not openly critical to the values of democracy and human rights. However, when it comes to recognizing pluralism, secularism, modernization or particular kinds of rights, the church's attitude is much more nuanced and often critical. One of the major challenges faced by the church is how to transform its pro-democratic public image into a deeply internalized commitment to democratic values. Critically evaluating the Romanian Orthodox Church's inclination to nationalism, it would be unfair to deny its generally positive role in the process of democratic transformation of the society. Overcoming its negative legacy and shortcomings, the Romanian Orthodoxy is viable enough (in terms of theology, mission, active social program and public presence) to offer a positive message for its adherents living in a modern and democratic state. With its social activism and increased public presence, it may cultivate the ethos of social engagement and participation among different groups in the society.

5.4. Democratic consolidation and church-state relations in Serbia and former Yugoslavia countries

5.4.1. Serbia: church-state relations and political theology

One of the most controversial roles the Eastern Orthodoxy has played in the last two decades in the region has been in the case of Serbia and former Yugoslavia. Having a traditionally strong nationalistic inclination in the last century, the Serbian Orthodox Church has been an important religious-political player in the conflicts in the Western Balkans in the 1990s. Initially, in 1990, the position of the Holy Synod was in support of the democratization process. The church welcomed new opportunities for political and social self-determination and spiritual renewal. There had been public expectations that the church will engage with active social work and religious-educational mission and will be active in the schools, hospitals, mass media, and in the public life in general. Meanwhile, the Church Council shared the understanding that the church needs to be elevated above the ordinary politics and parties, because its role is to unite, not to divide people. Moreover, the Council emphasized

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[156] Lavinia Stan, Lucian Turcescu, *Church, State and Democracy in Expanding Europe* (New York: OUP, 2011), 148-149.

the importance of the public witness of the clergy, but also expressly banned their active involvement in politics and party-political life.[157]

The subsequent political events, however, led to a rather different public engagement of the Serbian Church. The long tradition of associating and equating ethnicity with religion had resulted in political instrumentalization of the church - being used by the Milošević's authoritarian regime in legitimating the pursuit of regime's ultra-nationalistic and chauvinistic goals. It is well-known that after the breakdown of Yugoslavia in 1991, the Serbian government had embraced violent and biased ethno-religious policies that subsequently led to the Western Balkan wars (1991-1999). During military campaigns heavy crimes and atrocities (war crimes and crimes against humanity) had been committed by military and paramilitary forces coordinated by the Belgrade politicians.

After the beginning of the violent conflicts, the Serbian Orthodox Church sent rather ambivalent messages regarding the Milošević regime. On the one side, Patriarch Pavle had been supportive of the nationalistic cause of the Serbs in Bosnia and Herzegovina and in Croatia, nonetheless expressing regrets for the casualties. He had also made statements advancing peace, justice and reconciliation.[158] On the other side, the Patriarch directly confronted Milošević's government during the 1997 pro-democratic demonstrations. The Patriarch himself took part in the anti-government protests, accusing the regime for the political downfall of the country. Though the traditional role of the church is to stay politically neutral, in June 1999, after almost three months of NATO air strikes, the Holy Synod called Milošević to resign. After the presidential elections in 2000 and the pressure on behalf of the church along with mass demonstrations, Milošević finally resigned.[159]

Generally, it could be said that the position of the Serbian Church in regard to the Western democratic model has been rather ambivalent and contradictory during the 1990s. In 2000, the church's unequivocal support for the election and recognition of Vojislav Kostunica as the legitimate president of Yugoslavia, succeeding Milošević, led to the democratic breakthrough in Serbian politics. Nowadays, the Serbian Church officially supports democratic reforms and the EU integration process, however, it remains concerned with the preservation of Orthodox traditions, with ensuring religious education in public schools, as well as with the uneasy

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[157] *Saobstenie Svetog Arhijerejskog Sobora Srbske Pravoslavne Tzerkve* [Massage of the Holy Council of Bishops of the Serbian Orthodox Church], *Glasnik* 6, 1990, 124-125; *Glasnik* 12, 247, 251.
[158] Groen, 'Nationalism and Reconciliation', 121.
[159] Carlotta Gall, 'Serbian Orthodox Church Urges Milosevic and his Cabinet to Quit', *New York Times*, 16 June 1999, A1;
'Patriarch Pavle', *The Telegraph*, 15 November 2009: http://www.telegraph.co.uk/news/obituaries/religion-obituaries/6575889/Patriarch-Pavle.html (last accessed 20.08.2015).

situation of the Serbian Orthodox community that remained in Kosovo after the 1999. In relation to Kosovo, the church's attitude is justified to some extent, due to the continuing tensions between the Albanian majority and Serbian minority and the historical importance of certain places in the formation of the Serbian statehood and spirituality.[160]

After the fall of the authoritarian regime in 2000, Serbia has gradually developed into a democratic state. In October 2006, a constitutional referendum was held approving the new democratic Constitution of Serbia, thus replacing the 1990 Constitution.[161] The democratic progress was further recognized by the EU in March 2012, by admitting Serbia to the status of a negotiating country.

Regarding the constitutional status of religion, Serbia is defined as a secular state, the principle of separation between church and state is respected, as well as there is constitutional ban on giving a specific religion an official state or mandatory status (2006 Constitution of Serbia, Art. 11). Subsequently, more specific provisions (Art. 43 'Freedom of thought, conscience and religion'; Art. 44 'Churches and religious communities') provide further regulation of the issues of the separation of church and state and secularism. In the constitution no special status of the Serbian Orthodox Church is provided. This, however, could not preclude the traditional good connections between the Serbian Church and the state. The church and the state remain open for cooperation and interaction for the benefit of the society according to the traditional *symphonia* concept.

Issues of church-state relations and the public role of religion have been interpreted by different high-ranking churchmen and religious intellectuals. For instance, during the nationalist conflicts in the 1990s, some higher clergymen had been vocal in support for the nationalistic 'Greater Serbia' project. Bishop Artemije of Raška and Prizren (Kosovo) had defended the Serbian nationalist cause and the Orthodox religious sites against the violent threats on behalf of Kosovo Albanians. He had also opposed the unilateral Declaration of

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[160] Some of the most valuable Serbian Orthodox religious sites (e.g. the medieval monasteries Visoki Dečani and Peč Patriarchate included in the UNESCO World Heritage List) have remained in Kosovo, thus being constantly exposed to destruction or disrespectful acts.

[161] In an opinion released by the Venice Commission, the constitutional changes are evaluated positively: '105. It has to be noted that the Constitution contains many positive elements, including the option for a functional parliamentary system of government and a comprehensive catalogue of fundamental rights. While it would have been preferable to have clearer and less complicated rules on restrictions to fundamental rights, it is possible for the courts and in particular the Constitutional Court to apply these rights in full conformity with European standards.' European Commission for Democracy through Law (Venice Commission), *Opinion on the Constitution of Serbia*, Opinion No. 405/2006, CDL-AD(2007)004, Strasbourg, 19 March 2007

State Independence of Kosovo and on behalf of the Serbian Church refused to recognize the legitimacy of the Kosovo institutions.[162]

During the Yugoslav wars another high-ranked cleric, the influential Metropolitan Amfilohije Radović, supported the former Bosnian Serb leader Radovan Karadzic. Years later Radović claimed that it would be better for Karadzic to surrender to the UN International Criminal Tribunal for the former Yugoslavia in the Hague (as being indicted for war crimes and crimes against humanity). Nevertheless, the metropolitan has remained supportive of the nationalist policies.[163]

Alongside their position on contemporary political events, some distinguished Serbian clergymen and theologians have developed ideas on more conceptual political-theological issues. As a leading Serbian theologian Radović has presented a specific political-theological understanding that is openly in opposition to the values and principles of liberal democracy. He has elaborated on the ideas of 'theo-democracy' or 'Christian democracy' understood as holistic concepts integrating Orthodoxy, nationhood and democracy.[164]

Another influential theologian - Bishop Atanasije Jevtić – has presented more eschatological and personalist political-theological views. He understands the Church as being a living spiritual reality above and beyond all politics and parties. He defends that the Church supports freedom and denies any form of subordination and enslavement of human persons. In his view, the Church is an icon of the Divine Kingdom on earth and should act as an alternative to all political parties. Thus, the Church transcends the state and the political order.[165]

To the other pole, Bishop Danilo Krustić, defends the idea of 'Orthodox monarchy' and the concept of *symphonia* between the church and the state as the correct and legitimate way of their interaction, co-existence and cooperation in their mutual benefit. His theo-political inspiration and imagination could be traced back to the medieval Byzantium and Serbia in which the specific notions of Orthodox monarchy and *symphonia* had been practiced.[166]

Openly engaging with political-theological issues, Bishop Irinej Bulović upholds the principle of a free church in a free society (state), which requires also mutual support and

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[162] 'Church in Kosovo cuts ties with Pristina, EULEX', *Radio B92*, 3 March 2008, http://www.b92.net/eng/news/politics.php?yyyy=2008&mm=03&dd=03&nav_id=48132 (16.08.2015).

[163] Ramet, *The Three Yugoslavias,* 501-502;
Nick Hawton, 'Support dwindles for fugitive Karadzic, BBC, 27 August 2005 http://news.bbc.co.uk/2/hi/programmes/from_our_own_correspondent/4188138.stm (16.08.2015).

[164] Amfilohije Radović, *Nationalna Crkva i Sveti Narod* [National Church and Holy People], *Pogledy 4*, Split, 1983, 90-91.

[165] Atanasije Jevtić, *Crkva i Politica* [Church and Politics], *Gradac* 110, 1993, 8.

[166] Danilo Krustić, *O Pravoslavnoj Monarhiji* [On Orthodox Monarchy], *Gradac* 110, 1993, 9.

cooperation, while respecting the differences and boundaries between the two entities. He is critical of different political forms which either absolutize or fully exclude the public role of the church. These are the forms of a state church, a Christian state, a state without the church and a state instead of the church which could be viewed as equally utopian constructs. He also understands politics as present within the nature of the church.[167]

A distinguished Serbian theologian and an Orthodox priest, Radovan Bigović is among those who defend the idea of compatibility between the Orthodoxy and the Western liberal democracy with its values – human rights, the rule of law, limited government, pluralism and toleration. In his understanding, the emphasis on personality, both human and divine, comes first. He sees this approach as truly consistent with the Orthodox ontology and anthropology, where the divine person and the human person constitute the highest value that can never be sacrificed for other goals or values including the state, politics, culture, progress, etc. In his understanding, the human person is free and unique, she remains open to communication both horizontally (with fellowhumans) and vertically (with God). Regarding the form of political regime, Bigović expressly endorses the liberal democracy. He defends that without liberalism democracy by necessity will end with a majoritarian dictatorship over the minority. In his view, the Orthodox Church is against any form of dictatorship, authoritarianism, imperialism and tsarism.

Given that the church in its canon law recognizes the principle of separation of powers and functions – legislative, executive and judicial, consequently it shall accept the separation of powers in the secular democratic state. It is also noteworthy that in its internal relations the church relies on different regulations (morality, customs and traditions, canon law), thus remaining internally pluralist. Bigović defends the church has to support for the rule of law in a democratic state, given that the function of the law is to defend the rights of the persons against the abuse of the government and the others. Insofar the highest value for the church is the human person, the church has to be among the first to support human rights. Regarding democracy, Bigović finds correspondent principles and procedures in the church: in its governance the church accepts the majority principle as well as the rules of unanimity and consensus on the most important issues. Hence, the democratic ethos is not foreign for the church and shall be recognized in the secular context. Meanwhile, Bigović warns against the

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[167] Irinej Bulović, *Crkva i Politica* [Church and Politics], *Gradac* 110, 1993, 6-7.

vices of imperfect democracies – corporatism, consumerism and materialistic culture, egocentrism, as well as against the radical understanding of national unity.[168]

In relation to nationalism, Bigović interprets critically the establishment of nation-states in the Balkans. He views the fusion between the religious and ethno-national identification in the context of post-Byzantine Balkans as grounded in the Ottoman millet system and criticizes the transfer of administrative competences to the church leadership ('ethnarchy' model). He sees the subsequent claims of autocephaly of the national churches as grounded on the emerging nationalism among Balkan peoples.

Bigović remains critical of the ideal of the nation-state based on ethno-religious homogeneity. Once inspiring the Serbians and other Christian nations on the Balkans to pursue their political and ecclesiastic independence, the nationalist ideal is no more acceptable. The political ideal of organic state-nation-church unity is already utopian, it is impossible to be realized by political action due to different objective reasons. He also questions and rejects the acceptance of secular national-romanticism into the church doctrine which produced the ideology of ethno-phyletism of the late 19th century. Bigović recognizes the social reality that the Orthodox churches are no more limited to the boundaries of homogenous nation-states, but transcend national borders and exist in multi-national conditions. This, in turn, changes their relations to state politics.[169] Hence, the values and principles which the church shares in the public discourse could not be those of a closed ethno-religious society, but rather of personalism, public engagement and universalism.

The church-state relations in Serbia are yet to face challenges arising from the ongoing processes of democratization, modernization and EU integration of the country. The Serbian Orthodox Church, being a long-lasting supporter of ethno-religious politics, needs to find creative answers to the issues of human and minority rights, of non-discrimination, of constitutional democracy and multi-level governance. Otherwise, it risks to be placed at the periphery of a democratizing society. In the recent years positive signs could be detected - in the church's understanding of its responsibility towards society and acceptance of some democratic values and principles. To be in line with the current conditions, the church should move far beyond the synthesis of Serbian nationalism and Orthodoxy. Moreover, as far as many Serbian communities exist in diaspora in the neighboring Balkan countries and in immigration in the EU and North America, in order to provide adequate spiritual and moral

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[168] Radovan Bigović, 'Curkva, Politika, Demokracia' [Church, Politics, Democracy], in: *Curkva i Obstestvo* [Church and Society] (Sofia: Omophor, 2003), 221-251.
[169] Ibid., 231-234.

guidance, the Serbian Church is bound to overcome its religious-nationalistic overtones and to begin to participate in the public discourse endorsing democracy and human rights.

5.4.2. Macedonia (Former Yugoslav Republic of)

Challenges of nationalism and political utilization of religion exist with regards to the Orthodox Church in Macedonia. The development of the Macedonian Orthodox Church is hampered by its schismatic status due to its unilateral separation from the Serbian Orthodox Church in 1967, without the consent of the latter and without the approval on behalf of other canonic Orthodox churches. Though the majority of the Orthodox population belongs to this denomination, it still remains unrecognized by the rest of the canonical Orthodox churches. Historically, the schism of the Macedonian Church had its origin in the will of the local leadership during the times of socialist regime in Yugoslavia of which the Republic of Macedonia had been a federative state, to have influence over the church matters. The move to the schism had served the political goals of creating and elaborating a distinct Macedonian nation and culture, defined in ethno-nationalist terms. Moreover, the creation of the schismatic Macedonian Church has been evaluated as directed against the unity of the influential canonical Serbian Church and its further weakening.[170]

The public role of the state-supported Macedonian Church has been enhanced after the fall of the communist regime and the declaration of state independence from Yugoslavia. During the period, several attempts at reunification with the canonical church and official recognition have been made. In 2002, the Metropolitan of Veles Jovan, appointed to represent the canonic Archbishopric of Ohrid, sought reunification with the Serbian Orthodox Church. With facilitation by the Archbishop of the Church of Greece Christodoulu, an agreement (Nis Agreement, signed on 17 May 2002) for canonical unity between the Serbian Church and the Macedonian metropolitans was reached. Consequently, the autonomous status (within the Serbian Church) of the newly created canonical Ohrid Archbishopric was recognized, though without the word 'Macedonian' in the official name of the church. However, after signing the agreement, in the following months three of the metropolitans of the Macedonian Church withdrew their support and remained outside the canonical communion. For his role in the process of reunification with the Serbian Church, Archbishop Jovan was forcefully removed from his cathedra, in July 2002.

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[170] Jovan (Archbishop of Ohrid and Metropolitan of Skopje), 'Theological-historical Aspect of the Schism of the Church in the Republic of Macedonia and Its Overcoming',
http://www.poa-info.org/en/history/schism/overcoming_the_schism.pdf (16.08. 2015)

In May 2005, with a decision by the Patriarch of Serbia Pavle, Metropolitan Jovan was confirmed as Archbishop of Ohrid and Metropolitan of Skopje, as well as Chairman of the Holy Synod of Bishops of the Ohrid Archbishopric.[171] Since then, the Ohrid Archbishopric struggles to acquire legal legitimacy and to register with the competent Macedonian authorities. However, these attempts have been consistently denied which violates internationally recognized standards of freedom of religion and separation between church and state. This is particularly acknowledged in the U.S. Department of State International Religious Freedom Report 2006.[172] The schismatic Macedonian Orthodox Church has enjoyed the support of all Macedonian governmental authorities.

Nowadays, the restrictions of the activities of the canonical church still apply. In the last few years the Archbishop of Ohrid Jovan had been imprisoned several times. He was finally released in February 2015, after the diplomatic involvement of the Moscow Patriarchate, in expectation of a future negotiation process for overcoming the schism.[173]

Beyond the schismatic status of the Macedonian Orthodox Church, its relations with the state have constitutional and legal grounds. In principle, the 1991 Constitution provides for the freedom of religion, separation between church and state, and equality before the law for all religious communities and groups (Art. 19). However, the Macedonian Orthodox Church is expressly mentioned in the constitutional text which safeguards its privileged status. Moreover, the 1997 Law on Religious Communities and Religious Groups also acknowledges the special status of the Macedonian Orthodox Church.

Currently, the religious situation in Macedonia is yet to improve. The Ohrid Archbishopric continuous to function without official recognition by the state and suffers persecution, while the Macedonian Orthodox Church enjoys all benefits of a state-supported church. To be able to meet the international standards and to fulfill the political criteria for EU membership, the Macedonian state needs to ensure the freedom of religion and the principle of separation between the church and the state, as well as to enforce the principle of neutrality towards particular religious groups.

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[171] http://www.poa-info.org/en/archbishop/decisions/confirmation.pdf (16.08. 2015)

[172] *The U.S. Department of State International Religious Freedom Report 2006*: http://www.state.gov/j/drl/rls/irf/2006/71394.htm (16.08.2015).

[173] *Official statement of the Serbian Orthodox Church* (3 February 2015): 'Archbishop Jovan (Vraniskovsky) of Ohrid released from prison': http://www.spc.rs/eng/archbishop_jovan_vraniskovsky_ohrid_released_prison (16.08.2015).

The history of development of the Orthodoxy in Macedonia is another example of the historically close ties between the national churches and the state, and the challenges to the public presence of religion in the European Southeast. The presentation of country-specific cases has also highlighted the ethno-nationalist political theology embraced by the nationalized and politically instrumentalized Orthodox churches.

Conclusion

In the process of democratic transition and consolidation in the SEE societies, national Orthodox churches have often played a rather ambivalent role. Nowadays, there is a positive trend among the Orthodox churches providing support to democratic institutions and endorsing democratic values. Yet, some concerns and reservations remain due to the doctrinal beliefs of the Orthodox Church in general (gay rights, abortion, and euthanasia).

Generally, after the fall of the communist regimes, Eastern Christianity and the Orthodox churches have enjoyed increasing visibility in the public sphere. Public visibility of the churches in the post-communist societies does not necessarily presuppose their direct empowerment or political involvement. It rather means a renewed opportunity to spread the core teachings of the Eastern Orthodoxy in the context of a democratic political sphere, and pluralist civil society and by means of public witness and engagement (public awareness campaigns, participation in a broader public consultative process, public ceremonies, media coverage of church's social, educational and religious activities).

On a conceptual level, the common trend within the Eastern Orthodoxy and the national Orthodox churches in the region for the last two centuries has been the development of a nationalist political theology. It has relied on the fusion between the religious and the ethno-national identity. This development emerged from the process of national awakening and national romanticism that spread across the Balkans in the 19th century. It had some positive effects inspiring the movements of national liberation of the SEE societies. The elaboration of a specific nationalist political theology had served the needs of both the national Orthodox churches and the emerging nation-states, providing institutional strength of the former vis-à-vis Ecumenical Patriarchate and religious-political legitimation and unity of the latter, against the Ottoman Empire. The result had taken the form of a powerful conceptual synthesis: the concept of *symphonia*, traditional for the Byzantine Orthodox political imaginary, had been enriched and reinvented by the 19th century romantic nationalism spreading across the

Balkans. The political consequence from this process of fusion between these concepts had been the creation of the Orthodox nation-states on the Balkans.[174]

Furthermore, the recent history of the Orthodox churches in the SEE region is exemplary for the main *challenges* faced by the Orthodoxy in relation to the process of modern democratic state- and nation-building. First, there is a general weakness of the trans-national ecclesial institutional structures which justifies the close association of the national Orthodox churches with the state. This institutional weakness, namely the absence of a single pan-Orthodox central authority and jurisdiction, similar to that of the Roman Catholic Church (the Pope and the Vatican), has the negative effect of constant exposure of the national Orthodox churches to the political changes of the time. Though remaining in full communion of faith, canons and liturgy, Orthodox churches are more dependent on the particular political conjuncture in a given state. Their attitude to local political regimes is also dependent on their organizational capacity and institutional status in society.

Second, a significant challenge has been the embrace of the nationalistic ideology by the autocephalous churches. This obscures the true nature and mission of the Orthodox Church as reducing it to a religious-cultural department of the sovereign nation-state instrumentalized in the elaboration of modern national identities. Thus the church becomes a symbolic ally of the state in the political process of nation- and state-building. The negative effects are for both the church and the state. For the church, these negative consequences could be seen in the transformation from within of its sacramental reality, reducing it to mere ritualism. The side effect is the transformation of Christianity into an ideological system and structure, which serves the goals defined by the nation-state alone, rather than remaining a living communion of free persons. For the state, this amalgam of religious nationalism is also threatening, for it endangers the modern democratic, pluralist and constitutional order, often leading to exclusion and discrimination of certain groups on the basis of either religion, or ethno-national identity.

Third, due to their historical connection to the formation of the nation-states, autocephalous Orthodox churches tend to be more conservative and traditionalist. The claim to autocephaly is justified with the sovereignty of the state (political and territorial borders, and legal jurisdiction) and national self-determination, not with theological doctrines. However, the overemphasis on the autocephaly and the use of national languages, celebration of national holidays, elaboration of particular prayers for the nation, means that a certain line

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[174] Papanikolaou, *The Mystical as Political,* 44.

has been crossed and some parts of Orthodox theology have also been affected by the nationalist ideology. This in fact explains the constant invocation of past and present rulers and references to the history of the people (nation) in public prayers and liturgies offered by high clerics.

It could be summarized, due to the complex synthesis between modern nationalism, national romanticism and religious traditions, the role of the Orthodox churches in the creation of the SEE nation-states, as well as in the national histories and mythologies has been significant. Consequently, autocephalous Orthodox churches often present themselves as threatened by the processes of modernization, democratization and EU integration, which transcend the borders of the nation-state and produce open public space for competition between different political and religious traditions. Supranational and multilevel governance affecting the decisions and policies of the nation-states, create more challenges to the traditional role of the national Orthodox churches in the SEE societies. These processes have been viewed as endangering the nationalist political theology embraced by the Orthodox churches in the last two centuries.

It should be acknowledged, however, that in each of the Orthodox churches in the region, as well as in the universal Orthodoxy, have always existed tendencies and voices critical of the process of nationalization of the church. Influential leaders of the Orthodox Church, including the Ecumenical Patriarch, have constantly urged against the spirit of and the dangers of ethno-phyletism and emphasized the universal scope, meaning and mission of the church. In the last two decades, there have been numerous occasions when the Orthodox churches have openly endorsed democratic principles and values as well as defended human dignity and fundamental freedoms, thus paving the route to more personalist and universalistic engagements. Moreover, all predominantly Orthodox countries in the SEE region are recognized in international surveys as democratic states, though with a varying degree of consolidation of democracy.[175]

Furthermore, distinguished Orthodox theologians of the last century have made significant contributions to the development of the Orthodox theology in relation to the Christian personalism, participatory ethos and universalism, remaining faithful to the core Orthodox doctrines. These scholars have remained sensitive to the eschatological dimension of the

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[175] Greece, Bulgaria, Romania, Serbia, Montenegro are all considered 'free states' in 2015, while Macedonia is 'partly free'. Freedom House *Freedom in the World Report 2015*: https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VdifGPntmko (20.08.2015).

Orthodox Church, which safeguards against full identification of the church with the state, nation or political regime.[176]

Evaluating the relation of Eastern Orthodoxy to the process of democratic consolidation in the region, in terms of existing church-state relations and the public presence of religion, the study cannot be conclusive. There are tendencies that may facilitate and contribute to the process of democratic consolidation – when the Orthodoxy, from its own doctrinal position, emphasizes the dignity of the person and the values of personal freedom and justice. There are also tendencies that may hamper the democratic consolidation – the overemphasis on the church-nation-state relations and the nationalist sentiments shared by powerful church leaders. The following chapters will address in a more consistent and critical way the theoretical and doctrinal underpinnings of the contemporary Eastern Orthodox political theology with a specific emphasis on its personalist, participatory and universal dimensions.

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[176] John Zizioulas, *Being as Communion. Studies in Personhood and the Church* (Crestwood, New York: St Vladimir's Seminary Press, 1997);
Alexander Schmemann, *For the Life of the World. Sacraments and Orthodoxy* (Crestwood, New York: St Vladimir's Seminary Press, 2000), 107-113.

Part II. Towards participatory political theology: concepts and models

Chapter Three. Political Theology in Western and Eastern Christian perspective. Concepts and interpretations

Introduction

For the most part of its history the Orthodox Church coexisted with powerful autocratic states. The traditional doctrine of church-state relations ('*symphonia*') had been part of the imperial political ideology (originating in the Byzantine Empire, though being accepted and practiced in the Bulgarian, Serbian, and Russian empires). With the advance of political Modernity in South East Europe and the creation of nation-states in the region after the period of national revival and awakening in the late 18-19th centuries, the doctrine of *symphonia* had been reinvented to serve the nationalist ideology. The result could be seen in the 'nationalisation' of Eastern Christianity leading to the emergence of national Orthodox churches, having the status of an official state religion, providing legitimacy of the political regimes and serving the spiritual needs of the new 'Christian Nation'.[177]

As Chapter Two of this research suggests traditional Eastern Christian doctrines and models of church-state relations have been used in legitimating either the imperial rule, or the nation-state. Historically formed models of comprehensive political theologies in the Christian East (the imperial and the nationalist) emphasized mutual dependence, collaboration and integration between the ecclesial and the political realms.[178] Thus, they differentiated from the Western Christian political theologies elaborating on competing claims of superiority between the church and the state since St Augustine's *City of God*.[179]

Before engaging with the institutional political-theological models, experienced in Eastern Christian context, this chapter will present critically some major interpretations of Christian political theology in both Western and Eastern traditions. In this chapter, the elaboration and the modern usage of the term 'political theology' will be presented first. Next, some major works and engagements of distinguished contemporary scholars (in both Western

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[177] The conceptual and institutional developments from the 'symphonia' model towards the Christian Nation model of political theology will be studied in more detail in the next chapter.

[178] Stanley S. Harakas, *Wholeness of Faith and Life: Orthodox Christian Ethics. Part Three: Orthodox Social Ethics* (Brookline, Mass.: Holy Cross Orthodox Press, 1999), 117-118.

[179] John Witte Jr., *God's Joust, God's Justice. Law and Religion in the Western Tradition* (Grand Rapids, MI and Cambridge, UK: Wm. B. Eerdmans Publishing Company, 2006), 212-213;
John A. McGuckin, *The Ascent of Christian Law. Patristic and Byzantine Formulations of a New Civilization* (New York: St Vladimir's Seminary Press, 2012), 127-167.

and Eastern Christian traditions) on the development of political-theological ideas will be discussed. Third, institutional statements and engagements of some Orthodox churches with political and social issues will be presented (official statements, declarations, encyclicals). This would be highly selective presentation of works and ideas in order to highlight main philosophical trends in thinking politics and religion as conceptually related spheres. The presentation of contemporary Eastern Christian thinkers will be mostly focused on their conceptualizations of the interrelation between democracy and Eastern Orthodoxy. Thus, comparing political-theological insights from both Eastern and Western traditions, often in tension and contradiction with each other for centuries, will lay down the basis for the reconstruction of Eastern Orthodox concepts in the light of participatory political theology.

1. Political theology: contemporary debates and interpretations

1.1. Schmitt on political theology

It is well-known that the modern use of the term 'political theology' had been introduced by the German constitutional scholar Carl Schmitt. His groundbreaking book *Political Theology*, published in 1922, had been primarily concerned with the fundamental understanding of the secular theory of the state with its core concept of sovereignty. Being committed to both philosophical radicalism and political conservatism, he sought the conceptual and systematic parallels between political and theological concepts to exemplify the complete autonomy of the political from the religious sphere. Despite the use of the term 'theology', his work could not be considered theological in any strict sense of the word. Rather it is a scientific attempt, elaborating on the history of ideas, to develop a distinct kind of sociology of legal concepts focused on the concepts of sovereignty, exception and decision. Thus, he coined the specific meaning of the term 'political theology', by claiming in the opening of the third chapter that

all significant concepts of the modern theory of the state are secularized theological concepts not only because of their historical development – in which they were transferred from theology to the theory of the state, whereby, for example, the omnipotent God became the omnipotent lawgiver – but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts. The exception in jurisprudence is analogous to the miracle in theology. Only by being aware of this analogy can we appreciate the manner in which the philosophical ideas of the state developed in the last centuries.[180]

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[180] Carl Schmitt, *Political Theology. Four Chapters on the Concept of Sovereignty* (transl. George Schwab) (Chicago, IL: The University of Chicago Press, 2005), 36.

The sociology of legal concepts, as Schmitt understands it, is grounded in a consistent ideological system. The process of secularization has emptied the political and legal concepts from their earlier religious connotations, but has preserved their systematic structure related to their theological origin. Complementary to his sociology of legal concepts is a line of argument which relates political forms and regimes of a particular age to the predominant metaphysics and theological understanding (Medieval monarchy is linked to the Christian belief in one true God; revolutions and emerging constitutional states during the Enlightenment relate to the deistic philosophy; modern industrial states rely on agnosticism and atheism as belief systems). Thus, claims Schmitt, an analogy exists between the metaphysical image of the world elaborated in a specific age and what is considered to be the relevant form of political organization.[181] The scientific goal of the sociology of concepts is 'to discover the basic, radically systematic structure and to compare this conceptual structure with the conceptually represented social structure of a certain epoch'.[182] Further, Schmitt provides a comprehensive example of his theoretical framework: the transcendence of God in relation to the world is paralleled to the theoretical understanding of the transcendence of the sovereign in relation to the state in the 17th and the 18th centuries; in contrast, the period of modernity, democratization and industrialization of the 19th and 20th centuries is related to the predominance of concepts of immanence, decline of theistic beliefs and acceptance of agnosticism and atheism.[183]

As a general impression, *Political Theology* is centered on the history of ideas leading to the recognition of sovereign political authority in the West and its systematic analogy to the theological concepts, developed within the Western Christian tradition.[184] It remains a book in constitutional theory and theory of the state where the theological dimension is limited to providing a methodological basis for understanding the legal concepts. In this respect, what is important from a theological perspective is the systematic structure of concepts and the opportunity to draw analogies and analyze existing correspondence between theological and legal concepts. Comprehensive religious doctrines remain beyond the focus of the Schmitt's study.

It would be wrong to suppose that Schmitt is not interested in theological concepts *per se*. For the most of his life being associated with the conservative Catholic circles, Schmitt

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[181] Ibid., 36-37, 45-46.
[182] Ibid., 45.
[183] Schmitt, *Political Theology*, 49-50.
[184] Tracy B. Strong, 'Forward: The Sovereign and the Exception: Carl Schmitt, Politics, Theology and Leadership', in: Schmitt, *Political Theology*, vii-xxxv; vii.

openly engages with theological doctrines. Along with his more celebrated *Political Theology*, Schmitt studies the public presence and the political role of the Catholic Church in the Western societies.[185] Decades after his first engagement with political-theological issues, Schmitt offers a new insightful study - his *Political Theology II*.[186] In this new book, completed in 1969 in very different religious (post-Vatican II), intellectual (rising new-left and mass civic and student movements) and political (established liberal constitutional democracies in Western Europe) context, Schmitt revisits and reinterprets the interaction between the realms of politics and theology. In his new study Schmitt reacts to challenges raised by his contemporaries by elaborating a staunch defense of the possibility of a genuine Christian political theology. This approach is justified as far as Christianity is a public, not an escapist and otherworldly religion. Given that Christ in himself relates the divine and the human nature, there should be an opportunity to draw a political theology, to seek analogy between the divine and the human order.

There is no doubt, *Political Theology II* is a book of significant ideas and themes: on Christian eschatology and the role of the state as a restraining force (*katéchon*) with respect to the Second Coming of Christ; on Christian theology versus Christian ideology; on judgment, authority and legitimacy; engaging with Church history through the prism of Christological debates of the first ecumenical Council of Nicaea; on the essence, possibility and necessity of Christian political theology and its persuasive defense; on the tensions between the Christian gospel and spiritual witness and political regimes with their court intellectuals. The study is openly polemical – it criticizes a concept developed by the Roman Catholic theologian Erik Peterson who argued against the use of Christianity in legitimizing political regimes and openly denounced the possibility of a political theology that remains faithful to the core Christian beliefs.[187]

This conceptual debate – on the nature and possibility of a Christian political theology and its use in legitimating political regimes[188] – is of core relevance to the present study. The problem could be summed up in the following question: how could Eastern Orthodoxy

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[185] Carl Schmitt, *Roman Catholicism and Political Form* (Westport, CT: Greenwood Press, 1996) [transl. G. L. Ulmen], including as an appendix his earlier essay 'The Visibility of the Church: A Scholastic Consideration'.

[186] Carl Schmitt, *Political Theology II. The Myth of the Closure of any Political Theology* (transl. Michael Hoelzl and Graham Ward) (Cambridge, UK: Polity Press, 2008).

[187] Erik Peterson, *Der Monotheismus als Politishes Problem. Ein Beitrag zur Geschihte der Politishen Theologie im Imperium Romanum* (Leipzig: Jakob Hegner, 1935); English translation in: Erik Peterson, *Theological Tractates* (ed. and transl. by Michael J. Hollerich) (Palo Alto, CA: Stanford University Press, 2011), 68-106; excerpts in English in: Schmitt, *Political Theology II*, 131-132.

[188] Gyorgy Gereby, 'Political Theology versus Theological Politics: Erik Peterson and Carl Schmitt,' (Fall 2008) 105 *New German Critique*, 7-33.

contribute to the strengthening of democracy in the SEE societies without slipping into two extreme and equally undesirable modes - of the church's direct political engagement (the church being too powerful politically influencing the political agenda) or of the church being instrumentalized by the powerful political conjuncture (the church being too weak to act independently). In its millennial history the Eastern Orthodox Church has experienced both modes with negative results. However, in the following chapters, it will be demonstrated that the Orthodox Church's conceptual and doctrinal system reveals a potential to develop a more personalist and participatory political theology in line with contemporary democratic values and principles.

1.2. Schmitt-Peterson debate on the possibility of a Christian political theology

The public presence of religion in Western societies could be understood in the context of Schmitt-Peterson debate. This debate on the possibility of a Christian political theology is rich of themes and arguments. Beyond the historical form of this debate - reconstructing the imperial political theology in times of Constantine the Great, in fact Schmitt-Peterson argument relates to contemporary issues (of the 20th century) which have changed the ideological and political landscape at the European Continent. First major sub-theme is the rise of the political religion of National Socialism of which Schmitt had been an open adherent being directly involved in its intellectual justification and Peterson's criticism against such political and ideological position. Second sub-theme is the Schmitt's reaction to the changing public role of the Roman Catholic Church as an aftermath of the Second Vatican Council (1962-1965), its embrace of modernity, opening itself to the ecumenical movement, recognizing the value of human rights, civic and lay engagement and the democratic political order.

In his *Political Theology II* Schmitt argues against Peterson's view that political theology is unacceptable for Christians on a purely theological basis. For Peterson, the political theology emphasizing the sovereign decision, in reality justifies authoritarian political regimes. The underpinning model of this authoritarian political theology is the idea of the supreme and sovereign God which is secularized and transplanted in the political realm in the form of the idea of the absolute ruler.

Peterson objects this form of political theology as questioning the relevance of the method of analogy and correspondence of ideas and doctrines between the theological and the political spheres. In doing so, Peterson relies on the fundamental Christian doctrine of the Holy Trinity which, in his view, prevents against over-simplistic interpretation of theological

concepts: the Christian God is not only a sovereign and omnipotent divine ruler, but is also a trinity of the Father, the Son and the Holy Spirit, who exist in love and communion, hence, it is both unity and trinity. The result has been that it is impossible to translate this transcendent divine reality into simplistic political-theological doctrines, justifying authoritarian rulers.

By interpreting the works of the Cappadocian Church Fathers (Gregory of Nazianzen, Gregory of Nyssa), Peterson arrives at the conclusion that the idea of the Triune Christian God is beyond the natural philosophy typical of paganism and transcends the worldly realities. It is impossible to reduce this fundamental Christian belief to either natural or political order because it has no parallels in the created world. This, in turn, precludes any possibility of analogy between the divine order (unity as trinity) and the earthly political order (absolute ruler) and thus renders political theology impossible in Christian terms.[189] The concept of the Christian God as Trinity transcends the one-dimensional political concept of monarchy. Moreover, the role of the Church in the history of salvation as an eschatological community ('in this world, but not of the world') witnessing for the Kingdom of God, could in no way be paralleled to the limited existence of the earthly perishable kingdom.

