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Secular Regimes and State Engagement with Religion in post-Soviet Eurasia

By

Robia Charles

A dissertation submitted in partial satisfaction of the

requirements for the degree of

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in

Political Science

in the

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of the

University of California, Berkeley

Committee in charge:

Professor M. Steven Fish, Chair

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## Abstract

### Secular Regimes and State Engagement with Religion in post-Soviet Eurasia

by

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Doctor of Philosophy in Political Science

University of California, Berkeley

Professor M. Steven Fish, Chair

The post-Soviet region is the only area of the world in which every state is secular. Since independence in 1991, each of the 15 states has formally declared its secular nature; however, they have had drastically different policies towards religion. The Baltic states and Ukraine have relatively liberal policies in which religious groups and people are more or less free to operate without much restriction. In Armenia, Russia, Moldova and Georgia there is a certain level of cooperation between the state and religious groups, including state subsidies or formal support for religions of declared *people* or *nations*. In the Central Asian countries, Azerbaijan and Belarus, the state poses considerable regulations and restrictions on religion, and controls religious activities by incorporating (or subjugating) religion into the state order.

This project analyzes the determinates of the level of state engagement with religion (SER) in the 15 post-Soviet countries, with special focus on Estonia, Georgia and Uzbekistan as three examples of countries with low, medium and high SER, respectively. It examines SER in terms of state funding for religion, use of religious symbols by the state, formal incorporation of religion into the state, and regulations and restrictions placed on religion. The project assesses several possible explanatory variables (i.e. regime type, economic development, predominant religion and religious fractionalization), and shows SER is impacted by regime type, predominant religion, and presence or absence of consensus between secular leaders and religious authorities in each country during the state-building period after 1991.

This study is the first systematic comparative analysis of secular state regimes and SER across the 15-post-Soviet countries. The project also provides more explanatory power to the term *secular state* and shows that there are a variety of secular states throughout the world. Finally, the research connects this region with the vast body of literature on state-religion relations from which it has been largely absent.

To my family and the spirit of reinvention.

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# **Chapter 1**

## **Introduction**

The relationship between religion and politics is a significant and complex topic within a variety of fields. Several areas within social science have sought to understand the multifaceted relationship from many different angles. Why and how do state governments interact with different religious organizations? What determines the balance of power between national governments and particular religious groups, or the dominance of one over the other? Or more generally, what role does religion play on the national level in different societies?

Some studies of the relationship between religion and politics have examined the role of religious institutions or religiosity among the population and its impact on political parties, voting behavior and the political life of a country (Mazie 2006). Other studies have taken a top-down approach by investigating state behavior and its impact on the level of religiosity within a society, or the provision or withholding of religious freedoms and tolerations (Gustafson and Moen 1992, Demerath 2001, Norris and Inglehart 2004, Stark and Iannaccone 1994, Finke and Iannaccone 1993). One of the most persistent questions in political science (and several other fields) is what influences the level of state engagement with religion (SER) by different states.

There is a great range of relationships between state governments and religious organizations, and more specifically, in state engagement with religion across the world. Some of the most intertwined relationships between religion on state occur in the Middle East, Near East, North Africa, and Southeast Asia where countries as disparate as Iran, Saudi Arabia, Pakistan and Algeria all have official state religions and legal or judicial processes that are under the institutional control of religious bodies (Islamic bodies in these cases).

The majority of countries in the world with declared state religions are those with predominantly Muslim populations.<sup>1</sup> Yet, not all countries with majority Muslim populations have state religions. For example, Turkey, Egypt, Azerbaijan, all five Central Asian countries and most countries in Western Africa have no officially recognized state religion. Moreover, there are several countries in Western Europe that are popularly considered to be secular and have established state religions, although their judicial and legal institutions are not under the control of religious bodies (e.g., Denmark, Malta, United Kingdom and Andorra).

Numerous studies have sought to classify relationships between state governments and religious organizations. The “established church model”, as coined by Monsma and Soper (1997), refers to a relationship in which the state has a formally recognized religion, and in which the state and church form a partnership to advance the cause of both entities. For example, although the governance of the United Kingdom is largely understood to be secular, the British monarch is the titular head of the Anglican church and the government provides funding for a number of faith

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<sup>1</sup> See Appendix for a full list of countries separated into whether or not they have a state religion or judicial and legal processes that are under control of religious bodies.

schools.<sup>2</sup> Monsma and Soper also outline a “pluralist or structural pluralist model” in which the state and religion are considered to be autonomous, yet religion is funded and supported by the state without receiving formal recognition (e.g., Germany, the Netherlands and Australia).<sup>3</sup>

Finally, Monsma and Soper also describe a third type of state engagement in religion as strictly “separationist states” where religion and politics are kept separate from each other and religion is viewed as a private matter. This is similar to Stepan’s (2001) discussion of state-religion relations in contemporary democracies which he calls the “multiple secularisms of modern democracies”. In his view, these separatist states are free *from* religion (e.g., France, the United States and Turkey) and the state is neutral and does not establish religion or provide funding for religious organizations. The United States which has no formal institutional arrangement with religion or religious organizations would be an example of this.

Monsma and Soper offer useful models of church-state relations in North America and Europe, yet they omit non-democracies and many countries outside of these regions. Similarly, Stepan’s analysis focuses primarily on Western democracies, and overlooks significant differences in state behavior towards religion by placing countries such as the United States, Turkey and France into the same “separatist” category.

Most countries in Europe fall into one of the before-mentioned categories. However, other forms of state engagement in religion can be found in South America and Central America where Gustafson and Moen (1992) argue that dominant states have co-opted and integrated religious institutions by making them dependent on the state. In their view, these states seek legitimacy through religious affiliation. Gustafson and Moen also describe anti-religious states that are hostile towards religion and seek to expunge it from both the public and private realm (i.e. Jacobin France and the Soviet Union).

Their classification is significant because it indicates a shift in the literature on state-religion classification schemes from the usual tripartite establishment-separatist-pluralist pattern to include dominant states and hostile states which are numerous, yet have been largely absent from the literature.<sup>4</sup> However, similar to other typological works, Gustafson and Moen’s classification evades the large differences in state behavior that exist between states placed within the same category.

A great deal of work on state-religion relations has to do with these types of classifications of state-religion relationships. Yet, a few scholars have sought to specifically understand the reasons behind political calculations that states make with regard to their relationship with religious groups. Kuru (2009) is one such scholar who has investigated the behavior of secular states with two qualitatively different types of behavior towards religion and religious

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<sup>2</sup> These schools are mostly Anglican and Catholic, but some Jewish, Methodist and Muslim schools receive state funding as well.

<sup>3</sup> The German state, for example, collects taxes on behalf of the Protestant and Catholic Church (as well as some Jewish groups).

<sup>4</sup> Demerath (2001) also discusses several different relationships between state and religion, these include states that use religion to boost their own legitimacy while simultaneously banning religion from politics such as Indonesia.

organizations: passive secularism and assertive secularism.<sup>5</sup> States which exhibit passive secularism (also known as pluralistic or soft secularism) are inclusionary toward the public visibility of religion (e.g., United States) and avoid the establishment of any religion. In contrast, states that employ assertive secularism have policies that are exclusionary toward the public visibility of religion (e.g., France, Turkey).

In another quantitative study, Barro and McCleary (2005) examine the probability of whether governments decide to institute a state religion. They examine 188 countries in 1970 and 2000 and consider states to have a state religion if there is a formal clause in the constitution *and* if the state supports or favors a particular religion.<sup>6</sup> Using this broad concept, Barro and McCleary argue that the decision to implement a state religion is a political calculus that involves interactions between the government and religious sector. They find that having a population of up to two million raises the probability of having a state religion, after which a population increase reduces the probability. An increase in the fraction of the population that adheres to a country's main religion raises the probability of state religion, and presence in sub-Saharan Africa has a negative effect on the probability. Finally, Barro and McCleary find that the identity of the main religion is unimportant, and having a communist past has a negative effect on the probability of a state religion.

In light of all of the previous work to classify state-religion relationships and understand their causes, this project is concerned with understanding factors that influence the level of state engagement among states that are specifically secular. Defining a *secular state* is not easy and the notion of secular has multiple definitional properties.<sup>7</sup> For the purposes of this dissertation, I identify three ideal dimensions of state-religion regimes: secular, religious and atheistic. The definition of secular state that will be employed in this project comes from Kuru (2009). A *secular state* is defined by the following criteria: (1) their legal and judicial processes are out of institutional religious control, and (2) they do not have an established official religion.<sup>8</sup>

This definition facilitates understanding secular state behavior in terms of a diverse set of relationships with religion, rather than the most common notion of secular state whereby a state

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<sup>5</sup> Kuru (2009) also typologizes four ideal types of states: (1) "religious states" that have established religious laws and courts as the basis of their legal and judicial systems, (2) "states with an established religion" that have recognized an official religion, (3) "antireligious states" that have shown hostility toward religions generally by establishing atheism, and (4) "secular states".

<sup>6</sup> The majority of their classifications come from Barrett, Kurian, and Johnson (2001).

<sup>7</sup> The term secular (and secularism) is derived from Saeculum in Latin which means "this present age" or "world" in contrast to religious or sacred. This is different from the varied process of secularization (Shiner 1967, Glasner 1977, Tschannen 1991 and 1992, Bruce 2002 and 2003, Sommerville 1998, Fenn 1970, Dobbelaere 1984, Chaves 1994). First coined by Holyoake in 1851 to describe an ideology organized to counter religious loyalties, secularism and secularist thinking goes back to the 16<sup>th</sup> century when statist scholars such as Bodin (1576) asserted that a single power was necessary for stability and that religion should be subordinate to the "sovereign prince". This was the notion that the state should control religion and bend it for its own uses (i.e. Erastianism). These theories were later modified or refuted by liberal theorists (Hegel 1843) who argued for the subordination of the church to the state in contrast to a mere separation of church and state, functionalists (Marx 1843, Rostow 1959, MacIntyre 1967, Inglehart and Norris 2004, Cox 1996).

<sup>8</sup> See Kuru (2009). This definition is based on state action rather than what is stated in constitutions.



is separate from religion, meaning a country where religion has little or no influence in governmental affairs and where the government has little or no influence in religious affairs.<sup>9</sup>

The assumption of state secularism as state separatism is widespread, especially in Europe where the Council of Europe believes that one of Europe's shared values is the separation of church and state and that this is a generally accepted principle that prevails in democratic countries.”<sup>10</sup> This statement overlooks immense differences in state behavior among secular states in Europe where a formal separation of church and state throughout Europe is not an empirical reality. Malta, Denmark, Iceland, Norway, the United Kingdom and Liechtenstein all have official state religions. Germany, Austria, Hungary, Italy, Spain levy taxes for certain religious groups.<sup>11</sup> Many other European countries support religion in public schools or provide financial support to religious organizations. Moreover, the existence of Christian-based political parties in many European countries such as Germany, Albania, Andorra, Belgium, the Czech Republic, and the Netherlands indicates that the much touted separation of church and state in Europe is not so separate. Thus, as Fox (2006) has noted, no state in the world has a full separation of religion and state—meaning no legal support for religion and no state restrictions on religion (except possibly the United States). Rather, there is variation in the level of engagement with religious organizations even among secular states.

Perhaps the most puzzling of all variations in state engagement in religion can be found within the post-Soviet region—a region where the 15 constituent countries exhibit dramatic differences despite a relatively uniform Soviet past. The 15 former Union Republics were all under the same state-sponsored form of state atheism which understood the disappearance of religion to be inevitable under the principles of Marxist-Leninism, although religious policies constantly influenced by political conditions and practical considerations that changed over time. The fact that all 15 Union Republics became independent countries around 1991 with strikingly different state policies towards religion is puzzling. This is the puzzle to which the next section will turn.

### **State Engagement with Religion in the post-Soviet Region**

The post-Soviet region is an unlikely and fascinating area within which to examine SER and its determinants. The post-Soviet area is the only region of the world in which every state is secular. No post-Soviet state is formally atheistic and each constitution either declares state secularism, a separation of religion and state, or indicates that there is no state church.<sup>12</sup>

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<sup>9</sup> An-Naim (2008, 2010) argues that the notion of state secularism as separation is a preconceived Western notion. In his view it is misleading to speak of total separation or total union of religion and the state. Rather, there is a continuum of secularisms between a fusion of religion and state to an absolute separation of religion and state.

<sup>10</sup> Council of Europe Backs Separation of Religion and State. 2007. *International Humanist and Ethical Union*. <http://www.iheu.org/node/2750>

<sup>11</sup> It is important to note that German citizens can opt-out of paying church taxes and in fact, there has been a large proportion of people who chose to opt-out since the 1990s. Citizens of the former German Democratic Republic never had to pay church taxes and certain percentage of this group currently opts-out.

<sup>12</sup> Constitution of Armenia (Article 8.1), Constitution of Azerbaijan (Article 7), Constitution of Georgia (Article 9) and Article 5 of the draft Law of Georgia on Religion and Religious Associations, Constitution of Kazakhstan (Article 1), Constitution of Kyrgyzstan (Article 1.1 and Article 8.3), Constitution of Tajikistan (Article 1, Article 8 and Article 100), Constitution of Turkmenistan (Article 11), Constitution of Uzbekistan (Article 61), Constitution of

The area was incorporated into the Russian Empire, subsequent Soviet Union (albeit at different times) and gained independence immediately following the dissolution of the union after 1991. Although each state has formally declared its secular nature in government documents and formal proclamations, they have drastically different policies towards religion. In Estonia, Latvia, Lithuania and Ukraine, there are relatively liberal policies towards religion in which religious groups are more or less free to operate and their populations are free to practice without much restriction. These states do not provide extensive funding for religion, invoke religious symbols at the state level or have one dominant religion that is supported by the state in contrast to others. Overall, the level of engagement with religion is low among these countries.

In Armenia, Russia, Moldova and Georgia there is a certain level of cooperation with specified religions such as state subsidies for particular religious groups, formal support for religions of declared “people” or “nations”, and there is extensive use of religious symbols at the state level. These countries also have regulations and restrictions on some religious groups.

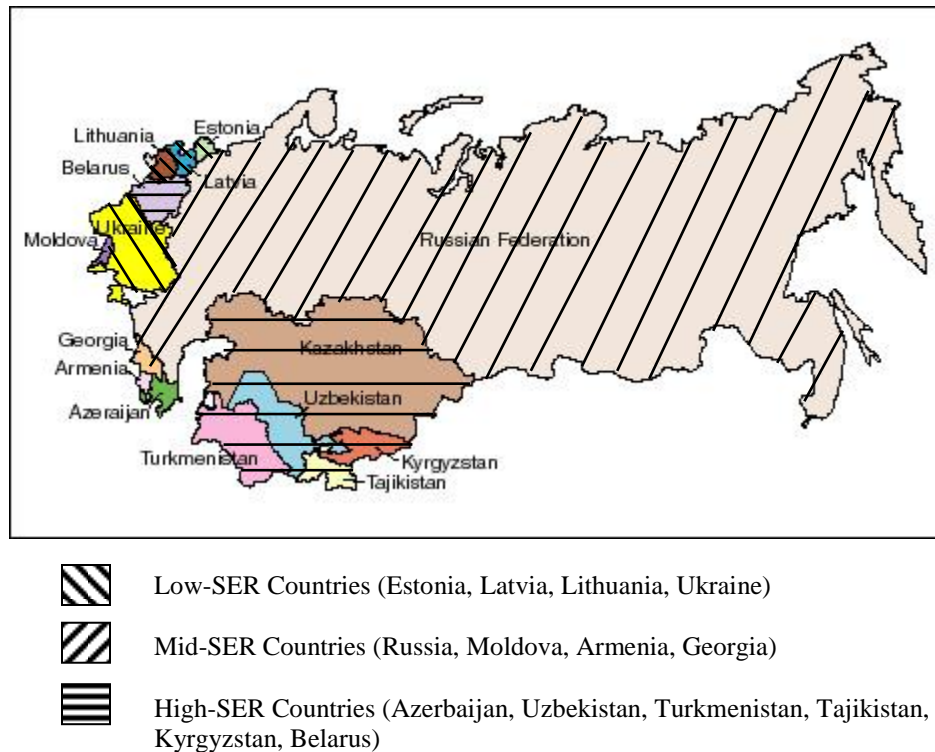
In Uzbekistan, Turkmenistan, Tajikistan, Azerbaijan, Belarus, Kazakhstan and Kyrgyzstan, the state is extensively engaged in religion and has assertive policies. These countries do not fund religion, but are imbued with a high degree of religious symbolism at the state level. They also pose considerable regulations and restrictions on religion at the same time as they incorporate religion (mostly through state-sanctioned Islam in Central Asia and Azerbaijan) into the state in order to control religious activities.

What is puzzling is that while all 15 of these states are secular and have shared a similar Soviet past, they have had radically different levels of SER since independence. The variation is indeed striking. Someone without an intimate knowledge of religious policy during the Soviet Union might be surprised that all of these countries and their different levels of SER were once constituent parts of the Soviet Union under which the state had a hostile attitude towards religion and sought to eradicate religion. One would not expect such drastic changes in state-religion trajectories post-independence.

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Latvia (Chapter 8 point 99), Constitution of Moldova, Constitution of Russia (Article 14), Constitution of Ukraine (Article 35), Constitution of Estonia (Article 40), Constitution of Lithuania (Article 43).

**Figure 1: Map of SER Variation**



The 15 post-Soviet countries share a similar history having been Union Republics of the Soviet Union. The purpose of this dissertation is not to detail this similar history, but rather to note that there is a dramatic difference of SER across these countries despite a relatively uniform Soviet past (albeit with variations across space and time).<sup>13</sup> The Soviet state was formerly atheistic and at the same time was heavily involved in creating and implementing policies for religious organizations throughout the seven decades of its existence. As Ramet (1993) writes, “The CPSU [Communist Party of the Soviet Union] has (sic) always been dedicated to promoting the disappearance of religion, but the formation and execution of a religious policy has usually been

<sup>13</sup> There were several agencies responsible for the implementation of the changing religious policy during the Soviet Union. From 1918 until World War II, the Commissariat of Cults within the Commissariat of Justice was responsible for the overall supervision of religious policy, while the Commissariat of Internal Affairs was responsible for direct administration. The Cheka (secret police) was responsible for combating possible subversion by surveillance and infiltration and an additional body within the Commissariat of Enlightenment was responsible for anti-religious propaganda and under the guidance of the Communist Party’s Agitation and Propaganda department. In 1922 the Antireligious Commission was created and served as the overall coordinating body for religious policy throughout the 1920s. In 1924, the Department of Cults was abolished and replaced by the Secretariat for the Affairs of Cults which had more involvement by the Cheka and NKVD (successor to the Cheka). The League of Atheists (renamed the League of Militant Atheists in 1929) was a mass atheistic organization established in 1925 by the Agitation and Propaganda Department of the Central Committee and was replaced by the Znanie society after WWII. Two new state bodies were created due to changing conditions brought about by WWII: the Council for the Affairs of the Russian Orthodox Church (CAROC) in 1943 and the Council for the Affairs of Religious Cults (CARC) in 1944. The purpose of these bodies was to facilitate contacts between religious organizations and the state. They enabled direct infiltration of religious structures by security organs and aided state control over religious activity. In 1965 these two councils were merged into the Council for Religious Affairs (CRA) which existed until the collapse of the Soviet Union in 1991.

subordinate to, and influenced by, other constantly changing political, economic, and social considerations.”<sup>14</sup>