From this rather selective presentation of the argument, it is visible that in order to counteract the Schmittian fusion between the political and theological, Peterson underlined the orthodox Christian doctrine of the Triune God. The Christian doctrine represents God as being one in essence, but eternally existing in three distinct, but related persons (hypostases) – the Father, the Son, and the Holy Spirit, remaining transcendent in nature. In Peterson's words, all human and political reality has to be encountered with *eschatological reservation*, meaning that it remains conditional, never fully reflecting the will of God.[190] Therefore, any political theology, which attempts to justify and perpetuate the created reality based formally on Christian ideas, in fact disrespects the God's transcendence and dishonors his existence. In his words

only in Judaism or paganism can something like 'political theology' exist. But the Christian proclamation of the Triune God is beyond Judaism and paganism, because the mystery of the Trinity only exists in the divinity itself, not in the creature. Likewise, the peace that the Christian seeks is not granted by any Caesar, but is only a gift by him who is 'higher than all rationally'.[191]

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[189] Peterson, *Der Monotheismus*, 102, used in Gereby, 'Political Theology', 16.
[190] Michael Hoelzl and Graham Ward, 'Editor's Introduction', in Schmitt, *Political Theology II*, 1-29, 9.
[191] Peterson, *Der Monotheismus*, trans. in: Schmitt, *Political Theology II*, 131-132.

Further, Peterson explains the formation of the concept of divine monarchy in terms of fusion between the Jewish belief in the omnipotent God and the monarchic principle of Greek philosophy. These have been integrated into a form of pseudo-Christian political theology to serve the ideological needs of the Roman Empire. Peterson insists that political theology may exist only in a non-Christian context, while the Trinitarian belief in the Christian God leads to 'the theological impossibility of any 'political theology'.[192]

To this theologically founded understanding, Schmitt counter-poses equally valid theological argument. Schmitt claims that Christian theology is inherently political because of the Incarnation of God. As long as the divine and the human nature are united in the personality of the God-man Jesus Christ, the divine order and the earthly political order cannot be sharply separated. In fact, in Schmitt's view, the Council of Nicaea in 325 which recognized and highlighted the orthodox Trinitarian doctrine had also rejected any rigid separation between religious and political orders.

> Peterson wants to uphold the absolute separation between the two domains, but, where the doctrine of the Trinity is concerned, an absolute separation would only be possible in the abstract, given that the second person of the Godhead represents the perfect unity of the two natures, the human and the divine, and that Mary, the biological mother, has given birth to the divine child in a certain place at a certain time in history.[193]

In their attitude towards worldly politics and power-holders lies one of the major disagreements between the two scholars. To what extent could the theological beliefs be instrumentalized to serve the political conjuncture, to legitimize and conceptualize the existing authority or do they serve as a prophetic and eschatological sign of the otherworldly Kingdom of God? Is the Christian Church one of the powers of this world, hence endowed with the attributes of the temporal authority or is it an eschatological community, a witness and foretaste of the Kingdom of Heaven with a mission to transform and change this world and the humans according to the image and likeness of God? These opposing views are discussed at length in relation to the historical personality of bishop Eusebius of Caesarea, the courtly spiritual advisor of Constantine.

In Peterson's view, Eusebius, seen as a prolific church historian and sympathizer of Arianism, had also been instrumental in elaborating an imperial political-theological ideology.[194] In his writings, Eusebius praised Constantine as a divinely inspired great ruler,

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[192] Peterson, *Der Monotheismus*, in: Schmitt, *Political Theology II*, 131-132.
[193] Schmitt, *Political Theology II*, 82-83.
[194] Schmitt, *Political Theology II*, 93-94.

equal to the Apostles, external bishop of the Christian Church.[195] Thus, by applying the idea of a divine monarchy to Constantine and the Roman Empire, Eusebius legitimized the imperial politics and the emperor's ambition to dominate even in the religious matters. According to Peterson, Eusebius had been an early Christian exponent of the imperial political theology, supporter of caesaropapism and the absolute state.[196] For Peterson, however, the imperial political theology had to be dismissed on purely theological grounds as contradicting the core Christian teachings. In his view, the orthodox Christian faith as confirmed by the Council of Nicaea requires a very clear distinction between the political and the theological realms.

Schmitt interprets the story in a rather different way. Eusebius had not been the political propagandist as presented by Peterson. The significance of the Eusebius' teachings should be understood in the context of the Council of Nicaea. What was at stake then concerned the fundamental doctrine of the Trinity, especially the relationship between the divine Father and the divine Son. The heterodox Arian challenge to the Trinity emphasized the difference in nature between the Father and the Son, insisting on the idea that the Son has a beginning, being first created by the Father, before the creative act of the universe. To that extent, the Son could not be considered of equal rank and of one divine nature with the Father (contradicting the Nicene Creed doctrine of 'consubstantionality').

In Schmitt's view, Eusebius should not be regarded a consistent exponent of Arianism given that he had sought a compromise between the orthodox doctrine of the Trinity and the idea of difference between the Father and the Son. Eusebius defended, claims Schmitt, that the Father and the Son are identical in substance, yet remaining different in their divine qualities: the Son is *genitum* (begotten, not created) and thus subordinate to the Father. Eusebius' subordinationism with respect to the divine nature and qualities of the Son had been more moderate teaching compared to Arianism. Understood in this way, the theological doctrine of Eusebius rescued the idea of the divine monarchy of the Father that could be transferred to the earthly kingdom. In this line of argumentation Schmitt sees the possibility of elaborating a Christian political theology based on a specific understanding of the Council of Nicaea: to accept the possibility of a political theology one does not need to be heretical or heterodox (as the Peterson's argument suggested).[197] In Schmitt's view, the church council in fact supported the idea of 'the impossibility of any rigid division, in practice, between

[195] Ibid., 64.
[196] Ibid., 80, 96.
[197] Schmitt, *Political Theology II*, 84-85.

religious and political motives and goals…Countless church fathers and canonical teachers, martyrs and saints throughout the ages have passionately engaged in the political struggles of their time because of their Christian convictions'.[198]

What have been at the center of this debate is the place of the Church in this world, its role and mission, on the one hand, and the proper function of Christian theology in relation to power, politics and ideology, on the other. Peterson and Schmitt have elaborated two opposing approaches: Peterson defended the eschatological nature of the Church, being 'in the world, but not of the world', in which one is able to foretaste the coming Kingdom of God; Schmitt viewed the Church as an institutional counterpart of the earthly empire, which is legitimately utilized for political purpose. While the first account stems from the orthodox Trinitarian doctrine and authoritative patristic sources, the second is inspired by the political philosophy of ultra-conservatism and authoritarianism, embracing an institutionalized, and yet subordinated to the political powers, view of the church. Generally, in terms of paradigms, Peterson followed the Augustinian division of 'two kingdoms' ('two cities'), while Schmitt emphasized their fusion. For Schmitt, a political theology presupposes a secularized understanding of politics, in which the state and the power are the ultimate objects of respect and allegiance (not God and the Church). While for Peterson, a political action in a Christian perspective is possible only with respect to the ultimate belief in the Triune God and within the participation in the glorious Christian liturgy.[199] In the end, Peterson remained a faithful Christian theologian who opposed the abuse with the Church for political purposes and fought against the overwhelming political religion of the Nazi regime, while Schmitt allowed his understanding of the authoritarian political theology to lead him to support the totalitarian state.[200]

1.3. Schmitt on the public role and visibility of the Catholic Church

To have a more comprehensive understanding of the Schmitt's approach to political theology one needs to consider his other works on the public visibility, presence and the political role of the Catholic Church.[201] In his *Roman Catholicism and Political Form* Schmitt emphasizes the relation of the Catholic Church to the juridical rationality and logic, on the

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[198] Ibid., 82-83.
[199] For interpretation of divisions and disagreements between Schmitt and Peterson, see Giorgio Agamben, *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government* (Stanford, CA: Stanford University Press, 2011), 15-16.
[200] For the political context of the Schmitt-Peterson debate, see Schmitt, *Political Theology II*, 43-44, 96-97.
[201] Carl Schmitt, *Roman Catholicism and Political Form* (Westport, CT: Greenwood Press, 1996) [transl. G. L. Ulmen], including as an appendix his essay 'The Visibility of the Church: A Scholastic Consideration', 47-58.

one side, and its internal connection to the political sphere, on the other. Through the acceptance of the principle of representation reflected in its internal structure and hierarchy the Church relates to the political sphere:

> This formal character of Roman Catholicism is based on a strict realization of the principle of representation, the particularity of which is most evident in its antithesis to the economic-technical thinking dominant today…
>
> Catholic argumentation is based on a particular mode of thinking whose method of proof is a specific juridical logic and whose focus of interest is the normative guidance of human social life…
>
> This rationalism resides in institutions and is essentially juridical; its greatest achievement is having made the priesthood into an office – a very distinctive type of office.[202]

The importance of the concept of representation could be seen in two directions: the Church represents the Person of Christ in this world; throughout its history the Church also created different representative figures: the pope, the emperor; the monk; the knight.[203]

Furthermore, in Roman Catholicism Schmitt discovers the relation between the political and the theological exemplified in the personal authority exercised by the Pope:

> The Pope is not the Prophet but the Vicar of Christ. Such a ceremonial function precludes all the fanatical excesses of an unbridled prophetism. The fact that the office is made independent of charisma signifies that the priest uphold a position that appears to be completely apart from his concrete personality. …In contradistinction to the modern official, his position is not impersonal, because his office is part of an unbroken chain linked with the personal mandate and concrete person of Christ.[204]

In his *Political Theology II* Schmitt has further developed his earlier formulations found in *Roman Catholicism*: 'The essay defends the unique political form of the Roman Church as the historical and visible representation of Christ … which has three forms of public manifestation: as an aesthetical form in great art, as a juridical form in the development of cannon law and as a glorious form of power that impacted on the history of the world'.[205]

Schmitt interprets the current role of the Catholic Church in relation to modern politics in the industrialized capitalist states in a critical perspective: 'An alliance of the Catholic

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[202] Schmitt, *Roman Catholicism*, 8, 12, 14.
[203] Ibid., 18-19.
[204] Ibid., 14.
[205] Schmitt, *Political Theology II*, 142, n5. In his *Roman Catholicism* Schmitt has used very similar description of the same idea: 'This world has its own hierarchy of values and its own humanity. It is home to the political idea of Catholicism and its capacity to embody the great trinity of form: the aesthetic form of art; the juridical form of law; finally, the glorious achievement of a world-historical form of power.' Schmitt, *Roman Catholicism*, 21.

Church with the present form of industrial capitalism is not possible. The alliance of throne and altar will not be followed by an alliance of office and altar, also not factory and altar.'[206] In his rejection, however, Schmitt remains close to the social realities by claiming that 'Catholicism will continue to accommodate itself to every social and political order, even one dominated by capitalist entrepreneurs or trade unions and proletarian councils'.[207] Such accommodation is possible only after new economic forces become political and assume political representation.[208]

Due to its genuinely political form the Catholic Church is bound to be visible, active and publicly present in this world, to receive the attributes of power and glory: 'In the proud history of the Roman Church, the ethos of its own power stands side by side with the ethos of justice. It is even enhanced by the Church's prestige, glory, and honor. The Church commands recognition as the Bride of Christ; it represents Christ reigning, ruling and conquering. Its claim to prestige and honor rests in the eminent idea of representation'.[209]

With respect to the relation between the political realm and the Catholic Church, Schmitt uses the concept '*complexio oppositorum*', which expresses the Church's ability to engage with different, often contradictory, social and political forces. This is also recognition of the internal pluralism of the Catholic doctrine, which provides justification of different interpretations and syntheses often contradictory to each other.[210] One particular dimension of this *complexio* is connected to the juridification of the Catholic Church and doctrine, hence relying on formalism, on the one side, and the idea of the personal representation of God in the figure of the Pope (as *Vicarius Dei*), i.e. personalism, on the other. In Schmitt's view, the juridical aspect is the Church's defining and intrinsic feature. The specific *complexio* here could be identified with 'a curious mixture of traditional conservatism and revolutionary resistance in line with natural law' which could be found in both Catholicism and secular jurisprudence. Catholicism, however, is greater than secular jurisprudence, because 'it represents something other and more than secular jurisprudence – not only the idea of justice but also the person of Christ – that substantiates its claim to a unique power and authority. It can deliberate as an equal partner with the state, and thereby create new law, whereas

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[206] Schmitt, *Roman Catholicism*, 24.
A significant change in this respect has occurred with the Second Vatican Council, when the Catholic Church embraced a more progressive attitude towards modernity and social pluralism, fostering just social and economic order, respecting human dignity, human rights, and democracy in its *Pastoral Constitution on the Church in the Modern World* (*Gaudium et Spes*) in 1965.
[207] Schmitt, *Roman Catholicism*, 24.
[208] Ibid., 24-25.
[209] Ibid., 31.
[210] Ibid., 8, 11, 14.

jurisprudence is only a mediator of established law.'[211] Moreover, the *complexio* finds expression in the history of the Church which presents a variety of conditions of coexistence with the secular powers, thus, in different epochs, endorsing different forms of political regimes and yet remaining faithful to its core doctrines.

In his earlier essay *The Visibility of the Church* Schmitt grounds the idea of public presence and visibility of the Church in the Incarnation of the Word of God, as well as in the mediatory role played by the Church. Schmitt emphasizes the classical Christian concept of the Church as being *in* this world, but not *of* this world. 'Just as Christ had a real body, so must the Church have a real body.'[212] Thus, recognition of the Church's visibility in the world remains an important characteristic of the orthodox Christian belief.

The Church's visibility is further realized in the community of believers, in the understanding of the Church as a corporate entity and institution with its internal structure, hierarchy and offices. Through the institutionalization, juridical continuity, mediation and historicity of the Church, Christ is ever present in this world.[213] In contrast to his *Roman Catholicism*, which is focused on the concept of representation, here Schmitt emphasizes the understanding of the Church as a mediator between this world and the Kingdom of God. This change in concepts and perspective over several years is significant in terms of accentuating the issues related to exercising both spiritual and political power in this world. Representation is a more intensive form of presence in this world compared to mere mediation.

To the extent that different interpretations of the social teaching and political theology of the Catholic Church continue to exist, the debate remains open for further consideration and argumentation.[214] The scope of the field of political theology does not completely cover contemporary formulations of the social doctrine of the Catholic Church. The existence of official statements on the social doctrine of the Catholic Church (pastoral constitutions, declarations, compendiums) and their elaborate interpretation in the last 50 years does not preclude the debate over the genuine political-theological questions.[215] It is truly significant

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[211] Ibid., 29-30, 33.
[212] Schmitt, 'The Visibility of the Church: A Scholastic Consideration', in *Roman Catholicism*, 51-52.
[213] Ibid., 55-57.
[214] For recent approaches to political theology in Catholic perspective, see Michael Welker, Francis Schussler Fiorenza, Klaus Tanner (eds.), *Political Theology: contemporary challenges and future directions* (Louisville, KY: Westminster John Knox Press, 2013), where a distinction is drawn between 'old political theology' of Schmitt (focused on state sovereignty and the state of exception) and the 'new political theology' of Jurgen Moltman, Johann Baptist Metz and the liberation theology (focused on the political engagement of the Church in the world on issues of peace, justice, charity), as well as outlines 'the political theology of the future' which has to engage with and be informed by social sciences.
[215] Pope Benedict XVI, 'Prepolitical Moral Foundations of a Free Republic', in Hent De Vries and Lawrence E. Sullivan (eds.), *Political Theologies. Public Religions in a Post-secular World* (New York: Fordham University

that in the second half of the 20th century, the Catholic Church has reinterpreted its own tradition to provide recognition of the values of human dignity, human rights and democratic political order. In its *Pastoral Constitution on the Church in the Modern World* (*Gaudium et Spes)*, adopted at the Second Vatican Council, the Church has proclaimed:

[73.] In our day, profound changes are apparent also in the structure and institutions of peoples. These result from their cultural, economic and social evolution. Such changes have a great influence on the life of the political community, especially regarding the rights and duties of all in the exercise of civil freedom and in the attainment of the common good, and in organizing the relations of citizens among themselves and with respect to public authority.

The present keener sense of human dignity has given rise in many parts of the world to attempts to bring about a politico-juridical order which will give better protection to the rights of the person in public life. These include the right freely to meet and form associations, the right to express one's own opinion and to profess one's religion both publicly and privately. The protection of the rights of a person is indeed a necessary condition so that citizens, individually or collectively, can take an active part in the life and government of the state.[216]

Press, 2006), 261-267; J. Brian Benestad, *Church, State, and Society. An Introduction to Catholic Social Doctrine* (Washington, D.C.: The Catholic University of America Press, 2011).

[216] *Pastoral Constitution on the Church in the Modern World* (*Gaudium et Spes*): http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html (last accessed 4.05.2014).

See also the following excerpts, emphasizing a genuine social perspective on human existence:

'74. Men, families and the various groups which make up the civil community are aware that they cannot achieve a truly human life by their own unaided efforts. They see the need for a wider community, within which each one makes his specific contribution every day toward an ever broader realization of the common good. For this purpose they set up a political community according to various forms. The political community exists, consequently, for the sake of the common good, in which it finds its full justification and significance, and the source of its inherent legitimacy. Indeed, the common good embraces the sum of those conditions of the social life whereby men, families and associations more adequately and readily may attain their own perfection.

…It follows also that political authority, both in the community as such and in the representative bodies of the state, must always be exercised within the limits of the moral order and directed toward the common good - with a dynamic concept of that good - according to the juridical order legitimately established or due to be established. When authority is so exercised, citizens are bound in conscience to obey. Accordingly, the responsibility, dignity and importance of leaders are indeed clear.

…But where citizens are oppressed by a public authority overstepping its competence, they should not protest against those things which are objectively required for the common good; but it is legitimate for them to defend their own rights and the rights of their fellow citizens against the abuse of this authority, while keeping within those limits drawn by the natural law and the Gospels.

75. It is in full conformity with human nature that there should be juridico-political structures providing all citizens in an ever better fashion and without any discrimination the practical possibility of freely and actively taking part in the establishment of the juridical foundations of the political community and in the direction of public affairs, in fixing the terms of reference of the various public bodies and in the election of political leaders. All citizens, therefore, should be mindful of the right and also the duty to use their free vote to further the common good. The Church praises and esteems the work of those who for the good of men devote themselves to the service of the state and take on the burdens of this office.'

Subsequently, in the *Declaration on Religious Freedom (Dignitatis Humanae)*, the Church emphatically defends the equal dignity of all human persons:

[1.] A sense of the dignity of the human person has been impressing itself more and more deeply on the consciousness of contemporary man, and the demand is increasingly made that men should act on their own judgment, enjoying and making use of a responsible freedom, not driven by coercion but motivated by a sense of duty. The demand is likewise made that constitutional limits should be set to the powers of government, in order that there may be no encroachment on the rightful freedom of the person and of associations. This demand for freedom in human society chiefly regards the quest for the values proper to the human spirit. It regards, in the first place, the free exercise of religion in society.[217]

The official Catholic doctrine, further developed in the *Compendium of the Social Doctrine of the Church*, emphasizes the dignity of the human person and the function of the state to promote and safeguard it. Yet the political order should balance the respect of the human dignity and the concerns for the common good.[218] Thus, the contemporary approach to the public presence of the Catholic Church is far different from the Schmitt's understanding of political theology, in terms of method, values and principles, and the scope of research.

In the last decades, the Catholic social thought had to answer the challenges of the Catholic groups on the left and their liberation theology which employs a critical approach towards secular powers and over-institutionalized religion, engaging with social and voluntary

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[217] *Declaration on Religious Freedom* (*Dignitatis Humanae)* on the Right of the Person and of Communities to Social and Civil Freedom in Matters Religious, promulgated by His Holiness Pope Paul VI on December 7, 1965: http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html (06.05.2014).

[218] Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, trans. Libreria Editrice Vaticana (Washington, D.C.: USCCB Publishing, 2005), Chapter 8;

Michael L. Coulter, 'Serving the Person through the Political Community: *Reflections on* Compendium *Chapter 8*', in D. Paul Sullins and Anthoni J. Blasi (eds.), *Catholic Social Thought: American Reflections on the Compendium* (Lanham, MD: Lexington Books, 2009), 101-113, 101:

'According to the *Compendium of the Social Doctrine of the Church*, the state and its related political institutions exist to serve the human person. The human person is existentially prior to the state and more important than any particular political institution. Promoting the dignity of the human person, however, should not be taken to mean that the political institutions described exist only to serve the conception of political life that is radically individualistic or that only the narrow self-interest of individuals is what matters to political order. The state should promote the general concern for the common good. The common good is believed truly to exist …The state should work to enable authentic human life – a human life where one can serve God, one's family, and other human beings and where one can have the freedom to exercise one's talents and have political structures that will safeguard those freedoms. Political life is to serve all the elements of civil society, including the family and private associations, because those elements serve the authentic good of persons. The political actors do not determine the good for human beings; rather political life should help human beings attain the good that can be known through reason and revelation and is promoted by the Catholic Church. In this respect, the state is not neutral with respect to the good'.

service to the poor and the disadvantaged.[219] Liberation theology has emerged as an answer to the Conservative Catholic teaching and practices, which continue to oppose the openness, tolerance and engagement with the modern society. These open tensions between more progressive groups and ultra-conservatives are still ongoing after the *Aggiornamento* period.[220] The official Catholic doctrine tries to balance these tendencies and to oppose the extremes on both sides. Thus, once again in its historical existence the Catholic Church achieves the *complexio oppositorum* of which Schmitt had been a proponent, while with respect to the basic values and concepts the church stays closer to Peterson's views. Nonetheless, of certain political ideologies, moral issues and social tendencies the church remains highly critical – it continues to challenge the secular liberalism excessively focused on the individual autonomy, privatization of religion and the value neutrality of the state, as well as remains critical of materialist and consumerist attitudes.

Disagreements over the meaning and significance of political theology and of the public role and mission of the church are also relevant in the Eastern Orthodox context. Before engaging with the Eastern Orthodox perspectives of political theology, a brief overview of the understanding and approaches to the issues by different contemporary scholars will be presented.

1.4. Contemporary engagements with Schmitt

Contemporary interpretations of political theology encompass a variety of approaches, doctrines and concepts. A recent study of political theology, undertaken by the Egyptologist Jan Assman, proposes a revision of the Schmittian approach by suggesting its inversion: 'the significant concepts of theology are theologized political concepts'.[221] Depending on the interpretation (in the Schmittian or Assmanian perspective) taken as a departing point of the analysis, conclusions on the internal connection between the theological and the political concepts will be different. Nevertheless, this relation should not express precedence, subordination or causality between the two realms, but their mutual recognition and interaction.

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[219] Johannes Baptist Metz, *Theology of the World*. (New York: Seabury Press, 1973); Johannes Baptist Metz and Jurgen Moltmann, *Faith and the Future: Essays on Theology, Solidarity, and Modernity* (Maryknoll, NY: Orbis Books, 1995); Gustavo Gutiérrez, *A Theology of Liberation: History, Politics, and Salvation*, transl. Caridad Inda and John Eagleson (Maryknoll, NY: Orbis, 1988).

[220] Richard R. Gaillardetz, 'Ecclesiological Foundations of Modern Catholic Social Teaching', in Kenneth R. Himes (ed.), *Modern Catholic Social Teaching. Commentaries and Interpretations* (Washington, D.C.: Georgetown University Press, 2005), 72-95.

[221] Jan Assman, *Herrschaft und Heil. Politische Theologie in Altägypten, Israel und Europa* (Munich: Carl Hanser Verlag, 2000), 20, quoted in Agamben, *The Kingdom and the Glory*, 193.

A recent engagement with Schmitt's concepts, in the context of 21st century pluralist liberal democracy, could be found in Paul Kahn's *Political Theology*.[222] Beyond the legitimate political structures of the liberal state, with their focus on the rule of law, human rights, social contract, justice, Kahn discovers a sovereign will that could demand human sacrifice in the name of defense of an (imaginary) collectivity (the American nation, the Homeland). Kahn criticizes the liberal political theory which tends to exclude this dimension of sacrifice from its political imagination. He insists that

> we must take up the perspective of political theology, for political violence has been and remains a form of sacrifice…Liberal theory puts contract at the origins of the political community; political theology puts sacrifice at the point of origin. Both contract and sacrifice are ideas of freedom. The former gives us our idea of the rule of law, the latter our idea of popular sovereignty. On this difference turns not only the distinction of political theory from political theology, but also our understanding of ourselves and of our relationship to the political community.[223]

Kahn defends that the liberal principles of the rule of law, civil and political rights and the Constitution could inspire people to fight for and make sacrifice (as was the case with the American Civil War or the ongoing 'war on terror')[224]. Thus, political theology may serve a liberal society by ensuring mobilization in times of crisis, demanding sacrifice in defense of a liberal constitutional order established by the popular sovereign - the nation.

On the meaning of political theology, Kahn fully embraces the secularization thesis elaborated in the Schmitt's work, centered on the concept of sovereignty: 'not the subordination of the political to religious doctrine and church authority, but recognition that the state creates and maintains its own sacred space and history'; 'Political theology argues that secularization, as the displacement of the sacred from the world of experience, never won, even though the church may have lost. The politics of the modern nation-state indeed rejected the church but simultaneously offered a new site of sacred experience'.[225] This new sacred experience is found in the popular sovereign 'as a collective, transtemporal subject in which all participate. It is the mystical corpus of the state, the force of ultimate meaning for

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[222] Paul Kahn, *Political Theology. Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011).
[223] Ibid., 7-8.
[224] Ibid., 11.
[225] Ibid., 19, 26.

citizens. The poplar sovereign can always demand a life; it can demand of citizens that they kill and be killed for the state'.[226]

In Kahn's account, political theology does not prescribe a particular ideological understanding of justice, it does not substitute authoritarian for liberal views on justice. Rather political theology provides insights on the role of the sacred and the sacrifice in the political life of the nation. 'If the political order maintains both an idea of the sacred and an idea of justice, of sovereignty and law, then the point of political theology is not to undermine a particular concept of justice but to expand the horizon within which we understand the operation of the political imagination. Liberal politics may strive to achieve a defensible idea of justice, even as liberal theory fails as an explanation of the source and character of political experience'.[227]

With his interpretation of the meaning of political theology with respect to the liberal constitutional state, Kahn offers insights on the importance of shared values and experience for the political community. His views challenge the accepted liberal paradigm of the value neutrality of the liberal state, justifying the need to defend and preserve fundamental values of the community (sometimes at the cost of sacrifice).

1.5. Multiple interpretations of political theology

Despite the modern use of the term, political theology is not a modern phenomenon. Its ideological roots can be traced to the ancient world. As it is exemplified with the Schmitt-Peterson debate, in the times of the Roman Empire, both in its pagan and Christian periods, specific forms of political theology had been elaborated. The imperial political theology had served the need to strengthen the sense of community and common identity. Moreover, specific forms of political theology could be traced back to the ancient Greek cities, as well as to the ancient Egypt. In each case, political theology had been an integral part of the political form of government – as a ritual, as an ideology, as a popular form of civil religion.

Studying different sources, Schmitt presents the form of government of a Greek *polis* as a community organized on the basis of a particular cult. In this context, political theology is understood as a part of the *nomos* (a fundamental law of any social organization) and as a building element of the public sphere. Its social function is to provide the conditions for a political identity related to the traditions, customs and beliefs of the community. Through the public rites and ceremonies it connects the past with the present generations and ensures the

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[226] Ibid., 121.
[227] Ibid., 24, 147.

continuity of the political community. In this respect, political theology is viewed as a constitutive condition for the political organization of the ancient city-state.[228]

Recognizing the significance of interaction between politics and religion in the ancient *polis* Jean-Luc Nancy emphasizes another important dimension.[229] He begins with the idea that the very existence of the polis depended on its differentiation from the forms of theocratic rule: politics ends where theocracy begins. The predominance of religion over politics challenges the very existence of the political realm. The encompassing nature of religion has a potential to constitute a community alternative and parallel to the state and thus to consume the political sphere. This understanding leads Nancy to emphasize the idea of the separation between church and state as a vital precondition for the presence of the political. The principle of autonomy is essential for the political realm and presupposes rather limited space of religion in a society.

In regard to civil (political) religion, however, Nancy recognizes its place and role in the constitution of the political realm. Thus, civil religions of Athens or Rome, uniting juridico-political and religious elements, peacefully co-exist with the political without being in constant tension. For instance, the Roman model of civil religion is exemplary for the overlapping and interrelated functioning of the legal-institutional and political order with the religious order. The integrating role of the Roman civil religion was most visible in the fact that the chief-magistrate was endowed with a religious function, he was a *pontifex maximus*. It could be maintained, therefore, that certain forms of religion (namely civil religion and political theology) remain closely linked to the essence of the political without necessarily leading to theocracy that destructs the political. Within the political domain, the religious could exist and remain vital to the extent it serves the political collectivity. This understanding allows a space for civil religion and political theology in the public sphere of the state, while limits the space for religion which remains faithful to its eschatological perspectives.

In regard to the role of Christianity Nancy follows the classical Augustinian model of a conceptual division between church and state. Christian *ekklesia* is a form of a separate community, which is not tied to the political and the social order. Christianity, in his view, elaborates the idea of the two kingdoms, two laws, two cities, thus signifying deep and inherent separation between the political and the religious. In this respect, the religious could not dissolve itself into the political. Christian community remains substantial and holistic; similarly, the state grounds its existence on the concepts of national unity and popular

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[228] Schmitt, *Political Theology II*, 64-65.
[229] Jean-Luc Nancy, 'Church, State, Resistance' (March 2007) *34 Journal of Law and Society 1*, 3-13.

sovereignty. Christianity separates religion and politics ontologically, yet 'it constitutes the religious itself on the political model of the kingdom or the city'.[230] On the other side, the construction of the political relies on the secular concept of sovereignty and endorses a civil religion that will engage the hearts, not only the minds of the citizens.

Nowadays, claims Nancy, the foundational principle of separation between church and state is shaken. The two kingdoms not only resist each other, they attempt to dominate and overcome one another. In contemporary Christian context the distinction between these two kingdoms, two cities and two laws (legal and prophetic) remains important, and yet, there should be an understanding of the impossibility of their complete separation. Nonetheless, the church-state relations remain a rather complex phenomenon, of mutual resistance, of co-existence in tension.[231] By recognizing the political nature of both the church and the state, and employing Augustinian concepts, Nancy's understanding does not follow Schmitt's view of the political as the exclusive domain of the sovereign state.

An impressive study of contemporary political-theological themes and concepts, creatively engaging with the Schmitt-Peterson debate, is presented by the Italian philosopher Giorgio Agamben.[232] His genealogical inquiry of the origin of political power is undertaken in the light of Trinitarian Christian beliefs, revealing the aspects of transcendence and immanence of the Triune God. He parallels the doxological, acclamative and liturgical dimensions of both governmental power and religion.

Engaging with the Schmitt-Peterson debate, Agamben follows Peterson in accentuating the public character of the Church (*ekklesia*) and Christian worship, particularly liturgical rites. Peterson emphasizes the public nature of liturgy, which is also deducible from the etymological meaning of the word – a 'public service'. The Christian *ekklesia*, in Peterson's words, is 'the assembly of citizens of the celestial city with full rights, that gather together to carry out acts of worship'. It is visible that Augustinian themes and concepts as the 'city of God' and celestial citizenship of believers dominate Peterson's thinking of the public politico-religious nature of the Church. The Christian people (*laos*) taking part in the service, is united in *ekklesia*, a community of the faithful. Given the relation between the public institutional and the legal spheres, Peterson interprets *laos* and *ekklesia* as having truly public and juridical capacity. This relation is further developed with Peterson's claim that popular acclamations (*axios, amen, dignum et iustum est, nika, vincas*) in some cases have a juridical

[230] Nancy, 'Church, State, Resistance', 8.
[231] Ibid., 11-13.
[232] Giorgio Agamben, *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government* (Stanford, CA: Stanford University Press, 2011).

value and role, according to Roman public law.[233] Thus, common to both political ceremonies and liturgical celebration, acclamations emphasize the juridical function of the people in the Church, expressing genuine popular consensus. By using acclamations, the Christian *laos* assents and confirms the public spiritual reality created and represented in the liturgy. To be truly a *laos*, to have a public and juridical capacity, the Christian people needs to be present directly, participating in the liturgical act. The Christians become *laos* to the extent that they participate.

What is decisive in Agamben's interpretation of Peterson is the focus on the Church as a public body in its own right. Peterson rejects the political-theological interpretation of the Christian faith in a specific sense (political subservience and instrumentalization), while upholding the public politico-religious character of the Church. Peterson insists on the parallel between the earthly kingdom with its imperial ceremonial and the celestial kingdom where Christ solemnly reigns. The apolitical multitude (*ochlos*) becomes the Christian people (*laos*) through the public action and celebration of the liturgy. Having politico-religious nature, in no way is the Church dependent on the secular authorities. The publicity of the Church is different from the concept of the political confined within the secular domain. The public nature of the Church is present as long as both the angels and the faithful, the members of the visible Church and the citizens of the celestial city (saints and angels) are united in the liturgy singing the song of praise to God. In Agamben's account, Peterson's theology liberates the Church from any form of secular dominance or political-theological reduction.[234]

In his study, Agamben also reconstructs and contra-distinguishes two interrelated paradigms, both based on Christian theology. The first is political theology which connects the concept of sovereignty to the belief in a single God; the second, economic theology (from Greek term *oikonomia* - economy, ordering of a household), which is focused on the immanent ordering, administering a household in both divine and human form.[235] Related to these paradigms are two different types of activity: on the one side, the ordering and administration of a household (*oikia*), later associated with the life of the Church as a community; on the other, the governance of the city (*polis*), hence politics.[236]

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[233] Agamben, *The Kingdom and the Glory*, 170.
[234] Agamben, *The Kingdom and the Glory*, 144-147, 169-175, quoting Erik Peterson, *Ausgewählte Schriften. Vol. 1, Theologishe Traktate* (Würzburg: Echter, 1994), 197-199 and Erik Peterson, *Heis Theos. Epigraphische, formgeschichtliche und religiongeschichtliche Untersuchungen* (Göttingen: Vandenhoeck und Ruprecht, 1926), 141, 177, 179.
[235] Agamben, *The Kingdom and the Glory*, 1.
[236] Ibid., 17-25.

It is noteworthy, in the process of development of Christian doctrine, the meaning of economy becomes more theological and more nuanced: it signifies the internal composition of the Triune God and the harmonious relations between the divine persons, yet preserving the unity of God; along with that, *oikonomia* is used to refer to the providential divine plan of salvation in eschatological perspective. In the works of the Church Fathers, the meaning of *oikonomia* embraces the process of revelation and salvation, of divine love and care to the humans and the world, based on the Scriptural readings: 'For God so loved the world that He gave His only begotten Son, that whoever believes in Him should not perish but have everlasting life' (John 3:16). Namely this represents the 'economy of the Savior' as a real historical event, not as a spiritual myth.

Further, in the Byzantine canon law *oikonomia* is explained and applied with two meanings: first, it is associated with the Incarnation of the divine Logos and the process of salvation; second, it is viewed as a form of purposeful exception and mitigation in the application of a rigid canon rule at the face of the weak state of the believer and in the name of his salvation (thus opposing the legalistic views on retribution and severe punishment).[237]

In the contemporary Western political theology the concepts of 'economic trinity' (trinity of revelation) and 'immanent trinity' (trinity of substance) are related. In a certain way, claims Agamben, the economic trinity is determined by the immanent trinity, which has a foundational role. The former is based on the understanding of God as interacting with humans within the process of revelation and salvation, the latter emphasizes the inner life of the divine essence. Thus, the ontology and theology of divine essence (immanent trinity) exist along with the praxis and economy of divine care for the world (economic trinity). To the immanent trinity corresponds the reality of the Kingdom, while to the economic trinity – the sphere of government. In spite of their differentiation, the two trinities unite in mutual praise and glorification: '*The economy glorifies being, as being glorifies economy*'.[238]

This understanding of substantive connection and distinction at the same time could be exemplified with the antinomic theological formulae of the Nicene Creed. According to the formulae, the Father and of the Son remain distinct persons (with specific personal qualities and attributes), and yet consubstantial (united in nature): 'We believe in one God, the Father Almighty, Maker of heaven and earth, and of all things visible and invisible; and in one Lord Jesus Christ, the Son of God, the only-begotten, begotten of the Father before all ages. Light of Light; true God of true God; begotten, not made; of one essence with the Father, by whom

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[237] Ibid., 39, 44, 47-49.
[238] Ibid., 207-209.

all things were made'. Likewise, distinct, but not divided, rather united in glory, is the image of the Kingdom (the immanent trinity, the divine essence and life) and the Government (the economic trinity, the salvific action of God in the world).

According to Agamben, the common nexus between the religious and the political is *Glory*, 'in its dual aspect, divine and human, ontological and economic, of the Father and the Son, of the people-substance and the people-communication'.[239] Glory is also directly connected with acclamations, ceremonies, liturgies and insignia which both religion and politics share. For Agamben 'the theology of glory constitutes, in this case, the secret point of contact through which theology and politics continuously communicate and exchange parts with one another'.[240] The domain of glory has contemporary projections in modern democracies where the media play a decisive role in the political process and the formation of public opinion. 'Contemporary democracy is a democracy that is entirely founded upon glory, that is, on the efficacy of acclamation, multiplied and disseminated by the media beyond all imagination.'[241] Thus, acclamations and glorification connect the religious and the political realms in their ancient and modern forms alike.

The analogy and correspondence between the spheres of religion and politics is most visible in the acts of public performance of rituals and liturgies. This field is systematically studied by Ernst Kantorowicz who explored the role of liturgical acclamations in the Middle Ages as an expression of medieval political theology.[242] In his *Laudes Regiae*, Kantorowicz uncovers the history of the liturgical acclamation *'Christus vincit, Christus regnat, Christus imperat'* by tracing its origin to the Gaul-Frankish Church in the 8th century. This acclamation had been gradually accepted in the Western Church and is significant with its reflexive content – it consists of both liturgical and political verses. God, angels and saints are praised alongside the emperor and the pontiff, the emperor is paralleled to Christ, the earthly kingdom – to the Kingdom of God. Thus, it is exemplary for the formation of a medieval political theology.[243]

Furthermore, as a form of direct interaction between the temporal and the spiritual realm, Kantorowicz studies the gradual development in the Western tradition of the rite of royal anointment from the 8th century onwards. He observes that the role of the Church in the

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[239] Agamben, *The Kingdom and the Glory*, 259.
[240] Ibid., 194.
[241] Ibid., 256.
[242] Ernst Kantorowicz, *Laudes Regiae. A Study in Liturgical Acclamations and Medieval Ruler Worship* (Berkeley: University of California Press, 1946);
Ernst Kantorowicz, *The King's Two Bodies. A Study in Medieval Political Theology* (Princeton, NJ: Princeton University Press, 1997).
[243] Kantorowicz, *Laudes Regiae*, 53-54, 59-62, 82. See also, Agamben, *The Kingdom and the Glory*, 188-190.

imperial ceremonial had increased significantly with the coronation ceremony of Pepin and Charlemagne. This ritual included blessing and approval by the Church as well as acclamations (*Laudes*) to express the assent of the Church and of God to the royal investiture. Meanwhile, the rise of the clerical function in the coronation ceremony led to limiting the role played by the people. With this development the process of royal investiture had become an integral part of the liturgical and ecclesiastical domain. The initial requirement of popular assent during the investiture ceremony had been transformed into a liturgical role of pronouncing acclamations. The fundamental role in the ceremony had been reserved for the Church and the clergy: 'The acclamation as a constitutive and legal act on the part of the people was supplemented by ecclesiastico-legal act, namely by an acclamation on behalf of the Church. This was precisely the function of the laudes at the coronation: they represent the sanction and assent of the acclaiming Church'. Further, in the evolving ritual, the role of the assenting people had been separated from the liturgical act, which had remained under the administration of the Church. The popular assent had to be given at an earlier stage, while the decisive part of the ceremony had been to invest the king with the legitimate power mandated by God via his Church so that he may become *Deo coronatus* – thus his power being limited and subordinated to the Church.[244]

A comparison with the Byzantine tradition of coronation ceremony of the same period would reveal a clear distinction between the constitutive acclaim of the senate, army and the people (in Byzantium) and the liturgical acclamation as an act of recognition of the legitimate authority of the king (in the Western tradition). The latter, though not of a constitutive nature (with one important exception – the coronation ceremony of Charlemagne), had been considered of high importance expressing the public and solemn assent made by the whole Church.[245]

The study of the interrelated juridical, political and religious aspects of acclamations with respect to the coronation ceremonies presents an important dimension of the medieval political theology. In his illuminating book *The King's Two Bodies*, Kantorowicz reveals the deep meaning of and interrelation between political and theological concepts. Kantorowicz relates some fundamental theological doctrines – such as the two natures (human and divine) and two bodies (natural and mystical) of Christ – with emerging corporatist and organic doctrines with respect to the Church and their transfer to the theory of the state. The doctrine of the *corpus mysticum* of the Church had been applied to the secular political entities.

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[244] Kantorowicz, *Laudes Regiae*, 78-80, 82; See also, Agamben, *The Kingdom and the Glory*, 190-191.
[245] Kantorowicz, *Laudes Regiae*, 83.

Likewise, the allegiance owed to the Church had become a political obligation to be loyal to the state and to defend it in times of crisis. The powerful analogy between the Church and the state continues with respect to the 'governance' of each of these bodies. The logic of this analogy goes as follows: as the Church is the mystical body of Christ, the divine head of the Church, who is eternal in his divine glory, the mystical body of the king is also immortal as long as he is the head of the body politic. Given that the body politic is based on eternal values - Grace of God, Justice and Law, to the extent the king respects and remains faithful to these values, his perpetuity as the head of the body politic is secured.[246]

The parallel interpretation of theological concepts along with political doctrines leads to different understandings of the nature and origin of the imperial power. The traditional medieval forms of theo-political interpretation oscillate between the 'liturgical kingship' related to the God-man Jesus Christ and the kingship centered on God the Father. The first concept assigns a specific role of the king as a mediator between heaven and earth, centered on the psychological dimension of power, the second concept accentuates the hierarchical juristic notion of government.[247]

This type of political theology centered on the medieval concepts and doctrines to the larger extent remains outside current trends and tendencies. Though it might have inspired political-theological syntheses in other periods, nowadays it does not connect to the contemporary political context in democratic societies. In this specific context, not monarchical concepts (divine or temporal), but the notions of active participation and involvement are more likely to occupy the center of political-theological studies.

1.6. Civic participation and political theology in the Western Christian context

In the last decade leading religious scholars have engaged with the participatory dimension of the Christian political theology. Grounding their studies on the Augustinian concept of *Two Cities*, they elaborate on the ideas of citizenship (celestial and earthly) and participation.[248] It is important that their political-theological accounts could be reconciled with the values and principles of liberal democracy, and could be viewed as opening a transcendental perspective to the secular political forms.

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[246] Kantorowicz, *The King's Two Bodies*, 267-272, 314-316.
[247] Ibid., 87-92.
[248] Charles Mathewes, *A Theology of Public Life* (Cambridge: Cambridge University Press, 2007); See also Graham Ward, *The Politics of Discipleship: Becoming Postmaterial Citizens* (Grand Rapids, MI: Baker Academic, 2009).

In these studies, participatory perspective is centered on *ecclesia* and endorses Christian practices which favor a democratic polity. Eschatological perspective in the Church creates a free space in which democratic practices could emerge and develop. Civic participatory perspective is even more evident in the works of Charles Mathewes and Eric Gregory.[249] Both Gregory's civic liberalism and Mathewes' civic republicanism[250] draw on the Augustinian concepts and emphasize the idea that human beings are created for love and participation, to live in communion with God and the others. Being a Christian means participating in *ecclesia*, but also practicing engagement and love in other interactions with the world, including the political sphere.[251]

Mathewes emphasizes a particular dimension of politics that should be viewed in the perspective of struggling for and anticipating communion with others and with God. The sphere of politics and the communion in *ecclesia* could not be fully identified, though they should not be fully separated either. Christian attitude to politics and the public sphere is that of an 'ascetical citizenship' according to which others are to be recognized, trusted and engaged, their dignity and uniqueness fully respected.[252]

'Ascetical citizenship', in Mathewes' view, presupposes a form of democratic polity that is participatory, civic republican. Civic republicanism is different from liberalism, which is focused on negative freedoms, the institutional side of checks and balances and limited government. It is also different from communitarianism, which tends to accept an organic or holistic view on society and social cohesion. Civic republicans consider not only the importance of collective identity and the common good, but also recognize the need of attaining and practicing political virtue, the value and role of individual participation. Civic engagement and participation have a liberating and educating function by enhancing the citizens' autonomy and making them better and vigilant members of the society opposing the concentration of state power. However, civic republicans remain preoccupied with the secular political order, often emphasizing absolute commitment and loyalty to the republic and the community, while liberals properly warn against holistic approaches.[253]

All three paradigms – liberal, communitarian and civic republican, should face certain constraints in order to be fully compatible with the Christian views. 'Christians can take from

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[249] Eric Gregory, *Politics and the Order of Love: An Augustinian Ethic of Democratic Citizenship* (Chicago: Chicago University Press, 2008).

[250] Charles Mathewes, 'Augustinian Christian Republican Citizenship', in Michael Jon Kessler (ed.), *Political Theology for a Plural Age* (New York: Oxford University Press, 2013), 218-249.

[251] Mathewes, *A Theology of Public Life*, 161.

[252] Ibid., 153.

[253] Mathewes, *A Theology of Public Life*, 173-176

civic republicanism its affirmation of civic participation as the primary public good, its suspicion of all attempts at political closure, and its insistence that explicitly political structures are fundamentally secondary to and derivative of what politics is really about – namely, civic participation.'[254]

The alternative offered by Mathewes is 'Christian republicanism', 'theology of citizenship' that is freed from the immanentist and radical connotations found in the secular civic republicanism.[255]

> Public engagement should be faithfully undertaken, given certain minimal conditions, as part of the larger mode of ascetical and evangelical engagement with the world today. But such engagement teaches us that political institutions must not be the object of ultimate faith, and so should be affirmed only in a qualified way. Yet they must be so affirmed, again on grounds of faith, in order to encourage citizens both to be genuinely engaged and also to recognize the ''mundaneness'' of any particular political dispensation. But we cannot speak only in a civic register. We need a properly theological argument for why such civic engagement is good for faith, on its own terms – why, that is, such engagement is ascetically as well as civically fruitful. We need a theology of public engagement, a theology of citizenship – a vision of the relationship between Christians' commitments to their earthly polities and to the kingdom of heaven.[256]

Relating Christianity and public engagement inspired by the Augustinian tradition, Mathewes insists that 'Christianity does not suggest that its adherents keep the faith by withdrawing from civic engagement, but by engaging more fully in it – more precisely, through a kind of civic engagement that is sensitive to how life in this polity allows and/or hinders Christians' fundamental activity, the worship of God with their lips and in their lives.'[257]

This participatory political-theological account corresponds in many ways to the issues and perspectives of the present study. In the next chapters, the participatory dimensions of the Eastern Orthodox theology and liturgical practice will be developed accentuating the public role of *ecclesia* and Eucharist.

2. Political theology in contemporary Eastern Christian thought

After highlighting some contemporary interpretations of political theology, following sections will engage with the Eastern Christian perspectives on the subject. The last section

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[254] Ibid., 178-179.
[255] Ibid., 181.
[256] Ibid., 172.
[257] Mathewes, *A Theology of Public Life*, 164.

will present institutional views of the Orthodox churches in relation to fundamental political concepts and values (democracy, freedom, human rights, justice) as well as their official positions on socio-political issues.

Some of the approaches presented here, including the Schmitt-Peterson debate on the political usage of the Church and Christian theology, resonate in contemporary Eastern Orthodox engagements with political theology. Thus, the debates on the imperial political theology in times of Constantine and on the secular political theology of the nation-states (focused on the popular sovereignty), presented in the first section, could be related to the political-theological models of *symphonia* and the *Christian Nation*, elaborated and practiced in the Eastern Orthodox context. In this respect, the general purpose of the next sections is to outline the contours of a participatory political theology, based on the Eastern Christian concepts and practices.

It should be taken into account that the term 'political theology' has been in use in the contemporary Orthodox Christian scholarship, though not with the meaning suggested by Schmitt in his 1922 study (analogy and correspondence between the political and theological concepts with regards to their systematic structure). Scholars of Eastern Orthodoxy often use the term in a broader sense to describe interactions and mutual influences between the religious and the political spheres and to present theological perspectives on political and social issues. For the contemporary Eastern Christian political theology doctrines of the Trinity and Incarnation underpin the understanding of the nature of the Church (ecclesiology) and personhood (Christian anthropology). Political-theological meaning of communion, personhood and participation is revealed through the prism of Eucharistic ecclesiology and the conciliar nature of *ecclesia*.

In the following section, contributions from Eastern Orthodox theologians and scholars who openly engage with these issues and concepts as well as relate them to the broader political and social context will be highlighted. In order to distinguish among different traditions and directions of the contemporary political-theological thinking the scholars that will be presented express different views: conservative, liberal, progressive, participatory.

2.1. *John Zizioulas on Eucharistic ecclesiology and Christian personalism*

One of the most significant contributions to the contemporary Orthodox theology belongs to Metropolitan John Zizioulas (Ecumenical Patriarchate). He develops a form of Christian personalism and emphasizes the importance of participation and communion in

ecclesia. His theological studies and conceptualizations are of primary importance for the present study. Though not developing a political-theological system *per se*, his understanding of Eucharistic ecclesiology is underlying the participatory political theology elaborated here.

In his scholarship Zizioulas underpins that the person is a relational being, not an autonomous egocentric individual separated from others and from God. Zizioulas' anthropology is based on his understanding of the nature of God as Trinity. As long as human being is created in the image and likeness of God who is Trinity, existing in communion and love of divine persons of the Father, the Son and the Holy Spirit, so the only possible mode of human existence is *being as communion*.[258]

Moreover, this communion is fully realized in the event of the Eucharist and *ecclesia*, thus emphasizing the core dimension of participation in the Orthodox understanding of the person and community. In his studies, Zizioulas underlies the uniqueness, irreducibility and the freedom of the person as a relational being. Likewise, communion and otherness are constitutive for the understanding of the Trinity, and have projections in Orthodox anthropology and ecclesiology:

God is not first one and then three, but simultaneously one and three. His oneness or unity is safeguarded not by the unity of substance, as St Augustine and other Western theologians have argued, but by the *monarchia* of the Father, who himself is one of the Trinity. It is also expressed through the unbreakable *koinonia* that exist between the three persons, which means that otherness is not a threat to unity but a *sine qua non* condition of it.

Otherness is not a quality of the person, but the ontological way of existence of the person ('We cannot tell *what* each person is; we can only say *who* he is.'). Understanding God as Trinity indicates relationship and communion:

Father, Son and Spirit are all names indicating relationship. No person can be different unless he is related. Communion does not threaten otherness; it generates it.

The Christian way of relating human persons to each other is also modeled after the divine being and his interaction with the world.

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[258] John Zizioulas, *Being as Communion: Studies in Personhood and the Church* (New York: St. Vladimir's Seminary Press, 1985), Chapter One.

Since the Son of God moved to meet the other, his creation, by emptying himself through the *kenosis* of the Incarnation, the 'kenotic' way is the only one that befits the Christian in his or her communion with the other – be it God or one's 'neighbour'.[259]

Transferring the Trinitarian concept to the field of anthropology, Zizioulas draws some important theses. First, relationship is constitutive of personhood, which presupposes uniqueness and communion at the same time ('The person is otherness in communion and communion in otherness'). Second, 'personhood is inconceivable without freedom', including as the most important the freedom to be yourself ('This means that a person is not subject to norms and stereotypes; a person cannot be classified in any way; a person's uniqueness is absolute. This finally means that only a person is free in the true sense'). This freedom is not negative (from), but rather positive (for) – 'freedom *for* the other'. Freedom is realized in love, not in isolation and protection of a private sphere. Third, personhood is creativity; it is 'a movement of *affirmation of the other*'. Zizioulas parallels creation as a free act of grace and love to the act of communion with the other in the Church.[260] Hence, personhood is not understood in simplistic essentialist categories, it is not a product of philosophical speculation, it is a matter of experience: being precedes essence.[261]

The relevance of Zizioulas' theology to the public sphere and participation could be seen when turning to his ecclesiology. Communion, relationship, participation are defining features here as well. His understanding of the Church as a community of persons is based on the defining and constituting role of the Eucharist for the Body of Christ (Eucharistic ecclesiology).[262] Thus not the institutional or organizational aspect of the Church, but rather the communal, relational, transformational aspects of the community of persons in the Eucharist, is what constitute the true Church.

The Eucharist constitutes the Church as an assembly of the faithful, representing the resurrected Body of Christ. This is not simply historical, but an eschatological event – participation in the Eucharist transcends all limits and divisions, social or natural, elevating a particular assembly of different people to the People of God. Thus, Christian eschatology introduces a present-future modality, a promise of the future realization of that unity that acts

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[259] All three quotations are from John Zizioulas, *Communion and Otherness: Further Studies in Personhood and the Church*, ed. Paul McPartlan (New York: T&T Clark, 2006), 5-6.

[260] Ibid., 9-10.

[261] Ibid., 103.

[262] For development of Eucharistic ecclesiology in Roman Catholic context, emphasizing the Eucharist as foundational and constitutive of the Church and that the Church is politics on its own, see Paul McPartlan, *The Eucharist Makes the Church: Henri de Lubac and John Zizioulas in Dialogue* (Edinburgh: T&T Clark, 1993); William T. Cavanaugh, *Torture and Eucharist: Theology, Politics and the Body of Christ* (Oxford: Blackwell Publisher, 1998).

back to unite the faithful in community now. The Eucharist is understood as an event of divine-human communion in Christ, which relates to the communion of the divine persons of the Trinity.[263]

Zizioulas' understanding of the relational and communal being of the person and of the importance of participatory dimension of the Church and the Trinity[264] relying on personal uniqueness, freedom, and otherness has projections in political imagination. It is indeed a legitimate question what would a political community look like if these basic presuppositions are transferred from the field of theology and ecclesiology to the field of politics. In a rather short essay on the issue, Zizioulas frames his answer in a way to emphasize the role of human dignity and human rights in structuring a just political order:

> people all have the same value and same rights because they themselves represent unique and unrepeatable identities for those with whom they are in personal relationship. Therefore, *the law is obligated to respect and protect everyone, regardless of one's characteristics, because every man bears a relational identity, and with that, is a unique and unrepeatable person*.[265]

Having said this, Zizioulas draws a clear distinction between the political community which relies on and exercises coercion against non-obeying individuals, and the Church which is built on the communion of persons in freedom, mutual respect and recognition, and love. As far as the law and the legal and political system respect human dignity and reflect a concept of justice, they remain legitimate. Neither just law, nor legitimate political community could be equated with the relations and the nature of the ecclesial and Eucharistic community which remain voluntary and non-coercive, built on love, not on the fear from coercion.[266] The political-theological application of Zizioulas' system emphasizes the values of equality of all human beings, respect for human dignity, personal uniqueness, and participation.

Nevertheless, emphasizing freedom, communion and participation, personal worthiness, Zizioulas frames significant principles and criteria that might be used by the Orthodox Christians in order to determine the quality of a legal system and political community. Projected to the public sphere, these principles and values could frame a political order that corresponds to some basic liberal principles. In elaborating such correspondence

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[263] Zizioulas, *Being as Communion*, Chapter Four.
[264] John Zizioulas, 'The Doctrine of God the Trinity Today', in his *The One and the Many: Studies on God, Man, the Church, and the World Today* (Alhambra, CA: Sebastian Press, 2010), 3-16.
[265] John Zizioulas, 'Law and Personhood in Orthodox Theology', in his *The One and the Many*, 402-414, 408.
[266] Zizioulas, 'Law and Personhood in Orthodox Theology', 411.

between the theological and the political, one may find similarities between forms of democracy with enhanced civic participation (participatory democracy) and the qualities of the Christian community assembled around the church and the Eucharist.

2.2. *Christos Yannaras and Christian communitarianism*

Among the first Orthodox scholars to engage openly with political-theological issues, defending rather conservative and traditionalist views, is the Greek religious philosopher Christos Yannaras. He views political theology in the Western context as representing a synthesis between contemporary progressive theological thinking and the neo-Marxist ideology (e.g. liberation theology). This kind of political theology uses the Bible as a blueprint of social and political activism, discovering in the text sociopolitical symbols and messages.[267] This politization of the Bible results in a constant tension between the transcendent and the immanent understanding of the faith and reveals the process of secularization of faith: 'Therefore, being a Christian today means above all else to engage in an active opposition to social injustice and political oppression. A demonstration is a "cultural" [cultic] act, a revolutionary poster is a symbol of the faith, and unity in political action is the new form of ecclesial communion'.[268]

To this understanding, Yannaras counter-poses his conservative views and attempts to reconstruct a distinct meaning of political theology in Eastern Orthodox context. In doing so, he imagines an idealized past, and uses this utopian image to evaluate and judge present socio-political realities. Yannaras also grounds his political-theological ideas on the Christian teaching of the human nature created in the image of God, and considers the God-human relations through the Trinitarian perspective.

Yannaras recognizes the public character of the church which has to be interpreted in relation to the idea of divine city. The true *polis* and politics, he argues, need to be found on the 'power of love' and the communion of people. The Church has to be understood in terms of being both a city of divine-human interaction as well as a community of persons.

Politics can be considered as a chapter of theology - a true "political theology" - when it takes upon itself serving man according to his nature and his truth; and consequently serving the political nature of humanity - i.e., the power of love, which is at the heart of existence and which is the condition of the true communion of persons, the true city, the true *polis*.

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[267] Christos Yannaras, *The Freedom of Morality*, trans. Elizabeth Briere (Crestonwood, NY: St Vladimir's Seminary Press, 1984), 199-200.
[268] Christos Yannaras, 'A Note on Political Theology' (1983) 27 *St Vladimir's Theological Quarterly* 1, 53-56, 54.

The image of the Church is a city, a *polis,* 'the holy city, new Jerusalem, which descends from heaven' (Rv 21:2), an icon of the Trinity, a communion of persons and city of saints, an organic unity of the body of the faithful, where the first and the last, the sinners and the saints, are united to one another in a "co-inherence of love," a fullness where they are mutually surrounded in love.[269]

In his understanding of a Christian political theology, Yannaras emphasizes both the importance of communion and participation modelled after the relations between divine persons in the Holy Trinity. The public function of political theology is also defined: 'Political theology may then play the part played by prophecy - to incarnate the critical and radical irruption of truth in actual periods of historical life'.[270]

Though this understanding of the Church and the importance of personal communion and participation is in line with the core Orthodox teachings, it remains unclear how it could be transplanted into the public sphere of modern pluralist societies. At best, it could be practiced at the parochial level of the church, within communities with deep cohesion and common understanding of faith and values. Thus, Yannaras' political-theological approach remains overtly conservative and communitarian, challenging and criticizing the Western values and socio-political models.

Another dimension of Yannaras' concept of political theology is the overemphasis on the distinction and contradiction between the Western Christian and the Eastern Orthodox perspectives. To his idealized version of Orthodox Christian communitarianism Yannaras counter-poses the hierarchical formalist class structures of the Western societies. On the Orthodox side, he only sees the dynamic life and freedom of the Eucharistic community which values the personal freedom of its members. On the Western side, he only sees determinism, dominance and materialism. Both pictures, however, are incorrect and do not correspond to the socio-political realities.

The positive image of the Orthodox community Yannaras discovers in the social dynamism of the Byzantine tradition and *oikoumene.* The negative Western image, he relates to the medieval feudal system of the Western societies. He develops a rather ideological view emphasizing the Eastern Orthodox developments in terms of ideas and social forms. He favors the predominance of interpersonal communal relations over the formal and juridical ones that had been preserved by the Orthodox population under the Ottoman rule. All local communal institutions as well as the liturgical community have been sensitive to personal uniqueness and fellowship. This contributed to the preservation of a distinctive Orthodox

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[269] Ibid., 54-55.
[270] Ibid., 55.

social life centered on personal relations and shared common values and experience. The spiritual center of this whole participatory ethos has been the local parish church and community.[271]

As have been noted recently, such constructions of the distinctions between the Christian East and the Christian West have been misleadingly exaggerated.[272] The historical processes leading to the separation between the Christian East and the Christian West have been too complex to be simplified in clear-cut models and distinctions. Their relations could not be presented exclusively in terms of opposition, mutual exclusion and hostility. It is well-documented that along with periods of struggle and conflict, there have been periods of rediscovering similarities, intensive cultural exchange and attempts of reunification.

Another problematic aspect of Yannaras's political-theological view is his criticism of human rights and political liberalism. In his approach, both rights and liberalism are based upon false notions of individual autonomy and secularism. He grounds both concepts in the rationalism, relativism and agnosticism of the Enlightenment, understood as rejecting the Christian roots of the ideas of personal dignity and freedom. Yannaras justifies his opposition and criticism of human rights with the fundamental distinction between the theology of the Greek Cappadocian Fathers of the Eastern Church who emphasized the notion of deification and divine-human communion (*theosis*) and the Western Christian tradition from Augustine onwards which accentuates difference and autonomy from God. Against the egocentrism of the western tradition Yannaras counter-poses the community-oriented ethos found in the Orthodox understanding of the person as relational being and in the communal nature of Christian *ecclesia*.[273] He parallels Christian *ecclesia* to the ancient Greek *polis* where a true community is constituted:

In the ancient Greek "assembly of people", Greek citizens did not assemble primarily to discuss, judge and take decisions, but mainly to constitute, concretize and reveal the city (the way of life "according to the truth"). In the same way, Christians would not assemble primarily to pray, worship, and be catechized but mainly to constitute, concretize and reveal, in the Eucharistic dinner, the way of life "according to the truth", incorruptibility and immortality: not the imitation of the secular "logic", but of the Trinitarian Society of Persons, the society which constitutes the true existence and life, because "He is Life" (1 John 4:16)…Being a participant and a member of the body of the Church means that one exist only in order to love and be loved – a

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[271] Yannaras, *The Freedom of Morality*, 220-223.

[272] Pantelis Kalaitzidis, 'The Image of the West in Contemporary Greek Theology', in George E. Demacopoulos and Aristotle Papanikolaou (eds.), *Orthodox Constructions of the West* (New York: Fordham University Press, 2013), 142-160.

[273] Christos Yannaras, 'Human Rights and the Orthodox Church', in *The Orthodox Churches in a Pluralistic World*, ed. Emmanuel Clapsis (Geneva: WCC Publications, 2004), 83-89.

situation far from any need for, or expectation of, self-protection through legislation would be "mandatory for all".[274]

Yannaras continues to draw easy distinctions between the Eastern Christian and the Western understanding of the person, church and democracy. In his understanding, Eastern Orthodoxy views the person as 'an existence with an active creative otherness, which is the fruit of relations of communion, love and freedom from the ego.' This is contrasted to the Western Christian concept of an individual focused on 'his or her justification and salvation, the safeguarding of their egocentric metaphysical protection, through virtues and good actions.' To the difference of anthropologies he attributes difference in political organization. Thus representative democracy with its insistence on the legal protection of rights and representation of particular interests corresponds to the Western understanding of the individual, while the ancient Greek democracy is closer to the Eastern Orthodox personalist, relational and communal understanding.[275]

In opposing the Western understanding, Yannaras insists that 'the Church is an event and a way of communion between persons, a way of love: that is, freedom from the existence of nature, freedom from the physical limitations of time, attrition and death.' Thus, politics becomes 'a common exercise of life "according to the truth", and is 'constituted around the axis of ontology (and not self-interested objectives)'. While remaining critical of modern human rights concept, Yannaras does not fully reject their value. Rather he aspires to a higher ontological understanding of human dignity that presupposes the presence of the divine and the communion of persons in *ecclesia*.[276]

Yannaras' defense of religious communitarianism and conservatism, his idealizations of the Eastern Orthodox historical models and open hostility to the Western socio-political forms distance his scholarship from the present study. Yannaras' political theology fails to provide a universal perspective and to accept the other as she is. It is also too much centered on the Byzantine and ancient Greek models used as a ground for his Orthodox communitarian idealizations. Some of his ideas – of the public and participatory nature of Christian *ecclesia* as well as of the Trinitarian perspective of the human nature (modelled after the Trinitarian God) – are of relevance for this study.

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[274] Ibid., 86.
[275] Ibid., 86-87.
[276] Ibid., 88.

2.3. Aristotle Papanikolaou and political theology of divine-human communion

One of the contemporary scholars to engage directly with the political-theological implications of Eastern Orthodox doctrines is Aristotle Papanikolaou. In his most recent study, Papanikolaou develops a political-theological system that favors liberal-democratic values and political community.[277] His political-theological approach is centered on the principle of divine-human communion ('deification', 'theosis') which is characteristic for the Orthodox understanding of relations between God and humans.[278]

Papanikolaou seeks to understand and to reveal the political consequences from embracing the principle of divine-human communion as paramount in Orthodox theology. He also engages with Orthodox theologians who embrace the principle of divine-human communion, but in a way that challenges the compatibility between Eastern Orthodoxy and liberal democracy. An important aspect of his approach is the emphasis on the compatibility between Orthodoxy and liberal democracy understood broadly, without endorsing a secular individualist anthropology that underlies modern liberalism.

Papanikolaou advocates 'a political theology grounded in principle of divine-human communion … one that unequivocally endorses a political community that is democratic in a way that structures itself around the modern liberal principles of freedom of choice, religious freedom… the protection of human rights … and church-state separation.'[279] He does not endorse a particular form of a democratic state, nor does he support a nation-state as the most suitable form of realizing his political-theological views.

Further, he challenges the traditional narrative of an existing radical opposition between the Orthodox East and the Catholic and Protestant West. He also rejects the possibility of returning to pre-modern models (e.g. Byzantine) of church-state relations as not suitable and adaptable to the context of contemporary secular and pluralist western societies.[280]

In elaborating his political theology, Papanikolaou does not follow the Schmittian methodology of a genealogical inquiry of a concept, analogy between the religious and political concepts and construction (architecture) of a systematic political-theological model. In the whole study, there is even no mention of Schmitt and his approach. One possible explanation for this absence is his focus on the theological debates and notions, rather than on

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[277] Aristotle Papanikolaou, *The Mystical as Political: Democracy and Non-Radical Orthodoxy* (Notre Dame, IN: University of Notre Dame Press, 2012).
[278] Papanikolaou, *The Mystical as Political*, 4.
[279] Ibid., 12.
[280] Ibid., 10-11.

political and legal concepts. Papanikolaou does not challenge the meaning of political and legal concepts (liberal democracy, political community, common good, human rights) rather he accepts their core meaning and relates them to theological doctrines.

In his comprehensive study, Papanikolaou engages with core Orthodox doctrines (Trinity, divine-human communion, Eucharist, ecclesia) and relates them to political concepts (liberal democracy, political community, common good, human rights). In doing this, he reinterprets creatively traditional Orthodox doctrines in a way that reconciles them to the liberal democratic political context. One possible objection to his approach could be the easy acceptance of an unspecified liberal political perspective, not discerning between different liberalisms: for instance, classical liberalism and libertarianism centered on the private individual with his pre-political natural rights which are threatened by the hostile state and the majority rule (thus emphasizing the value of the rule of law, negative rights, constitutional and limited government);[281] contractarian liberalism which focuses on the original position, achieving by means of the social contract of an overlapping consensus around political principles of justice and the common good that protect the human dignity, basic human rights and equality, as well as pluralism in a society;[282] and human rights-oriented participatory liberalism which values human dignity and equality, emphasizes the right of equal respect and concern, as well as solidarity and active participation in a communal life.[283]

This general acceptance of the liberal tradition without differentiating among liberal conceptions and paradigms is what distinguishes Papanikolaou's approach from the present study. This research is primarily focused on the participatory dimension of the Orthodox doctrines not on the general liberal political framework. Though Papanikolaou clearly emphasizes divine-human communion as the basis of his political theology, he only partially draws the normative conclusions from this concept for the kind of liberal democracy he endorses. If considered in the light of divine-human communion, the democratic model should be inclusive, engaging, and participatory, with a strong sense of community and identity. However, Papanikolaou does not discuss these features in detail, only occasionally refers to them.

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[281] Randy Barnett, *Restoring the Lost Constitution. The Presumption of Liberty* (Princeton, NJ: Princeton University Press, 2004).

[282] John Rawls, *A Theory of Justice*, Revised Ed. (Cambridge, Mass.: Harvard University Press, 1999), 52-56, 206-220, 475; John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), 134-149.

[283] Ronald Dworkin, *Taking Rights Seriously* (Cambridge, Mass.: Harvard University Press, 1979); Ronald Dworkin, 'Liberal Community' (1989) *77 California Law Review 479*.

Papanikolaou's political theology corresponds to the kind of liberal democracy that exists in the United States, which is far from inclusive, consensual and participatory. The degree of struggle, contestation and competitiveness that is found within the American democracy is far greater than the Orthodox concepts of divine-human communion, or synergy, or conciliarity presuppose. In terms of correspondence between his political-theological model and the liberal democracy, some similarities could be found with regards to the values endorsing human dignity, personal freedom and human rights.

Further, one could find a contradiction between Papanikolaou's initial claim that 'a liberal democratic political community may be realized under multiple state structures'[284] and his particular focus on the American political context and the liberal democratic regime exercised there. In this way, more participatory and deliberative political models that are found within the European context are not explored.

With respect to the historical forms of Eastern Christian political theology, Papanikolaou directly challenges the Byzantine doctrine of *symphonia* as not suitable for modern pluralist liberal society.[285] The traditional *symphonia* model presupposes religious, political and cultural unity and harmony which is impossible to achieve in the Western societies. The Orthodox Church is able to accept diversity and pluralism in society, and yet remaining faithful to its defining doctrines - the divine-human communion and the participation in *ecclesia* and the Eucharist.

> The important point here is that the existence of a politically diverse community in which the church is one voice among others is not a betrayal of church's nature but, rather, the necessary result of the church as an eschatological community. Insofar as the church has not fulfilled its mission to persuade others to become part of its Eucharistic worship of God, then it must accept the existence of political and religious diversity. The state as politically diverse community is not contrary to but, rather, inherent in the very notion of the church as an eschatological community.[286]

Papanikolaou defends the difference between church and state which opens a space for a free answer to the God's call for communion: 'the understanding of the church as eucharistic participation in the life of God leads to the natural law-like conclusion for a political community as a space with a *telos* distinct though not separate from that of divine-

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[284] Papanikolaou, *The Mystical as Political*, 12.
[285] Ibid., 70-71.
[286] Ibid., 77.

human communion.'[287] In a Christian perspective, political communities need to support and promote values of human dignity and respect, recognizing the uniqueness of every human being who is created in the image and likeness of God.

In political-theological terms, Papanikolaou emphasizes the importance of church-state relations. There should be neither overlapping between the two, nor complete separation and estrangement. Christians and the church have to preserve an eschatological and prophetic distance from every political regime, and yet exercise their mission in transfiguring the world through evangelization and witness to the divine truths.

> As Christians progress to realize the divine in their lives, then the inevitable result would be a liberal democratic form of political community. Otherwise put, the church is meant to perfect the political community not to abolish it, which means that the political community exists in an analogical relationship to the church, not one of diametrical opposition. Theoretically, once all have become part of the eucharistic community, the community of praise, worship, and offering to God, the existence of the state is no longer necessary.[288]

Without supporting a specific form of a liberal political regime, Papanikolaou is endorsing a concept of human rights that is in many ways progressive. He emphasizes the right to moral equality, freedom of religion, as well as advocates for some basic social rights: the right to healthcare, to food and shelter, to employment, to environmental rights. He strongly supports social rights as creating 'relations in a political community such that human beings are treated as irreducibly unique'[289] and thus enhancing the perspective of divine-human communion. His defense of social rights shapes in a specific way the liberal democratic regime he favors. At this point, it becomes clear that he endorses a social-liberal, not a classical liberal or libertarian form of democratic regime.

In engaging with contemporary Western Catholic and Protestant theologians who work in the political-theological field, Papanikolaou distinguishes views that are supportive of liberal democracy (Graham Ward, Eric Gregory, Charles Mathewes) from views critical of liberal democracy (Stanley Hauerwas, John Milbank, William Cavanaugh). The first group of scholars tends to relate the concept of divine-human communion and Christian practices to modern liberal democracy and reconcile both the Christian and the liberal tradition. The second group tends to focus on the Church as an ideal polity *vis-a-vis* the state and as an

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[287] Ibid., 79.
[288] Ibid., 80.
[289] Papanikolaou, *The Mystical as Political*, 127.

eschatological community transcending secular politics.[290] In expressing his own position, Papanikolaou emphasizes the need of a transcendent perspective within the liberal democratic polity in a way that counters individualism, materialism and consumerism.[291]

Following Mathewes' ideas, Papanikolaou emphasizes a particular dimension of politics that should be viewed in the perspective of achieving communion with others and with God. Christian attitude to politics and the public sphere is that of an 'ascetical citizenship' (Mathewes' term) requiring that others are to be trusted and fully respected.[292] Civic republicanism, as elaborated by Mathewes, enhances a committed engagement and participation of Christians, which is important for the perspective of divine-human communion offered by Papanikolaou.

In his study, Papanikolaou engages with the notion of the public good. He contends that 'democracy itself implies a particular notion of the common good including freedom, equality, justice, fairness, inclusivity, participation, diversity, and otherness.'[293] In his view, the participatory perspective in understanding the common good is truly important. The common good 'emerges through civic-engagement-as-dialogue…such engagement *is* the common good, which means that the common good entails the unequivocal equality among all citizens as co-participants in the dialogue or the "community of dispute".'[294]

He contends that 'Christians can positively shape the content of the common good in a way that would reinforce a democratic ethos of engagement.' He further argues that Christians could endorse 'a communal notion of democracy without being communitarian'. This, in turn, would require 'a societal set of norms that would hold people and corporations accountable for the welfare of its citizens and not simply for maximizing self-interest.'[295] For Papanikolaou notions of participation and engagement relate to the social and progressive view of politics.

Engaging with contemporary Western political theology, Papanikolaou emphasizes the theological perspectives, not the political theory. This is a possible explanation for the lack of reference to Schmitt and his methodology (of discovering structural analogy between political and theological concepts). His study of Eastern Orthodox political theology in relation to the pluralist liberal society and political system is a significant contribution in the field. His valuable scholarship lies in the scope of his research ranging from Christian personalism,

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[290]Ibid., 132-133.
[291] Ibid., 134.
[292] Ibid., 153.
[293] Ibid., 77.
[294] Ibid, 158.
[295] Ibid., 160-161.

divine-human communion and Eucharistic ecclesiology to human dignity and human rights, liberal democracy and the common good. He is pioneering in the field as creatively and positively engages with current political-theological paradigms, in order to discover the place and significance of Eastern Orthodoxy in liberal democratic context. Certainly, his work will stimulate further debates and ideas that may be enriching both the political and the theological fields.