From the foundation of the Soviet Union, the Bolsheviks operated with the vision of a rational society in which religion had no place. They held one of the fundamental tenets of Marxism-Leninism that religion would ultimately disappear and therefore implemented various policies to accomplish this goal. These policies included the seizure of religious buildings, deprivation of the right to religious education, religious assembly and a host of arrests, disappearances and other forms of harassment for those who resisted.<sup>15</sup>

The most intense persecution of religious organizations occurred under Stalin when the 1929 Law on Religious Associations made most religious activities illegal (e.g., providing religious education, producing and distributing religious literature, organizing religious activities and collecting money for charities). The nature of religious persecution also took different forms across the region. In Central Asia, the state prohibited religious schools, Quranic tribunals, excluded practicing Muslims from holding administrative positions, and closed, destroyed or converted mosques into architectural monuments and museums.<sup>16</sup> It was also during this time (1927) that the party launched the hujum or assault on traditional practices such as the de-veiling campaign of women that resulted in short-term misery, yet long-term success.<sup>17</sup>

The Soviet Union’s entry into World War II in 1941 motivated Stalin to take conciliatory measures with religious groups in order to gain support for the war (although anti-religious propaganda did not completely cease).<sup>18</sup> The Orthodox church was allowed to elect a patriarch, create a centralized administrative structure, reopen religious institutions and print religious literature.<sup>19</sup> In Central Asia, Stalin created the Spiritual Board of Muslims of Central Asia and Kazakhstan (SADUM) in October 1943 which dominated over the other Spiritual Boards established in the Caucasus and Russia. Based in Tashkent, SADUM was the only official representative body for Islam in Central Asia from 1943-1991. Muslims throughout the Soviet Union were able to open academies, print religious literature, and some groups obtained permission to pilgrimage to Mecca.

With the death of Stalin in 1953, there followed a contradictory mix of religious freedom and anti-religious activity under Khrushchev, a policy of divide and rule under Brezhnev from 1964 to 1985, and a series of failed initiatives intended to reform the Soviet system and state ideology under Andropov (1982-1984) and Chernenko (1984-1985). These latter years were marked by

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<sup>14</sup> See Walters (1993), p. 3.

<sup>15</sup> The 1918 constitution deprived clergy of their right to vote and be elected to Soviet state organs. The New Economic Policy (NEP) which was launched at the 10<sup>th</sup> Party Congress in 1921 permitted a limited degree of private enterprise and freedom of expression. It also included new policies aimed at conciliating practicing believers. Nevertheless, the conciliatory aims of the NEP in the sphere of religion were tempered with an increase in anti-religious activities. Church sermons were subject to state censorship and churches could not organize mutual aid funds, cooperatives, or youth and women’s groups.

<sup>16</sup> Jadids (Islamic reformists) were among the first victims to Stalinist repression despite their collaboration with the Bolsheviks. See Khalid. (2000).

<sup>17</sup> See Northrop (2004).

<sup>18</sup> See Bociurkiw (1969), p. 71-104 and Walters (1980), p. 218-24.

<sup>19</sup> See Ramet (1993), pg. 17.

increasing underground religious activity and an acknowledgment of the persistence of religion. By this time it was understood that religion would not wither away and some religious practices had thus returned to daily life, at least in Central Asia and the Caucasus.<sup>20</sup>

The last five years of the Soviet Union were distinguished by religious liberalization under Gorbachev's policies of *glasnost* and *perestroika*. In order to garner support for perestroika, Gorbachev sought to normalize state-religion relations by sanctioning religious activities and institutions.<sup>21</sup> The 1990 Law on Religious Organizations granted religious organizations full status, permitted religious education in public schools after regular hours, enabled church property ownership, guaranteed freedom of worship, prohibited discrimination (and government interference) based on religious belief, and repudiated state-supported atheism.<sup>22</sup>

The results of perestroika in the religious sphere were a body of state-religion relations that was almost a complete reversal from prior Soviet policies. Religious freedom and activities tended to snowball and most likely went further than Gorbachev had originally intended. Perestroika and glasnost facilitated not only an increase in religious activity, but also a stronger relationship between certain religious groups and national activities which contributed to the quick dissolution of the Soviet Union.<sup>23</sup> After the collapse, many political leaders of the new states found it useful to affiliate themselves with particular religions as they dealt with the simultaneous social, economic and political changes. These leaders began building new states and to construct new national identities, but not without the legacies of former Soviet policies in the religious sphere.

Even though the post-Soviet countries have undertaken different trajectories since independence, there are three striking commonalities they all share as a result of their Soviet past. First, Soviet religious policies, especially from 1929 to 1939, sought to destroy religious institutions and belief, yet many people continued to identify themselves as religious believers.<sup>24</sup> Thus, although Soviet policy was successful at decreasing visible religious life such as religious behaviors (e.g., religious attendance), these policies failed to eradicate religious belief and institutions. This phenomenon of high rates of religious affiliation or self-declared religiosity, yet low levels of religious practice is pervasive throughout the post-Soviet region.<sup>25</sup>

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<sup>20</sup> Some observation of Islamic rites of passage (e.g., marriage, burial and circumcision) and Muslim feasts and holidays continued. Central Asian communist leaders chose to ignore these formally prohibited practices and many party officials diverted public funds to finance places of worship such as tea houses that were used as mosques.

<sup>21</sup> See Walters (1993) for a discussion of these changes among the various Orthodox, Catholic, Muslim and Buddhist communities throughout the union.

<sup>22</sup> These concessions were also complemented with media support for religious freedom. Several journals and newspapers such as Komsomolskaya Pravda and Literaturnaya Gazeta published articles that criticized state interference in religious affairs or promoted a separation of religion and state. In addition, Gorbachev also made many symbolic moves to improve state-religion relations. In 1988 he received the Patriarch and other members of the Russian Orthodox Synod, and the highly-publicized celebration of the millennium of the Christianization of Kievan Rus in 988 was allowed to take place in both Moscow and Kiev (as well as in Riga and Leningrad) in June 1998. Christmas was also declared a state holiday in 1991.

<sup>23</sup> A good example of this is the collaboration between the Lithuanian national liberation movement (Sajudis) and the Catholic Church during and after the collapse of the Soviet Union. See Goeckel (1995).

<sup>24</sup> According to Fletcher (1981), two thirds of the rural and one third of the urban population continued to identify themselves as religious believers.

<sup>25</sup> See Charles (2010).

Second, Soviet policies succeeded in creating a distinction between “traditional” and “nontraditional” religions which persists in each country. Religions with centers or origins external to the Soviet Union (e.g., the Vatican, Jehovah’s Witnesses, Pentecostals and Reform Adventists), and those which were not congruent to ethnicities indigenous to the territory of the Soviet Union, were often looked upon suspiciously by the Soviet state and were especially attacked for being harbingers of western imperialism.<sup>26</sup> The result was the creation of a psychological distinction between “traditional” (i.e. “good”) religions and “nontraditional” or “foreign” (i.e. bad) religions.

This has had a significant impact on state-religion relations in the post-Soviet period. The distinction is often the juridical justification for different state policies towards religions that fall into these two categories, and each post-Soviet country has a clause in its law on religion or constitution that differentiates between “traditional” and “non-traditional” religions. In the Baltic countries there is a juridical distinction between the two groups. One particular religion or group of religions is explicitly recognized as a national religion in Georgia, Armenia, Moldova, Russia and Belarus, thus making an inherent distinction between “traditional” and “nontraditional”. Other countries such as Azerbaijan and those in Central Asian ban or restrict religious groups that are deemed “foreign” or “nontraditional”. Moreover, new missionary movements—particularly those that are organized, well-funded and from the United States—have been largely rejected by traditional religious hierarchies, communities of believers and government officials alike.

Third, many of the post-Soviet countries such as Lithuania, Ukraine and Russia have legal distinctions between types of religious entities (e.g., religious organizations, associations, communities). However, this is not as consistent across the post-Soviet region as is the traditional/nontraditional religious divide. Despite these persistent commonalities, the diversity of SER within this region is remarkable and is the subject of this dissertation.

## **The Question**

This project seeks to understand what determines the level of state engagement with religion (SER) in the 15 post-Soviet countries. It also examines how SER can be quantitatively measured. In order to answer these questions, I begin by providing a systematized concept of SER as four properties: 1. State funding for religion, 2. State restrictions on religion, 3. State use of religious symbols, and 4. Incorporation of religion into the state. Some may question the choice of these four properties or their forthcoming indicators. However, there are several added benefits to the choices I have made. Both a systematized concept for SER and its set of indicators can be replicated and makes a study of SER empirically tractable.

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<sup>26</sup> The traditional/nontraditional division of religions found in the post-Soviet region is partially due to the strong association between religion and ethnicity (and national identity). This is a Soviet legacy in which the Soviet state formally enforced atheism alongside the construction of nations. This resulted in many people associating the assault on religion with an assault on ethnicity and had the paradoxical effect of strengthening religions by making them markers of identity and better able to resist attacks by Soviet authorities. See Martin (2001).

The post-Soviet area is an ideal region to study SER. The 15 countries provide a universe of cases with a relatively similar past, yet a range of different outcomes. While there is extensive literature discussing state-religion relationships as shown above, there are very few explanations specifically about SER (Fox 2006, Kuru 2009, Barro and McCleary 2005). These best-developed explanations of the phenomenon have focused largely on relatively open and stable democracies. The post-Soviet universe includes countries that exhibit a profound range of religious and political diversity encompassing both Western and Eastern Christianity as well as Islam, and including the three democratic Baltic EU member states, hybrid democracies in the Slavic core and South Caucasus, and the more authoritarian states of Central Asia and Belarus.

Studying the determinates of SER in the post-Soviet region is important for several reasons. This is the first study to provide an empirical presentation of SER among the post-Soviet countries, as well as to provide a conceptualization and operationalization of SER in the region. The study is also the first systematic comparative analysis of secular state regimes and SER across the 15-countries. Thus, this project brings secular state experiences in this region together with the vast body of literature on state-religion relations from which it has been largely absent.