The present study differs from Papanikolaou's both in its scope (it is focused on political-theological models in a more specific context, with a particular emphasis on the participatory dimension) and methodology (it uses the analogy between political and theological concepts, and engages with their historical development and interaction). Nevertheless, this research shares similar values, interpretations and intuitions. What would be further highlighted here is the participatory character of Eastern Orthodox concepts that could form a distinct participatory political theology that may exist and be practiced within a modern liberal democracy. This perspective also requires active civic engagement and participation in terms of values, principles and procedures, thus enriching the liberal constitutional model, and yet, moving beyond the negative rights and limited government.

2.4. Pantelis Kalaitzidis and progressive political theology

Issues of political theology in the Eastern Orthodox context continue to receive increased attention. Pantelis Kalaitzidis, working mostly in European context, also approaches political-theological themes.[296] Kalaitzidis directly enters into a critical dialogue with Schmitt, recognizing and using his political-theological methodology, while rejecting his authoritarian and far-right extremist political convictions.[297]

Kalaitzidis grounds his approach to political theology on two basic Christian doctrines - of the Trinity and Incarnation. He evaluates critically some political-theological models, experienced in the Eastern Christian context. Kalaitzidis rejects the Byzantine political eschatology as well as the nationalist political theology. Turning to the recent Greek history, he renounces the neo-Orthodox movement in the 1960s that was supportive of the authoritarian policies of the Greek junta (1967-1974).

Kalaitzidis also admits that the authoritarian elements that appear in the political theology of the Christian East and West alike are due to the 'sacralization of the mechanisms

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[296] Pantelis Kalaitzidis, *Orthodoxy and Political Theology* (Geneva: World Council of Churches Publications, 2012).
[297] Ibid., 21-25.

of authority and dominance … the authoritarian version of a mingling of the religious and the cultural/political', and 'a particular understanding of a sacred narrative, a sacred text, law, or even sacred tradition'.[298] Kalaitzidis is critical of both Christian traditions (East and West) that followed the way leading to a 'theology of authority' which served the sacralization of political power. In this process, the challenge to the world which is present in the doctrines of Trinity and Incarnation have been obscured and gradually substituted with political theologies defending the political establishment.

In his criticism, Kalaitzitis follows John Zizioulas' theology of 'being as communion', with its emphasis on Christian personalism, on free, loving and engaging relation with God, excluding any sort of coercion and external authority in this relationship. He emphasizes the *kenosis* of the Incarnation of the Son of God who has revealed to humans the Trinitarian mode of life in communion, love, and mutual respect and honor. He also insists on the antinomic character of Christian theology that prevents from fully identifying any political regime with the Church and Christianity.[299]

Kalaitzidis remains skeptical about the possibility of a direct transfer of theological doctrines, as developed and progressive they may be, into the social and political reality, even less into concrete policies and political regimes. He contends that 'textual truth does not necessarily result in social renewal, which means that all facile attempts to move, on the basis of certain texts, from theology/ecclesiology and worship to the realm of culture/politics and state should be treated with suspicion, both methodologically and in terms of their substance.'[300] He exemplifies this conclusion by referring to Yannaras, with his theology of personhood and communion, who is remaining rather skeptical of the notions of human dignity, human rights, progressive social engagement, and even hostile to the Western political models and philosophical concepts. Kalaitzidis is sharply critical of the kind of ontological perspective developed by Yannaras which fails to provide a ground for positive action and social commitment in this world in service of the needed, of the fellow men, of the oppressed.[301]

Engaging further with Western political theologians (Carl Schmitt, Jacob Taubes, Jurgen Moltman, Johann Baptist Metz, Gustavo Gutierrez), Kalaitzidis addresses his key research question: 'Why has Orthodoxy not developed a political or liberation theology?'[302]

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[298] Ibid., 35-36.
[299] Ibid., 36-37.
[300] Ibid., 39.
[301] Ibid., 59-60.
[302] Ibid., 53, 65-80.

To answer this question, he examines the Orthodox theological tradition and finds rather ambivalent experience. Counter-posing two paradigms – of authoritarian political theology and liberation theology, he argues that in the Orthodox tradition both paradigms could be found. On the one side, Eastern Orthodoxy enjoys a continuous conciliar tradition (the church council or synod being the supreme authority, not a single person as the patriarch), presupposing active engagement and open debate; on the other, there is no fully developed democratic ethos of deliberation in both the church and the societies. He highlights that for the most part of its history Eastern Christianity coexisted with empires and monarchies, rather than with democratic regimes. Moreover, Eastern Orthodoxy in its particular realization of the national state-oriented churches had often provided a political-theological legitimation of the ruling regime (imperial, monarchist, authoritarian), as well as had to accommodate itself to the existing political and social conditions. In this process, Orthodox churches have often forgotten their prophetic and eschatological role to make visible and actualize the transcendent presence and the Kingdom of God.

One of the particular reasons for not developing a comprehensive liberation theology could be found in the preoccupation of the autocephalous Orthodox churches with the ideas of ethno-nationalism and their confinement within and dependence on the nation-states. Thus, they have substituted the history of the national awakening, liberation and mythology for the history of divine economy and salvation.[303]

With his sharp criticism of authoritarian and nationalist political theologies, Kalaitzidis is much relevant for the present study. His progressivist approach to political theology emphasizes the values of engagement, personalism and recognition of the human dignity of all persons. He also considers the social justice dimensions of the Christian political theology, as well as its transformative political potential.

2.5. Political-theological perspectives in the first half of the twentieth century

The first modern political-theological engagements of Eastern Orthodox theologians and religious philosophers could be traced back to the beginning of the 20th century. These accounts belong to the prominent scholars from the Russian religious-philosophical community. In their studies, they have emphasized the social concern and engagement with the world, remaining receptive of the values of personal freedom and liberal democracy.

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[303] Ibid., 54, 65-69.

Among the first to engage with modernity and political concepts, Vladimir Solovyov offers a specific interpretation of the principle of divine-human communion. According to him, all created world, including the political order, has to be perfected and moved closer to the union with the divine.[304] In his view, a genuine Christian approach to power and politics excludes both the absolutism of the empire and the extreme secularization of society and politics. He endorsed a political system of 'free theocracy', which presupposes a liberal political order with separation of church and state, protection of human rights, and limited government.[305] In his system freedom of belief remains a fundamental value – there is no official state-sanctioned religion and religious pluralism is a viable reality.

An important dimension of Solovyov's ideas is his insistence on the transcendental perspective of the political order. At first, his system may be classified as liberal, but it should not be mistaken with the secular and rationalistic liberalism found in the nineteenth century Europe. Rather he offers an account of a particular Christian personalist liberalism open to the divine, which goes along with a sharp criticism of materialistic political experiments. The originality of his approach could be traced to the principle of divine-human communion which is fundamental in the Eastern Christian thought as well as to the necessity to answer the challenges of his epoch of rapid social and political transformation. Solovyov's ideas are further developed and transmitted to the West through the works of Russian émigré intellectuals in the first decades of 20th century.[306]

Russian religious philosopher Sergius Bulgakov develops a political-theological view that is compatible with the liberal values and structures in the western socio-political context. In his book *The Orthodox Church* he emphasized the role of liberal principles such as separation between church and state and individual freedom for building a society that truly corresponds to Christian beliefs and values.[307] Separation of church and state, observes Bulgakov,

has been accepted by the Orthodox Church also, for it corresponds with its dignity and its vocation … The liberty we find in the United States is now the regime most favorable to the Church, most normal for it; it frees the Church from the temptations of clericalism and assures it development without hindrance... The

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[304] *Politics, Law, and Morality. Essays by V. S. Soloviev*, ed. Vladimir Wozniuk (New Haven: Yale University Press, 2000); Paul Valliere, 'Vladimir Soloviev (1853-1900)', in *The Teachings of Modern Christianity on Law, Politics and Human Nature*, vol. 1, ed. John Witte Jr. and Frank Alexander (New York, Columbia University Press, 2006), 533-575.

[305] Soloviev, 'On the Christian State and Society', in *Politics, Law, and Morality*, 20-32.

[306] Papanikolaou, *The Mystical as Political*, 34-36.

[307] Sergius Bulgakov, *The Orthodox Church*, rev. transl. Lydia Kesich (Crestwood, NY: St. Vladimir's Seminary Press, 1988).

ultimate influence of the Church on life, and especially on the state, will be only increased by separation of Church and state.[308]

An important consequence of this principle is the existence of a church that is not engaging with party politics and preaching a particular political ideology. The only way available to the church to convince or influence people is by respecting their personal liberty and human dignity. In Bulgakov's view, the form of political organization that is compatible with the Orthodox beliefs is a liberal democracy, though not in its extreme secular form. It is also important, that Bulgakov's endorsement of liberal democracy is grounded on the principle of divine-human communion, which relies on personal freedom and participation without coercion.[309] Bulgakov opposes any form of a centralized autocratic state and supports a 'federative democratic republic' that is based on self-government, self-determination and personal freedom.[310]

In his political-theological system, Bulgakov engages with the rights of the oppressed, supporting the cause of social engagement and social justice, to the extent of elaborating a specific understanding of a Christian politics. He sees Christian politics in terms of 'emancipation of all humanity, universal freedom, for which there can be no distinction among nationalities, religions, or denominations.'[311] This is an inclusive, universal and ecumenical approach to politics.

Bulgakov also focuses on the importance of participation and social engagement of Christians, who are able to organize themselves into a civic Christian community that will oppose both the atheist humanism of totalitarian socialism and the state-controlled official Church with its empty formalism and ritualism. For the fulfillment of this goal, he proposes the establishment of a Union of Christian Politics which would act as a civic organization at grassroots level, but also as a policy institute. The primary tasks of the Union would be dissemination of ideas and knowledge and civic mobilization. In doing this, the Union could cooperate with democratic parties without becoming a party itself.[312]

Most importantly, Bulgakov's ideas with their personalist, liberal and ecumenical dimensions, should be viewed as an alternative to the official state-centered Russian Orthodox

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[308] Ibid., 162-164.
[309] Papanikolaou, *The Mystical as Political*, 38-43.
[310] Papanikolaou, *The Mystical as Political*; see also Sergius Bulgakov, 'An Urgent Task', in *A Revolution of the Spirit: Crisis of Value in Russia, 1890-1924*, ed. Bernice Glatzer Rosenthal and Martha Bohachevsky-Chomiak, transl. Marian Schvartz (New York: Fordham University Press, 1990), 143-144.
[311] Bulgakov, 'An Urgent Task', 149-150.
[312] Papanikolaou, *The Mystical as Political*, 40.

Church with its ultraconservative tendencies. His views have been developed in opposition to the influential religious-philosophical Slavophile and Eurasian movements which overemphasized the distinction between Russia and the West and justified Russian exceptionalism and nationalism. To the rationalism, individualism and legalism of the West, as they perceived it, Slavophiles counter-posed the traditionalism of the Orthodox community, its ethos of communion, wholeness and interdependence, expressed in the term *'sobornost'*. This community-centered approach later evolved in a reactionary nationalist direction to the point of endorsing authoritarian regimes.[313]

In his religious philosophy, Nikolay Berdyaev also emphasizes the importance of human participation in the divine life and the active and creative involvement in community's life. His understanding is grounded in the idea of personhood as a relational concept presupposing communion with God and with others. In his view, God invites persons to participate in his divine life, which is described with the term '*theosis*' (divinization or deification). Participation in divine life of the Triune God and with other persons is presented with the concepts of divine humanity (God-manhood) and *sobornost*. The latter concept denotes both the fullness of communion between the three divine persons as well as the spirit and practice of the Christian Church. In his works, Berdyaev systematically followed the premise that the existence of true humanity presupposes communion with and participation in God.[314]

Berdyaev highlights the role and importance of personal freedom, human dignity and spiritual awakening as a precondition of a significant social transformation. On Kalaitzidis' account, Berdyaev's 'whole life and nearly all of his rich collection of written works was, as is well known, nothing but advocacy for a social and revolutionary Christianity, a Christian voice in defense of the disadvantaged and the oppressed, and an apology for a Christian socialism and anarchism, all based on the dominant themes of spiritual and personal freedom.'[315]

Berdyaev's views emphasizing free personality and participation in communion and love, affected his understanding of the law and its function in society. The human being which

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[313] Paul Valliere, 'Introduction to the Modern Orthodox Tradition', in *The Teachings of Modern Christianity*, 510-511. One of the contemporary and most influential followers of the Eurasian tradition in the Russian religious-political philosophy is Alexander Dugin. His ideas represent a synthesis of Orthodoxy with nationalism, Eurasianism, staunch anti-westernism and anti-liberalism, having strong authoritarian and imperialist leanings.

[314] Vigen Guroian, 'Nicholas Berdyaev (1874-1948)', in *The Teachings of Modern Christianity on Law, Politics and Human Nature*, 588-590, quoting Nicholas Berdyaev, *Freedom and the Spirit* (London: Geoffrey Books, 1935), 138 and Nicholas Berdyaev, *Slavery and Freedom* (New York: Charles Scribner's Sons, 1960), 44-45.

[315] Kalaitzidis, *Orthodoxy and Political Theology*, 61.

is destined for communion with God could not be reduced to formal and coercive relations that are legally regulated. The origin of law is not the divine grace and love to humans, but rather the sinful nature of men, which necessitates restrictions, limitations and direction found in the positive law. Regulation of social relations through law is a sign of lost communion and lack of love of God and the neighbor. In this respect, God should not be understood neither as a source of law, nor as a judge or enforcer of the law. Consequently, the uniqueness of human personality which reflects the divine personality is defined by love and communion, not by law. Law relates to abstract concepts, rules and typical situations and does not take into account personal uniqueness and the iconic nature of the person with respect to the divine. Yet, given that the human nature and the world are fallen and exposed to sin, law may still have a positive role in reducing violence, coercion and arbitrariness in human relations and thus securing a sphere of personal freedom and security. However, the realization of this freedom in love and communion transcends law and regulation.[316]

The political-theological interpretation of Eastern Orthodox doctrines presented in this section exemplifies some major differences and tendencies that could be found among the Orthodox scholars. Some more conservative and highly critical of the West views (Yannaras) are developed along with more moderate (Zizioulas) and social-liberal ones (Papanikolaou and Kalaitzidis). It is important that these scholars try to relate core Orthodox concepts to contemporary philosophical, political and legal doctrines thus paving the road for an intensive interaction between the formerly isolated and provincial Orthodox churches and communities and the vibrant and pluralist societies in the West. This intellectual exchange is a vital precondition for developing fully-fledged social and political integrative processes with Western countries and societies on an equal basis.

Emphasizing the values of engagement and participation, Eastern Christian scholars could be instrumental in cultivating a culture of independence and civic involvement that is decisive for building democratic polities. In their attempt to place Eastern Orthodoxy in the Western context they can rely on a tradition which started a century ago with the exiled Russian religious intellectuals (Bulgakov, Berdyaev, Florovsky) and their intellectual legacy in the West, generations of scholars from St. Vladimir's Orthodox Seminary in New York and St. Sergius Orthodox Theological Institute in Paris (among them Alexander Schmemann and John Meyendorf).

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[316] Vigen Guroian, 'Nicholas Berdyaev (1874-1948)', 598-601; Nicholas Berdyaev, *The Destiny of Man* (New York: Charles Scribner's Sons, 1960), 130; Berdyaev, *Freedom and the Spirit,* 175.

In the following section, the institutional ecclesiastic engagements with the issues of democracy, democratic values, and political theology will be highlighted. The emphasis will be on the participatory, personalist and universal dimensions of the emerging contemporary political theology.

3. Eastern Orthodox churches on democracy and political theology

Presenting a variety of interpretations of political theology in the Eastern Christian scholarship, it is now important to turn to the institutional views with respect to democracy. There is no a single approach on democracy among Eastern Orthodox churches. Clearly, views on democracy are influenced by the overall cultural and political context in which they have been elaborated. Thus it is more common for Orthodox churches, communities and individual scholars situated in the western liberal societies to endorse positive views on liberal democracy with its core elements of human rights, constitutional government and the rule of law, active civic participation. They are also supportive of interdenominational ecumenical dialogue and universal values. In contrast, national Orthodox churches and the majority of scholars in traditional Orthodox countries tend to be more critical of liberal democracy or hold at least ambivalent views in relation to different aspects of the liberal order. For these communities it is more common to endorse traditionalist political views, focused on ideas of the nation-state and nationalist political theology.

Nonetheless, these are only general observations. It is not easy to draw clear-cut distinctions due to the fact Orthodox churches and communities are not monolith groupings. For instance, many representatives of the clergy, prominent scholars and intellectuals, as well as lay members and organizations share views which are different from those of the official church authorities or the majority of population. It would be more realistic to suppose that a plurality of views and approaches to the issues of democracy, human rights and politics, exist in traditional Orthodox societies as well as in the Orthodox communities in the West. Current situation is even more complex due to the process of intense secularization in the last decades in both eastern and western societies.

The plurality of views is further enhanced by the absence of an authoritative and recognized by all Orthodox churches statement on the issues of democracy and politics. Thus, the space for country-specific and contextual approaches remains open.[317] Meanwhile, it is noteworthy that the statements of the Ecumenical Patriarchate are exemplary of a public

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[317] *The Orthodox Church and Society: The Basis of the Social Concept of the Russian Orthodox Church*, available at: https://mospat.ru/en/documents/social-concepts/ (last viewed 20.09.2014)

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engagement with universal and humanist themes (respect for freedom, human rights and human dignity, peace, toleration, communion and cooperation between nations and denominations).[318] This could be justified with the logic and the function of the patriarchal office – to testify on the universal scale for the core teachings of the Orthodox Church as an undivided communion of autocephalous churches. It should be noted, however, that on some internal Orthodox jurisdictional issues the Ecumenical Patriarchate acts in a conservative way, relying heavily on his authority and prerogatives ensured by the Byzantine tradition and recognized by the church councils. Its authority is often contested by the autocephalous churches which results in tensions and jurisdictional arguments.

In the subsequent paragraphs the institutional ecclesiastic views of democracy will be presented. The emphasis here will be on engagement with contemporary issues (democracy and human rights) rather than on the more conceptual political-theological analysis that will follow in the subsequent chapters. For now deeper theological discussions and concepts will be set aside, to open space for the current debates, documents and problems of interaction between Eastern Orthodoxy and democracy.

3.1. Ecumenical Orthodoxy

Universal engagements of the Eastern Orthodoxy with values of human dignity, human rights and democracy are usually transmitted by official statements and declarations of pan-Orthodox councils and encyclicals of the Ecumenical Patriarchate. In his institutional role, the Patriarchate is also responsible for convening and presiding pan-Orthodox meetings and councils, in the spirit of the conciliar tradition of the Eastern Orthodox Church.

The planned convocation of a pan-Orthodox council in 2016 is expected to be a remarkable event not only for the Orthodox Christianity, but for the wider international community. Given that Orthodox believers are spread across the world and the Orthodox Church is becoming globalized in the last century, decisions and declarations of the council will have an international impact. It is expected that the council will promulgate an important document that is directly related to the place and mission of the Church in the contemporary

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[318] Ecumenical Patriarch Bartholomew, 'Patriarchal and Synodal Encyclical on the 1700th Anniversary since the Edict of Milan' (19 May 2013): 'Beyond any political stance, we categorically condemn once again the use of all forms of violence, appealing to the rulers of this world to respect the fundamental human rights of life, honor, dignity and property, recognizing and praising the peaceful lifestyle of Christians as well as their constant effort to remain far from turmoil and trouble… The Ecumenical Patriarchate will never cease, through all the spiritual means and truth at its disposal, to support the efforts for peaceful dialogue among the various religions, the peaceful solution to every difference, and a prevailing atmosphere of toleration, reconciliation and cooperation among all people irrespective of religion and race.', at: http://www.ec-patr.org/docdisplay.php?lang=en&id=1671&tla=en (viewed 20.09.2014).

world. In the draft document, published in January 2016, the Church openly engages with and endorses the values of human dignity, freedom, peace and justice, tolerance.[319] These values are shared and explained in the light of the fundamental teachings of the Orthodoxy: doctrines of the Trinity, creation, and Christian personalism, as well as taking into account ecclesiological teachings and eschatological dimension. Human dignity, freedom and rights are justified in the light of the teaching of the creation of all humans 'in the image and likeness of God' and the relational nature of the Trinity. An intrinsic relation between freedom and responsibility is also underlined ('Faced with this situation, which has led to a degradation of the notion of the human person, the duty of the Orthodox Church today is, by means of preaching, theology, worship and pastoral activity, to reveal the truth of freedom in Christ … Freedom without responsibility and love leads eventually to the loss of freedom.'). The document is universalist in spirit, emphasizing the necessity for dialogue and cooperation between Christians, other religions and peoples.

[Section 1] 2. It is on this basis that it is essential to develop in all directions inter-Christian co-operation for the protection of human dignity and the preservation of peace so that the peace-keeping efforts of all Christians may become more relevant and effective.

3. The general recognition of the lofty value of the human person may become the cause for wider co-operation in the field of peace-keeping. The Orthodox Churches are called upon to help in religious dialogue and co-operation, and as a result of this to overcome all manifestations of fanaticism for the strengthening of friendship between peoples, the triumph of freedom and peace throughout the world for the good of each human person, regardless of their race and religion. Of course, this co-operation excludes both syncretism and the attempt of one religion to dominate over all the others.

4. We are convinced that as *laborers together with God* (I Cor. 3:9) we can develop on local, national and international levels joint service for the good of humanity with all peoples of good will that strive for a peace that is pleasing to God. This ministry is a commandment of God (Matt. 5:9).[320]

The theological understanding of Christian peace lies at the center of the document. Peace in the world is for the Orthodox Church an absolute value which should not be compromised.

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[319] 'The Mission of the Orthodox Church in Today's World' - Draft of document of the Pan-Orthodox Council approved by *the Synaxis of the First Hierarchs of the Local Orthodox Churches* in Chambésy, 21st to 28th January 2016: https://mospat.ru/en/2016/01/28/news127353/
[320] Following quotations are from the document, sections on: 1. *The Dignity of the Human Person;* 2. *Freedom and Responsibility*; 3. *Peace and Justice*; 4. *Peace and the Aversion of War*; 4. *The Attitude of the Church Towards Discrimination; 5. The Mission of the Orthodox Church As a Testimony of Love in Ministry*.

[Section 3] 1. The Orthodox Church has since time immemorial recognized and proclaimed that peace and justice occupy a central place in the life of peoples. Christ's revelation is characterized as the *gospel of peace* (Eph. 6:5). [...] For Christ's peace is the ripe fruit of all things united in Christ: the revelation of the dignity and majesty of the human person as the image of God, the manifestation of the organic unity of the human race and the world in Him, the commonality of the principles of peace, freedom and social justice and, ultimately, the offering of the fruits of Christian love among people and the nations of the world. True peace is the fruit of the triumph on earth of all these Christian principles. It is the peace that is from above, of which the Orthodox Church constantly prays every day, beseeching it of almighty God Who hears the prayers of those who approach Him in faith…

5. At the same time the Orthodox Church believes it her duty to encourage all those who genuinely serve the cause of peace (Rom. 14:19) and show the way to justice, fraternity, true freedom and mutual love between all the children of the one heavenly Father as between all peoples who make up the one human family. She suffers with all people who in various parts of the world are denied the benefits of peace and justice.

The Church also rejects all forms of unequal treatment of persons and discrimination based on different criteria ('The Church, in respecting, the principles of human rights and equal treatment of people, values the application of these principles in the light of her teaching on the sacraments, the family, the position of both genders in the Church and the value of Church Tradition as a whole. The Church has the right to bear witness and does bear witness to her teaching in the public sphere.').

The statement offers critical reflexes towards contemporary problems found in modern societies: materialism and consumerism, value relativism, fanaticism, discrimination, social injustice, military, ethnic and social conflicts, proliferation of nuclear, biological and chemical weapons (Sections 2, 4, and 6).

The draft of the document is criticized for not engaging more profoundly with these crucial issues. Improvements are proposed in the sections on human rights, antidiscrimination, and renewed commitment to public witness and mission.[321]

One of the important pan-Orthodox declarations, engaged with the values of democracy, human dignity and human rights, could be found in the public statement of the pre-conciliar meeting[322] held in Constantinople in March 2014:

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[321] 'Some Comments on the Mission Document by Orthodox Missiologists', The Center for Ecumenical, Missiological and Environmental Studies "Metropolitan Panteleimon Papageorgiou" (CEMES), posted on *Public Orthodoxy*: https://publicorthodoxy.org/2016/05/09/some-comments-on-the-mission-document-by-orthodox-missiologists/#more-901

[322] It has been convened as a preparatory meeting of the primates of the autocephalous Orthodox churches for organizing the Holy and Great Synod of the Orthodox Church, scheduled for June 2016.

The Church is called to articulate its prophetic word. We express our genuine concern about local and global trends that undermine and erode the principles of faith, the dignity of the human person, the institution of marriage, and the gift of creation.

We live in a world where multiculturalism and pluralism are inevitable realities, which are constantly changing. We are conscious of the fact that no issue in our time can be considered or resolved without reference to the global, that any polarization between the local and the ecumenical only leads to distortion of the Orthodox way of thinking.

Therefore, even in the face of voices of dissension, segregation, and division, we are determined to proclaim the message of Orthodoxy. We acknowledge that dialogue is always better than conflict. Withdrawal and isolationism are never options. We reaffirm our obligation at all times to be open in our contact with "the other": with other people and other cultures, as well as with other Christians and people of other faiths.[323]

Beyond its historical and jurisdictional constraints, the Patriarchate is active in international and interdenominational relations. Though, very often contested by the national Orthodox churches, the ecumenical initiatives of the Patriarchate create a rather positive image of the Orthodoxy in the international context. Themes of freedom, justice and solidarity are often at the center of its official statements.

… If human institutions are afraid of human freedom, either dispelling, or disregarding, or even abolishing it, the institution of the Church, generates free persons in the Holy Spirit... The indefinable nature of freedom is the rock of our faith.

… The Orthodox Church always – and particularly in the recent years of global changes within the last tragic century – foresees and discerns in its entirety the "prevalence in the world of peace, righteousness, freedom, fraternity and love among all peoples, and the elimination of all racial and other distinctions," as would be decided by the coming Holy and Great Synod. [324]

Being the only pan-Orthodox authority, the core function of the Patriarchate is to ensure the unity in doctrine, worship and organization of the Orthodox Church. Though not having jurisdictional primacy over the autocephalous churches, the Patriarch, as *primus inter pares*, sees himself as primarily engaged with the universal massage of Eastern Orthodoxy.

The universal engagement of the statements of the Ecumenical Patriarchate, when addressing the wider international community, is transformed into more institutional and traditionalist message when the prerogatives of the Patriarchate are at stake in the inter-

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[323] *Synaxis of the Primates of the Orthodox Churches* (Phanar, March 6-9, 2014): http://www.ec-patr.org/docdisplay.php?lang=en&id=1873&tla=en (last viewed 21.09.2014).
[324] Ecumenical Patriarch Bartholomew, 'Patriarchal and Synodal Encyclical on the 1700th Anniversary since the Edict of Milan' (19 May 2013).

Orthodox relations. On the other side, the official statements of the national Orthodox churches are often oriented to national themes and concerns, as illustrated in Chapter Two of this study.

In principle, there is a common understanding among the Orthodox churches of the importance of the basic concepts of democracy and human rights. In some of the official statements, however, concerns are raised with regards to some of their aspects (e.g. value relativism, consumerism, proliferation of specific minority rights).

It is also important to note that Orthodox churches and communities present in the Western democracies are generally supportive to the human rights and liberal political values. They are reflective and active in both church and civic life. Public engagement and participation shapes their organizational ethos. Social and charity activities form a significant part of their daily practice.[325]

3.2. Autocephalous Orthodox churches

Contemporary official statements of the Orthodox churches in the SEE region concerning democracy and human rights were presented in Chapter Two. For reasons of coherence, some major points will be rehearsed here.

After the fall of the communist regime in the SEE countries and the end of the state policy of atheism, the opportunities for active participation in the church life have been revived. Autocephalous Orthodox churches have increased their public presence and reinstated their basic freedom to preach. Democratization of society was accompanied by the public expectation for church engagement with social, educational and cultural activities. In line with the newly established democratic systems several autocephalous churches have been active and vocal in their support for democratic values and principles.

One major exception from the prevailing pro-democratic spirit of the Orthodox churches in the region was the position of the Serbian Orthodox Church in 1990s. During the Western Balkan conflicts the Serbian Church took a nationalist stance. This position was supported by influential high clerics of the Holy Synod. By the end of the 1990s the Serbian Church switched sides and started to support the pro-democratic opposition and to oppose the

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[325] For instance, in official statements of the Greek Orthodox Archdiocese of North and South America the values of human rights and democracy are directly endorsed.
See John Witte Jr., *God's Joust, God's Justice. Law and Religion in the Western Tradition* (Grand Rapids, MI: Eerdmans, 2006), 91-93; Stanley Harakas, 'Human Rights: An Eastern Orthodox Perspective' (1982) 19 *Journal of Ecumenical Studies*, 13-24.

authoritarian ultranationalist polices of the Milošević regime. With the change of the political system in the 2000s, the church has openly endorsed democratic values and principles.[326]

One of the most influential voices in support of democracy and human rights in the Eastern Orthodox context is Anastasios Yannoulatos, the Archbishop of the Albanian Orthodox Church. In his writings Yannoulatos focuses on the perspectives of community and participation that define the Orthodox approach to others and society. Emphasizing freedom and uniqueness of each person, he calls further for 'a communion of love, a society of love (*koinonia agapes*)'. The archetype of this relation is the Christian God as a personal God and Trinity, 'a sharing between persons; a unity in three and a trinity in one'.[327] This participatory spirit is represented as having universal dimension: 'The truly Christian thing is to live with the certainty that a global communion of love between free persons is an ideal that deserves to be struggled for. The truly Christian thing is to be active and productive at the local level by maintaining a perspective that is global, and to fulfill our own obligations responsibly by orienting ourselves toward the infinite – the God of Love – as the purpose and goal of life.'[328]

Developing the Christian idea of community understood as 'a *koinonia* of free persons in love', Yannoulatos emphasizes the value and importance of active participation in the life of the world. Christians, bear responsibility for the global community, they 'must participate in order to exist.' 'It is a contradiction for someone to be a Christian and at the same time to be indifferent to the world as a whole and its historical course… Christianity compels us to respond to life with action and stresses the responsibility that each of us bears for the world's development.'[329]

In respect to human rights, Yannoulatos recognizes difference in sources, methods and inspiration between the secular tradition, and the Christian notions of the person and human-divine relations. The common nexus between two traditions could be found in the respect to human dignity, and the participation in and service to the community. In Yannoulatos' perspective, human rights concepts should not be understood as hyper-individualistic, rather as oriented to the others and the community. The transcendental model of this participation is the image of Holy Trinity. He argues that 'Orthodoxy nurtures a willingness to accept people as they are, with deep respect for their freedom and without requiring them to adopt Christian

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[326] On the evolution of the doctrines of the Orthodox churches in the region after the fall of the communist dictatorships, see Chapter II.

[327] Anastasios Yannoulatos, *Facing the World: Orthodox Christian Essays on Global Concerns* (Chrestwood, NY: St. Vladimir's Seminary Press, 2003), 58-59; 21-23.

[328] Ibid., 198-199.

[329] Ibid., 31-32.

views… It also instills a deep respect for human rights and an eagerness to work with others to attain universal acceptance for human rights and to defend them'.[330]

Yannoulatos emphasizes the explicitly Christian origin of some fundamental values (equality, freedom, justice, brotherhood) which are at the center of democracy and human rights ideas. In so far as secular movements and regimes employ human rights concepts for their own purposes, this should not lead to hostility and negation towards them. He rather views these secular forces 'as collaborators in the struggle to realize our universal spiritual goals of world understanding and rapprochement.'[331]

The views on democracy expressed by the Orthodox churches and their leaders in the beginning of the 21st century mark an important evolution: from a traditionally national-oriented political theology they have developed a public theology enhancing democratic values and institutions without rejecting the concern for the national culture and traditional values. This development is not straightforward: occasional statements or campaigns in support of specific national cultural or social policies continue to shape the public image of the churches.

Eastern Orthodox engagement with democracy is not without specific challenges. Some public claims to specific group rights continue to face critical reactions on behalf of the Orthodox churches. Church leaders consider some of these claims to be contrary to the Christian tradition and doctrine. Some church statements on contested issues (e.g. abortion, euthanasia, bio-ethics) often provoke negative public comments. In a democratic society, however, churches are not required to accept the majority views on specific issues which fall in contradiction with their basic doctrines. In fact, the respect for the freedom of religion protects the churches to maintain their un-popular beliefs. This is a direct consequence from recognizing value pluralism in democratic societies. Moreover, in the SEE societies there is no popularly negotiated and accepted compromise on some of these issues, and the public space remains open to challenging views represented by different civic, political, or religious groups.

In the recent years, there is an attempt on behalf of the autocephalous churches to systematize the Orthodox teaching on some social and political issues. One of the documents engaging systematically with the concepts and principles of modern democratic state and society (human rights, democracy, rule of law, politics, civic participation) is the official

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[330] Ibid., 77.
[331] Yannoulatos, *Facing the World*, 18-19.

statement *The Basis of the Social Concept of the Russian Orthodox Church*.[332] Given the fact the Russian Church constitutes the largest Orthodox community among the autocephalous churches, also having traditionally strong relations with the churches from the SEE region (especially with the Bulgarian, Serbian and Greek), its teachings on contemporary issues are publicly visible beyond its jurisdictional borders. This document also influences conversation and debate within other Orthodox churches as well.

The main ideas and statements of *The Social Concept* could be summarized in the following theses:

(1) According to the document, the church accepts the contemporary democratic principles and pluralism in society. The church has to be concerned with the unity and peace in society and with strengthening mutual understanding and cooperation among citizens and church members. The church supports the active participation of her lay members in the institutions of government as well as in civic and political organizations. In that case, these lay persons should be mindful of the Christian spirituality, morality and justice, and defend the public good (*Chapter V. Church and politics*).

(2) According to the document, the power of the state is not divinely instituted, but is grounded in the free will of the human beings and the necessity to counteract disorder. The proper function of the state authorities is defined in terms of administering justice, maintaining order, restricting evil actions. The document also warns against the absolute and limitless power as contrary to the Christian teaching. Meanwhile, the meaning and importance of the traditional doctrine of *symphonia* is recognized in the current conditions. The document emphasizes that the church should stay fundamentally free from the state, though remaining loyal to the legitimate state authorities. Only in cases when secular governments require actions which contradict the church doctrine and mission, then its loyalty ends, and peaceful civil disobedience is possible (*Chapter III. Church and state*).

(3) The document maintains that belonging to the church does not exclude belonging to specific nation (defined in ethnic or political terms), defending and preserving national traditions and culture. It is accepted without criticism that the national dimension is reflected in the organization of the autocephalous churches. The document endorses 'Christian patriotism', the imperative for a Christian 'to love

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[332] *The Basis of the Social Concept of the Russian Orthodox Church*, at: https://mospat.ru/en/documents/social-concepts/ (last viewed 28.09.2014). The subsequent paragraphs refer to this source.

his fatherland … and his brothers by blood who live everywhere in the world...' The mission of the Orthodox Church is seen as facilitating reconciliation and mutual understanding among nations, strengthening tolerant and peaceful coexistence between different ethnic and religious groups (*Chapter II. Church and nation*).

(4) The church recognizes the role and importance of the law for maintaining peace and order in society. It also requires that the secular laws be in conformity with the divine laws. However, secular laws are by their nature limited and imperfect, their origin reflects social condition and historical development, and their force is not universal. In this part the document emphasizes that secular law contains a certain minimum of moral standards compulsory for all members of society and that conformity to the fundamental principles of divine law is a precondition for the legitimacy and validity of the secular law (*IV. Christian ethics and secular law*).

In the document there is a clear recognition of the significance of the human rights as grounded in the biblical principles. The socio-political projection of these principles necessitates due respect for the free will of the person and appropriate conditions for the exercise of fundamental rights. The document requires guarantees against encroachment of these rights and freedoms as well as institutional protections against arbitrary rule and oppression. In a Christian perspective, however, the idea of human rights needs to be connected to the higher standards and commitments to serve God, the Church, fellow humans, as well as family, state, and nation.[333]

The Social Concept as an official document of the Russian Church has received critical evaluation. It is important that the Eastern Orthodoxy, through the life and experience of the autocephalous churches, addresses in a systematic way the most important questions, relations and problems in the modern democratic context. All different social actors and stakeholders could benefit from the clear-cut approach and formulations on many vital issues found in the document. In the sensitive sphere of church-state relations, for instance, there is an attempt to draw clear lines and limits of cooperation, which exclude overstepping spheres and competences. This could be healthful for both the church and the state, and will play a preventive role against violations of religious freedom. Some of the ideas in the document are

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[333] Statements on human rights in The Social Concept are further developed in a separate, more elaborate, document endorsing even more conservative views: *The Russian Orthodox Church's Basic Teaching on Human Dignity, Freedom and Rights*, published in 2008. Available at: https://mospat.ru/en/documents/dignity-freedom-rights/ (last viewed 18.10.2014).

attempting to balance Christian doctrines with modern liberal and secular values and principles (human rights, democracy, civil society).

Along with the positive interpretation of the document, some more critical observations could be raised. One of the problematic dimensions of the document is its traditionalist and communitarian perspective, especially when the church's influence over the culture and the formation of the nation is concerned.[334]

Another challenging view in the document is the insistence on counterbalancing the modern individualist notion of human rights with an understanding that reflects communitarian ideas. It is problematic, that the church requires the implementation of the human rights to be harmonized with the norms of morality.[335] Moreover, it is stated that the exercise of human rights should not contradict one's commitments and obligations to the nation, state, and communities. In seeking social harmony and national unity, the Russian Church allows interpretations that are socially conservative and accommodationist. Not remaining vigilant and critical of the political status quo, the Russian Church in fact legitimizes authoritarian political practices.

Nonetheless, the ambivalent position of the Russian Church in regard to democracy and human rights should not be overstated. One possible interpretation of its public position is that operating in an authoritarian system the Russian Church takes a moderate stance in order to guarantee relatively free exercise of religion, to remain publicly present and to influence the social processes from within. In that context, there are also a number of Orthodox scholars, intellectuals and clergy, who oppose the collaborationist position of the church on the domestic political affairs. It should not be underestimated that Russian Orthodox communities exist in the western liberal societies where they are well integrated and are not hostile to democratic values and principles. On the other side, in the international and pan-Orthodox relations, the representatives of the Russian Church support official statements of all Orthodox churches which endorse the values of human dignity and human rights, solidarity and international cooperation.

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[334] For a critical analysis of the document, see Papanikolaou, *The Mystical as Political*, 48-49; Irena Papkova, *The Orthodox Church and Russian Politics* (Oxford: Oxford University Press, 2011), Chapter 2.

[335] For a critical overview, see Papanikolaou, *The Mystical as Political*, 93-94, 98, 127-129. Papanikolaou is critical of the overtly moralistic understanding of human rights offered by the Russian Church at the expense of applying the concept of divine-human communion, as well as to the church's claims of a privileged position in society and church-state relations.

Conclusion

This chapter has outlined the trends and tendencies within the field of the Christian Orthodox political theology by placing them in the wider context of Western political-theological thought. It is noteworthy that the political-theological themes have become increasingly popular in the last decades. This may be due to the foretasting of a crisis of the post-modern societies losing the perspectives of positivist progressivism and lapsing into value relativism. After the collapse of political religions of the 20th century, the re-emerging political theology offers a variety of approaches, paradigms and methodologies that provide meaning and purpose of political and social processes, either in the form of secularized theological concepts, or by revealing the political potential of theological doctrines. In this context, Orthodox Christianity has started to develop a comprehensive social teaching that relates to the current problems of modern democratic societies. In doing this, Eastern Orthodoxy moves beyond its classic notion of *symphonia* or nationalist political theology.

In their works Orthodox scholars have argued for an understanding of the Christian Church as universal and participatory, a community of free persons, engaged with transforming the society, not a conservative institution preserving traditional hierarchies and social orders. The potential of the Orthodoxy for engaging with the world, democracy, human rights and social injustice is also visible in the official statements of the Orthodox churches. In these documents and the social practices they inspire, the endorsement of democracy and human rights is derived from the inner commitment to its own doctrines and spiritual traditions.

To have a comprehensive presentation of the Orthodox political theology and its basic features one needs to consider the development of political-theological ideas beginning with their scriptural foundations, evolving through the Byzantine period (thought and political practice) and modified with the creation of modern nation-states. The next chapter will provide a synthesis of the development of political-theological doctrines and models in the history of the Orthodox Church. Only after understanding these traditional models and conceptualizations, the participatory political theology, advocated here, may properly be understood. Consecutively, the next chapter will focus on the biblical foundations, the Byzantine political theology of *symphonia* and the political theology of the *Christian nation*.

Chapter Four. Between Symphonia and 'Dynamic Polarity': historical political-theological models in Eastern Orthodoxy

Introduction

The relations between Christianity and secular authorities have always been as complex as challenging. For centuries, there have been struggles for dominance and influence between the two realms, on both doctrinal and institutional levels. In different historical contexts, these relations have been shaped by the predominant social, religious and cultural beliefs as well as by the practices of exercising political and ecclesiastical authority. The outcomes of this mutual influence and challenge could be found in different teachings which the major Christian churches (Roman Catholic, Eastern Orthodox and Protestant) hold in relation to the exercise of temporal power as well as to church-state relations. While this interaction is well studied within the Western theological and constitutional tradition,[336] within the Eastern Christian tradition, systematic and conceptual studies of political-theological models have not been undertaken until recently. The academic and institutional interest in relation to these models and concepts has been developed, due to the revived interaction between the Christian churches through the ecumenical dialogue and the increased migration of traditionally Orthodox communities to the Western countries. In the last decades, these changes resulted in the increasing number of studies of the interaction of Eastern Orthodoxy with the political and legal spheres in both historical and contemporary perspectives.[337]

In its long history of interaction with different political and cultural institutions, the Eastern Orthodox Church has elaborated different political-theological models. Depending on

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[336] Some authoritative sources include, Ernst Kantorowicz, *The King's Two Bodies. A Study in Medieval Political Theology* (Princeton, NJ: Princeton University Press, 1997); Carl Schmitt, *Political Theology. Four Chapters on the Concept of Sovereignty* (transl. G. Schwab) (Chicago, IL: The University of Chicago Press, 2005); Giorgio Agamben, *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government* (transl. L. Chiesa) (Stanford, CA: Stanford University Press, 2011); Harold J. Berman**,** *Law and Revolution. The Formation of the Western Legal Tradition* (Cambridge, MA: Harvard University Press, 1983), 292-294; Martin Loughlin, *Foundations of Public Law* (Oxford: Oxford University Press, 2010), 17-37; John Witte Jr., *God's Joust, God's Justice: Law and Religion in the Western Tradition* (Grand Rapids, MI and Cambridge, UK: Wm. B. Eerdmans Publishing Company, 2006), 143-169, 207-243.

[337] Alexander Schmemann, *The Historical Road of Eastern Orthodoxy* (Crestwood, NY: St. Vladimir Seminary Press, 2003); Alexander F. C. Webster, *The Price of Prophecy. Orthodox Churches on Peace, Freedom, and Security* (Washington, DC: Ethics and Public Policy Center, 1993); Aristotle Papanikolaou, *The Mystical as Political: Democracy and Non-Radical Orthodoxy* (Notre Dame, IN: University of Notre Dame Press, 2012); John Anthony McGuckin**,** *The Orthodox Church: An Introduction to its History, Doctrine, and Spiritual Culture* (Oxford: Wiley-Blackwell, 2011), 380-399; Dimiter Angelov, *Imperial Ideology and Political Thought in Byzantium* (1204-1330) (Cambridge: Cambridge University Press, 2007).

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the historical, political and social contexts, these models differed significantly. A common perspective in these models is the interaction and engagement with the world, the state, and the society, summarized in the principle: 'the Church is not *of* the world, but is *in* the world'. The development of different political-theological models could be analyzed in relation to the degrees of engagement with the state and society. In different historical periods the degree varied significantly. This chapter shares a specific intuition on church-state relations developed by the prominent Orthodox scholar and theologian John Meyendorff. As his profound observation goes, there is 'an unstable and dynamic polarity' between the secular powers and the Church. It means that the Church should be prevented 'from being fully identified with an institution defined in terms of politics, or sociology.'[338] This position, while admitting the salvific engagement with the world, emphasizes the eschatological nature of the Church: hence, it may participate actively in the world, the state, the society, but is impossible to be reduced to any of these entities.

Chapter Four begins with a section on the scriptural foundations of the Christian political-theological doctrines. They had been definitive in terms of basic concepts and models for the first three centuries. They had been distinctively suspicious of the absolute power, while remaining sober and ascetic. Then, the chapter continues with a critical study of the Byzantine doctrine of '*symphonia*', representing a powerful synthesis between the doctrines of the Church and the empire. It is emphasized that this doctrine is widely regarded as a genuine Orthodox standard of church-state relations, though very often being interpreted in a wrong direction. Next, the political-theological concept of the 'Christian nation' is analyzed. It emerged as a political-theological model based on the synthesis between Eastern Orthodoxy and modern nationalisms in South East Europe in the 19th century. During the period, national liberation movements coincided with movements for church independence, thus producing a political-theological amalgam which was employed in the process of nation- and state-building in the region.

This analysis will present a specific analogy between the political-theological models that have been developed in different epochs and the political regimes and forms of state. To the pagan empire of the first three centuries corresponds the ascetic, early Christian model of political theology, thus emphasizing the distinction between the political and the spiritual/ ecclesiastic realms, as well as revealing primarily the eschatological nature of the church. To the Byzantine imperial period, when the state and the society have been Christianized,

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[338] John Meyendorff, *Byzantine Theology. Historical Trends and Doctrinal Themes* (New York: Fordham University Press, 1999), 215-216.

corresponding political theology has been that of *symphonia,* thus emphasizing the collaboration and integration between the church and the state. The political theology of the 'Christian nation' characterizes the period of the foundation of modern nation-states in the SEE region, synthesizing the movements for ecclesial independence from the Ecumenical Patriarchate with the emerging political nationalism. Further in the study it is defended, the model of the participatory political theology corresponds to the modern pluralist, constitutional and democratic state and society.

It should be noted, these models are ideal-typical, presenting concepts and trends in particular historical periods, they are not exhausting all forms of church-state relations practiced in SEE societies. Moreover, there is often fusion and overlap between them in terms of their practical implementation (as had been between *symphonia* and *Christian nation* models in the 19th century nation-states).

1. The New Testament foundations: power, law and order

In the recent Orthodox Christian scholarship it has been pointed out that there is no unified and coherent religious-political theory of the relations between the secular authorities and the Christian Church embodied either in the Scriptures or in the canons, adopted by the church councils.[339] Different circumstances, contexts and periods have contributed to the absence of an officially proclaimed and adopted political-theological doctrine. The primary concern of the Church and of leading theologians had been to find *ad hoc* spiritual and pastoral answers to concrete struggles and controversies, instead of elaborating a comprehensive political theology. This position, however, does not reject the fact that some theologians or high clerics as well as secular authorities have always aspired to elaborate political-theological doctrines compatible with the prevailing political regime.

Looking back to the first century of Christianity, one could find in the New Testament rather contradictory statements regarding the secular powers. One of the famous statements of the Christian teaching regarding the authorities could be found in the Gospel according to Matthew: when asked by the Pharisees about the obligation to pay taxes to the government, an imminently political question, Christ answered with doubtless clarity: 'Render therefore unto Caesar the things that are Caesar's; and unto God the things that are God's' (Mt. 22:21).[340] One possible interpretation of this verse implies the division and separation between the

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[339] McGuckin, *The Orthodox Church*, 384-385.
[340] Scriptural quotations are taken from the New King James Version. Copyright © 1982 by Thomas Nelson, Inc.

divine and the secular powers. Another interpretation of the text focuses on a reading that allows for a different perspective: it is up to the person questioned to decide what belongs to the divine and what to the temporal realms. Thus, for the faithful the Kingdom of God will always have precedence over the earthly kingdom.[341] Though this statement remains open to multiple interpretations, the notion of difference and division between the heavenly and the earthly things is nonetheless there.

Furthermore, the relations between the two kingdoms are not formulated in a straightforward way. Certainly, there is an important eschatological dimension in the teaching of the coming Kingdom of God. It is a powerful and liberating message insofar the divine kingdom is not invested with the attributes of the secular power: 'My kingdom is not of this world. If My kingdom were of this world, My servants would fight, so that should not be delivered to the Jews; but now My kingdom is not from here' (Jn. 18:36). There might be different interpretations of these verses. Neither of them, however, can serve as mandating or providing legitimacy either to the claims of divine institution and superiority of the secular powers, or to any kind of a theocratic rule. Relying on the scriptural texts, the Orthodox Christianity does not consider either form of government as divinely ordained and instituted *per se*. An important perspective, however, is that the secular rule should not contradict the core of the Christian teachings, in order to be able to require allegiance from the faithful. Only then, different forms of government could be recognized and considered legitimate by the Church.

A closer look to the New Testament readings may suggest that the secular power derives from or relies on the divine will and approval. In a well-known verse, Jesus questioned the source of the Pilate's secular power, thus leaving the impression that the existence and the exercise of the secular power are dependent on the divine origin and will: 'You would have no power over me, if it had not been given to you from above' (Jn. 19:11). This statement, however, should not be considered as giving authorization to a secular ruler to decide what she or he pleases, irrespectively of the divine law. Neither this is a mandate to the particular ruler to pursue her or his own political agenda, relying on the divine sanction and legitimacy. This verse could be regarded as a recognition of God's omnipotence and related to the initial and the closing verses from the Lord's Prayer: 'Your kingdom come, Your will be

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[341] John A. McGuckin, *The Ascent of Christian Law. Patristic and Byzantine Formulations of a New Civilization* (New York: St Vladimir's Seminary Press, 2012), 137, ft. 17: 'It is a saying that has often been "de-eschatologically" rendered as an advocacy of disestablishment, but which, if understood as part of Jesus' own Kingdom of God eschatology, is explosively different from that. Jesus does not clarify what actually does belong to Caesar in this world. He deliberately left that to the wit of his correspondent, as he does to us today.'

done, on earth as it is in heaven…For Yours is the kingdom and the power and the glory forever' (Mt. 6:13). Hence, the divine will, law and presence are paramount and every earthly ruler has to take this into account.

Subsequently, there are inherent limits to the legitimate exercise of power within the Christian context. There are certain actions that secular governments cannot legislate or sanction without overstepping the Christian conscience and beliefs. For instance, compulsory participation of all citizens in the pagan rituals of the political religion of the late Roman Empire was considered unacceptable by the Christian Church. Under such circumstances, every Christian had moral and religious duty to disobey imperial orders and abstain from participation in these mandatory practices (as many did and were martyred), though many defected and were excommunicated. Similarly, during communist regimes, Christian faith was challenged by official anti-religious propaganda and many believers defected (though many remained faithful facing severe persecution). Therefore, the Christian Church very early in its history had to face the challenges of the secular authorities and to develop its teachings in relation to the exercise of a governmental power. To these challenges, the Orthodox Church has responded not with providing easy justification, sanctification or legitimacy to a particular political regime, but through elaborating limits, criteria and requirements with respect to all different political forms of government. Taking into consideration the differing practices of government in various political and cultural contexts, the voice of the Christian Church has not been uniform, but rather 'polyphonic'.

Examples of such pluralist Christian views regarding secular powers and the duties of the Christians can be found in the New Testament. There are few verses in the Paul's epistles where peaceful and obedient attitude towards the authorities prevails:

Let every soul be subject to the governing authorities. For there is no authority except from God, and authorities that exist are appointed by God. Therefore whoever resists the authority resists the ordinance of God, and those who resist will bring judgment on themselves.[342]

Therefore I exhort first of all that supplications, prayers, intercessions, *and* giving of thanks be made for all men, for kings and all who are in authority, that we may lead a quiet and peaceable life in all godliness and reverence.[343]

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[342] Rom. 13:1-2. For an influential interpretation of the meaning of Paul's message in the light of the Western political-theological tradition see, Jacob Taubes, *The Political Theology of Paul* (transl. D. Hollander) (Stanford, CA: Stanford University Press, 2003); Giorgio Agamben, *The Time That Remains: A Commentary on the Letter to the Romans* (transl. P. Dailey) (Stanford, CA: Stanford University Press, 2005).

[343] 1 Tim. 2:1-2.

> Remind them to be subject to rulers and authorities, to obey, to be ready for every good work, to speak evil of no one, to be peaceable, gentle, showing all humility to all men.[344]

Paying reverence to the secular authorities is considered a pre-condition for a good life of a Christian. However, one needs to remember that Paul, being a Roman citizen himself, was sentenced and executed by the same government to which he paid respect in the epistles. Consequently, after a number of severe persecutions of the Christians by the Roman authorities, Paul's words have been understood not literally, but conditionally, referring only to just and righteous authorities.[345]

To present the polyphony of the Christian teachings in relation to the secular powers, it is necessary to mention the most prophetic New Testament book - the Revelation of St. John. Notably enough, most of the images and metaphors referring to the earthly governments have connotations of the evil forces (e.g. the images of the beast and the dragon). Even though this book has never been used in liturgical rites of the Eastern Orthodox Church, its powerful message and apocalyptic images have never been forgotten. Framing the Christian eschatology, consisting of visions of the 'last days', this book is always challenging for the earthly authorities and hierarchies. It also nurtures Christian consciousness and vigilance questioning the legitimacy of any unjust authority.

Similarly, in the Old Testament there are number of statements which challenge the established authorities. Some of these verses have been quoted in the New Testament, thus emphasizing both continuity in understanding and ambivalence in addressing the earthly authority:

> Do not put your trust in princes, *Nor* in a son of man, in whom *there is* no help. His spirit departs, he returns to his earth; In that very day his plans perish.[346]

> Your throne, O God, is forever and ever; A scepter of righteousness is the scepter of Your kingdom. You have loved righteousness and hated lawlessness; Therefore God, Your God, has anointed You with the oil of gladness more than Your companions.[347]

These scriptural verses render a straightforward massage to the believers and the secular authorities – that God alone should be the source of and the end of all power and due respect: 'I am the Alpha and the Omega, the Beginning and the End,…who is and who was

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[344] Titus 3:1-2.
[345] McGuckin, *The Orthodox Church*, 385.
[346] Psalms 146:3-4.
[347] Psalms 45:6-7; Hebrews 1:8-9.

and who is to come, the Almighty' (Rev. 1:8). In the eschatological Christian perspective, the earthly authorities will perish, their sense of justice is limited and conditional, they will face the final victory of the omnipotent God. Earthly kingdoms are finally transcended by the Kingdom of God, the New Jerusalem descending full of glory, justice and mercy (Rev. 21:1-7). In the light of these images the earthly authorities should evaluate their governance in order to be considered legitimate and worthy of respect by the Christians.

An important dimension of the relations between the divine and the earthly kingdoms is the development of a particular understanding of the law that binds the faithful. Different meanings attributed to the concept of law could be found in the New Testament. In Paul's epistles the tension and contradistinction between the Law of the Jewish people and the mercy and grace received in Christ's name is a predominant theme:

Therefore by the deeds of the law no flesh will be justified in His sight, for by the law is the knowledge of sin. But now the righteousness of God apart from the law is revealed, being witnessed by the Law and the Prophets, even the righteousness of God, through faith in Jesus Christ, to all and on all who believe. For there is no difference; for all have sinned and fall short of the glory of God, being justified freely by His grace through the redemption that is in Christ Jesus.[348]

For Christ is the end of the law, that everyone who has faith may be justified.[349]

This teaching is interpreted not only in spiritual, but also in political-theological terms as challenging the established socio-political order.[350]

Another important notion relates to Jesus as a Law-giver himself who is not bound by the old Jewish law, but rather fulfills or transcends it: 'The Sabbath was made for man, and not man for the Sabbath. Therefore the Son of Man is also Lord of the Sabbath' (Mk. 3:27-28); 'For the law was given through Moses, but grace and truth came through Jesus Christ' (Jn. 1:17). Breaching strict Jewish laws Jesus heals suffering people during Shabbat, allows transgressions of purification rituals, thus emphasizing the spiritual, not the formal interpretation of the law (Mk. 3:1-6, 7:1-10). To the formalist interpretation of the Jewish laws defended by the Pharisees, Jesus counter-poses a substantive understanding of the law - the love to God and the neighbor as the fulfillment of the law (Mt. 22:37-40).[351]

It is also noteworthy, that the early Christian community had been organized in accordance to clear and strong moral and spiritual principles binding for every single member.

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[348] Rom. 3:20-24.
[349] Rom. 10:4.
[350] Taubes, *The Political Theology of Paul.*
[351] McGuckin, *The Ascent of Christian Law*, 18-19.

This could be interpreted as a form of emerging new Christian law shaping the structure and organization of the church as a community of believers, with its governance and the authority of the church leaders (the *episkopoi* and the *presbyteroi*), procedures of decision-making and moral code of behavior for the clergy and the believers.[352] This early development of the principles and rules of the new Christian social order allows John McGuckin to conclude that the Christian community from its very beginning started to reflect on the role of law in its organizational life. He interprets this as a form of acceptance and endorsement of the concept of the 'rule of law' understood as 'a philosophical notion involving theories of community responsibility and representation, agreed standards, and systems of maintenance for those standards: in other words, a *politeia* governed and protected by laws'.[353]

The foundations of this emerging Christian law could be discovered in the synthesis of biblical themes and concepts, in the Greco-Roman legal philosophy and the practical needs of governing distinct communities in a broader social and political context of the Roman Empire. In McGuckin's account, Christianity emerges as a religion that 'wishes to build a civilization, not one that is simply running to hide itself.'[354] This view emphasizes the public character of the Christian Church as well as its engagement with the world.

In the first three centuries of its development, the Christian Church had experienced a process of synthesizing and elaborating collections of the canon law. Notwithstanding numerous persecutions and dissident movements, the Church had assembled its rules, rituals, concepts and practices in authoritative collections which had been widely accepted and applied among Christian communities. Among these collections *The Clementine Letters* (late 1st c.), *The Didache* (2nd c.), *The Didascalia Apostolorum* (early 3rd c.) deserve attention.[355] They present the Christian Church as a community with distinct identity and self-reflection that could not be dissolved in the state.

Moreover, the Church forms a community that is not only spiritual and eschatological, but also social, with specific internal structure, order and regulations. This is even more important, in the light of the subsequent official political and legal recognition of the Church by the state in the 4th century. In this respect, the political-theological reflection of the church-state relations should take into account the distinct institutional and legal order of the Church. It had been formed during the first centuries of the Church's existence – times of intense persecution and opposition to the pagan empire. This context contributed to the predominantly

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[352] Tit. 1:5-10; 1Tim. 1:3-4; 3:1-10.
[353] McGuckin, *The Ascent of Christian Law*, 21.
[354] Ibid., 24-25.
[355] Ibid., Chapter 3.

ascetic and eschatological character of the Christian political theology of the first three centuries. In the next section, the period of Christianization of the empire and of elaboration of the imperial Byzantine political theology with its political and legal implications for the Church will be analyzed.

2. Byzantine political theology of 'Symphonia': concept, model and misconceptions

2.1. Byzantine legal culture and context

Having presented the biblical grounds of the Christian doctrines related to the exercise of political power and the concepts of law, it is also important to analyze the formulation of the Byzantine political-theological doctrines. The overarching doctrine in the Byzantine context is *'symphonia'*. It has religious, political and legal implications developing throughout the centuries. Their systematic treatment could be found in the canon and civil law of the Byzantine church and empire.

With the Edict of Milan in 313, officially granting toleration to the exercise of the Christian faith, a new form of church-state relations had been gradually developed.[356] With its raising popularity within the Imperial court and the subsequent conversion of the emperors and the vast majority of the population, Christianity was recognized as an official religion of the empire in the end of 4th century (380 AD). With this major political and institutional change of its status in society, Christianity had to reflect and accommodate to this complex, challenging and contradictory co-existence with the state. One of the direct consequences to the public role and status of the Church had been its further institutionalization and legalization. The maxim 'Ecclesia vivit lege Romana' ('The Church lives by Roman law')[357] summarizes the synthesis between the Roman institutional and legal order and the Christian values, principles and canons that had taken place since the 4th century onwards. The interdependence of canon and civil law is evident in both eastern and western Christian traditions. Moreover, elaborate codes of the Roman law (*Codex Theodosianus* and *Codex Justinianus*) include ecclesiastical rules along with civil law regulations.[358]

With respect to the connection between the canon law and the civil law, Martin Loughlin observes the following: 'The shape that early church government took was profoundly influenced by the ideology of the authority structure of the Roman Empire. Since law was a primary means of shaping the authority structure of the Empire, it is not surprising

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[356] Timothy Ware (Bishop Kallistos of Dioclea), *The Orthodox Church* (London: Penguin Books, 1997), 18-19.
[357] James A. Brundage, *Medieval Canon Law* (Abingdon, Oxon: Routledge, 2013), 111.
[358] McGuckin, *The Ascent of Christian Law*, 241-245; Berman, *Law and Revolution*, 200.

to find that, after having been adopted as the official religion of the Empire, Christian doctrine also came to be expressed in juristic terms.'[359] The imperial ideology and the Christian theology had been reflected in one of the greatest legal sources of the Western law – *Corpus Iuris Civilis*, composed between 529 and 534. The fusion between the two was expressed in the political-theological maxim gaining significance during this period: 'One God, one Empire, one Church'.[360]

The later development of the legal system of the Byzantine state had also emphasized the relations between the secular and the ecclesiastic law. The *Nomokanons* (7th and 9th c.), the *Eisagoge* (9th c.), the *Basilika* (10th c.), *Hexabiblos* (14th c.), *Syntagma* (14th c.) being collations and codifications of both civil and ecclesiastic law were instrumental in cultivating legal consciousness and respect for the law in the Byzantine state and the surrounding Eastern Orthodox countries. Some of these legal codes continued to shape the life of the Christian societies in the region under the Ottoman rule, thus ensuring continuity with the preceding Christian tradition of respect to the law – divine, canon and civil.

One of the defining features of the Eastern Church, in McGuckin's view, has been its commitment to the rule of law, as a principle of social organization and a fundamental value. In this respect, 'the Church can never give its assent to random governance, tyranny, or a self-congratulatory governmental system that does not elevate the rights of the needy alongside the privileges of the rich, seeking a balance in polity according to its fundamentally "synodical mind". Moreover, it has been noted that the Byzantine society 'had a legal system that protected civic and corporate values, that guarded both the state and Church from burdensome encroachment on the other's legitimate zones according to a viable system of subsidiarity, one that elevated communal wisdom alongside the divine right to rule, and which advocated pastoral discretion (mercy) as a core value in legal adjudication.'[361]

In the Byzantine concept of *symphonia* that emerged, directed at social cohesion and close cooperation between the Church and the state for the benefit of the Christian society, one can find endorsement of 'the principle of political association and deal-making as an integral part of good order; compact, alignment, and alliance (between all the significant agents of social rule) thus being elevated as essential safeguards to the principle of the rule of law.'[362] According to this perspective, the Byzantine law and legal imagination, both civil and

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[359] Loughlin, *Foundations of Public Law*, 19.
[360] Ibid., 22.
[361] McGuckin, *The Ascent of Christian Law*, 269-271.
[362] Ibid., 278-279.

canon, emphasized the Christian ethos and morals as its foundational sources, it turned to the values of divine justice, mercy, compassion and reconciliation for inspiration and guidance.

Beyond the similarity between the Eastern and the Western legal and canonic traditions in the first centuries, discrepancies in the political and ecclesiastical models had developed. The absence of an effective imperial power in the West along with the prominence of the city of Rome and the bishop of Rome claiming a direct succession from Apostle Peter led to the growing recognition of the ecclesiastical and political role of the pope. Claims of superiority and supremacy of the sacramental and jurisdictional powers of the pope, as being above other church and secular authorities, were supported by elaborate legal doctrines following the concepts of the Roman law. Thus, it was defended that the pope alone has *plenitudo potestatis*, that he needs to concentrate the *imperium*, *auctoritas* and *potestas* in the Church considered as a distinct visible organization – a corporation with its structure of governance, principles of representation and procedures of decision-making.[363]

Moreover, in the late 11th and 12th centuries a significant process of reorganization of the Roman Church as a powerful centralized institution was taking place along with the process of systematization and rationalization of the western ecclesiastic law. In this period, it was the *system* of law that emerged as a strong organizing principle of the Western Church.[364] Compared to the Church in the East, which also recognized imperial legal instruments and developed an ecclesiastic and canon law of its own, the juridification of the theology of the Roman Church is truly significant. In political-theological terms this tendency was emphasized by the shift of the focus from the mysticism of the Kingdom of God and the Resurrection of Christ towards his earthly suffering on the Cross and the duties toward the terrestrial kingdom that had to be performed. Furthermore, the development of the doctrines of atonement (Anselm of Canterbury) and the purgatory emphasized the legal concepts of judgment and personal responsibility for committed transgressions of the laws of the Church.[365]

It has been emphasized, that the legalistic turn of the theology of the Western Church after the 11th century, had affected the western legal science that took the form of 'a secular theology.' It is well recognized, that 'basic institutions, concepts, and values of Western legal systems have their sources in religious rituals, liturgies, and doctrines of the eleventh and twelfth centuries, reflecting new attitudes toward death, sin, punishment, forgiveness, and

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[363] Berman**,** *Law and Revolution*, 215-216.
[364] Ibid., 115-119, 204-207.
[365] Ibid., 174-181.

salvation, as well as new assumptions concerning the relationship of the divine to the human and of faith to reason.'[366] Thus, the alienation between the Eastern and Western Christian theologies and canon law systems, which started centuries earlier, resulted in the Great Schism (1054) and the subsequent tensions and contradictions in the following centuries.

From a contemporary perspective, the elaboration of the systematized and rationalized Western canon law, as well as the Investiture Struggle and controversy between the realms of *regnum* and *sacerdotium* gradually led to the emergence of the concept of church-state separation, the legitimation of sovereign secular state and the recognition of modern public law.[367] In the Christian East, however, the political and legal tradition, as well as the theological doctrines provided a context in which a more complex balance, rather than constant struggle, between the secular and the ecclesiastic powers had been practiced.

2.2. Symphonia: concept and model

Unlike the western political theology, the Byzantine political-theological doctrine did not embrace 'the two swords theory'[368] and was not framed by the ongoing struggle and competing claims of superiority between the Church and the empire. According to the prominent Orthodox scholar Alexander Schmemann, the Byzantine doctrine of *symphonia* rejected the legalistic ideas of having a concordat or a juridical limitation and division of powers, while relating the Church and the state in the recognition and defense of the Christian faith.[369]

The doctrine of *symphonia* is a form of synthesis between the imperial ideology and the institutionalized Eastern Christianity. It ensures a conditional blessing of the exercise of political power for the common welfare of the Christian society (church and state) to the extent the ruler remains faithful to the Scriptures and the Christian dogma.[370] This blessing is mediated through the Church and its higher clergy. This doctrine remained for centuries a paradigmatic one and was continuously reinterpreted and reproduced in the political and institutional orders of other predominantly Orthodox states (Bulgaria, Serbia, Russia).

In its classical form, the doctrine of *symphonia* was developed under the reign of Emperor Justinian. Consequently, it was formulated and enacted in the new imperial

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[366] Ibid., 165.
[367] Loughlin, *Foundations of Public Law*, 28-32, 37-38; Berman, *Law and Revolution*, 113-119.
[368] John Witte, *God's Joust, God's Justice*, 213-216.
[369] Schmemann, *The Historical Road of Eastern Orthodoxy*, 117.
[370] McGuckin, *The Orthodox Church*, 394.

legislation in 535. The core purpose of this promulgation was to define the proper spheres of the imperial power (*imperium*) and the ecclesiastical authority (*sacerdotium*):

There are two greatest gifts which God, in his love for man, has granted from on high: the priesthood and the imperial dignity. The first serves divine things, the second directs and administers human affairs; both however proceed from the same origin and adorn the life of mankind. Hence, nothing should be such a source of care to the emperors as the dignity of the priests, since it is for the [imperial] welfare that they constantly implore God. For if the priesthood is in every way free from blame and possesses access to God, and if the emperors administer equitably and judiciously the state entrusted to their care, general harmony (*symphonia*) will result, and whatever is beneficial will be bestowed upon the human race.[371]

Relying heavily on the Eusebius' model of the unified and centralized Christian empire and on the role of the emperor as a divinely instituted guardian of the faith and the Church, mediating the presence of the divine Word into the world,[372] the doctrine of *symphonia* goes even further. Enacted in the imperial legislation, *symphonia* becomes an established political-theological model for the centuries to come. This doctrine could be seen as a systematization of earlier theological understandings on the relation between the Kingdom of God and the earthly kingdom. In the writings of the fourth century Church Fathers (Basil the Great, John Chrysostom, Gregory of Nyssa and Gregory of Nazianzus), the existence of the political order of the state was seen in an eschatological perspective. The institutions of government were considered necessary for the good ordering of the human society. Among the most important tasks of the government were the distribution of justice and the education of people to follow the divine law. Though remaining distinct, the Church and the state were expected to cooperate in the movement towards salvation of the people and the realization of the eschatological vision of communion with God.[373]

This elaborate understanding of the interaction between ecclesiastical and political authorities had developed in the successive periods. In a legal corpus of late 9th century, *Eisagoge (Epanagoge)*, the concept was further elaborated. The concept of *symphonia* was taken to include the idea of the emperor of the universal Christian empire as being responsible for the defense of the faith, doing good and being witness of God's grace and mercy for the humans. Though there existed a certain degree of polarity and differentiation between 'divine things' and 'human affairs', this neither evolved into a sharp dichotomy between the secular

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[371] Novella VI, *Corpus Iuris Civilis*, ed. Rudolfus Schoell (Berlin, 1928), HI, 35-36, quoted in Meyendorff, *Byzantine Theology*, 213.
[372] Papanikolaou, *The Mystical as Political*, 17-21.
[373] Ibid., 23-26.

and the spiritual, nor led to extreme separation between the Church and the empire. Between the two realms, a degree of *symphonia* had to be implemented, thus ensuring cooperation and collaboration in the mission of defending the faith and introducing Christian values in the society. Moreover, in support of this close cooperation, a theological argument had been found in the doctrine of Incarnation emphasizing the divine-human communion in Christ. This emphasis on the communion, interpersonal relationship with God, the notion of *theosis* (deification) of the whole human being, the absence of ecclesiastic claims to exercise political power, had resulted in a distinct Eastern Orthodox understanding of the nature of the Church - focused on its mystical, eschatological, sacramental dimensions. This is quite different from the Western Christian understanding (until very recently) of the predominantly institutional and corporate structure of the Church ruled by the legal principles and the canon law, united under the single and supreme authority of the pope. Though the Eastern Church was also organized according to the ecclesiastic and canon law, it was first and foremost understood as 'a sacramental communion with God in Christ and the Spirit, whose membership — the entire Body of Christ — is not limited to the earthly *oikoumene* ('inhabited earth') where law governs society but includes the host of angels and saints as well as the divine head.'[374] This predominantly mystical understanding of the Eastern Church explains why it has not developed systematic doctrines of power, sovereignty, succession, limitation of powers, representation. Thus, the political imagination of the Orthodox Church has been focused on communion, on relational, interpersonal exercise of its divine and social mission, understood more in terms of charismatic ministry and witness, instead in terms of representation, legitimation or sovereignty.[375]

In Meyendorff's view, the doctrine of *symphonia* had also a negative side. It assumed that the empire was essentially Christianized, that, in reality, *Pax Romana* had become *Pax Christiana*. In that sense, *symphonia* could be viewed as an expression of a larger socio-political program, combining both Roman and Christian universalisms. The vital core of this program was equated with the 'great dream' of the Byzantine civilization: to have a universal Christian society relying on the collaboration between the emperor and the Church. This 'dream' was directed, first and foremost, to preserving and defending the faith and structuring a society based on fundamental human values – dignity, charity, and compassion. Even though the doctrine of *symphonia* was based on the understanding of the Incarnation, uniting in the personhood of Christ both the divine and the human natures, it was wrong to relate this

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[374] Meyendorff, *Byzantine Theology,* 79.
[375] Ibid.*,* 215-216.

mystical reality to the factual existence of both civil and ecclesiastical hierarchies in a particular state. Nonetheless, the doctrine continued to define the political imaginary of the late Byzantine Empire. Even in the times of significant decline, few decades before the Conquest of Constantinople by the Ottomans, when the imperial power was critically eroded, Patriarch Anthony IV restated the ultimate meaning of the doctrine of *symphonia*: 'It is not possible for Christians to have the Church and not to have the Empire; for Church and Empire form a great unity and community; it is not possible for them to be separated from one another.'[376]

The critical analysis of the doctrine of *symphonia* and of its role in the Byzantine political model is focused on its utopian assumptions: identifying the empire with the Kingdom of God, 'Roman' people with God's people.[377] In Schmemann's view, the doctrine allowed an overlap between the two realms, thus leaving no free place for the Church in Byzantine society. The Church has always considered itself a new eschatological community, being 'not *of* this world, but *in* this world', born by the baptismal water and the Spirit, the mystique Body of Christ in which God dwells and communes with human persons. In this perspective, it is impossible to reduce the richness of this spiritual and existential reality of the Church to any form of natural or social organization. For Schmemann, the challenge of the doctrine and model of *symphonia* is present in the attempt to instrumentalize the Church for the welfare and the benefit of the empire, to reduce the Church to the forms and conditions of the Christian society, to deny its ontological independence from the state and the world and to overshadow its eschatological perspective. This process of convergence between the Church and the state is even more visible in the later Byzantine ideology describing the role of the Church as the soul of the empire, while the political community is understood as the body. However, this perception contradicts the genuine Christian reflection according to which the Church is considered to be the true body of Christ and a living divine-human communion. Hence, the fallacy of the imperial doctrine of *symphonia* lies in the reduction of the Church to a mere spiritual authority, though respected and honored, having to serve the well-being of the empire.[378]

Political-theological insights found in the doctrine of *symphonia* as a paradigmatic model in the Eastern Christian context should not eclipse the existing tensions and ambivalence. For Christian scholars, it is impossible to reduce the Church to any form of

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[376] Meyendorff, *Byzantine Theology*, 213-216.
[377] Ware, *The Orthodox Church*, 42.
[378] Schmemann, *The Historical Road of Eastern Orthodoxy*, 145-151.

social organization. Even though Christianity has never rejected the benefits of statehood and society, in its core teachings it has revealed the limitations of any social or political order. Hence, claims to absolute sovereignty, allegiance or exceptionality by the social structures remain open to substantive critique on the basis of the Christian beliefs. The immediate results from the acceptance of Christianity as an eschatological faith could be seen in the desacralization of the imperial political religion and the recognition of fundamental limitations to all secular powers. For Schmemann, the only absolute and sacred objects in the beliefs of the Church have remained the God and the person:

the true postulate for a Christian world was not a merging of the Church with the state but, on the contrary, a distinction between them. For the state *is only Christian to the extent that it does not claim to be everything for man* - to define his whole life - but enables him to be a member as well of another community, another reality, which is alien to the state although not hostile to it. [379]

Being a sharp critic of the Byzantine autocracy, Schmemann interprets the doctrine of *symphonia* as rooted in the theocratic ideology of the pre-Christian state. In the value system of the Roman pagan ideology, the state is sacred and absolute, the emperor is divine, and the public exercise of the imperial cult is considered one of the most important state functions. Moreover, this form of political-religious ideology had its final goal in the well-being of the state and functioned as a sign of allegiance to the emperor and the empire. With the adoption of Christianity, the form of the imperial ceremonial and the imperial ideology had changed, however, their content and internal logic remained without significant revisions. Thus, in the Justinian's synthesis of *symphonia*, argues Schmemann, the Church was instrumentalized to serve the goals of the empire, while its otherworldly nature was not respected. Schmemann concludes his account expressing sharp criticism: 'the first chapter in the history of the Christian world ends with the victorious return of pagan absolutism.'[380] In his understanding, the doctrine of *symphonia* had emerged as only a particular and contextual expression of the Byzantine church-state relations and political-theological imaginary, affected by the long-lasting pagan traditions. In the end, this doctrine lacked the universalism and the eschatological perspective of the Orthodox Christianity, and overshadowed the true mission and message of the Church.