Therefore, this study extends beyond the usual state-religion literature by providing an analysis that includes and compares countries with various political regime types (democracies as well as non-democracies), economic policies, and religious demographics. This is a study of state-religion relations rather than “church-state” relations as it is more commonly termed, and the project touches upon the compatibility of state secularism in countries with majority Muslim populations. There is a great deal of literature about the nexus of politics, society and religion in Muslim countries. However, there are few studies about the behavior of secular states that have predominately Muslim populations outside of Egypt, Turkey, Indonesia and several other well discussed cases. Thus, this project is one of very few to discuss secular statehood in Central Asia and Azerbaijan.

Second, this study makes room for “middle-way” countries such as Germany, Belgium, Georgia and the Netherlands in which the state is secular and considers itself separate from religion, yet makes certain provisions for particular religions. This also includes countries in which the state is secular, yet there is considerable engagement in religion usually by extensive regulations and restrictions (e.g., Turkmenistan or Uzbekistan).

Third, this is one of few analyses to consider SER as a dependent variable rather than as an independent variable, and it is the first to provide a systematized concept for and quantitatively examine SER. Finally, the study provides more explanatory power to the term “secular state”. That is, it uses a more nuanced approach to investigating varieties of state secularism, than thinking of secularism as a monolithic concept.

## **The Argument**

The way that I examine the determinates of SER in the 15 post-Soviet countries is different from the way other scholars have answered this and similar questions. This work is the first to use empirical evidence from the post-Soviet region, and to combine quantitative and qualitative methods in doing so. First, I go about answering my question by providing a quantitative

assessment of SER and conceptualizing it with respect to four different types of state engagement (funding, symbols, incorporation, and restrictions)—and measuring their indicators. This measurement shows that the post-Soviet countries fall into three categories: 1. Low SER in Estonia, Latvia, Lithuania and Ukraine, 2. Mid SER in Georgia, Armenia, Russia, and Moldova, and 3. High SER in Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan and Tajikistan, Azerbaijan and Belarus.

Second, I use regression analysis to understand if and how religious fractionalization, regime type, economic development and the percent of the population that is Muslim, Western Christian or Eastern Christian impact SER. The answer, more fully discussed in chapters 6 and 7, lies in regime type and the percent of the population that is Muslim. More authoritarian regime types and the presence of majority Muslim populations are strongly associated with SER, funding, incorporation, and restrictions and regulations. In other words, there is a clear East/West, democratic/authoritarian, and Western/Eastern Christianity/Islam gradient. The data also shows inconsistent or weak connections between the level of economic development and religious fractionalization and SER (including its components).

Third, I follow this discussion of key influencing factors with a qualitative examination of strategies that have given rise to different levels of SER in one quintessential case from each group—Estonia for low SER, Georgia for mid SER and Uzbekistan for high SER. In addition to regime type and percent of the population that is Muslim, the qualitative analysis shows that the level of SER arises from the presence or absence of a consensus between secular leaders and religious authorities, especially during the state-building period post-independence after 1991.

## **Research Design and Methodology**

This dissertation addresses a poorly understood political phenomenon by investigating a small universe of 15 cases at the macro-level. I collect information on the four components of SER in order to produce a composite numerical value of SER for each country. This data on state funding for religion, restrictions on religion, use of religious symbols, and incorporation of religion into the state was collected via content analysis from a variety of sources: U.S. State Department 2009 Reports on International Religious Freedom, state constitutions, national anthems, state flags, relevant government documents, and various laws on religious freedom and conscience.

The data was compiled into a database and used to conduct a regression analysis of SER on six hypothesized determinants (religious fractionalization, regime type, percent Muslim, Western Christian, or percent Eastern Christian within a population, and economic development) to see whether or not any of these independent variables impact the level of SER. This analysis was followed by a qualitative examination of specific strategies that impacted the level of SER in three case studies: Estonia, Georgia and Uzbekistan.

Therefore, this project uses both quantitative, large-n variable centered research and qualitative small-n comparative case study research. According to Collier, Brady and Seawright (2010), qualitative and quantitative research each have their own set of weaknesses, such than when used



together they can provide additional leverage that helps address shortcomings of the other.<sup>27</sup> In their view, some types of research have affinities to certain causal approaches. Large-N studies that use regression analysis often utilize a neo-Humean approach where causality is established via correlation, whereas, case studies use counterfactuals or the mechanisms and capacities approach to make causal inferences. For example, large-N cross-national studies thus indicate relations and correlations among variables in many different contexts. However, they often lack attention to causal mechanisms. That is, variable oriented research has a propensity for overgeneralization.

In contrast, case-study research is inclined toward particularization and is difficult to undertake with a large number of cases. This type of research is more focused on recognizing complexity rather than producing generalization. Ragin (1987) notes that case study research is primarily descriptive, evidence-centered and concerned with explaining and interpreting differences among a few cases. Case study research is thus sensitive to human agency and critical junctures, while variable oriented studies favor structural explanations. I combine “large-N” regression analysis with a “small-N” qualitative examination of the results in order to produce generalizable results as well as to understand causal mechanisms via description and the use of empirical evidence.

## **Plan of the Dissertation**

This dissertation proceeds in six chapters followed by a conclusion. Following this introduction in Chapter 1, Chapter 2 outlines previous research on religion-state relations and sets the theoretical foundations for the project. There is not much literature that specifically addresses reasons for different levels of SER around the world, yet Chapter 1 will outline literature that is central to the general study of state-religion relations and helpful for the study of SER.

Chapter 3 provides the conceptualization and operationalization for SER as it will be used in this dissertation. It will be presented as a systematized concept with four properties: 1. State funding for religion, 2. State restrictions on religion, 3. State use of religious symbols, and 4. Incorporation of religion into the state. This chapter presents conceptualization of these four properties, their indicators, and the ways in which each indicator is measured. This operationalization of SER will be used in the qualitative and quantitative analysis that will follow in subsequent chapters.

Chapter 4 discusses varieties of SER among the 15 post-Soviet countries—a region which shared formally imposed state atheism during the USSR, yet came to display drastically different types of engagement with religious groups post-independence. Chapter 4 thus details the current empirical diversity of SER across the region. It also classifies this universe of cases into three categories: high-SER, mid-SER and low-SER.

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<sup>27</sup> Some scholars also argue that large-n, variable centered research and small-n, comparative case study research do not share a common logic of causal inference (Ragin and Zaret, 1983), while others claim that these styles of research have the same fundamental logic of inference and that their differences are only stylistic (King, Keohane and Verba (1994).

Chapter 5 discusses possible determinants of SER and conceptualizes and operationalizes six dependent variables: religious fractionalization, regime type, percent Muslim, Western Christian, or percent Eastern Christian within a population, and economic development. Chapter 6 presents the methodology employed to examine possible determinants of the level of SER among the post-Soviet countries. This chapter includes regression analysis of SER on the six hypothesized determinants.

Chapter 7 provides an explanation for the different levels of SER and discusses how they possibly come about. The chapter provides qualitative explanations for different levels of SER with religion based on historical processes, critical junctures, and the presence or absence of consensus between secular leaders and religious authorities.

## **Chapter 2**

### **Determinants of State Engagement with Religion**

What determines the level of state engagement with religion (SER) in the 15 post-Soviet countries? According to some scholars, such as Johnstone (1983) and O'Dea and Aviad (1983) religion performs several functions by sacralizing the norms of a given society, legitimizing a social order, socializing its members, providing social identity, and generating sense of purpose for its members. Therefore, religion can be a purveyor of a distinct value system or mode for independent organizational principles with which a state must contend. In doing so, a state's calculus of religious policy changes due to the functions religion can hold at any given time. Some states may engage in a policy of integration with religious bodies in order to benefit from the association. Others may coopt religious elites into a partnership with the state, establish religious hierarchies or create a distinction between official and unofficial religious activities or groups in order to subvert the power religion may have within a particular society.

In a similar vein, Ramet (1987) uses geneticism-monism to argue that religion-national symbiosis is a key intervening variable between historical patterns and state policies towards religious groups. That is, in certain societies religion may be a formative aspect of national identity and culture, whereas for other societies religion may be secondary or even less important. According to her, the strength of a religion-national symbiosis impacts state strategies and policies towards religious groups. For example, the stronger the religion-national symbiosis, the more difficult it becomes for a state to be entirely confrontational toward religious groups or religion in general. Moreover, the presence of a confessional mix might weaken a religion-national symbiosis, whereas a history of religious cooptation or opposition, the existence of traditional class roots within the church, or the content of a particular faith can all impact the religion-national symbiosis and thus a state's particular set of strategies towards religious groups. In this way, Ramet shows how similarly Catholic countries such as Poland, Hungary and former Czechoslovakia have divergent church-state relations due to variations in the strength of their respective religion-national symbiosis (strongest in Poland followed by Hungary and weakest in Czechoslovakia).

Along with the idea that religion can serve a powerful role and that a strong connection between religion and nations can influence state policy, Fox (2006) demonstrates that religiously homogeneous states are significantly more likely to become involved in religion.<sup>28</sup> The idea behind this is that the presence of a greater confessional mix weakens the religion-national symbiosis, thus making religion less of a mode for independent organizational principles and power. As such, states will not feel threatened or seek to either coopt or integrate religion into the state. It is from theories that a religious fractionalization hypothesis will be tested in this project.