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[379] Schmemann, *The Historical Road*, 152.
[380] Ibid., 153.

Other Orthodox scholars share more nuanced views. According to McGuckin, the political-theological ideal, which had found its expression in *simphonia,* was about the balanced harmony between the secular and the ecclesiastical domain achieved by paying mutual respect and collaboration in the name of Christ.[381] According to Metropolitan Kallistos (Timothy Ware), a leading contemporary Orthodox theologian, each of the two elements – the imperial power and the priesthood – had its specific sphere of operation, remaining autonomous, excluding the absolute control of one over the other.[382] This more positive evaluation of the *symphonia* model is a significant change over the last decades, given the critical views that prevailed in authoritative Byzantine studies until recently.[383]

In presenting the complexity of church-state relations and political theology in Byzantine context, it is of crucial importance to distinguish the authentic Christian attitude to the imperial authority. This Christian perception should not be confused with the official imperial ideology expressed in the authoritative legal sources or political documents. According to the Orthodox Church, one of the most important limitations of the imperial authority was its subordination to the Christian doctrine and the church law. The absolute power, beyond and above the law, was considered a characteristic of the pagan times of the empire, while Christianity had endorsed the rule of law, not the arbitrary will of the ruler.

To the extent the emperor and the government remained faithful to the Christian beliefs they were considered legitimate, hence deserving support on behalf of the Church and the people. In a case they adopted heterodox views the Church withdrew its support, often at the expense of facing intensive struggles and persecutions. In the history of the Church, it was the heterodox imperial authority that persecuted a number of Orthodox clerics and saints - Athanasios, John Chrysostom, Euphemius, Macedonius, Maximus the Confessor. Hence, the *symphonia* model should not be interpreted as requiring submission to the imperial authority when it acted unjustly or violated the Orthodox beliefs and the canon law. The right of dissent in defense of the Church against heretic emperors had often been exercised leading to civil disobedience and political confrontation, to deposition of the emperor and ultimately to the restoration of the Orthodox faith.

Regardless of the rigidity of the political regime, the Church remained committed to its internal freedom and religious doctrine *vis-à-vis* the attempts of the imperial or state

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[381] McGuckin**,** *The Orthodox Church*, 394.
[382] Ware, *The Orthodox Church*, 41.
[383] Francis Dvornik, *Early Christian and Byzantine Political Philosophy: Origins and Background, Vol. 1 and 2* (Washington: Dumbarton Oaks Studies, 1966); Steven Runciman, *The Byzantine Theocracy* (New York: Cambridge University Press, 1977).

authorities to exercise control. For instance, in Byzantium, all negotiated unions with the Papacy, supported and orchestrated by the emperor and some members of the higher clergy, were resisted by the Church as a community of believers and the majority of the clergy. Some of the ecumenical councils (of Nicaea, of Chalcedon) explaining and codifying the Christian Orthodoxy were defended by the Church against the imperial endorsement of heterodox doctrines. Thus, during the period of Iconoclasm in the 8th century, the empire once again attempted to establish a state-controlled church that will support the imperial policies, but this was rejected by the majority of the Orthodox faithful. From these facts, a consistent conclusion could be drawn that portrays the Church as upholding its own freedom and resisting the authorities, in cases when the fundamental Christian beliefs were questioned by the government.

Requiring complex balances and cooperation, yet functioning in a context of continuous struggles and tensions between the church and the state, the doctrine of *symphonia* with its political-theological underpinnings should not be regarded as endorsing absolutism and arbitrary rule.[384] It provided limitations to the legitimate involvement of the imperial authority in the religious sphere and set standards for the exercises of political power. Allocating the proper spheres of influence and competence, the doctrine of *symphonia* served also as a form, though imperfect in many ways, of church-state co-existence and accommodation to social realities, which allowed the Church to play a significant role in the public space of the empire.

Originating in Byzantium, the *symphonia* model played a significant role in the political history of the SEE states and Russia, although being accepted in a modified form. In the case of the SEE states, the *symphonia* was first practiced in their medieval polities (before the Ottoman Conquest), as well as in the emerging nation-states in 19th century. The relations between the reigning monarchs and the national autocephalous churches were designed after the *symphonia* model in order to strengthen the unity and centralization of the states and to provide legitimacy and popular acceptance of the monarchical office. In this late contextual development, however, the model lost its universalist and imperial underpinnings.

The Byzantine model was also employed by Tsarist Russia as a means of harnessing the Orthodox Church in legitimation of the official imperial ideology. In this Russian imperial interpretation of the Orthodoxy a special emphasis was placed on the ideas of sacralization of Russia ('Holy Russia'), viewed as a legitimate successor of Byzantium, attributed with

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[384] Schmemann, *The Historical Road*, 167-168.

messianic and eschatological role in the world history. Accordingly, Moscow was regarded as the 'Third Rome', having the prestige and preeminence even higher than Rome and Constantinople, being purified and saved from the vices of the two previous imperial and spiritual centers.[385] This kind of post-Byzantine political theology was used to justify a centralized and absolute monarchical government as well as to provide an ideological basis for territorial expansion and domination in both Eastern Europe and Asia.

Notwithstanding the critical reflections of contemporary scholars, the doctrine of *symphonia* has been widely regarded as representing the traditional Orthodox view on church-state relations. In its moderate interpretation, it could be seen as a distinct concept between the complete separation and secularization (secular state), on the one side, and the full fusion and overlapping between the spiritual and the political realms (theocracy), on the other. It maintains that the political and the ecclesiastic spheres remain mutually dependent, but not the same, interacting with one another, but never collapsing into or consuming one another: neither complete separation, nor theocracy. The sustainability and continuity of the *symphonia* model throughout the centuries, in different social and political contexts, as well as its gradual reception in other societies in the European South East, emphasizes the importance and reality of interaction, negotiation and inclusion between the religious and the political spheres.

Rejecting any form of idealization of the concept and of its traditional and modern implementation, the doctrine of *symphonia* could be interpreted as referring to the importance of engagement with and participation in the society as a distinct form of Christian responsibility for the human persons, their political order and the world. Though not applicable in a democratic pluralist state, the *symphonia* model had been a historically valid and legitimate expression of church-state relations. With all its limitations and shortcomings, the *symphonia* model had been limited and contextual implementation of the inclusive ethos dominating the Eastern Christian theology.

2.3. Symphonia is not caeseropapism

Traditional western historiography have developed a rather critical interpretation of church-state relations in the classical Byzantine period. They usually point at the subordinate position of the Orthodox Church under the authority of the emperor and label this condition

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[385] Pantelis Kalaitzidis, *Orthodoxy and Political Theology* (Geneva: World Council of Churches Publications, 2012), 136; Kalin Yanakiev, 'Orthodoxy and Europe: the imperial instrumentalization of Orthodoxy', in his *Europe, Memory, the Church. Political-historical and Spiritual Records* (Sofia: Hermes Publishing House, 2015), 101-106 [in Bulgarian].

with the term *caeseropapism*.[386] This imprecise representation is correctly criticized by Dagron, as 'meant to stigmatize a typically Byzantine perversion of the relation between the state and Church, but …can easily be shown to have been a product of the most contradictory religious movements of modern Europe.'[387]

The elaboration of the concept of *caeseropapism* is grounded in the interpretation of the emperors' claim to exercise both ruling and sacral function (described as 'priestly kingship') during the early Byzantine period until the Iconoclastic period. These claims were initially grounded on the Old Testament readings and tradition referring to either the biblical personality of *Melchizedek* or to the sacred Davidic (kingship) and Levitic (priesthood) heritage.[388] In the light of the Christian revelation, however, these references rather had metaphorical and rhetorical meaning. Due to the fact that the Jewish law and tradition had been overcome and transformed by the grace and love of Jesus Christ, the Old Testament model of relating the ruling and the sacral function of the king had no longer been applicable for the Christian community. In that context, the rhetorical use of the Jewish royal and priestly images and symbols could not be regarded a representation of either 'theocratic' or 'caeseropapist' elements in the imperial office in Byzantium.

The contemporary Byzantine studies criticize and denounce the doctrine of *caeseropapism* as ideological and insufficient in explaining church–state relations in the Eastern Christian context. This doctrine is regarded as historically inaccurate. These studies reveal that the developments in the imperial ideology and the political thought in the late empire (13th – 14th century) are concerned with quite different tendencies. After reconquering and reestablishing Constantinople as the Byzantine imperial capital, following the fall of the Latin Empire, a distinct understanding of the imperial office had emerged. It placed a great emphasis on the limits of the imperial power, making the emperor responsible before the Church, for defending and upholding the Orthodoxy. This development could be observed in the changes in the ritual of coronation – the inclusion of the rite of anointing of the emperor with Holy Chrism by the patriarch as well as the public confession of the Orthodox faith as part of the investiture ceremony. These may be considered visible signs of the ideological shift.[389] Not only was the Church not subordinate and obedient to the empire, but quite the opposite: receiving the blessing by the patriarch and the Church was considered a prerequisite

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[386] Runciman, *The Byzantine Theocracy*.
[387] Gilbert Dagron, *Emperor and Priest. The Imperial Office in Byzantium* (transl. J. Birrell) (Cambridge: Cambridge University Press, 2003), 8; 282-312.
[388] Dagron, *Emperor and Priest*, 313-318.
[389] Georges Florovsky, 'Antinomies of Christian History: Empire and Desert' (1957) *The Greek Orthodox Theological Review*, Vol. III, No. 2, 133-159.

of the legitimacy of the emperor. In this later period, the emperor, in the words of Dagron, was 'no more as a lay man on whom was conferred only a purely formal grade of half-cleric'.[390]

Thus, in the beginning of the 14th century, it was common for the higher Orthodox clergy to emphasize the freedom of the Church from the empire and any other political authority. To some extent, this ideological development could be explained with the experience of the visible fall of the empire in 1204, while the Church had survived the Latin Conquest of Constantinople. For the contemporaries, the Church became the only living and everlasting community that could survive dramatic political disturbances and institutional crisis, while the earthly kingdom was regarded as obviously perishable.[391]

Moreover, this shift in the imperial political theology was supported by documentary sources emphasizing the primacy of the Church over the secular authorities. Recent studies suggest that the Western doctrine of papal and ecclesiastical primacy grounded in the 8th century forged document the Donation of Constantine (*Constitutum Constantini*) had entered the Byzantine political and legal thought, though in a modified version, as early as 12th century. Consequently, it was instrumentalized by the Byzantine ecclesiastics to justify their claim for an increased influence over the political authority in the late Byzantine Empire.[392] Thus, in the 14th century, the ecclesiastics assumed even more significant roles in the imperial institutions, being included as members of the supreme judicial authority (the General Judges of the Romans) and the regional imperial courts.[393]

In Byzantine studies, the doctrine of *caeseropapism* is criticized as inaccurate and misleading on different grounds. For instance, Henri Gregoire maintained that the Byzantine society accepted as legitimate certain acts of opposition to the imperial authority with regard to the religious matters. This was true, indeed, in many cases when the emperors supported non-Orthodox doctrines. In the end, the Christian Orthodoxy, supported by the Church and the majority of the population prevailed over the heterodox who were forced to leave the imperial office.[394] Another critical assessment highlights the following: 'At no time in its history had Orthodoxy regarded itself as subordinate to the State, but neither had there been a distinct separation of Church and State. At the level of theory at least, the one had not sought

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[390] Dagron, *Emperor and Priest,* 8.
[391] Angelov, *Imperial Ideology*, 393-412.
[392] Dimiter Angelov, 'The Donation of Constantine and Church in Late Byzantium', in: Dimiter Angelov ed., *Church and Society in Late Byzantium* (Kalamazoo, MI: Western Michigan University Medieval Institute Publications, 2009), 91-157; Dagron, *Emperor and Priest*, 240-241.
[393] George Ostrogorsky, *History of the Byzantine State*, transl. Joan Hussey (Oxford: Blackwell, 1956), 504.
[394] Henri Grégoire, 'The Byzantine Church', in: Norman H. Baynes and H. St. L.B. Moss (eds.), *Byzantium: An Introduction to East Roman Civilization* (Oxford: Clarendon Press, 1948), 129-130.

to gain absolute control over the other. This is generally known as the principle of "synergy".'[395]

In the history of the Orthodox churches, however, there are certain periods when the Orthodox churches had been placed under the authority of the government regardless their claims for independence and autonomy. Thus, during the reign of Peter the Great (1682-1725) in Russia some elements of *caeseropapism* were effectively introduced by means of the synodal government of the Russian Orthodox Church which lasted until the fall of the Russian Empire. The new forms of church organization led to the abolishment of the office of the patriarch and appointment of a lay state official (ober-procurator) to oversee the meetings and the functioning of the Apostolic Governing Synod. Thus, the post-Byzantine *symphonia* model was effectively dismantled. It is noteworthy, however, that this novelty in the Orthodox ecclesiastic governance – a synodic government chaired by a lay person appointed by the monarch - was transplanted from organizational structures of state-supported Lutheran churches where it first emerged. In that sense, the synodic government should not be regarded an authentic Orthodox ecclesiastic practice.[396]

Caeseropapist tendencies could be evaluated with respect to the recent history of the Orthodox churches in the 20th century. For the most part of this period the churches had to survive under powerful authoritarian and totalitarian regimes (during the inter-war period and communist dictatorship). In many cases, facing harsh political conditions and severe oppression policies, the churches were made to some extent subordinate and subservient to the powerful authoritarian states.[397] However, there also existed dissident Christian movements opposing the collaboration of the official church hierarchy with the dictatorial regimes. These periods of almost inevitable subservience with the regimes should not be considered a proof of inherent caeseropapist tendencies in the Eastern Orthodoxy. They should be more properly evaluated as regrettable compromises and concessions due to the hostile political context in which Orthodox churches had to survive often at the expense of limiting their independence and activities.

In contemporary Orthodox studies, the doctrine of *caeseropapism* is not regarded as applicable neither to the church-state relations in Byzantium, nor to the current form of

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[395] Charles Villa-Vicencio, *Between Christ and Caesar: Classic and Contemporary Texts on Church and State* (Grand Rapids, MI: William B. Eerdmans Publishing Co., 1986), 180.

[396] Paul Valliere, 'Introduction to the Modern Orthodox Tradition', in John Witte Jr. and Frank Alexander (ed.) *The Teachings of Modern Christianity on Law, Politics and Human Nature*, vol. 1 (New York: Columbia University Press, 2006), 512-516, 520.

[397] Stanley Harakas, *Wholeness of Faith and Life: Orthodox Christian Ethics. Part Three: Orthodox Social Ethics* (Brookline, Mass.: Holy Cross Orthodox Press, 1999), 112, 115.

church-state relations in the constitutional states in the SEE region, in which the Eastern Orthodoxy continues to be practiced by the majority of the population. As far as the church remains distinct and separate from the state, its clergy is not considered part of the state apparatus, and its structure and organization is not placed under the jurisdiction of the state administrative bodies, the *caeseropapist* model is not a proper description of church-state relations in Eastern Orthodox context.

The meaning of *symphonia* (as a model and a concept) points at the notion of engagement with the world and the state as a paradigmatic characteristic of the Eastern Orthodox political theology. It is often regarded as a distinctly Orthodox representation of church-state relations in the political context of SEE societies. This model underlies the political-theological synthesis of the last two centuries. In the next section this synthesis between the *symphonia* model and the emerging nationalism in the region will be highlighted. Having already presented in Chapter Two the overall socio-political context which facilitated the turn of autocephalous Orthodox churches to nationalism, here only the conceptual frame of the political-theological concept of the 'Christian nation' will be discussed.

3. The political theology of the 'Christian Nation'

The political theology of the 'Christian Nation' emerges from several different sources. It blends modern nationalist ideas with the traditional doctrine of *symphonia*.[398] It is well-known that in their medieval kingdoms, Bulgarians and Serbs struggling for recognition among the Christian states, had accepted the political models, cultural trends, legal sources, religious rites of the Byzantine empire thus becoming part of the 'Byzantine commonwealth'.[399] With the Ottoman Conquest of the region, the rich political and cultural development of the Byzantines, Bulgarians and Serbs was eclipsed and overshadowed for centuries. Once being applied in the context of medieval empires, in the 19th century *symphonia* model was confined within the borders of the nation-states, thus being provincialized and nationalized.

After the successful liberation movements, the formation of modern nations and nation-states, the model of *symphonia* being preserved as a political-theological ideal of the Eastern Orthodox peoples, had to be accommodated to the new political realities. The doctrine of the 'Christian nation' emerged as a synthesis between the political and religious legacy and

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[398] Victor Roudometoff, *Globalization and Orthodox Christianity. The Transformations of a Religious Tradition* (Oxford: Routledge, 2014), 79-101.

[399] Dimitri Obolensky, *The Byzantine Commonwealth: Eastern Europe, 500-1453.* (New York, NY: Praeger Publishers Inc., 1971), 3-4.

the new political realities.[400] This development was taking place along with the religious-political movements for independence of the Orthodox churches from the Ecumenical Patriarchate. These movements were infused with a nationalist spirit and revolutionary political imaginary from the beginning. Church independence was conceived as a pre-condition for achieving political independence from the Ottoman Empire. Once the new nation-states had been established, they relied on the national autocephalous churches to support their political agendas of pursuing national unity and effective governing centralization. For the newly emancipated national churches the generous support on behalf of the state was vital for ensuring their effective and sustainable organization and resources, as well as for increasing their public presence and recognition. Hence, the alliance between the nation-states and the autocephalous national churches was seen as a symbiosis beneficial to both sides – mutual legitimation, recognition and reinforcement in the service of the Christian nation.

This development, however, is not to be evaluated only positively. Through the process of nationalization and compartmentalization of the Orthodox Church its universal mission was in fact weakened. These isolationist and nationalist tendencies overshadowed the ecumenical and eschatological dimension of the Orthodoxy which was visible, at least in principle, in the Byzantine political-theological model. The political and cultural boundaries of the nations coincided with those of the national Orthodox churches.[401] The sacramental body of the Church overlapped with the national political body thus infusing politics in the religious sphere, and sacralizing the national political realm. This in turn contributed to the emergence of political religions (national exceptionalism and messianism) which were ideologically instrumentalized in the military conflicts of the last century.

It is important to note that the concepts of symphony, autocephaly, or ethno-nationalist political theology (religious nationalism) are not part of the church dogma, of its core doctrinal beliefs, properly speaking. In no way their implementation is a proof of an authentic Orthodox practice and belonging. Moreover, they could be presented as particular accommodations to the political and cultural circumstances (as the *ethnarchy* model during the Ottoman domination). One of these concepts, *ethnophiletism*, representing religious nationalism in its extreme form, been declared heretical, contradicting the core of the ecumenical Orthodox Christian teaching. This was decided by the church council in 1872

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[400] Andrew Louth, 'Ignatios or Eusebios: Two Models of Patristic Ecclesiology' (2010) 10 *International Journal of the Study of the Christian Church* 1, 46-56.
[401] John Meyendorff, *The Byzantine Legacy in the Orthodox Church* (New York: St Vladimir's Seminary Press,1983), 225-229.

convened by the Ecumenical Patriarch of Constantinople to excommunicate the newly founded autonomous Bulgarian Exarchate which served the nationalist and liberation cause of the Bulgarian population in the Ottoman Empire. It is remarkable in this case, that the Ecumenical Patriarchate itself was a powerful exponent of ethnocentric policies, defending the superiority of the Greek ecclesiastic and secular establishment within the empire as well as its dominance over other ethnic groups.[402] The outcome of the process of nationalization of the Orthodoxy could be seen in the wide-spread traditional equation and overlap between the religious self-identification as an Orthodox believer and the ethno-national identity - to be Bulgarian, Serbian, or Greek almost always means describing oneself as Orthodox and *vice versa*.[403]

Continuing absence of a centralized and universal church governance very often leads to dependency on local political and social forces and conditions. To that extent, the traditional understanding of *symphonia* (in its reception in the form of ethno-nationalist political theology) is instrumentalized by the national churches, in order to secure their privileged positions in SEE societies in times of social and political change, of intensified secularization and democratization. In its current nationalist form the *symphonia* model should not be understood as an expression of authentic Orthodox doctrines. Instead, it is employed in order to secure support and protection on behalf of the state. Moreover, the continuing structural weakness of the church as a social organization preconditions its turn towards the state – seeking special protection and privilege, offering legitimation and ideological support for the political establishment and the governmental policies.[404]

The visible signs of this nationalization of the Orthodox churches could be seen in the changed understanding of the concept of autocephaly. In the first centuries, the leading principle of organization was territorial, where the bishops presiding over the local churches in the larger cities and imperial centers of the province (*metropolis*) enjoyed higher prestige and honor. Nevertheless, they remained 'first among equals' among other bishops of neighboring regions. The regional church governance emerged as conciliar, whereas bishops from the provinces met regularly in regional councils (*synodoi*) to decide on organizational and doctrinal issues. The territorial church organization followed the administrative divisions of the state, while the ecclesiastical jurisdiction was exercised regardless of the ethnic identity

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[402] Meyendorff, *The Byzantine Legacy*, 227-228; Kalaitzidis, *Orthodoxy and Political Theology*, 66-68.

[403] Petros Vassiliadis, 'The Universal Claim of Orthodoxy and the Particularity of its Witness in a Pluralistic World', Holy Cross Greek Orthodox School of Theology (5 October 2002): http://www.goarch.org/special/pluralistic2002/presentations/vassiliadis (viewed 7.08. 2015).

[404] Evangelos Karagiannis, 'Secularism in Context: The Relations between the Greek State and the Church of Greece in Crisis' (2009) *Arch. europ. sociol.*, L, 1, 133–167.

of the population. With the emergence of the modern nations and nation-states, however, the territorial model of ecclesiastic organization was to a larger extent replaced by the ethno-national - the limits of ecclesiastic jurisdiction coincided with the ethno-national borders extending even beyond the political borders of the state. The recognition of autocephaly started to depend on the nationalistic goals of the newly founded nation-states.[405]

This logic of the historical process in the SEE societies – of almost simultaneous emergence of the autocephalous national churches and the nation-states, facilitated the instrumentalization of the Church for religious-nationalistic causes in several ways: the autocephalous churches had been made subservient to the nationalist policies of authoritarian political regimes (including ethnic or linguistic assimilation of minorities); had been used to facilitate the process of sacralization of the idea of the glorious nation, and in elaborating expansionist messianic mythology (e. g. the idea of 'Greater Serbia'). Although these policies have always been contrary to the Orthodox theology and the authentic mission of the Church, national churches have been widely receptive in developing quasi-theological doctrines which justify their implementation. Even more problematic, these religious-nationalistic teachings have received their public recognition and official sanction in statements and documents issued by higher ecclesiastic authorities.

To illustrate this questionable religious-political synthesis one does not need to look in the distant past. In 2015 two statements – of a high cleric of the Russian Orthodox Church, and of the Holy Synod of the Bulgarian Orthodox Church - highlighted the tensions within the Orthodox tradition in relation to contemporary liberal democracy. In April 2015, then archpriest Vsevolod Chaplin, chairman of the Synodal Department for the Cooperation of Church and Society of the Moscow Patriarchate,[406] stated that according to the Orthodox perspective the desired form of government is a synthesis between centralized monarchy and socialism. This synthesis should be based on the values of strong statehood, solidarity, *sobornost* (conciliarity) and justice. Moreover, in this new political system the unity of faith will secure the unity between the people and the power.[407] In another public statement Chaplin urges predominantly Orthodox countries in Eastern Europe not to adopt Western liberal democratic model, instead they need to rely on their specific traditional political models (which, in fact, include forms of authoritarianism, oligarchy and traditional non-

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[405] Meyendorff, *The Byzantine Legacy*, 242-243.
[406] Chaplin was released from office in December 2015 without public explanation of motives.
[407] 'Russia needs a blend between monarchy and socialism', *Dnevnik Daily* 03.04.2015: http://www.dnevnik.bg/sviat/2015/04/03/2505572_rusiia_se_nujdae_ot_smes_ot_monarhiia_sus_socializum/ (7.08.2015).

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democratic social hierarchies).[408] Chaplin is also a representative of the apocalyptic thinking among contemporary Russian Orthodox circles who see Moscow as the Third Rome, called to defend the Christian civilization, surrounded and attacked by the aggressive forces of Western liberalism and materialism, Islamism, and gay-rights movements.[409] Undoubtedly, this official ecclesiastic representative expresses public opinions widely shared among influential members of the higher clergy of the Russian Orthodox Church. These statements do not represent a form of engagement with the society in line with the personalist and participatory Christian concepts. In fact, his positions, taking into account existing secular and church hierarchies, express an ideological synthesis that does not correspond to the values of human dignity, personal freedom, social and political pluralism. These positions provide support and legitimation of the current authoritarian regime in the country.

The recent case illustrating the engagement of the autocephalous Orthodox churches with both the *symphonia* and the 'Christian nation' model refers to a decision of the Synod of the Bulgarian Orthodox Church. In April 2015, the church decided to include in the text of the religious services an invocation of the name of the former Bulgarian king (1943-1946) – Simeon II (Saxe-Coburg-Gotha) with the styling – 'the devout and Christ-loving Tsar of the Bulgarians Simeon'. Moreover, this formula was included in the liturgical text before the traditional blessing prayer for the government and the people, thus receiving precedence.[410] This decision provoked immediate critical reaction among active groups of lay members of the church and some members of the clergy, being interpreted as a sign of church's involvement into politics and as an act in collision with the established republican constitutional order. It is noteworthy, that there was no proper and adequate justification of this synodal decision. It would have been more appropriate if Bulgaria was still a monarchy in which Orthodoxy enjoyed the status of an official state religion. It is completely unacceptable, however, in a constitutional republic which does not recognize monarchic and aristocratic ranks and where the church is separated from the state and officially accepts the democratic constitutional order. Thus, after the active public opposition to the decision, it was not

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[408] 'Archpriest Vsevolod Chaplin advises Orthodox countries not to adopt Western democracy models', *Pravmir.com*, 29.11.2013: http://www.pravmir.com/archpriest-vsevolod-chaplin-advises-orthodox-countries-not-to-adopt-western-democracy-models/ (7.08.2015).

[409] Daisy Sindelar, 'Orthodox Priest Gives Russians One More Thing to Worry About', *Radio Free Europe/ Radio Liberty* 26.02.2015: http://www.rferl.org/content/russia-orthodox-priest-novel-machaut-and-the-bears-shemaiyer-chaplin/26870612.html (7.08.2015).

[410] Bulgarian Patriarchate, *Decision of the Holy Synod for invocation of Simeon II, Tsar of the Bulgarians in religious services,* 29.04.2015: http://www.bg-patriarshia.bg/news.php?id=172424 (7.08.2015).

implemented in practice. This case also indicates that some members of the high clergy still endorse the traditional *symphonia* model intertwined with the nationalist ideology and fail to fully appreciate the contemporary democratic and republican model. There is also a positive sign: the immediate critical reflection on behalf of the laity and civil society shows that within the church there are communities who openly endorse modern democratic constitutional order.

In a broader perspective, due to the nationalization of the churches in the last two centuries, the organizational unity of the ecumenical Orthodoxy is also affected. Very often tensions and disputes arise in regard to ecclesiastic jurisdictional matters sometimes causing a temporary loss of communion between some autocephalous Orthodox churches. The very slow process of convening the highest canonical body of the Church in matters of faith and doctrine – the ecumenical council of bishops – is also indicative of the challenges which the Orthodox churches face. Though the first steps of the process were initiated decades ago and many preparatory pre-conciliar meetings were held, the final decision was to convene the Holy and Great Council of the Orthodox Church in June 2016.[411] Beyond the continuing tensions with regards to organizational issues, the council is expected to be a remarkable event, at an ecumenical scale, that will send a message of Christian engagement and universal witness of the Orthodoxy, expressing concerns for the protection of human dignity, fundamental rights and freedoms, justice and peaceful international cooperation.

Political-theological dimensions of the 'Christian nation' model continue to attract interest on behalf of contemporary Orthodox scholars and to inspire different ideological speculations. Eclipsing the demarcation between the political, cultural and religious spheres, this model could be used by non-democratic forces in some of the countries in Eastern and Southeastern Europe. It is very often combined with other concepts and ideas (*Slavophile* or Eurasian in Russia) which are used to support an anti-Western political agenda, opposing liberalism, constitutional government and pluralism in the Western societies. In this ultra-conservative and reactionary interpretation of the model, there is no place for human rights and diversity (viewed as symbols of dangerous subjectivism, value relativism and atomization of society), neither for the rule of law and limited government (symbols of a liberal, individualist and secular order).[412]

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[411] The council is expected to take place in Crete (Greece) in the last week of June 2016.
[412] Bill Bowring, *Law, Rights and Ideology in Russia. Landmarks in the Destiny of a Great Power* (Oxford: Routledge, 2013), Chapter 1 and Chapter 10.

When interpreted and practiced as requiring a form of organic unity between the church, the state and the nation, the *Christian nation* (*symphonia*) model may nonetheless challenge the process of democratic consolidation in Southeastern Europe. Moreover, the authoritarian political theology currently practiced in Russia creates some risks and challenges to the fragile SEE democracies, given their historically established cultural, religious and political ties with Russia. Under the guise of a religious and cultural exchange, masking non-democratic practices as common (Slavic-) Orthodox heritage, Russia can easily export them to the SEE societies (under the expansionist form of pan-Slavism, pan-Orthodoxism or Eurasianism). Certain aspects of this authoritarian political theology may be directed at questioning the geopolitical orientation of the SEE region (currently towards the Western alliances – EU and NATO) and proposing an alternative to the 'Western hegemony' (the emerging Eurasian Economic Union as an alternative), as the intellectual propagandist of the Putin's regime Alexander Dugin suggests.[413]

In this context, the Schmitt–Peterson debate about the possibility of an authoritarian political theology based on Christian concepts becomes relevant again and could inform the ideological and political choices of the SEE societies. The purpose of the present study is to advocate for and elaborate an alternative to the non-democratic political theology. This alternative should be based on the core Christian concepts and practices, and will endorse a political theology that respects human dignity and personal freedom, that is participatory, personalist and universalist in its claims.

Conclusion

This chapter presents political-theological models developed in Eastern Christian context as corresponding to the general political and ideological frame of a specific period. In the first centuries of the Christian history, eschatological and ascetic perspectives predominated. The political authorities and the legal order had been supported to the extent they remained just and respectful of the freedom, dignity and autonomy the Christians and their eschatological community.

During the imperial Byzantine period, the political theology of *symphonia* emerged focused on the cooperation and collaboration between the spiritual and the political realms for

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[413] As Dugin advocates in his geopolitical treatise defending expansionist, ultra-conservative and authoritarian policies: Alexander Dugin, *The Foundations of Geopolitics* (Moscow: Arctogaia, 2000). See also Alexander Dugin, *Eurasion Mission: An Introduction to Neo-Eurassianism* (UK: Arktos Media Ltd., 2014); Alexander Dugin, *Last War of the World-Island: The Geopolitics of Contemporary Russia* (UK: Arktos Media Ltd., 2015). Some papers are also available at the Dugin's Internet blog: http://dugin.ru/

the benefit of the state and the society. *Symphonia* model included proper allocation of responsibilities and competences between the church and the state, and more concretely between the offices of the patriarch and the emperor without collapsing into forms of theocracy, caesaro-papism or complete church-state separation. This model had been largely practiced in the emerging medieval states in the SEE region thus becoming a paradigmatic model of church-state relations in the Christian East.

During the period of the national liberation movements and the foundation of nation-states, the fusion and overlapping between the traditional *symphonia* model and the religious nationalism produced the concept of the *Christian nation* and the corresponding political-theological model. This model had been defended by both the autocephalous national churches and the reigning monarchs. Hence, the national church legitimated the nation-state and *vice versa*. This political-theological development affected negatively the Christian witness and mission in a more ecumenical sense. This is mainly due to the fact that in its more radical forms this political-theological model has triggered exceptionalism, expansionism, ultra-conservatism and anti-Westernism which challenged the process of democratic consolidation and European integration of some of the Western Balkan states.

It should be noted that the explanation of the emergence of these models is contextual. Until very recently, Orthodox churches have developed in political contexts that have been non-democratic. This, in turn, affected their organizational structures and capacity. The negative effects from this contextual development have been the dependency on the state, a predominantly conservative hierarchy and absence of an initiative from below.[414] Under these conditions, the inherent Orthodox values of personality, human dignity and freedom, conciliarity, participation, synergy have often been obscured. This study aims at reconstructing the meaning and importance of these core values and concepts by connecting them in a political-theological model that endorses democracy, human dignity and human rights.

In this evaluation, however, it is important to approach with critical distance either of these models (*symphonia* and *Christian nation* models). Their ideal-typical representations and implementation collide with the universal, personalist and participatory dimensions of the

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[414] Elizabeth H. Prodromou, 'Orthodox Christianity, Democracy and Multiple Modernities', Holy Cross Greek Orthodox School of Theology (4 October 2002), available at:
http://www.goarch.org/special/pluralistic2002/presentations/prodromou (9.08.2015).

An opposing view, emphasizing the generic difference between the Eastern Orthodox and the Western Christian (Catholic and Protestant) perception of the basic democratic values, human dignity and human rights, as well as the Orthodox incompatibility with the Western democratic and rights-oriented tradition, see: Adamantia Pollis, 'Eastern Orthodoxy and Human Rights' (May 1993) 15 *Human Rights Quarterly* 2, 339-356.

Orthodox theological concepts. Neither of these models follows strictly the conceptual and dogmatic meaning of the Orthodox doctrines, even less are they adequate and applicable to the contemporary democratic development. In contrast, the participatory political theology that will be advocated in the last chapter faces the challenges of democratic society and answers with civic engagement, and commitment to personalism, community and universalism. It will be demonstrated that the new political-theological model better corresponds to the values, ethos and principles of the democratic society.

Chapter Five. Participatory political theology: concepts and perspectives

Introduction

In this last chapter a synthesis of the key elements and concepts of participatory political theology will be elaborated. On the basis of the historical contexts and experiences, considering traditional political theologies (*symphonia* and *Christian nation*) and analyzing the development of ideas in the previous chapters, the structure of the new participatory political theology will be constructed. Focused on the inherent Orthodox values of personalism, participation and universalism, engaging with core concepts and doctrines in the Christian theology (theosis and synergy, ecclesia and Eucharist, conciliarity and catholicity, economy and eschatology) the new political-theological model will be presented as overcoming both *symphonia* and *Christian nation* models. It will be emphasized that the new political-theological model better corresponds to the contemporary democratic political framework and it could enhance and support the democratic ethos and consolidation of democracy in the region of Southeastern Europe. Moreover, if it is accepted in the public sphere, it may prevent the political instrumentalization of religion and its use in legitimization of authoritarian politics (as it was the case in Serbia during Milosevic's regime, or as it is happening now in Russia under Putin's authoritarian regime).

It should be noted that despite its undemocratic legacies in a historical perspective, in terms of its theological system Eastern Orthodoxy has maintained and developed a comprehensive teaching without compromising its core beliefs. Notwithstanding some instances of accommodationist policies at ecclesiastic institutional level under different political and social conditions, theological doctrines of the Orthodox Church have been preserved largely uncorrupted by the quest for political power or domination. Namely these core teachings with their ecumenical and universalist, personalist and participatory dimensions will play the central role in constructing the participatory political theology.