***Religious Fractionalization Hypothesis: Countries with higher levels of religious fractionalization will have lower levels of SER.***

In addition to a religion-national symbiosis and the functions that religion can play, scholars such as Weber (1978) and Stepan (2001) have postulated that state-religion relationships are impacted by the structure or spiritual tradition of particular religions. Weber argued that Orthodox Christianity, belonging to the Eastern branch of Christianity, is ideologically weak due to its caesaropapist structure in which the church is a national organization, not a transnational one such as Catholicism.<sup>29</sup> In this case, the state usually plays a major role in the church's finances and appointments, and priestly power is usually subordinated to secular power.<sup>30</sup> He also maintains that Orthodoxy focuses on liturgy and quietism rather than action, therefore providing the logic behind the Orthodox Church's alliance or pacification with the state in Imperial Ethiopia, the Soviet Union, and the Serbian republic during the collapse of the Yugoslav confederation.<sup>31</sup>

For Stepan, Roman Catholicism has played more of a role in resistance movements because it has an independent transnational and hierarchical organization that can support the Catholic Church in resisting state oppression (as evidenced in Lithuania, Poland, Chile and Brazil).<sup>32</sup> Although the core religious doctrine of Orthodoxy and Catholicism are quite similar, two of their main differences include issues surrounding papal authority and their organizational forms. The spiritual tradition of Catholicism is to maintain an active presence in society and expect secular powers to acknowledge this role. Protestant churches, on the other hand, are more willing to accept the privatization of religion and maintain a spiritual tradition of relegating its terrain to matters of personal conscience.

With regard to Islam, Sayyid Qutb, a theoretician of the Islamic Brotherhood in Egypt, argued that the "Sharia is so complete as a legal and moral system that no further legislation is possible."<sup>33</sup> For him, higher levels of SER are justified in predominately Muslim countries due to the belief that religion and state should be unified and thus the state should favor Islam. This is in

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<sup>28</sup> This appears to be the case for much of European history.

<sup>29</sup> Caesaropapism is not terribly different from Erastianism or Gallicanism from the late 16<sup>th</sup>-18<sup>th</sup> centuries and intermittently in the 19<sup>th</sup> centuries in France.

<sup>30</sup> For example, under Stalin members of the KGB were present in the highest religious counsels of the Orthodox Church.

<sup>31</sup> Froese and Pfaff call the Orthodox Church a state church due to its historical inability to obtain independence from state institutions. See Froese and Pfaff (2001).

<sup>32</sup> See Vardys (1978).

<sup>33</sup> See Esposito and Piscatori (1991), p. 427-40.

line with other civilizationist authors who argue that there are inherent distinctions between certain religions that have an impact on politics. In his civilizational thesis, Huntington writes that, “In Islam, God is Caesar; in China and Japan, Caesar is God; in Orthodoxy, God is Caesar’s junior partner.

Moreover, statistical analyses indicate that there is a correlation between type of religion and level of SER. Both the International Religious Freedom dataset (2001, 2003, and 2005) and Fox’s (2006) analysis demonstrate that states with predominately Muslim populations are generally more supportive of religion than others.<sup>34</sup> The examination shows that 76.9% of Muslim states support Islam, including 51.3% where Islam is the official religion.<sup>35</sup> States with other religious demographics show far lower levels of overall support and engagement.<sup>36</sup> Thus, this project also considers a type of religion hypothesis.

***Type of Religion Hypothesis: States with predominately Muslim or Orthodox populations have high levels of SER.***

Regime type may also influence the level of a state’s engagement with religion. Stepan (2001) asserts that state-religion relations in long-standing democracies have been defined by twin tolerations or “The minimum degree of toleration democracy needs from religion and the minimum degree of toleration that religion needs from the state for the polity to be democratic.”<sup>37</sup> For Stepan, countries with low levels of state involvement in religion in any form do not restrict, prohibit, or strongly promote the activities of religious groups or religion in general (i.e. low SER).

For others such as Mazie (2006), certain elements of religion are compatible with democracy, while others elements are incompatible. He focuses on Israel—a state he declares to be both democratic and Jewish—to argue that mandatory religious activities prevent democracy, while optional religious activities can go along with democracy. He asserts that prudent usages of religious symbols on the state flag, having religious holidays as national holidays, or funding religious education or religious buildings may not necessarily threaten democracy. In contrast, he maintains that states which impose religion, such as enforcing compulsory religious attendance or religious tithing, threaten individual rights. These types of activities are less compatible with democracy.

Furthermore, Fox’s (2006) quantitative investigation of the separation of religion and state in 152 countries from 1990 to 2002 shows that although democracies rarely have full separation of religion and state, they have higher levels of separation than non-democratic states, and states with predominately Muslim populations generally have higher levels of government support for religion in general. This project will also thus consider a regime type hypothesis.

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<sup>34</sup> Fox controlled for level of economic and social development.

<sup>35</sup> See Fox (2006), p. 559. The terms “Muslim state” or “Catholic state” refer to states with a dominant majority of these faiths.

<sup>36</sup> In fact, Catholic states have lower levels than Muslim states with regard to religious regulation. Orthodox states have higher levels of religious discrimination, and Protestant and other Christian states engage in less religious regulation. Ibid.

<sup>37</sup> See Stepan (2001).

***Regime Type Hypothesis: Non-democratic states are more likely to have higher levels of SER than democratic states.***

Finally, the level of economic development may also impact SER. Economic development has been considered as a possible explanatory factor for other works or bodies of literature on religiosity, regime type or a host of other social factors. However, while it may seem tangential to this project, higher levels of economic development are often associated with democratic regimes (of course there are notable exceptions) which may have lower levels of SER, and religion religiosity has been hypothesized to be “more important” or relevant in countries with lower levels of economic development. In these cases, religion may be a more powerful organizing principle or a strong alternative source of power relative to the state. Norris and Inglehart (2004) assert that religiosity and religion are less significant in more economically developed countries with lower levels of socioeconomic inequality (e.g., Denmark, Finland and Sweden), whereas these are still important in other countries with either high socioeconomic inequality (e.g., the United States) or low economic development (e.g., Brazil). Therefore, perhaps religion is perceived by the state to be less powerful in countries where it is deemed less important, and thereby not worthy of cooptation, integration or a high level of engagement in any form.

***Economic Development Hypothesis: States with higher levels of economic development are less inclined to be engaged with religion.***

The aim of this project is to assess whether there is a relationship between these structural and cultural independent variables (religious fractionalization, type of religion, regime type, and level of economic development) and SER. The following chapter will discuss the conceptualization and measurement for this dependent variable.

## **Chapter 3**

### **Dependent Variable (State Engagement with Religion): Concepts, Operationalization and Measurement**

The question being investigated is what determines the extent of state engagement with religion among the 15 post-Soviet countries. The dependent variable is *state engagement with religion* (SER). There are many different ways to define *state*, from Weber’s classical definition of the state “a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory” (Weber 1918), “The agency that exercises political direction or control over a group of people—usually the state considered as a set of institutions”<sup>38</sup> or “The governing body of a state [or] the system by which a state or community is governed—organization or people.”<sup>39</sup> In this project, the term state will refer to its

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<sup>38</sup> *State*, Oxford Dictionary of the Social Sciences, Craig Calhoun, ed., Oxford University Press, 2002.

<sup>39</sup> *State*, The Concise Oxford English Dictionary, Eleventh edition revised. Catherine Soanes and Angus Stevenson, eds., Oxford University Press, 2006.

authoritative expression described by *the formal institutions, offices, and personnel through which the day-to-day running of a country, the maintenance of public order and the distribution of resources is managed and maintained.*

This definition is appropriate because this project aims to understand the role of the state represented by offices (e.g., the Ministry of Internal Affairs), organizations (e.g., the Board of Religious Affairs in Latvia), and people (e.g., decision makers and representatives). Additionally, the state will be understood as an actor in its own right as discussed by Skocpol (1985). While it is understood that no state is entirely isolated from society, the term state will also be understood to have its own set of interests that are separate. Thus, state actors have a relative degree of autonomy and are able to impose their own preferences on society.

The term engagement will refer to certain types of interaction between the state and religion—specifically in the areas of funding, use of symbols, formal incorporations, and restrictions and regulations. In addition to defining *state* and *engagement*, I will briefly highlight five different interpretations of *religion*, since it is notoriously difficult to define, before stating the way religion will be understood in this project.

Martin (1990) defines religion as “An acceptance of a level of reality beyond the observable world known to science, to which are ascribed meanings and purposes completing and transcending those of the purely human realm.”<sup>40</sup> Thus, he conceives of religion as a belief system. Wentz (1993) also considers religion as a set of meanings and purposes; however, he offers a more broad definition of religion as a belief system that encompasses *any* ritual activity that has broader personal meaning. For Durkheim (1995 [1912]), religions are not necessarily divine in nature. Rather, they are “eminently social” and consist of rules, rituals, and standards of behavior that guide daily life.<sup>41</sup> Likewise, Geertz’s (1973: 90) anthropological understanding of religion does not purport divine origin, but instead views religion as a system of symbols that are related to rules of behavior. Finally, Juergensmeyer, (1995) who is more interested in the social impact of religion than in its nature, considers religion to be an ideology that provides meaning for everyday life and can provide authority to a social or political order.

I use a definition of religion from previous work by Stark and Finke (2000), and Grim and Finke (2006) who define religion as “explanations of existence based on supernatural assumptions that include statements about the nature and workings of the supernatural and about ultimate meaning.”<sup>42</sup> This understanding of religion emphasizes the importance of religious beliefs, symbols and practices which are all important for this work.

I employ a systematized concept of SER as the following four properties: 1. State funding for religion, 2. State restrictions on religion, 3. State use of religious symbols, and 4. Incorporation of religion into the state (e.g., the presence of a concordat or recognition of a specific religion of the “people”). SER is presented in both its disaggregated form to more completely understand which portions of SER vary with respect to the independent variables (i.e. regime type,

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<sup>40</sup> See Martin (1990), p. 523.

<sup>41</sup> See Durkheim (1912).

<sup>42</sup> This definition of religion is borrowed from Grim and Finke (2006).

predominant religion, economic development, religious fractionalization, and regional location), and as an aggregated variable to allow for a general examination of SER across countries.

SER is an aggregate of scores from yes-or-no questions or count variables (coded 0 for ‘no’ and 1 for ‘yes’) regarding funding, use of symbols, formal incorporation, and regulations and restrictions. The scale ranges from a possibility of 0-6 for funding, 0-5 for symbols, 0-13 for formal incorporation, and 0-22 for regulations and restrictions. The scale for each component has been rescaled from 0 to 1 (equally weighted) and combined as an averaged index to provide a total SER scale from 0 (the lowest level of state engagement in religion) to 1 (the highest level of state engagement in religion). A large dataset with this information was created for 173 countries in the world (out of which 137 are secular and 36 are non-secular) in order to show that SER occurs throughout secular states in the world just as it does among non-secular states.<sup>43</sup> The indicators for each property of SER are listed below:

### **Funding (6)**

1. Does the government collect taxes on behalf of religious organizations?<sup>44</sup>
2. Is religious education standard, but optional in public schools?
3. Is government funding of religious schools or religious educational programs in secular schools mandatory?<sup>45</sup>
4. Does the government fund religious buildings?
5. Does the government fund clergy salaries?
6. Does the government fund religious activities other than education, media, salaries or buildings?<sup>46</sup>

### **Use of Symbols (5)**

1. Are religious symbols present on the state’s flag?
2. Is religion listed on state identity cards?
3. Is there at least one religious reference in the state’s national anthem?
4. Are some national holidays also religious holidays?
5. Is there a religious symbol(s) on the country’s coat of arms?

### **Formal Incorporation (13)<sup>47</sup>**

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<sup>43</sup> See Appendix for the classification of states as secular and non-secular.

<sup>44</sup> This does not include tax breaks or exemptions, such as reductions on Value Added Tax, or exemptions from property or income taxes.

<sup>45</sup> This includes private religious schools.

<sup>46</sup> This can include funding for religious print or broadcast media. For example, Lithuania annually gives state subsidies traditional religious communities for their cultural and social projects. Government authorities only recognize religious groups that can trace their presence in Lithuania back at least 300 years as traditional. These communities are: Latin Rite Catholics (Roman Catholics), Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Churchgoers, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites. Under the religious law, traditional religious groups can register marriages, establish subsidiary institutions, establish joint private/public schools, provide religious instruction in public schools, and be eligible to receive government assistance. The highest religious leaders can apply for diplomatic passports and both clergy and theological students are exempt from military service.

<sup>47</sup> The answers to questions 10 through 12 are derived from constitutions as well as laws on religion.

1. Is there an official government ministry or department dealing with religious affairs?
2. Are some official religious positions made by government appointment?
3. Are certain government officials also given an official religious position by virtue of their political office?
4. Can certain religious officials become government officials by virtue of their religious position?
5. Must some or all government officials meet certain religious requirements in order to hold office?
6. Are religious courts present that have jurisdiction over some matters of law?
7. Are seats in legislature or cabinet granted at least in part along religious lines by law or custom?
8. Is there an official government body which monitors 'sects' or minority religions?
9. Does the government have a concordat or contract with a religious organization or body?
10. Does the constitution mention that there is an official religion?
11. Does the constitution mention that there is a particular religion of the *people/nation*?<sup>48</sup>
12. Does the constitution or legal document regarding religious organizations or the freedom of conscience mention support or recognition for a particular religion?
13. Does the constitution mention faith or reverence in God?<sup>49</sup>

### **Regulation and Restrictions<sup>50</sup> (22)**

1. Dietary laws (restrictions on producing, importing, selling, or consuming)
2. Law of inheritance defined by religion
3. Restrictions on conversion
4. Restrictions on public dress
5. Restrictions on interfaith marriages
6. Restrictions on the observance of religious laws concerning personal status, including marriage, divorce, and burial
7. Blasphemy laws or other restriction on speech related to religion
8. Censorship of press or other publications

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<sup>48</sup> There are only 13 countries with constitutions that mention a particular religion of the people or nation. Seven of these do not have an official state religion: Armenia, Bulgaria, Cyprus, Fiji, Greece, Panama, Zambia. The other six have official state religions: Iran, Afghanistan, Malaysia, Mauritania, Bahrain and Algeria. Israel is a particularly interesting case since it calls itself a "Jewish state", has religious courts, treats ultra-Orthodox citizens differently (e.g., exemption from military service if studying the Torah or studying at religious schools), partially limits immigration to non-Jews, and has religious political parties.

<sup>49</sup> The constitutions of eleven countries mention a faith or reverence in God: El Salvador, Equatorial Guinea, Fiji, Gambia, Ghana, Indonesia, Ireland, Lebanon, Swaziland, Trinidad & Tobago, and Ukraine. For example, the preamble to the Ukrainian constitution states, "The Verkhovna Rada of Ukraine, on behalf of the Ukrainian people — citizens of Ukraine of all nationalities, expressing the sovereign will of the people, based on the centuries-old history of Ukrainian state-building and on the right to self-determination realised by the Ukrainian nation, all the Ukrainian people, providing for the guarantee of human rights and freedoms and of the worthy conditions of human life, caring for the strengthening of civil harmony on Ukrainian soil, striving to develop and strengthen a democratic, social, law-based state, aware of our responsibility before God, our own conscience, past, present and future generations" (Ukrainian constitution 1991).

<sup>50</sup> It is important to note that regulations and restrictions are not only found in authoritarian states, but also in many European states. See Chaves and Cann (1992) and Fox and Sandler (2005).



9. Clergy and their speeches in places of worship require government approval
10. Restrictions on public religious speech including sermons by clergy.
11. Mandatory closing of some or all businesses during religious holidays including the Sabbath or its equivalent
12. Other restrictions on activities during religious holidays including the Sabbath or its equivalent (e.g., blue laws).
13. Restrictions on the public display of religious symbols (e.g., religious dress, nativity scenes, religious buildings, icons) by persons or organizations
14. Restrictions on public observance of religious practices, including religious holidays
15. Restrictions on the publication or dissemination of written religious material
16. Restrictions on access to places of worship
17. Restrictions on religious public gatherings that are not placed on other types of public gatherings
18. Restrictions on political parties (i.e. restrictions on the existence of religious political parties)
19. Arrest, detention, harassment of religious figures, officials, or religious party members
20. Arrests for religious activities
21. Restrictions on formal religious organizations other than political parties
22. Religious organizations must register

The basic framework for the set of questions used in the compilation of SER is based on those used in both the Religion and State Dataset (RAS) and the Association of Religion Data Archives (ARDA). While these datasets both provide quantitative information regarding religion and state in most countries of the world during different years (1990-2002 for RAS and 2001, 2003 and 2005 for ARDA), the dataset used in this project contains data for 2009. It codes responses as yes-or-no and is the only quantitative dataset on religion and politics which provides a systematic conceptualization of SER as funding, use of symbols, formal incorporation, and restrictions and regulations.

Scores for state funding for religion, state restrictions on religion, and the incorporation of religion into the state each were primarily taken from a content analysis of U.S. State Department 2009 Reports on International Religious Freedom, state constitutions from International Constitutional Law (ICL) and Constitution Finder (including the preamble), and relevant laws on religious freedom and conscience from the Religion and Law Consortium.<sup>51</sup> In order to assure coder reliability, five research assistants repeated the same task using the same content analysis coding and methodology that I developed.

Online texts and images were used in a content analysis of state use of religious symbols. Information on state flags and state coat of arms were gathered from vexillological studies on the Flags of the World website.<sup>52</sup> The presence of at least one religious symbol (e.g., crosses,

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<sup>51</sup> U.S. State Department 2009 Report on International Religious Freedom (<http://www.state.gov/g/drl/rls/irf/2009/index.htm>), International Constitutional Law (ICL) (<http://www.servat.unibe.ch/icl/index.html>), Constitution Finder (<http://confinder.richmond.edu/>), Religion and Law Consortium ([http://beta.religlaw.org/country\\_portal.php?page\\_id=22](http://beta.religlaw.org/country_portal.php?page_id=22)). In cases where a country had more than one constitution, the most recently adopted version was used.

<sup>52</sup> See <http://www.crwflags.com/fotw/flags/>

iconographic figures, crescent moon) or religious word (e.g., God) was coded as '1' for the presence of each item and '0' for none.<sup>53</sup>

National anthems gathered from the website NationalAnthems.info were used as the recording unit for the content analysis of anthems. Countries were assigned a '1' if at least one religious reference was mentioned in the state's national anthem and a '0' if there were none. Religious references were consolidated into the following categories: (1) references for supernatural beings (e.g., God, Allah, creator, almighty, father, lord), (2) religious adjectives and nouns (e.g., spirit, faith archangel, monastic, holy, sacred, religion, prayer), (3) religious texts and personages from religious texts (Qur'an, Bible, David), (4) religious places of worship or locations commonly associated with religion (e.g., church, mosque, temple, Eden, Zion), (5) religious items (e.g., icon, cross), (6) religious personnel (e.g., sultan, imam, priest), and (7) religious names, adjectives (e.g., Sharia, Islamic, Christian, Muslim).<sup>54</sup>

### *Funding for Religion*

Financial funding for religion and support for religious education are different aspects of SER. Whether or not a government collects taxes on behalf of religious organizations indicates a certain level of state involvement in religion although the method of tax collection may vary between countries. The Germany state levies taxes from voluntary members of the Catholic and Protestant Churches (and for Jewish religious organizations in some regions).<sup>55</sup> In Denmark all taxpayers financially support the Folkekirken (Danish National Church) since 13% of the church tax comes directly from the government in addition to the voluntary church tax. Additionally, Sweden continues to collect taxes on behalf of the Church of Sweden even though the Swedish government disestablished the church from the state in 2000. Since 2000 this tax became optional and the government began to allocate funds to Catholic, Muslim, Jewish and other faiths as well as the Lutheran.

In addition to tax collection on behalf of religious organizations, the issue of supporting religious education in private and public schools is also an indicator of state engagement with religion. This can be determined from standard, yet optional religious education in public schools, or government funding of private religious education or mandatory religious education in public schools such as in Sweden, Brunei, Dominican Republic, Liechtenstein, and Malaysia.