This chapter will engage with and analyze core Christian concepts which represent the major themes of the Orthodox Christian belief: the nature of divine-human communion in the light of the Trinitarian doctrine and Incarnation (theosis and synergy); the Christian communion as an assembly (ecclesia) and spiritual communion (Eucharist); principles of a Christian polity (conciliarity and catholicity); Christian engagement with the world (economy) and the foretasting of the world to come (eschatology). Each of these concepts,

with its theological meaning and political potential, contributes to the core values and principles of the participatory political theology.[415]

1. *Theosis and synergy*

One of the fundamental concepts which expresses the Orthodox view of achieving communion with God is *theosis* (θέωσις). Literally, it means divinization, or deification of the human being entering in communion with God and thus becoming God-like. The origin of this concept is scriptural – human persons are created in the image and likeness of God (Genesis 1:26), are invited to be 'partakers of the divine nature' (2 Peter 1:4), are able to become 'God's temple' (1 Corinthians 3:16), and allow Christ to live in them (Philippians 1:21). In the eschatological perspective, in the Kingdom of God, persons will 'be like Him … shall see Him as he is' (1John 3:2). The predominant theme and notion here is that of participation, of openness to the divine life, of dynamic relationship and of active engagement, whereas human freedom becomes an unalterable precondition for the communion with God.[416] Even more importantly, according to the prevailing Eastern Orthodox views, human freedom is not limited by God, but depends on active participation in divine energies and openness to divine life:

> Thus, there is no opposition between freedom and grace in the Byzantine tradition: the presence in man of divine qualities, of a "grace," which is part of his nature and makes him fully man, neither destroys his freedom nor limits the necessity for him to become fully himself by his own effort; rather, it secures that cooperation, or synergy, between the divine will and human choice, which makes possible the progress "from glory to glory" and the assimilation of man to the divine dignity for which he was created.[417]

The Eastern Christian doctrine of *theosis* presupposes *synergy* (cooperation) between God and humans, thus revealing the essentially human ability to 'participate' in God, to cooperate with God in the process of salvation and deification. In the Orthodox theology the

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[415] For evaluating the significance of theological doctrines of the Orthodox Church (the Trinity, ecclesia, the theology of creation and personhood) as enhancing democratization in traditionally Orthodox countries, remaining at the same time ambivalent with respect to some aspects of globalization and pluralism, see Elizabeth H. Prodromou, 'The Ambivalent Orthodox' (April 2004) 15 *Journal of Democracy* 2, 62-75:
'To judge by Orthodox theology, whose reflections on the triune God lead it to put a strong emphasis on freedom and equality, Orthodoxy and democracy should be intrinsically compatible. The Orthodox tradition believes that freedom, choice, and human agency are the prerequisites for all forms of social change: Surely there is a strong affinity for basic democratic principles and values here. Furthermore, the Orthodox Church's emphasis on integration as a principle of both organization and action is another example of affinity with democracy, understood as a system of peaceful conflict regulation.', see Ibid., 65.
[416] John Meyendorff, *Byzantine Theology. Historical Trends and Doctrinal Themes* (New York: Fordham University Press, 1999), 138-139.
[417] Meyendorff, *Byzantine Theology*, 139.

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1. *Theosis and synergy*

One of the fundamental concepts which expresses the Orthodox view of achieving communion with God is *theosis* (θέωσις). Literally, it means divinization, or deification of the human being entering in communion with God and thus becoming God-like. The origin of this concept is scriptural – human persons are created in the image and likeness of God (Genesis 1:26), are invited to be 'partakers of the divine nature' (2 Peter 1:4), are able to become 'God's temple' (1 Corinthians 3:16), and allow Christ to live in them (Philippians 1:21). In the eschatological perspective, in the Kingdom of God, persons will 'be like Him … shall see Him as he is' (1John 3:2). The predominant theme and notion here is that of participation, of openness to the divine life, of dynamic relationship and of active engagement, whereas human freedom becomes an unalterable precondition for the communion with God.[416] Even more importantly, according to the prevailing Eastern Orthodox views, human freedom is not limited by God, but depends on active participation in divine energies and openness to divine life:

> Thus, there is no opposition between freedom and grace in the Byzantine tradition: the presence in man of divine qualities, of a "grace," which is part of his nature and makes him fully man, neither destroys his freedom nor limits the necessity for him to become fully himself by his own effort; rather, it secures that cooperation, or synergy, between the divine will and human choice, which makes possible the progress "from glory to glory" and the assimilation of man to the divine dignity for which he was created.[417]

The Eastern Christian doctrine of *theosis* presupposes *synergy* (cooperation) between God and humans, thus revealing the essentially human ability to 'participate' in God, to cooperate with God in the process of salvation and deification. In the Orthodox theology the

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[415] For evaluating the significance of theological doctrines of the Orthodox Church (the Trinity, ecclesia, the theology of creation and personhood) as enhancing democratization in traditionally Orthodox countries, remaining at the same time ambivalent with respect to some aspects of globalization and pluralism, see Elizabeth H. Prodromou, 'The Ambivalent Orthodox' (April 2004) 15 *Journal of Democracy* 2, 62-75:
'To judge by Orthodox theology, whose reflections on the triune God lead it to put a strong emphasis on freedom and equality, Orthodoxy and democracy should be intrinsically compatible. The Orthodox tradition believes that freedom, choice, and human agency are the prerequisites for all forms of social change: Surely there is a strong affinity for basic democratic principles and values here. Furthermore, the Orthodox Church's emphasis on integration as a principle of both organization and action is another example of affinity with democracy, understood as a system of peaceful conflict regulation.', see Ibid., 65.
[416] John Meyendorff, *Byzantine Theology. Historical Trends and Doctrinal Themes* (New York: Fordham University Press, 1999), 138-139.
[417] Meyendorff, *Byzantine Theology*, 139.

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human person is not in a passive state of total corruption and deprivation only awaiting the divine grace. The human person is not excluded from the process of acquiring the 'image and likeness' of God, thus actively participating in one's salvific process. Moreover, it is maintained that human persons attain their full humanity as long as they are in communion with God. The only way of deification (*theosis*) is through remaining open to God along with preserving both human freedom and consciousness.

The opposite understanding, that of complete separation and disunion between the divine and the human, faces the risk of exploiting non-Orthodox concepts which either erode or improperly elevate human nature. The opportunity of *theosis* and communion with God is fundamental for the Orthodox understanding and it is inherently linked to the Christian belief in the Holy Trinity. Given that the relations in the Trinity are penetrated by love and communion, the creation of the human person in the 'image and likeness' of God the Trinity means that communion and participation are defining features of the human nature as well.[418]

Being created in the 'image and likeness' of God has an ontological meaning for humans which shapes their further spiritual development. 'While "image" emphasizes the ontological beginning of humanity, *theosis* emphasizes the ontological end or *telos* of man. Both say that "authentic humanity", "true humanity", "perfect and complete humanity" are realized only in relationship with the divine prototype of humanness.'[419]

In this respect, it is also significant that relations in the Trinity are truly interpersonal (between the persons of the Father, of the Son and of the Holy Spirit) and existential, not abstract or functional. The Christian God is a communion of divine persons sharing one divine essence, who could not be represented as an abstract philosophical absolute.[420] First and foremost, God is a person in communion, not an absolute monadic substance. The Orthodox Christian concept of God the Father is personalist, emphasizing his personal relations with the Son and the Spirit, who emanate from him. In the Orthodoxy (unlike the Catholic theology), the Father is perceived in terms of love and engagement, not in terms of power and dominance. This difference is visible in the use of the Greek term *pantokrator* (παντοκράτωρ) in the Nicene Creed,[421] which has the meaning of all-embracing and

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[418] John Zizioulas, *Communion and Otherness: Further Studies in Personhood and the Church*, ed. Paul McPartlan (New York: T&T Clark, 2006), 5-6.

[419] Stanley S. Harakas, *Wholeness of Faith and Life: Orthodox Christian Ethics. Part Three: Orthodox Social Ethics* (Brookline, Mass.: Holy Cross Orthodox Press, 1999), 9.

[420] Kallin Yanakiev, *The God of Experience and the God of Philosophy. Reflexes on God-knowing* (Sofia: Anubis, 2002), Chapter five [in Bulgarian].

[421] To make a comparison between the Greek, English and Latin translation of the Nicene Creed: 'Πιστεύω εἰς ἕνα Θεό Πατέρα Παντοκράτορα' - 'I believe in God the Father almighty' - 'Credo in unum Deum Patrem omnipotentem'.

containing-all-things, it is relational, while the Latin translation of the same word is 'omnipotens', thus accentuating the dimension of power and dominance (*potestas*). In conceptual terms, there is truly a difference between having a divinity who establishes relations of communion and love, and the one who is primarily seen as a sovereign omnipotent ruler. Having referred to these aspects, Zizioulas concludes, that in the Orthodox understanding 'creation becomes mainly an act not of divine power (omnipotence) but of divine communion, that is, of an involvement of created existence in the Father-Son (and Spirit) relationship.'[422]

Hence, the event of communion and participation between the persons of the Triune God and the human being entails a personalist experience: human person enters in communion with each of the divine persons, not with an abstract essence of God the Absolute.[423] This personalist approach takes an important place in constructing the participatory political theology. Moreover, it is intrinsically linked to the freedom of the person, both divine and human. Freeing oneself from the necessity and limits of the nature and relating to the person of God, is the way of *theosis*, of 'becoming God-like'. Thus, the Orthodox theology accepts freedom, communion, uniqueness, and irreducibility as defining qualities of the personhood:

…the person is not a secondary but a primary and absolute notion of existence. Noting is more sacred than the person since it constitutes the 'way of being' of God himself. The person cannot be sacrificed or subjected to any ideal, to any moral or natural order, or to any expediency or objective, even of the most sacred kind. In order to *be truly* and *be yourself*, you must be a person, that is, you must be free from and higher than any necessity or objective – natural, moral, religious or ideological. What gives meaning and value to existence is the person as absolute freedom.

…The person cannot exist in isolation. God is not alone; he is *communion*. Love is not a feeling … Love is a *relationship*… Personal identity can emerge only from love as freedom and from freedom as love. …The person is something *unique* and *unrepeatable*… [424]

The relational concept of the human person developed by the Orthodox theology is also rooted in the understanding of the human and divine natures in the personality of the God-man Jesus Christ. The Eastern Orthodoxy remains committed to the teaching of the Council of Chalcedon (451) holding that in the one *hypostasis* of the divine Logos the two natures – one fully human and the other fully divine - co-exist and interact. They are related in

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[422] Zizioulas, *Communion and Otherness*, 115-117.
[423] Ibid., 150-154.
[424] Ibid., 166-167.

a unique, though antinomian, way: 'inconfusedly, unchangeably, indivisibly, inseparably.' Certainly, due to its antinomian features, the notion of god-manhood is impossible to be reduced to simple secular categories. The divine-human communion expresses the reality of communion without collapsing or reducing the two distinct natures into one another.

In the Orthodox view, it is important to distinguish between the Creator and the creation, thus emphasizing the transcendence of God. On the other side, it is also crucial to maintain the ontology of their communion, interaction, participation, thus, focusing on the God's immanence to the created human beings. This understanding is eloquently expressed by Meyendorff in the following passage:

> Moreover, the fact of the Incarnation implies that the bond between God and man, which has been expressed in the Biblical concept of "image and likeness," is unbreakable. The restoration of creation is a "new creation," but it does not establish a new pattern, so far as man is concerned; it reinstates man in his original divine glory among creatures and in his original responsibility for the world. It reaffirms that man is truly man when he participates in the life of God; that he is not autonomous either in relation to God nor in relation to the world; that true human life can never be "secular." In Jesus Christ, God and man are *one*; in Him, therefore, God becomes accessible not by superseding or eliminating the *humanum*, but by realizing and manifesting humanity in its purest and most authentic form.[425]

The doctrines of *theosis* and synergy, or cooperation, expressing the relationship between God and the human, could be interpreted in political-theological terms. The image of active human-divine engagement and participation is typically paralleled to the church-state relations. In this line of thought, the contemporary Orthodox theologian Stanley Harakas defines *synergy* (συνεργία) in the following way:

> As a general principle, the Orthodox Church has held a position on the ideal of Church and State relations which may be called "the principle of synergy." It is to be distinguished from a sharp division of Church and State on the one hand, and a total fusion of Church and State, on the other hand. It recognizes and espouses a clear demarcation between Church and State, while calling for a cooperative relationship between the two.[426]

It seems that this definition of *synergy* in political-theological terms refers to the doctrine of *symphonia* presented in Chapter Four. In the contemporary conditions, however, the two doctrines should not be confused as far as *symphonia* is context-bound and limited to

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[425] Meyendorff, *Byzantine Theology*, 151-152.
[426] Stanley S. Harakas, 'The Stand of the Orthodox Church on Controversial Issues', available at: http://www.goarch.org/ourfaith/ourfaith7101 (last accessed 01.05.2015); Stanley S. Harakas, *Contemporary Moral Issues Facing the Orthodox Christian* (Minneapolis, Minn.: Light and Life Publishing Co., 1982).

the imperial political theology or to its implications in the predominantly Christian nation-states (the fusion between the *symphonia* and *Christian nation* models). In its political-theological interpretation, the doctrine of synergy entails the impossibility of any sharp division between the spiritual and the temporal, the divine and the human, as far as the creation exists in order to take part in the divine.

It is defended here that the doctrines of *theosis* and *synergy* should not be used to describe the existing relations between the church and the state, neither should the church and the state be paralleled to the divine and the human natures, respectively. Notwithstanding that the political theology of *symphonia* grounds its notions in the mystery of Incarnation[427] this is neither scripturally, nor theologically justified. From a theological point of view, such reductionism is deeply problematic. It is not correct to equate the idea of harmonious cooperation and collaboration between *imperium* and *sacerdotium,* between the state and the church, with the relations between perfect humanity and perfect divinity in the Christ's personhood. Neither the state corresponds to the perfect humanity of Christ, nor is the church a fully divine institution. Since there is no necessary doctrinal link between the theological concepts of *theosis* and *synergy* and the *symphonia* model, the Orthodoxy should remain open for an alternative political-theological synthesis. This new synthesis shall correspond to the core theological doctrines and shall take into account the surrounding socio-political context shaped by the recognition of the values of human dignity and human rights, constitutional democracy and the rule of law.[428]

For the purpose of constructing a participatory political theology, it is crucial that the basic theological concepts explaining the interaction between the human and the divine (theosis and synergy) reveal the personalist and participatory dimension (human person enters into communion with the personal God and other persons) along with underlining the universality of the process of divine-human communion (in the person of Christ, the Son of God, the human and divine natures enter into communion). Thus the doctrine of *theosis* (divine-human communion) as a relational, participatory and personalist concept becomes a starting and yet defining point in constructing the contemporary political theology in an Eastern Orthodox context.[429]

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[427] Meyendorff, *Byzantine Theology*, 213-216
[428] Alexander F. C. Webster, *The Price of Prophesy. Orthodox Churches on Peace, Freedom, and Security* (Washington, D.C.: Ethics and Public Policy Center, 1993), 28-29.
[429] Aristotle Papanikolaou, *The Mystical as Political: Democracy and Non-Radical Orthodoxy* (Notre Dame, IN: University of Notre Dame Press, 2012), 1-3.

2. *Ecclesia and Eucharist*

For the task of outlining the participatory political theology, the theological concepts of *ecclesia* and Eucharist have a pivotal importance. They frame the complex relations between the person and the community engaged in a spiritual experience, encountering the divine presence and entering in communion with God the Trinity. Participation and engagement of persons who transcend their own limitations (social, historic, natural, and spiritual) in order to commune with others and all together with God is a profound experience for Christians.

In Orthodox Christianity the concepts of *ecclesia* and Eucharist are mutually constitutive. This is defined in the contemporary theological studies with the term 'Eucharistic ecclesiology'.[430] In Schmemann's words, it is 'the Eucharist, understood and lived as the Sacrament of the Church, as the act, which ever makes the Church to be what she is - the People of God, the Temple of the Holy Spirit, the Body of Christ, the gift and manifestation of the new life of the new age'.[431] In its original understanding a church, *ecclesia* (ἐκκλησία) 'means "a gathering" or "an assembly", and "to assemble as a church" meant … to constitute a gathering whose purpose is to reveal, to realize, the Church. This gathering is *Eucharistic* – its end and fulfillment lies in its being the setting wherein the "Lord's supper" is accomplished, wherein the eucharistic "breaking of bread" takes place'.[432]

The church as a eucharistic assembly being a concrete and local assembly of people transcends its own limits and boundaries reflecting the universal orientation of the Christian experience. The *ecclesia* as Eucharistic assembly reveals 'not part of Christ, but the whole Christ and not a partial unity but the full eschatological unity of all in Christ. It was a *concretisation and localisation of the general*'.[433] Thus Christian universalism is practiced within the boundaries of the local Eucharistic community, it does not contradict or threaten the local church, rather it reinforces its universal dimension, its organic unity with the Body of Christ.

The Eucharist is a constitutive event of the church to the extent it is a true act of assembly (σύναξις) and communion of the Christians. The Eucharist requires also *synergy* (συνεργία) between the cleric who presides the Eucharistic assembly and the participating

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[430] John Zizioulas, *Eucharist, Bishop, Church: The Unity of the Church in the Divine Eucharist and the Bishop During the First Three Centuries* (Brookline, MA: Holy Cross Orthodox Press, 2001); Alexander Schmemann, *The Eucharist: The Sacrament of the Kingdom* (New York: St. Vladimir's Seminary Press, 2003), Chapter 1; Alexander Schmemann, 'Theology and Eucharist' (1961) 5 *St. Vladimir's Seminary Quarterly*, 4: 10-23.

[431] Schmemann, 'Theology and Eucharist', 13.

[432] Schmemann, *The Eucharist*, 11.

[433] John Zizioulas, *Being as Communion: Studies in Personhood and the Church* (New York: St. Vladimir's Seminary Press, 1985), 154.

People of God (λαός).[434] Thus the issue of personal presence and participation in the assembly is emphasized as a pre-requisite for celebrating the Eucharist and as a constitutive element of *ecclesia*. Moreover, the image of the church as the Body of Christ (1 Cor. 12:27) of which every Christian is a member, further accentuates the relational and participatory nature of *ecclesia*. This unique and salvific membership is fully realized in the Eucharist through the participation in the communion of the Body and Blood of Christ.[435] These relations could be presented with the following equations: ecclesia = Eucharist = communion.

The political-theological meaning of the concept of *ecclesia* defined in Eastern Orthodox terms is already analyzed in the literature.[436] A special consideration is given to the different aspects of *ecclesia*. First, the church should not be interpreted as a purely earthly institution, instead, it is the Body of Christ in which God-human communion is made possible. The church is a new community born by the baptismal water and the Spirit, based on freedom (from all kinds of determinism) and love (of God and fellow humans). Being a community, the church is neither an ordinary social organization, nor a self-sufficient and autonomous organism beyond and outside the persons. Its substance is visible in the communion of Christians, in their transformation as the elevated People of God. This understanding emphasizes a profound dynamic and transforming dimension of *ecclesia*, being a communal enterprise, and yet respecting the uniqueness of the human persons and, certainly, it is not an organic unity that assimilates persons in an undivided totalizing whole. Yet, the key understanding of *theosis* as divine-humane communion, requires a particular view of the church 'primarily as a communion of free sons of God and only secondarily as an institution endowed with authority to govern and to judge.'[437]

Second, the church is 'not *of* this world, but is *in* this world', having a unique position that liberates it from being fully identified with temporal powers, institutions, traditions, ideologies and nations. The church is eschatological in nature, awaiting the Second Coming of the Son of God, the resurrection of the dead and the life everlasting within the New Jerusalem. In this sense, 'the Body of Christ can never be "part" of this world, for Christ has ascended into heaven and his Kingdom is Heaven'.[438] This further emphasizes the impossibility of the complete immanence of the church and of its full engagement with this

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[434] Schmemann, *The Eucharist*, 15-17.
[435] Schmemann, *The Eucharist*, 23-24; Zizioulas, *Communion and Otherness*, 294-296.
[436] For the political-theological meaning of *ecclesia*, see Marinos Diamantides, 'Constitutional Theory and its Limits - Reflections on Comparative Political Theologies' (2015) 11 *Law, Culture and the Humanities* 109-146; Papanikolaou, *The Mystical as Political*, Chapter 2.
[437] Meyendorff, *Byzantine Theology,* 226.
[438] Schmemann, 'Theology and Eucharist', Section 4.

world. It should preserve its own eschatological nature. In this sense, when the church speaks to society or the state, it should remain aware of the challenges of this secular publicity. Very often ecclesial statements on social and moral issues sound particularistic, expressing not its prophetic and ecumenical voice, but rather limited and contextual positions among many others.[439] Overcoming provincialism and parochialism, elevating the Christian massage to the universal level and yet remaining relevant and responsive to the concrete persons, communities and societies, will contribute to the public witness of the church.

Third, the essence of the church is the communion and community found within the Eucharist, the liturgy. As it was pointed above, the Eucharist is the Sacrament of the Church, as such it is constitutive of *ecclesia*. 'In the Eucharist, the Church transcends the dimensions of "institution" and becomes the Body of Christ. It is the "eschaton" of the Church, her manifestation as the world to come. … It is not the Church that exists for, or "generates," the liturgy, it is the Eucharist which, in a very real sense, "generates" the Church, makes her to be what she is.'[440]

Understanding the church in the light of the communion and Eucharist is also evident in the use of another term, which underlies the public, communal nature of the Christian worshiping assembly. In its original Greek meaning, the word *leitourgia* (λειτουργία), used interchangeably with 'Eucharist' (εὐχαριστία), denotes 'an action by which a group of people become something corporately which they had not been as a mere collection of individuals – a whole greater than the sum of its parts,…function or "ministry" of a man or of a group on behalf of and in the interest of the whole community'.[441] Hence, the church should be regarded as a *leitourgia*, as a testimony of God and the Kingdom. The only relation of the church to this world is to restore its initial beauty and goodness, to transform the world into a place where humans could commune freely with God and fellow humans, to return the creation to God in a form of thanksgiving (the Eucharist). Hence, the role of the church is to transform the world and the creation not to legitimize any temporal authority or domination.[442]

The participatory and universalist perspectives connected to *ecclesia* are also revealed with the term which defines the subject constituting the church as assembly – the People of God (λαὸς τοῦ Θεοῦ). In the Scriptures, there is a clear differentiation between the

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[439] Webster, *The Price of Prophesy*, 292-302.

[440] Schmemann, 'Theology and Eucharist', 15-16.

[441] Alexander Schmemann, *For the Life of the World. Sacraments and Orthodoxy* (Crestwood, NY: St. Vladimir's Seminary Press, 2000), 25.

[442] Schmemann, *For the Life of the World*, 100.

community constituted as the People of God, which is also an universalist concept, embracing anyone who hears and choses the divine vocation, and the historic and particularistic 'people or peoples' (ἔθνος, ἔθνη), connected to the specific region and society, sharing origin, traditions, language. The former is a universal and inclusive concept; the latter is localized and exclusive in its nature. *Ecclesia* is indeed constituted or inhabited by *laos* – a universalist and participatory eschatological community, transcending the limits of 'this world', not by *ethos* as an organic pre-political whole.[443]

According to the Scriptures, this new People of God (*laos*) is above and beyond the ethno-nationalist and socio-political determinants: 'There can be neither Jew nor Greek, there can be neither slave nor freeman, there can be neither male nor female - for you are all one in Christ Jesus' (Gal. 3:28). The differentiation between *laos* and *ethnos* illustrates a particular challenge to any political theology – the ever present risk of reducing the universalist and eschatological reality to the immanent and contingent political and social realities. The political-theological project, advocated here, is aware of this challenge. Similar awareness is visible in the contemporary Western Christian tradition which openly engages with the political-theological meaning of *ecclesia*, *laos* and the celestial citizenship starting with Augustine and continuing with the debates in the last century (including the Schmitt–Peterson debate, the liberation theology and the Second Vatican Council constitutions and declarations) presented in Chapter three.[444]

In the meantime, the close review of the ecclesiastic history suggests, that this eschatological spirit of witness and prophesy does not depend on the organizational capacity of the church or its close cooperation with the state, but on the living experience of the Kingdom of God within the church as a Body of Christ, as a community of free persons, united in the Eucharist. Therefore, it remains of pivotal importance for the church to uphold the powerful distinction of being present *in* this world, but belonging not to this world. In a political-theological perspective, and recalling the Schmitt – Peterson debate, the Orthodox Church follows neither Peterson with his complete church-state separation thesis, nor Schmitt with his authoritarian political theology actively involved in legitimizing the existing power structures. In this sense, the political-theological account developed here, remains antinomian

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[443] For the difference between *laos* and *ethnos* in a theological perspective, see Emanuel Clapsis, 'The Laity in the Orthodox Church', in his *Orthodoxy in Conversation. Orthodox Ecumenical Engagements* (Brookline, MA: Holy Cross Orthodox Press, 2000), 79-99; Kallin Yanakiev, 'On the original meaning of the words "lay person" and "laos"', in his *Europe, Memory, the Church. Political-historical and Spiritual Records* (Sofia: Hermes Publishing House, 2015), 231-235 [in Bulgarian].

[444] See also Girorgio Agamben, *The Kingdom and the Glory. For a Theological Genealogy of Economy and Government* (Stanford, CA: Stanford University Press, 2011), 144-148; 170-175.

– to some extent immanent and engaging with the world (society, state, nation) in order to witness and disseminate the Christian message, and yet, eschatological and transcendental, remaining 'not of this world', testifying for a reality beyond this world. Thus, despite the changing political conditions and compromises in its relations with the state, Eastern Christianity as a whole has never abandoned its prophetic, eschatological nature. In different periods some national Orthodox churches may have subordinate to the political regimes, but even then Orthodox communities in the specific country or the ecumenical Orthodoxy have remained faithful to the eschatological commitments. First and foremost, holds the Eastern Christian theology, the church should remain a living communion with God, not a cultural or ideological department of the state.

Meanwhile, notions of participation, cooperation and engagement define the internal ecclesial ethos and relate to the broader social context. The internal logic of *theosis* (divine-human communion) and the doctrines of Eucharistic ecclesiology when projected and extended to the public sphere would require a political community that is democratic in its form and endorses values of personal freedom, human dignity, participation, inclusion, equality.[445] As Papanikolaou affirms, 'as Christians progress to realize the divine in their lives, then the inevitable result would be a liberal democratic form of political community. Otherwise put, the church is meant to perfect the political community not abolish it, which means that the political community exists in an analogical relationship to the church, not one of diametrical opposition' and concluding that the church 'lends support to democratic forms of government as most consistent with its own theological principles.'[446]

In the context of well-established or emerging democratic polities, Christian concepts of *ecclesia* and Eucharist, of *theosis* and synergy, of *laos* and *synaxis* have the potential of revealing the personalist, communal and participatory dimensions of ecclesial relations which, if projected to the public sphere, cultivate civic and democratic ethos. Next turning to the concepts of conciliarity and catholicity in the light of the Eucharistic ecclesiology will further emphasize this participatory dimension.

3. Conciliarity and catholicity

Political-theological aspects of core Eastern Orthodox doctrines and concepts are also evident in the concepts of *conciliarity* and *catholicity*. Traditionally, they are interpreted as organizational principles of the church, expressing the way the *ecclesia* structures and governs

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[445] Papanikolaou, *The Mystical as Political*, 77-79,160-161.
[446] Ibid., 80.

itself. However, this would be a form of reductionism. First and foremost, their meaning is intrinsically related to the understanding of *ecclesia* as a Eucharistic assembly, not an institution or social organization.

The concept of conciliarity is an integral part of the dogmatic beliefs of the church, it determines its self-identity and self-understanding. It is also expressly mentioned in the Nicene Creed, where the church is defined with the Greek word *'Καθολικὴν'*, translated as *'catholic'* in English, *'cathólicam'* in Latin or *'soborna'* (conciliar) in Church Slavonic. This term has, however, been subjected to rival interpretations. It could be interpreted in the sense of 'universal, ecumenical' (with an emphasis on the spatial dimension, the territorial jurisdiction or the scope of the ecclesial organization). It could be understood in ontological terms as 'bearing the fullness of truth', hence, related to the divine-human communion and the process of salvation and sanctification. Yet, it could be interpreted as 'conciliar' in a structural and organizational sense, thus representing the organizational principle of the Eastern Orthodox Church where the church council (or synod), not a single spiritual head (patriarch, archbishop), holds the supreme authority and makes the ultimate decisions in the church. All these meanings are closely related and interwoven in the Eastern Orthodox perspective.

These different aspects of conciliarity are studied by Orthodox scholars, who highlight their implications in terms of being an organizational principle, but also considered as a way of achieving full Christian communion with others.[447] As it was pointed above, the conciliarity is one of the defining concepts of the church, along with its unity, holiness and apostolicity (the Nicene Creed proclaims: 'We believe in one holy catholic and apostolic Church'). Conciliarity as a concept touches the very essence of the Orthodox faith to the extent that it refers not only to the organizational dimension of the church, but also to the nature of the Holy Trinity (divine persons in communion, in council).[448] It is also connected to the understanding of the church as the Body of Christ, as a Eucharistic communion (*synaxis*).

In the light of the Eucharistic ecclesiology conciliarity and catholicity acquire an ontological dimension: 'the local church is catholic not because of her relationship with the "universal" church, but *because of the presence within her of the whole Christ in the one*

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[447]Alexander Schmemann, 'Towards a Theology of Councils,' in: *Church, World, Mission: Reflections on Orthodoxy in the West* (Crestwood, NY: St. Vladimir's Seminary Press, 1979), 159-178; Lewis J. Patsavos, *Primacy and Conciliarity: Studies in the Primacy of the See of Constantinople and the Synodal Structure of the Orthodox Church* (Brooklin, MA: Holy Cross Orthodox Press, 1995); Jaroslav Pelikan, 'The Sobornost of the Body of Christ', Ch. 6 in *Christian Doctrine and Modern Culture*, v. 5 of the series *The Christian Tradition: A History of the Development of Doctrine* (Chicago, IL: University of Chicago Press, 1989).

[448] Ecumenical Patriarch Bartholomew, 'Address on Councils and Conciliarity' (2010), available at: http://www.ec-patr.org/docdisplay.php?lang=en&id=1228&tla=en (last accessed 10.05.2015).

Eucharist'.[449] This primacy of the Eucharistic understanding predefines and precedes the organizational aspect: 'This suggests an ecclesiology in which the one Church is constituted as many local churches of full "catholic" ecclesial integrity, with no one of them being subject to another as "part" of another or of a whole, but each being 'whole of the whole'.[450]

Before turning to conciliarity as an organizational principle of the Orthodox Church one needs to acknowledge the importance of the Schmemann's approach: 'Before we understand the place and the function of the council *in* the Church, we must, therefore, see *the Church herself as a council*'.[451] This understanding is truly in line with the Scriptural foundations: 'For where two or three are gathered together in My name, I am there in the midst of them' (Matt. 18:20); 'When the Day of Pentecost had fully come, they were all with one accord in one place' (Acts 2:1); 'And they continued steadfastly in the apostles' doctrine and fellowship, in the breaking of bread, and in prayers. Now all who believed were together, and had all things in common' (Acts 2:42, 44). Specifically, in regard to the conciliar decision-making procedures evident during the first apostolic Council of Jerusalem, there is also a scriptural basis and testimony: 'Now the apostles and elders came together to consider this matter… then it pleased the apostles and elders, with the whole church, to send chosen men of their own company… it seemed good to us, being assembled with one accord, to send chosen men to you … For it seemed good to the Holy Spirit, and to us…' (Acts 15:6, 22, 25, 28).

In the writings of the Church Fathers it was emphasized that the Church is 'a collegial assembly', that all members form 'one body', that the people should be consulted in the process of decision-making and some decisions are taken with their expressive consent, including the right to elect bishops or priests (John Chrysostom, Cyprian of Carthage).[452]

Currently, it is accepted that the decision-making of the church and the various tasks that have to be performed (educational and missionary, organizational and social activities) at the local (parish), regional (eparchy), or national levels should involve active participation of the lay members. It is recognized that the active ministry of the faithful is an important dimension of the conciliar nature of church life: 'The hierarchy should respect the ministry of the laity, accept their correct suggestions, and enable free initiatives and actions for the general benefit of the Church…Orthodox ecclesiology demands that nothing in the Church

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[449] Zizioulas, *Eucharist, Bishop, Church*, 117.
[450] Zizioulas, *Communion and Otherness*, 147.
[451] Schmemann, 'Towards a Theology of Councils', 163.
[452] Clapsis, 'The Laity in the Orthodox Church', 93-94.

should be decided without broad agreement and cooperation of the entirety of the God's people. This means that the presbyter's ministry must be collaborative.'[453]

Viewing conciliarity as a foundational and organizational principle of the church one should acknowledge the variety of its interpretation in different Orthodox jurisdictions. In the Slavic-speaking Orthodox churches the term is often translated as *sobornost* (the root being 'sobor' – 'gathering'). Some of the nuances in the meaning of this term, however, emphasize not the organizational aspects of conciliarity, rather presuppose that the church constitutes and expresses an organic unity of the people (in the traditions of the Russian Orthodoxy and *Slavophiles* movement). In this collectivist interpretation, the concept of *sobornost* expresses a fusion between religion and nationalism leading to traditionalist communalism which is contrary to the values of personalism, universalism and participation.[454]

Nonetheless, conciliarity as the organizational principle of the Orthodox Church has a significant political-theological potential. Constituting a community that fully respects the dignity of the person and allows participation at all levels of government without discriminating against social status or functional roles of persons is a social experience that cultivates values of engagement and genuine solidarity.[455] Indeed, a closer examination of the organizational life of the Orthodox Church would reveal that the concept of conciliarity is implemented at all levels of institutional organization (parish councils, eparchial council, autocephalous church council, pan-Orthodox councils). This participatory ethos presupposes lay engagement that goes beyond the local parish church. According to the statutes of different autocephalous churches, the laity participation in the councils (as the highest law-making bodies of the church) at all levels is protected. It does not mean, however, that lay persons acquire any sacerdotal function, which, in principle, remains preserved for the ordained clergy. Being members of different councils, Orthodox lay members have the right to participate fully in the discussion and voting on an equal basis with the clergy.[456]

Notwithstanding that the original form of the general church councils included as participants almost exclusively an ordained clergy (bishops having a dominant and decisive role), recent developments of the Orthodox ecclesiology in the last two centuries has led to the gradual inclusion of representatives of the laity in the church governance.[457] Lay

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[453] Ibid., 98.
[454] Paul Valliere, *Conciliarism. A History of Decision-Making in the Church* (Cambridge: Cambridge University Press, 2012), 11.
[455] Nicolas K. Gvozdev, *Emperors and Elections: Reconciling the Orthodox Tradition with Modern Politics* (Huntington, NY: Troitsa Books, 2000), 144.
[456] Clapsis, 'The Laity in the Orthodox Church', 79-99.
[457] Schmemann, 'Towards a Theology of Councils', 161-162.

participation in the governance of the Orthodox Church as well as in the process of election of candidates for priests and bishops prior to their ordination, reveals the participatory ethos that could be expected to cultivate a further engagement in the public sphere. This lay engagement in the church governance is channeled through institutional forms and procedures expressly provided in the church statutes at all different levels (parish councils, eparchy councils and general church-laity councils).[458] Moreover, Christian engagement in the public sphere is authoritatively enhanced in the official statements of the Orthodox churches on social and political issues highlighting their engagement with the values of freedom, justice, solidarity, and peace (as illustrated in length in Chapter three).

In a political-theological perspective, it is important to note that the wider social and political context affects church life. Under conditions where authoritarian hierarchical models and paternalism have been predominant in a society, the ecclesiastic ethos also suffers from passivity and concentration of powers in the hands of the high clerics. Where, on the other hand, the public sphere is constructed around more democratic practices, and accepts ideas of governmental accountability and the rule of law, ecclesiastic structures tend to develop a more participatory and inclusive ethos, to practice truly conciliar governance. This influence, however, goes in two directions – active participation in the church life may enhance civic participation and create a specific participatory ethos for the laity, and *vice versa*, active engagement in civil society may create social conditions that are favorable to the participatory ethos in the religious communities. The empirical aspect of this relation could be illustrated in the context of SEE countries where active lay members of the church (intellectuals, civic activists, professionals) are also active in civil society initiatives and the public sphere. This observation is particularly true for the parishes in the larger cities.

The relation between the wider social context and the practices of ecclesial self-governance could be explained through the comparison between the Orthodox churches in the SEE region and the Orthodox communities in the Western societies. The ecclesial life of the Orthodox churches in the West, relying almost exclusively on the voluntary participation and contribution of the lay members, is usually more intense and vibrant than in the traditional Orthodox countries, where churches receive official state support and enjoy public recognition as the majority denominations. For instance, the North American diocese of the Bulgarian Orthodox Church allows greater lay participation in the church governance and

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[458] For instance, see Chapter two (Section 5.2.) for the rules and procedures on lay participation according to the Statute of the Bulgarian Orthodox Church.

autonomy of the local parish church than the mother church in Bulgaria. This is also true for the organization of lay initiatives and associations (charities, religious fraternities) which cooperate closely with the diocese leadership in fulfilling their mission.

With a growing number of converts, with their emphasis on lay engagement in the church life, with the revival of Eucharist participation, with their adaptation to the democratic pluralist conditions, Orthodox Christians in the West form vibrant and living communities. In this respect, the Greek Orthodox Archdiocese of America of the Ecumenical Patriarchate presents a good example. For decades it has been involved in civic initiatives in support of human rights and religious freedom. In doing so it already has a remarkable legacy: in the 1960s Archbishop Iakovos was an active supporter and collaborator of Martin Luther King Jr. and the Civil Rights Movement.[459] Active lay organizations are involved in charity initiatives and human rights advocacy at both state and national levels (including state legislatures, the U.S. Congress, the President).[460] All this has been an evidence of a high degree of adaptability of the Orthodoxy to the democratic conditions and their internalization in the organizational church life.