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<sup>53</sup> Flags were assigned a '1' if a religious symbol was obviously present (and not for the unclear features that could have a religious interpretation). For example, features of the French flag have religious origins even though the French state is secular. According to vexillologists, the color blue represents Saint Martin, while the white color represents the Virgin Mary and red is for Saint Denis, the patron saint of Paris. Nevertheless, French political elites give secular interpretations to the flag in which the color white stands for hope, red for blood and blue for history. See F. Leroy's May 8, 2002 interview with Jean-Pierre Raffarin (Prime Minister of France from 2002 to May 2005) in *France3 Poitiers*.

<sup>54</sup> I created a dataset that includes 173 countries—the most internationally-recognized countries with a population of at least 250,000 and countries in the Western hemisphere with lower populations. Out of these countries, 135 are classified as secular and 38 are non-secular. In cases where there was more than one anthem, such in Denmark and New Zealand with both national and royal anthems, the state anthem was chosen for content analysis. In addition, some countries have both long and short versions of their national anthems as is common in many Central and South American countries. In these cases, particular verses are considered to be official while many others are left unused. I conducted a content analysis of the official verses.

<sup>55</sup> Again, the default setting is for citizens to opt-in to paying church taxes unless they opt-out.

Other significant indicators of state funding for religion include state funding of clergy salaries as in Croatia, Finland, Hungary and many countries in the Middle East, support for religious media as in Benin, Burma, Cameroon, Peru and Portugal, and funding for the construction or maintenance of religious buildings which is nevertheless often viewed as preserving historical and cultural tradition.

The funding index also attempts to capture state funding for religious activities other than education, media, clergy salaries and buildings. For example, Greece funds the Orthodox Church directly and does not levy a church tax,<sup>56</sup> Anglican Church salaries and pensions are funded out of revenue from extensive landholdings in the United Kingdom, and the Belgian state provides direct grants to six denominations (Catholic, Protestant, Anglican, Jewish, Islam and nondenominational) without a church tax even though 75% of the population of 10.2 million is Catholic. Table 1 shows the number and percentage of secular and non-secular states that have state religious funding.

**Table 1: State Funding for Religion (count; %)**

Question	Secular (36)	Non-secular (137)	All Countries
State collects taxes on behalf of religious organizations	10; 7%	7; 19%	17; 10%
Optional religious education in public schools	67; 49%	10; 28%	77; 45%
Mandatory religious education in public schools or funding of religious schools	16; 12%	26; 72%	42; 24%
State funds religious buildings	54; 39%	28; 78%	82; 48%
State funds clergy salaries	24; 18%	20; 56%	44; 25%
State funds religious activities other than education, media, salaries or buildings	60; 44%	30; 83%	90; 52%

Sources: The counts and frequencies for secular and non-secular states with these aspects are out of the total number of secular and non-secular states, respectively. Scores for the indicators of state funding for religion were primarily taken from a content analysis of the U.S. State Department 2009 Report on International Religious Freedom (<http://www.state.gov/g/drl/rls/irf/2009/index.htm>), documents from both the International Constitutional Law (ICL) (<http://www.servat.unibe.ch/icl/index.html>) and Religion and Law Consortium ([http://beta.religlaw.org/country\\_portal.php?page\\_id=22](http://beta.religlaw.org/country_portal.php?page_id=22)), and state constitutions at Constitution Finder (<http://confinder.richmond.edu/>). 173 countries are included: 137 are classified as secular and 36 are non-secular.

### *Use of Religious Symbols*

How a state employs religious symbols is an indication of how a state chooses to represent itself to both its citizens and to the world. According to Mazie (2006), there are two types of state connections with religion with respect to symbols: plural state affiliations in which the state

<sup>56</sup> In an effort to alleviate its 300 billion Euro debt, in 2010 Greece began to tax bequests and revenues from property held by the Greek Orthodox Church which is one of the country's largest owners of prime real estate, as well as a shareholder of the National Bank of Greece at 150 million Euros. The church was previously exempt from taxes and the state paid priests' salaries.

endorses one religion and tolerates others (such as by supporting various national holidays and languages), and exclusivist state affiliations in which the state consolidates all competing claims into a single product (e.g., flags, national anthems, and emblems). In both cases, the state is expressly siding with a particular religion and abandons any semblance of official neutrality. In Ronald Dworkin's view, the liberal state has no business expressing an official connection with a single religion through symbols such as on the flag or in the national anthem.<sup>57</sup> They must choose national symbols and holidays that are neutral or broad enough so that all citizens can freely identify with them without compromising their core beliefs or values.

The indicators for use of religious symbols were selected because they show the most consistent and evident use of religious symbols at the state level and were amenable to quantification from qualitative sources. I would have added two additional indicators: (1) the presence of religious symbols in public schools and state buildings such as crucifixes, icons or other religious symbols as in Italy, Poland and Moldova, and (2) the observance of prayer before governmental meetings. Even in self-proclaimed secular countries or those with an avowed separation between religion and state, these two questions indicate level of commitment by the state toward a particular religion (or religion in general). For example, many government ceremonies open with prayer in the United States, Liberia, Botswana, Brunei, Ghana, and Australia where each session of Parliament has begun with a joint recitation of the Lord's Prayer since 1901.

This project is one of the first to construct an index of state use of religious symbols. Religious symbols on the flag, national anthem and coat of arms were selected as indicators because most constitutions explicitly state that they are state symbols. National holidays and identity cards were also chosen as other indicators of state religious involvement. Examining state use of religious symbols enables us to analyze aspects of state-religion relationships that are often excluded from studies on state-religion relations. For example, the United State is often regarded as having a separation of religion and state. However, this perception is based on the fact that the U.S. government does not formally incorporate, fund or place restrictions on religion or the practice of religion.

Nevertheless, religion is frequently invoked at the state level through the use of symbols. The words "In God We Trust" is printed on American currency. Christmas is a national holiday. The presidential oath of office contains the statement "so help me God". Taxpayer-funded clergy give prayers before each session of the U.S. Congress, and sessions of the Supreme Court start with the invocation "God save the United States and this Honorable Court." All of this shows that religion is not only important at the societal level in the U.S., but also symbolically at the state level. Table 2 shows the number and percentage of secular and non-secular states that have religious symbols in or on the flag, identity cards, national anthem, coat of arms or that observe religious holidays as national holidays.

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<sup>57</sup> See Dworkin (1977).

**Table 2: State use of Religious Symbols (count; %)**

Question	Non-secular (36)	Secular (137)	All Countries (173)
Religious symbols on state flag	19; 53%	10; 7%	29; 17%
Religion on state identity cards	9; 25%	8; 6%	17; 10%
Religious reference(s) in the national anthem	25; 69%	73; 53%	98; 57%
Religious symbol(s) on state coat of arms	27; 75%	46; 34%	73; 42%
Some national holidays are also religious holidays	36; 100%	127; 93%	163; 94%

Sources: Scores for the indicators of state use of religious symbols were derived from a content analysis of texts and images. Information on state flags and state coat of arms were gathered from vexillological studies on the Flags of the World website (<http://www.crwflags.com/fotw/flags/>). National anthem lyrics were obtained from the website <http://NationalAnthems.info>. 173 countries are included: 137 are classified as secular and 36 are non-secular.

### *Incorporation of Religion into the State*

Funding for religion and use of religious symbols are two ways of examining state involvement religion; however, these measures only demonstrate an outward expression of religion by the state. By investigating formal incorporation of religion, we can better the consortium between state and religion at the highest level.

This category measures three different types of formal incorporation of religion into the state. First, some questions concern the presence of governmental bodies that pertain to religion. This includes government ministries or departments dealing with religious affairs, government bodies that monitor ‘sects’ or minority religions, or religious courts present that have jurisdiction over some matters of law. The second set of questions concern the integration of religion into state bodies: (1) Whether or not official religious positions are made by government appointment, (2) if certain government officials are also given an official position in the state church by virtue of their political office (e.g., the Queen of England is also head of Anglican Church),<sup>58</sup> (3) if certain religious officials become government officials by virtue of their religious position, (4) if some or all government officials must meet certain religious requirements in order to hold office (e.g., the King of Norway must belong to Evangelical Lutheran Church), and (5) if seats in legislature or the cabinet are granted at least in part along religious lines by law or custom.<sup>59</sup> The third set of questions involves constitutional or contractual support or recognition of religion such as whether or not the government has a concordat or contract with a religious organization, or if the constitution mentions that there is an official religion, a particular religion of the *people/nation*, support or recognition for a particular religion, or mentions faith or reverence in God. Table 3 shows the data on religious incorporation into the state for secular and non-secular countries.

<sup>58</sup> In fact, the official name of the House of Lords is “The Lords Spiritual and Temporal,” and the “Lords Spiritual” are 26 out of 44 bishops of the Church of England who are ex officio members of the House of Lords.

<sup>59</sup> For example, in Iran 5 out of 290 seats in the Majles (parliament) are reserved for religious minorities in Iran. Three seats are reserved for members of Christian religious groups—two for Armenian Christians and one for Assyrian Christians. One seat is reserved for a Jewish member and another for Zoroastrians.