The process of lay engagement is also intensified in the SEE societies where Orthodoxy is the predominant religion. These societies experience growing community involvement in recent years, a vast array of lay initiatives, and formation of voluntary Christian organizations with academic, educational, missionary, advocacy and charity purposes. In this way, Orthodox communities reinvigorate their ecclesial and community life, but also influence the wider civil society. The Orthodox lay organizations function as both religious and civic organizations where their members cultivate a distinct participatory ethos connected to shared beliefs and values, and experience of genuine solidarity. This involvement is a form of committed participation that goes beyond the temporary political and economic interests. It is related to a concept of community that is not a contingent outcome of social and economic processes, but an expression of shared values, personal engagement and integrity, recognition of the others. In this context, practicing the principle of conciliarity at all church levels necessarily leads to lay engagement in the religious and the civic sphere and enriches the civil society at large.

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[459] Michael Varlamos, 'His Eminence Archbishop Iakovos and the Civil Rights Movement: Selma, 1965': http://www.goarch.org/archdiocese/departments/ecumenical/mlk/iakovos-civilrights (30.05.2015); http://hellenicleaders.com/blog/the-images-every-greek-american-should-see-on-martin-luther-king-jr-day/#.VWpCz8_tmko (30.05.2015).
[460] *Order of St. Andrew the Apostle, Archons of the Ecumenical Patriarchate*: http://www.archons.org/

In addition, the concept of catholicity of the church has a specific dimension that emphasizes the universality of Christianity, transcending ethnic, national, cultural, linguistic and geographical borders. This specific Christian universalism is evident in the process of dissemination of Christianity worldwide. Being practiced locally, in face-to-face communities, the Christianity and the Orthodox Church strives to remains universal and ecumenical in its mission, transcending all kinds of determinism.

The conclusion might be that the traditional forms of political theology with their over-reliance on monarchical and ecclesial hierarchy (*symphonia* model) or the ethno-nationalist ideology (*Christian nation* model) do not correspond to the authentic Christian ethos of community and participation of free and respected persons, as understood today. On the other side, the contemporary participatory political theology takes into account the democratic conditions in which human rights and dignity are protected, and which are favorable for the development of an active Christian and ecclesial life. Well-established democratic conditions in a given country facilitate better opportunities for lay participation in both ecclesial and public spheres.

Certainly, on the basis of its own religious tradition, doctrines, and experience the Orthodox Church, acting through its conciliar structures and official representation, is able to send a clear message in support of fundamental rights and freedoms, constitutional democracy and the rule of law, advocating for more inclusive and participatory political and social framework. In the concepts of conciliarity and catholicity, values and experience of Christian personalism, universalism and participation intersect, thus transcending the national or regional limits. With their implementation in the life of the communities, these concepts foster mutual cooperation, solidarity and recognition at a larger scale.

4.   Economy and eschatology

Until now, it has been repeatedly emphasized that the Christian Church is 'in the world, but not of this world,' that it is missionary and ascetic, universal and eschatological. In its nature and existence it cannot be reduced to a purely institutional structure, legitimating the state, or to an isolated and segregated spiritual community, completely withdrawing from the world. The experience of integration of these dimensions, not their division and separation is a distinctive feature of the Orthodox Christianity. This balance and synthesis, however, has always been hard to achieve and maintain. There is ever present risk of collapsing in to the

extremes, as is evident by the complex history of Orthodox Church and its traditional political theology.[461]

In the political-theological perspective, concepts of economy and eschatology have an important function: they prevent the new political-theological synthesis advocated here (centered on the values of personalism, participation and universalism) to become thick, dogmatic and frozen at a given moment. Concepts of economy and eschatology constitute a constant challenge to the closed ideological and political-theological systems that often emerge from religious context and philosophies. These concepts require critical vigilance, openness, inclusivity and reflexivity when constructing the new participatory political-theological model.

Economy and eschatology are related in an important way. They represent the process of divine engagement with the world and its ultimate transformation initially through the Incarnation, then through the Resurrection and 'in the end of times' through the Second Coming. These concepts represent the whole process of divine involvement and communion with the creation, as well as express the human answer and initiative in this process.

Economy (*oikonomia,* οἰκονομία) blends several ideas. It presupposes a special dimension of care and concern in terms of the familial relations of the home, the household (οἶκος). The act of creation emphasized this fraternal and communal spirit in the world and the human community, as well as the divine-human communion, which was lost after the Fall. The role of the human according to the plan of creation before the Fall had been that of a steward (οἰκονόμος) for the whole of creation. Stewardship is a relational and communal category, presupposing concern for and engagement with the world and fellow humans, not hedonistic consumerism and materialism. Stewardship also means responsibility before the 'owner', the 'lord' of the household. In this sense, the concept of economy is relational on the horizontal (fellow humans and the world) and vertical (community with and responsibility before the divine) levels. The specific Orthodox engagement with environmental issues (e.g. in the missionary work of the Ecumenical Patriarchate) has also these biblical resonances of thinking the world as our home (οίκος) and of accepting the call for care, engagement and stewardship for the fellow humans.[462] Hence, the concept of *oikonomia* conjoins the universal dimension of the divine-human communion as the way of salvation of the humankind with the

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[461] Georges Florovsky, 'Antinomies of Christian History: Empire and Desert', in *Christianity and Culture:* Volume II in the *Collected Works of G. Florovsky* (Belmont, MA:, Nordland, 1974), 67-100.

[462] Harakas, *Orthodox Social Ethics*, 58-63; see also *Message of His All Holiness, the Ecumenical Patriarch Bartholomew, on the Day of the Protection of the Environment* (2011): http://www.ec-patr.org/docdisplay.php?lang=en&id=1362&tla=en (6.06.2015).

relational and inter-personal dimension of the community, consisting of free persons concerned with others. More specifically, the meaning of the concept of economy in the Christian theology is related to the process of salvation of the world and the humans through the act of divine Incarnation. In its theological sense, economy refers to the divine plan of salvation and reunification of the creation with God.

Another well-accepted and more practical meaning is driven by the canon law, according to which *oikonomia* is explained as a principle which allows mitigation (relaxation) and adjustment of the application of a rule or sanction in order to make it suitable to a particular person in a given context. This is done in order to reconnect the person with the church, to reestablish communion that had been lost, not to discipline and punish for the sake and satisfaction of divine justice. This canon law meaning, however, should not be overstated. In Meyendorff's account, 'the term *oikonomia* does not belong originally to legal vocabulary; meaning "household management," it designates in the New Testament the divine plan of salvation: "He has made known to us in all wisdom and insight the mystery of his will according to his purpose which he set forth in Christ as a plan [*oikonomia*] for the fullness of time, to recapitulate all things in him, things in heaven and things on earth" (Ep 1:9-10; v. also 3:2-3).'[463]

The concept of *oikonomia* receives its full meaning in the liturgical order of the church. The economy of salvation means the process in which the liturgical ecclesial community receives the gifts of the Lord and returns in the offering, in the form of thanksgiving (the true Eucharist) a transformed human nature and the whole of creation.[464]

Economy could also be understood as the idea and practice of 'the liturgy after the liturgy' – the engagement with and practical service (*diakonia*) to the other, the society and the world, to the poor and the needy. The concept of *diakonia* highlights the social dimension of the Christian faith, the realization of *koinonia* (communion) and ecumenical solidarity.[465]

Understanding the divine economy of salvation provides the fundamentals of the Christian ethics and ethos. This ethos is not established top-down, it is not set with an authoritarian decree by a sovereign absolute god. Neither is it an abstract utopian ideal. Given that humans are created 'in the image and likeness of a Trinity of persons' the Christian ethos

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[463] Meyendorff, *Byzantine Theology*, 88.
[464] Agamben, *The Kingdom and the Glory*, 173; Schmemann, *The Eucharist*, Chapter Nine.
[465] Clapsis, 'Ecumenical Solidarity', in his *Orthodoxy in Conversation*, 198-207; Ion Bria, 'Liturgy after the Liturgy', in Petros Vassiliadis (ed.), *Orthodox Perspectives on Mission* (Oxford: Regnum, 2013), 46-60.

has become 'a living reality which is personal, and as a consequence, relational and communal.'[466]

Ecumenical engagement with the world should be understood in terms of an evangelical mission, but also as a true concern for the humans and the creation. Orthodox theology of Incarnation integrates both the divine and the human side in the process of salvation. It is not going to the extremes of either abstract spiritualism, or pessimistic dualism and negation of the material world, typical for the religious-philosophical doctrines of Gnosticism or Platonism and their contemporary counterparts. In the Orthodox perspective, the belief in the God-manhood (Θεάνθρωπος) of Christ requires integration and communion of the divine and the human, the spiritual and the physical, not their radical separation and alienation. These forms of communion and unity underlie the basis of the Orthodox social ethics.[467]

Orthodox anthropology is neither optimistic, nor pessimistic, it is rather realistic – acknowledging 'genuine human potentialities for the good, which are reflections of the Eternal Logos in common life…Wholeness, i.e., true and full salvation both here and for the eternity, means the restoration of divine likeness of the Trinity in us as persons and in our society. The Divinization of the human person is accomplished primarily when communion is achieved, if only in a measure in the triune dimensions of the person, the *ecclesia* and society.'[468]

In the political-theological perspective, the concept of *oikonomia* means engagement with others and the world, recognition of the equal value, dignity and concern for the fellow human, taking the responsibility of transforming society and social institutions into a more open and inclusive space. At the same time, the internal dynamics of the concept safeguards against establishing rigid and hegemonic structures. This concept relates to all three dimensions – personalist, participatory, and universalist, thus shaping the contemporary political theology in the Eastern Orthodox context.

Whereas the concept of economy represents the divine engagement with the human and the world, the concept of eschatology explains the human engagement with the divine. The event of Incarnation is followed by the glorious Resurrection and anticipation of the Second Coming of Christ. The eschatological perspective provides an opportunity for the

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[466] Harakas, *Orthodox Social Ethics*, 8.
[467] Harakas, *Orthodox Social Ethics*, 10-11.
[468] Ibid., 35-36.

Christians to enter in communion with resurrected Christ 'here and now', in the event of the Eucharistic assembly.

The concept of eschatology gives dynamism and perspective of the Christian belief and has a profound political-theological meaning. Christianity is primarily an eschatological religion, Christians anticipate the Second Coming of Christ, the resurrection of the dead and the eternal life in the Kingdom of God. This belief penetrates all Christian rituals, sacraments and ecclesial structures. For instance, the Eucharist is not only a sacrament of the unity, here and now, of believers and Christ, it is also a foretasting of the Kingdom of God, participation in an eschatological event and ascension into heaven.[469] The constitutive sacrament of the Eucharist, its complete meaning and symbolism, could be fully understood only in the light of the eschatological perspective of the coming Kingdom of God.[470]

Thus, the church itself with the ecclesial hierarchy is not mere an institution or organization, it reveals the presence of the Holy Spirit and transforms the community of persons into an eschatological community, anticipating the reunification with God. This is a community that has no permanent place in this world, but seeks the one to come (Heb 13:14).[471] The eschatological vision of the Christians includes the complete transformation of the world and the human relations symbolized by the coming of New Jerusalem (Rev 21-22) in which all human suffering will be healed, peace and justice will prevail, love and communion will be present, and 'God will be all in all' (1 Cor 15:28).[472]

John Meyendorff eloquently presents the deep meaning of Christian eschatology in the following passage:

Existing in history, the Church expects the second coming of Christ in power as the visible triumph of God in the world and the final transfiguration of the whole of creation. Man, as center and lord of creation, will then be restored to his original stature, which has been corrupted by sin and death; this restoration will imply the "resurrection of the flesh," because man is not only a "soul," but a psychosomatic whole, necessarily incomplete without his body. Finally, the second coming will also be a judgment, because the criterion of all righteousness - Christ Himself - will be present not "in faith" only, appealing for man's free response, but in full evidence and power.[473]

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[469] Schmemann, *For the Life of the World*, 37-44.
[470] John Zizioulas, Luke Ben Tallon (ed.), *Eucharistic Communion and the World* (New York: T&T Clark International, 2011), 3-5, 40-44.
[471] Schmemann, *The Eucharist*, 34-35.
[472] Jürgen Moltman, *The Coming of God: Christian Eschatology* (Minneapolis, MN: Fortress Press, 1996), 308-320.
[473] Meyendorff, *Byzantine Theology*, 219-220.

Christian eschatology is not only progressive and prospective, nor is it one-dimensional and linear concept. There is a specific tension between experiencing the Kingdom of God, here and now, in the Eucharist, which transcends the place and time boundaries, on the one side, and the expectation and anticipation of the full realization of the Kingdom in the end of times, with the Second Coming, resurrection of the dead, and the descent of the New Holy Jerusalem, on the other. The centrality of the eschatological dimension for the whole Christian liturgical life is evidenced in the Eucharistic liturgy, which starts with an invocation of the Kingdom of God, inviting faithful to 'remember' past and future events (birth, life, death, resurrection, ascension and the Second Coming of Christ), awaiting the coming of the Kingdom in the Lord's Prayer ('hallowed be Thy name, Thy kingdom come'), co-celebrating the divine liturgy with angels and saints, constantly being invoked during the service. The whole Eucharistic liturgy is celebrated in the presence of God and his Holy Spirit.[474]

The Christian eschatology could be resumed in the formulas 'here, yet not here', 'in the world, not of the world'. This antinomian approach and constant tension prevents the church from being completely absorbed into the society and existing communities, but to preserve its otherworldly nature. The Christian eschatology is not simply linear, progressive and immanent, it is also transcendent, transformative, existentialist and personalist. It presupposes a process of moral and spiritual growth, of change, development, transformation and transfiguration, personal and communal.[475] This necessary engagement with the world, though not dissolution and absorption in the world, opens an opportunity for a political theology that is transformative and participatory, rather than absolutist and authoritarian. Without emphasizing and retaining its eschatological dimension, the Christian Church abandons its prophetic mission and risks of becoming an ideological institution, being made subservient to the powerful of the day, becoming an ultraconservative and reactionary organization. Its rituals and practices would be petrified, thus becoming part of the past, of the religious traditionalism, antiquarianism and nationalism. Following this path, the Orthodox Church would isolate itself from society and would, nonetheless, be unable to support a positive social change.[476]

At the center of the Christian eschatology is the Christian witness in the world and its transformation. It presupposes that the tension between 'here and now' and 'then' is

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[474] Zizioulas, *Eucharistic Communion*, 42-43, 59-60.
[475] Harakas, *Orthodox Social Ethics*, 13-15.
[476] Pantelis Kalaitzidis, *Orthodoxy and Political Theology* (Geneva: World Council of Churches Publications, 2012), 89-90.

constitutive and distinctive for the Christian approach to society and politics. As Kalaitzidis notes, 'expectation of the *eschaton* is something active, not passive; it is transformative, not an escape from the world; it is located in worship and prayer, but also in action, encouraging brave decisions and choices vis-à-vis the world and history, in what we described above as the state of "in between", a state which leads neither to a flat rejection of the world, not to acceptance of it in its present form; it refers to every aspect of our lives – including, therefore, the political and the social – and not just the "sacred" or "religious"'[477]

The historical experience has proven the inconsistency and contradictory nature of the *Christian empire* and the *Christian nation* political-theological models. In no way can they be viewed as a form of already realized eschatology.[478] The Christian eschatology opens the horizons of the political, orientates towards the future, maintaining a critical distance from the established institutions and social hierarchies.

Nowadays, there is no a specific political-theological model that can be portrayed as a profound and complete revelation of Christian values and ideals. This is also true for the participatory model advocated here. By its nature, political theology will always remain fragmentary, incomplete and particularistic, one that is impossible to replace the fullness and value of the Christian ethos, beliefs, practices and relations. Yet, the political theology, being informed by eschatology, has an important function to perform in transforming the society and in providing visions, perspectives, values and incentives open for the wider public of active citizens who are not directly involved in religious practices. Thus, it makes the ethos and values of the predominant religious tradition accessible for the civil society at large without requiring institutionalization of a specific religion and conversion of all citizens. It also works against the foreclosure of the political, its petrification in once-for-all established political forms and models.

5. *Participatory political theology: perspectives*

Elaborating a political theology in the context of pluralist and liberal societies faces an important constraint: it may aspire to be a comprehensive and holistic system, but it will remain one of many voices that influence the political and institutional framework. The political-theological model developed in this study is focused on the participatory, personalist and universalist dimensions that could be discovered in the traditions, doctrines and practices of the Eastern Orthodox Christianity which remains a majority religion in the SEE countries.

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[477] Ibid., 113-114.
[478] Ibid., 28-29.

Moreover, after the fall of the communist regimes, Orthodox churches are gaining an increased public presence in the SEE societies.

The participatory political theology endorses active civic participation and engagement in the sphere of civil society, while cultivating a specific ethos of community involvement and concern. Thus it could reinforce the democratic values and practices in the SEE societies and contribute to the consolidation of democratic institutions. It is expected that participatory political theology is practiced predominantly and primarily at the level of civil society accepted by the free agents of this society (citizens, churches, NGOs, Christian organizations) with no strictly denominational or sectarian bias. It should not be equated with the official positions of the Eastern Orthodox churches on social or political issues, though it is nonetheless related to them. It may influence official statements of the churches or being influenced by the predominant ecclesial views and opinions. It should not be viewed as a comprehensive political platform to be embraced or practiced by particular political party groups (e.g. Christian Democrats, Christian Socialists, etc.), though it may influence such platforms. Certainly, it does not mandate concrete measures, policies or legislation, though it could inform and shape at a more general level political choices and decision-making.

As a set of beliefs, values, principles and practices, participatory political theology remains open for interpretation and re-interpretation by different social actors. What is crucial, however, is the preservation of the necessary link between the values of participation, personalism and universalism. These, in turn, presuppose and require respect for the personal freedom and dignity, community engagement, recognition of differences and equal concern of the persons. All these are also fundamental civic values and virtues that are endorsed by the participatory political theology.

With regard to the secular political models, participatory political theology requires a qualified form of liberal democracy, the one that is not only constitutional, but also participative and deliberative.[479] Without being communitarian, it should take community and belonging seriously. This is particularly important in the context of SEE societies which have well-established national and religious majorities. In these societies more competitive and majoritarian democratic models will not guarantee better representation of minority positions, but their marginalization and stigmatization. Being oriented towards the common good, the

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[479] Jurgen Habermas, *Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy*, transl. by William Rehg (Cambridge, MA: The MIT Press, 1996), Chapters 7 and 8.
Ronald Dworkin, 'Liberal Community' (1989) *77 California Law Review 479.*
Charles Mathewes, *A Theology of Public Life* (Cambridge: Cambridge University Press, 2007), 164-181.

participatory political theology will require a higher degree of cooperation between different groups in societies, better channels of communication and inclusion in the public sphere.

Stripped from its direct religious dimensions and connotations, but preserving the ethos, values and principles, found in the religious tradition, this political-theological model is open to be embraced by various social actors who want to achieve higher civic involvement in transforming political systems in the region. It is important that these systems still suffer from declining social trust, from the lack of accountability, political corruption, and oligarchic structures which capture and 'privatize' institutions and the public sphere in order to secure their private benefits and gains.

It has been argued that Eastern Orthodox concepts of *theosis* and *synergy*, *ecclesia* and Eucharist, conciliarity and catholicity, economy and eschatology reveal the importance of interpersonal relations and cooperation (*synergeia*), communion (*koinonia*) and service (*diakonia*). These concepts are not abstract categories, they relate to existential acts of personal engagement, love and compassion. As concepts they refer to fundamental theological doctrines - the divine relations within the Trinity, the divine-human communion in the Incarnation, the eschatological community of Christians fully realized in the Second Coming of Christ and the Kingdom of God. All these concepts have spiritual, but also important social dimensions, shaping the Christian religious and social ethos. They could not be reduced to simplistic categories which could be neatly explained and developed in clear, logical and specific rules, regulating social behavior. They have, however, a potential of inspiring and framing social relations and rules in a way that is in conformity with higher values and principles.

Inspiring a distinct participatory political theology, these concepts could shape the sphere of legitimacy, before influencing the sphere of legality, of elaborating particular rules, forms and procedures. The legitimacy of the freely taken political and legal decisions could be evaluated in the light of the participatory concepts and ethos advocated here. In the latter sphere, the free will and the moral autonomy of the persons remain fundamental values.

The approach of the participatory political theology differs significantly from the Schmitt's concepts, arguments and conclusions in support of an authoritarian political model. It differs also from Peterson's conclusion of the impossibility of having a Christian political theology in Trinitarian perspective. The participatory political theology builds on the Christian existentialism and personalism, on Eucharistic ecclesiology, systematically developed by Zizioulas and Schmemann, on the progressive political theology presented by Papanikolaou and Kalaitzidis. It contributes to the field by emphasizing the necessity of a

participatory perspective, thus endorsing a qualified form of liberal democracy as better corresponding to its basic concepts and principles.

By stressing the participatory dimension, the political-theological model developed here reveals its potential for supporting and influencing the process of democracy-building and consolidation in the SEE region. For the countries in the region, the process of development of active civil societies, in which democratic institutions will be strengthened and democratic reforms will be implemented, remains of crucial importance. Developing vibrant and autonomous civil societies is the long-term guarantee of a legitimate and accountable constitutional government. Providing a comprehensive political-theological framework (the participatory political theology) which connects democratic principles to deeply shared values, beliefs and virtues can contribute to their wider popular acceptance.

The participatory political theology and the civic and political actors who embrace it do not necessarily need to take a stance on particular political ideologies or models such as secular liberalism, social progressivism, civic republicanism, communitarianism, conservatism or libertarianism. However, certain political values and principles shared by these ideological systems might be more in conformity with the participatory political-theological model than the others. Endorsing the values of human dignity, personal freedom, civic engagement and involvement in decision-making, participatory political theology leaves a space for different political models established through voluntary cooperation on a condition they pay respect to these basic values. Broadly speaking, these models should be democratic, constitutional-liberal, engaging with the common good and the community service.

Respecting personalism and human dignity, stimulating voluntary cooperation, building on Christian universalism, the participatory political theology is not limited to a particular ethno-nationalist or religious group in the society. Having an Orthodox Christian origin, it may function as a 'civil religion'[480] (one consistently endorsing democracy and civic engagement) which is shared by different groups in a society, not only from the national and religious majority. Its ethos, values and principles, informed and shaped by the doctrines and practices of Eastern Christianity go beyond this particular religious tradition and remain open for support and endorsement by different people who share its basic principles and concepts. If accepted as a form of civil religion, it has a potential to counterbalance the strong

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[480] Robert N. Bellah, 'Civil Religion in America' (Winter 1967) 96 *Journal of the American Academy of Arts and Sciences* 1, 1-21, also available at: http://www.robertbellah.com/articles_5.htm (10.07.2015).
Robert N. Bellah, Phillip E. Hammond, *Varieties of Civil Religion* (New York: Harper & Row, 1980).
Robert N. Bellah, *Broken Covenant: American Civil Religion in a Time of Trial* (Chicago: University of Chicago Press 1992).

nationalist, exclusivist and messianic ideologies that have dominated the public sphere in the SEE societies in the last 150 years. In the context of deepening European integration of the SEE region, in order to overcome nationalist mythologies and replace them with a set of beliefs and practices which emphasize civic commitment and engagement in the public sphere, this political-theological model is a valuable perspective.

Hence, the participatory political theology could endorse and legitimize further integration and increased regional cooperation, moderating nationalisms in the SEE region, without this process being portrayed in negative terms of colonization or assimilation. This model reveals itself as both originating in the traditions and the cultural context of the region, and yet being open, inclusive and universalist. It opens perspectives of full participation in the European integration, while remaining faithful to the best of the SEE region traditions, beliefs and practices. Its significance could be immense, if it succeeds in overcoming both the reactionary nationalism and the ultra-globalist tendencies and in providing better justification for the process of integration. It preserves the sense of meaning and belonging to particular traditions, while translating them in the light of a more universal and complex European democratic identity ('United in diversity').[481]

The necessity of elaborating a comprehensive political theology that may perform the function of a civil religion in a republican state, thus enhancing public engagement and participation, could be presented with Bellah's words:

Precisely from the point of view of republicanism civil religion is indispensable. A republic as an active political community of participating citizens must have a purpose and a set of values. Freedom in the republican tradition is a positive value that asserts the worth and dignity of political equality and popular government. A republic must attempt to be ethical in a positive sense and to elicit the ethical commitment of its citizens. For this reason it inevitably pushes toward the symbolization of an ultimate order of existence in which republican values and virtues make sense. Such symbolization may be nothing more than the worship of the republic itself as the highest good, or it may be, as in the American case, the worship of a higher reality that upholds the standards the republic attempts to embody.[482]

At this stage of its development, the participatory political theology is more a proposal to be accepted and further developed by social actors, than an actual political or social platform or movement. Yet, its contours are already visible and some civic actors (churches, intellectuals, civic organizations) endorse and embrace its basic ideas and doctrines, which are

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[481] For the use of the phrase as the motto of the EU, see: http://europa.eu/about-eu/basic-information/symbols/motto/index_en.htm (11.07.2015).
[482] Bellah, 'Religion and the Legitimation of the American Republic', in his *Broken Covenant*, 176

presented in the public sphere (in official statements, declarations, publications). Whether this public engagement will be successful and will be able to influence the wider public opinion and even the democratic decision-making process depends on various social conditions. Their analysis, however, lies beyond the scope of this study.

Participatory political theology is offered to the organized civil society, public intellectuals and opinion-makers, to the Orthodox churches in the region to accept and endorse it as an approach to public engagement. If this happens, given the high public visibility of these actors, the process of democratic consolidation in the SEE region will be re-enhanced and equipped with substantive legitimation and justification beyond the external geopolitical arguments that are often used in explaining the trajectory of democratization and European integration of the SEE societies.

Possible challenges to the role and significance of the participatory political theology are the relatively low level of commitment to an active religious life in the post-communist countries (hence, the law level of knowledge and experience of the core Orthodox doctrines), as well as the contamination of religion with excessive nationalism and historicism. Given the fact, however, that the predominantly Eastern Orthodox countries in the region are undergoing a process of democratization and this has the support of the popular majorities in these countries, it is necessary that the Eastern Orthodox churches somehow reflect this socio-political process. Hence, there are positive incentives for embracing this emerging political-theological model that is aimed at providing better explanation of a specific religious and cultural tradition and its integration into the more democratic and universalist framework.

It is also noteworthy, that in the last decades other major Christian traditions (Catholic and Protestant) have also developed political theologies which favor human rights and democracy, community spirit and the common good, justifying them in the light of the existing religious concepts and doctrines. Thus, the elaboration of the participatory political theology fills the gap in the Eastern Orthodox tradition.

An important dimension of the participatory political theology should not be overshadowed by its general conformity to and endorsement of the civic participatory and liberal constitutional framework. It should not be conceived in terms of legitimizing the political status quo either in the SEE countries or in the larger European context. Due to its deeply religious origin, sharing the eschatological dimension of Christianity, the participatory political theology remains critical of and vigilant of the injustice, compromises, and imperfection still found in democratic societies and their political and social institutions. Thus, it could witnesses for the possibility of another more just, more humane, more inclusive

society, that is better realizing Christian ideals of human dignity, charity, compassion, rejecting all kinds of self-sufficiency, self-congratulation, social exclusion, segregation and unequal treatment of human persons. Yet, this eschatological dimension has also a preventative function – it counterbalances the totalizing aspects of the civic commitment and of the absolute allegiance to the modern nation state, which often demands a sacrifice in the name of the nation, especially in times of a political crisis and security threats.[483] Being engaged with civil society and participation, this kind of political theology goes beyond the particularities of the political and institutional settings, remaining eschatological, admitting that its ideals and concepts could not be fully realized within the limits of politics, the nation and the state.[484]

In its deep presuppositions and core concepts, the political-theological model advocated here is by no means conformist and accommodationist. It opens perspectives, lifts the veil of immanent politics and current power disposition by imagining the political in a way that is personalist, yet communal and participatory.[485] In that particular sense it transcends the nation-state limits and boundaries, but does not simply equate with or justify globalization and secular universalism. Rendering its support for a liberal and participatory democratic model, it also explicitly shows its limits and imperfection. Being profoundly informed by the Eucharistic ecclesiology, the participatory political theology holds that persons engaging in the event of communion and public acting (liturgy) become fellow-citizens not only with their national compatriots, but also with the people in the world as well as with those who already dwell in the City of God. This transcendent and eschatological dimension works against the closure and self-sufficiency of the modern political systems, remaining open and vigilant of other possibilities to emerge. Endorsing all that is positive in modern democracies, yet providing a critical view, the participatory political theology is open to transformation and change towards better realization of its personalist and democratic commitments. Thus, constitutional democracy is transformed without being threatened.

In the end, the three principles of the participatory political theology – personalism, participation, universalism – shape and reinforce democratic social practices. Other alternative political theologies (e.g. the neo-imperialist model in Russia, or the nationalist

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[483] Mathewes, *A Theology of Public Life*, 171-172.
William T. Cavanaugh, 'The Liturgies of Church and State' (2005) *20 Liturgy 1*, 25-30.
William T. Cavanaugh, *Migrations of the Holy: God, State and the Political Meaning of the Church* (Grand Rapids, Michigan: Wm. B. Eerdmans, 2011).
[484] Mathewes, *A Theology of Public Life*, 201.
[485] William T. Cavanaugh, *Theopolitical Imagination. Discovering the Liturgy as a Political Act in an Age of Global Consumerism* (London: Bloomsbury T&T Clark, 2002).

model in the Balkans) could be 'tested' for conformity with these principles and eventually rejected as incapable to produce the democratic political and social ethos much needed in the SEE region. To this extent, the participatory political theology could be accepted and endorsed by different civic actors, religious organizations and institutions as better corresponding to the democratic political framework and the perspectives of deepening European integration of the SEE region.

Conclusion

This research advocates that Eastern Orthodoxy has the potential to develop, on the basis of its core concepts and doctrines, a new political-theological model that is participatory, personalist and universalist, thus corresponding to and supporting modern democratic models. This political-theological model endorses the process of regional integration and peaceful international cooperation. The participatory political-theological synthesis could enhance the democracy-building in the SEE countries through cultivating values of civic participation, concern and engagement with the common good among the various groups of citizens. The participatory political theology consistently and publicly defends these values and principles.

The research on the participatory political theology has engaged with several interconnected issues: *first*, the challenges to democracy-building in the SEE societies are still present, democratic process is incomplete, democratic institutions are fragile, the vast majority of citizens have been excluded from the decision-making; *second*, while the process of European integration has been a catalyst of a positive change, it is however, not powerful enough to transform the entire political structure and the embedded oligarchic power networks; *third*, while the process of democratic change and EU integration have been viewed as a part of the larger geopolitical game, they lacked a deeper cultural justification that could relate them to some values and traditions, originating in the region; *fourth*, Eastern Orthodoxy has been a dominant religious-cultural force, intrinsically present and active in the process of creation of the medieval and modern statehood of the SEE countries, hence, it cannot be excluded from the current process of democratization and modernization of these societies; *fifth*, in different periods Eastern Orthodoxy has been able to develop a religious-political explanation and justification of the political regimes experienced by these societies, thus, elaborating specific political-theological models corresponding to the different types of political regimes (the *symphonia* model corresponding to the medieval empire; the *Christian nation* model corresponding to the modern nation-state). The participatory political-theological model corresponds to the constitutional democratic state with an active civil society, open to and participating in the process of supranational regional integration.

These issues are analyzed in different chapters starting with more contemporary constitutional and political perspectives on democratic transition in the SEE region (Chapter one) outlining the challenges to the democratic consolidation as well as the importance of civic engagement for fostering this process. Then, the historical development and the current

issues of church-state relations in the SEE societies are presented in order to highlight the political-theological model corresponding to the modern nation-state, as well as the contemporary situation of cooperation and tension between the Orthodox churches and the new (semi-)democratic states in the region (Chapter two).

The theoretical aspects of political theology in its Western and Eastern, Christian and secular interpretations are presented along with official statements of the Orthodox churches on democracy and human rights (Chapter three). In this chapter the methodological approach of the Orthodox political theology is outlined in the works of John Zizioulas (Eucharistic ecclesiology) and Aristotle Papanikolaou (divine-human communion). A comprehensive presentation of political-theological models operative in the Eastern Christian context from the Early Christian through the Byzantine to the modern nation-state periods is provided in the Chapter four. The last chapter of the research elaborates the principles and concepts of the new participatory, personalist and universalist political theology (Chapter five). This endeavor relies on a systematic analysis of the theological concepts of theosis and synergy, ecclesia and Eucharist, conciliarity and catholicity, economy and eschatology that permeate Eastern Orthodox theology. The overarching paradigms of organizing and revealing the political-theological potential of these concepts are the Eucharistic ecclesiology and divine-human communion, emphasizing the participatory and personalist dimensions.

This new participatory political theology is developed with respect to the theological studies of Eucharistic ecclesiology and the emerging civic participatory ethos in the SEE societies. The Eucharistic ecclesiology emphasizes the participatory nature of the church as a communion of persons united in Christ through the Eucharist. The *ecclesia* is also understood as a structured order with its principles and rules of organization, decision-making and jurisdiction (conciliarity and catholicity). The church is engaged with the world (economy), though remaining not of this world (eschatology) it is oriented to the *City of God*. The church is a polity that respects personhood, participation and community. With its ethos of participation and community, respecting the dignity and freedom of each person, the Christian Orthodox teaching and practice is able to support the civic democratic movements and the active civil society that is becoming more important social forces in the SEE societies in the last two decades.

For the political theology elaborated here, these values of personhood, participation and community are truly significant. They express the Christian relation to the social order

and structures. At the most fundamental level, the full recognition of one's personhood in communion with others requires organizational structures that are conciliar, inclusionary, participatory, dynamic, and open to social change, not absolutist-monarchical, exclusionary, socially conservative, and petrified. This understanding has been developed by preeminent contemporary Orthodox scholars (Zizioulas, Schmemann, Meyendorff, Yannoulatos, Ware) and contextualized by Papanikolaou, Kalaitzidis, Vassiliadis.

These personalist, participatory and universalist dimensions of the new political theology find authoritative recognition and expression in official documents (encyclicals, statements, declarations) adopted by different Orthodox jurisdictions and instances (Ecumenical Patriarchate, the synods of the autocephalous churches, pan-Orthodox meetings). This new political theology benefits from the global spread of the Orthodoxy in the last century (beyond its traditional *locus* in Eastern Europe and Eastern Mediterranean region), thus, facing valuable cultural encounters, exchange and cooperation which further contribute for its universal outlook and vision.

The participatory political theology is analyzed in comparison to the traditional political theologies of *symphonia* and *Christian nation* that have been formed mostly under non-democratic conditions (the Christian empire and the authoritarian nation-state). Employing these models in the past, the Orthodox churches often supported political and cultural expansionism, national exceptionalism, often defended ultra-conservative, authoritarian and anti-modernist policies. This trajectory has been changed with the process of democratization of the SEE region in the last decades. The Orthodox churches have opened themselves for democratic values and practices which, in turn, also influenced their internal organizational life and their public image. In the organizational aspect, lay member participation in the ecclesial life as well as the engagement with the civil society is increasing. Christian lay organizations are actively involved in the civil society and are committed to different causes (defending the rights of the underprivileged, organizing social and charity activities, engaged with educational projects). In the public sphere, Orthodox churches consistently and openly endorse democratic values, human rights, tolerance, inter-cultural dialogue and cooperation.

With its spirit of openness and engagement the participatory political theology is able to mobilize support for the democratic and Europeanization project in the SEE societies without being fully identified with it. It should not be understood in terms of accommodating

to and accepting the political and social establishment either in the SEE countries, or in larger European context. Having its roots in deeply Christian concepts and doctrines, the participatory political theology overcomes local particularities, divisions, tensions (socio-economic, political, cultural, ethnic) and defends a vision of a society (community) that is based on mutual recognition, respect for the human dignity, inclusion and participation of all its members. To the extent the SEE societies are far from open and inclusive, participatory political theology remains critical of the current state of society, while endorsing its positive tendencies. Retaining this critical view has a preventative role, allowing participatory political theology to remain attentive to the negative sides of modern democracies – social exclusion of certain groups (immigrants, refugees, members of different minorities), excessive consumerism, concentration of power allowing abuse.

Thus, the political theology developed here is by no means conformist, it supports only certain aspects of the contemporary democratic model, while challenging others as incompatible with its personalist, participatory and universalist values. It calls for transformation and change of democratic systems towards better realization of their personalist and participatory commitments. The eschatological dimension of the participatory political theology ensures that the public sphere remain open for alternative civic and political projects, and not be perceived as closed, already established and self-sufficient.

The political-theological model advocated here also provides perspectives beyond the immanent political reality. It is aware, that from a Christian perspective, neither the state, nor politics (democratic politics included), could be an ultimate reality for the human person. The Christian ideal of personal participation and engagement in full communion with other persons and with God could not be realized in the imperfect social and political structures. They should be continuously reformed in order to be more respectful of the human dignity and freedom, but they would never achieve the features of the divine-human communion. This act of communion cannot be fully realized in the secular democratic societies, yet the existing societies deserve support as far as they respect the human dignity, freedom, and personal autonomy to a much greater extent than any other existing political model.

In times of emerging authoritarian political-theological models across the borders of the European democracies ('political Orthodoxy' in Russia, 'political Islam' in Turkey), legitimating anti-liberal, anti-western and expansionist policies, it is important to support and strengthen the political-theological model that embraces the values and ethos of personalism,

participation and universalism, thus, endorsing democracy, the rule of law and human rights. In this sense, the European integration and democratic consolidation of the SEE countries could be successful and achieve sustainability through integrating these participatory political-theological values in the public space and culture of these societies, while remaining faithful to their deeply shared Orthodox Christian ethos and culture.

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