**Table 3: Incorporation of Religion into the State (count; %)**

Question	Non-secular (36)	Secular (137)	All Countries (173)
State makes religious appointment	17; 47%	15; 11%	32; 19%
State ministry or department dealing with religious affairs	32; 89%	63; 46%	95; 55%
State officials given official religious position by virtue of their political office	6; 17%	2; 1%	8; 5%
Religious officials become state officials by virtue of their religious position	4; 11%	2; 1%	6; 4%
State officials must meet certain religious requirements to hold office	20; 56%	7; 5%	27; 16%
Presence of religious courts that have jurisdiction over some matters of law	22; 61%	9; 7%	31; 18%
Seats in legislature or cabinet are granted in part by religious lines by law	5; 14%	4; 3%	9; 5%
State body that monitors sects or minority religions	1; 3%	16; 12%	17; 10%
Presence of state concordat or contract with religious organization or body	6; 17%	30; 22%	36; 21%
Constitution mentions official state religion	35; 97%	0; 0%	35; 20%
Constitution mentions religion of the people/nation	6; 17%	8; 6%	14; 8%
Constitution mentions support or recognition for a particular religion	18; 50%	49; 36%	67; 39%
Constitution mentions faith or reverence in God	6; 17%	41; 30%	47; 28%

Sources: Scores for the indicators of incorporation of religion into the state were primarily taken from a content analysis of the U.S. State Department 2009 Report on International Religious Freedom (<http://www.state.gov/g/drl/rls/irf/2009/index.htm>), documents from both the International Constitutional Law (ICL) (<http://www.servat.unibe.ch/icl/index.html>) and Religion and Law Consortium ([http://beta.religlaw.org/country\\_portal.php?page\\_id=22](http://beta.religlaw.org/country_portal.php?page_id=22)), and state constitutions at Constitution Finder (<http://confinder.richmond.edu/>). 173 countries are included: 137 are classified as secular and 36 are non-secular.

### ***Rules and Regulations on Religion***

The presence of regulations and restrictions on religion is another aspect of state engagement with religion. According to Mazie (2006), some countries have policies that infringe on individual liberty and go against the principles of democracy by placing restrictions on conversion, public dress or display of religious symbols, personal status (e.g., marriage and divorce), religious speech and writings, and access to places of worship or religious activities. Restrictions on political parties (i.e. restrictions on the existence of religious political parties)

**Table 4: State Restrictions on Religion (count; %)**

Question	Non-secular (36)	Secular (137)	All Countries (173)
Religious organizations must register for any reason	19; 53%	78; 57%	97; 56%
Dietary laws	20; 56%	0; 0%	20; 12%
Restrictions on conversion	21; 58%	4; 3%	25; 15%
Laws of inheritance defined by religion	24; 67%	5; 4%	29; 17%
Restrictions on interfaith marriage	22; 61%	5; 4%	27; 16%
Restrictions on public dress	20; 56%	10; 7%	30; 17%
Restrictions on observance of religious laws concerning personal status	28; 78%	8; 6%	36; 21%
Blasphemy laws or other restrictions on speech related to religion	27; 75%	10; 7%	37; 21%
Censorship of press/publications	23; 64%	13; 9%	36; 21%
Clergy speeches require state approval	15; 42%	13; 9%	28; 16%
Mandatory closing businesses during religious holidays including Sabbath	8; 22%	9; 7%	17; 10%
Other restrictions on activities during religious holidays including Sabbath	6; 17%	0. 0%	6; 4%
Restrictions on public religious speech, including sermons by clergy	20; 56%	22; 16%	42; 24%
Restrictions on the public display of religious symbols	3; 8%	7; 5%	10; 6%
Restrictions on public observance of religious practices	1; 3%	7; 5%	8; 5%
Restrictions on publication/dissemination of written religious material	9; 25%	15; 11%	24; 14%
Restrictions on access to places of worship	6; 17%	13; 9%	19; 11%
Restrictions on public gatherings	2; 6%	17; 12%	19; 11%
Restrictions on religious political parties	14; 39%	43; 31%	57; 33%
Harassment of religious figures or officials	12; 33%	23; 17%	35; 20%
Other restrictions on religious organizations	13; 36%	31; 23%	44; 25%
Arrests for religious activities	4; 11%	14; 10%	18; 10%

Sources: Scores for the indicators of state restrictions on religion were primarily taken from a content analysis of the U.S. State Department 2009 Report on International Religious Freedom (<http://www.state.gov/g/drl/rls/irf/2009/index.htm>), documents from both the International Constitutional Law (ICL) (<http://www.servat.unibe.ch/icl/index.html>) and Religion and Law Consortium ([http://beta.religlaw.org/country\\_portal.php?page\\_id=22](http://beta.religlaw.org/country_portal.php?page_id=22)), and state constitutions at Constitution Finder (<http://confinder.richmond.edu/>). 173 countries are included: 137 are classified as secular and 36 are non-secular.

This previous section has shown that the different aspects of SER can be found in both non-secular and secular states to varying degrees. That is, non-secular states are not the only ones which fund religion, create restrictions on religion, use of religious symbols and incorporation of religion into the state. The next section will look specifically at how SER varies among these four aspects among the 15 post-Soviet secular states.

## Chapter 4

### State Engagement with Religion in post-Soviet Eurasia

Three levels of state engagement with religion can be found in three major groupings of the post-Soviet world (Table 5): 1. Low SER in the Baltic states (Estonia, Latvia and Lithuania) and Ukraine, 2. Mid SER in Georgia, Armenia, Russia, and Moldova, 3. High SER in Central Asia (Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan and Tajikistan, Azerbaijan and Belarus.

**Table 5: Levels of State Engagement with Religion in post-Soviet Eurasia**

Low-SER	Mid-SER	High-SER
Latvia Estonia Lithuania Ukraine	Armenia Georgia Russia Moldova	Kazakhstan Kyrgyzstan Tajikistan Azerbaijan Belarus Turkmenistan Uzbekistan

Table 6 shows the amount of state funding for religion, state restrictions on religion, state use of religious symbols, formal incorporation of religion into the state, and overall level of SER for all 15 countries of post-Soviet Eurasia in decreasing order. The results show additive aggregates of answers based on yes-or-no answers received from the set of questions posed in these four categories, as well as their rescaled value from 0-1.

**Table 6: The Dependent Variable**

	Use of Religious Symbols (out of 5)		Funding for Religion (out of 6)		Incorporation of Religion into the State (out of 13)		Restrictions and Regulations on Religion (out of 22)		State Engagement of Religion (SER)		
	Count	0-1scale	Count	0-1scale	Count	0-1scale	Count	0-1scale	Sum of count	Sum of 0-1 scale	Average of 0-1 scale
Latvia	1	0.2	1	0.2	1	0.1	0	0.0	low (3)	0.5	0.125
Estonia	1	0.2	1	0.2	1	0.1	1	0.0	low (4)	0.5	0.125
Ukraine	0	0.0	2	0.3	0	0.0	2	0.1	low (4)	0.4	0.1



<b>Lithuania</b>	1	0.2	3	0.5	1	0.1	0	0.0	<b>low (5)</b>	0.8	<b>0.2</b>
<b>Armenia</b>	1	0.2	3	0.5	2	0.2	1	0.0	<b>mid (7)</b>	0.9	<b>0.225</b>
<b>Georgia</b>	3	0.6	2	0.3	2	0.2	0	0.0	<b>mid (7)</b>	1.1	<b>0.275</b>
<b>Russia</b>	2	0.4	2	0.3	1	0.1	4	0.2	<b>mid (9)</b>	1.0	<b>0.25</b>
<b>Moldova</b>	1	0.2	3	0.5	4	0.3	3	0.1	<b>mid (11)</b>	1.1	<b>0.275</b>
<b>Kazakhstan</b>	0	0.0	3	0.5	0	0.0	8	0.4	<b>high (11)</b>	0.9	<b>0.225</b>
<b>Belarus</b>	0	0.0	3	0.5	1	0.1	8	0.4	<b>high (12)</b>	1.0	<b>0.25</b>
<b>Azerbaijan</b>	1	0.2	2	0.3	1	0.1	12	0.5	<b>high (14)</b>	1.1	<b>0.275</b>
<b>Kyrgyzstan</b>	1	0.2	2	0.3	2	0.2	12	0.5	<b>high (17)</b>	1.2	<b>0.3</b>
<b>Tajikistan</b>	0	0.0	2	0.3	3	0.2	13	0.6	<b>high (18)</b>	1.2	<b>0.275</b>
<b>Uzbekistan</b>	2	0.4	3	0.5	1	0.1	14	0.6	<b>high (20)</b>	1.6	<b>0.4</b>
<b>Turkmenistan</b>	3	0.6	3	0.5	7	0.5	12	0.5	<b>high (25)</b>	2.1	<b>0.5</b>

#### *Low-SER states (Estonia, Latvia, Lithuania and Ukraine)*

Tables 5 and 6 show that Estonia, Latvia, Lithuania and Ukraine have the lowest levels of SER in the post-Soviet region. With respect to state use of religious symbols, all four countries have some religious holidays as national holidays (e.g., Pentecost, Good Friday, Easter and Christmas in Estonia; the latter three in Latvia<sup>60</sup>; Easter Monday, Assumption Day, All Saints' Day and Christmas in Lithuania; Christmas, Easter Monday and Holy Trinity Day according to the Julian calendar in Ukraine). Estonia and Latvia have religious references in their national anthems and Lithuania has a religious symbol on its state coat of arms. However, none of these countries has a religious symbol on the state flag or mentions religion on state identity cards (no other post-Soviet country has this either).

Regarding state funding for religion, none of these secular states collects taxes on behalf of religious organizations, pays clergy salaries, or has mandatory religious education. However, all four countries have optional religious education in public schools. Estonian public schools have a program of basic ecumenical religious instruction. Schools must offer religious studies at the primary or secondary level if at least 15 students request it and comparative religious studies are available in public and private schools on an elective basis.<sup>61</sup>

<sup>60</sup> For several years the Orthodox Church has been seeking official recognition for Good Friday, Easter Monday, and Christmas as observed according to the Orthodox Church's calendar, but the Government had not adopted this proposal by the end of the reporting period.

<sup>61</sup> <http://www.state.gov/g/drl/rls/irf/2009/127308.htm>

Lithuania's 1991 Law on Education permits and funds religious education in public schools only for state-recognized religious groups.<sup>62</sup> Parents can choose either religious instruction or secular ethics classes for their children and schools decide which of the traditional religious groups will be represented in their curriculums on the basis of requests for children up to age 14.<sup>63</sup> In Latvia only religious courses in state-recognized "traditional" faiths (i.e. Christian: Evangelical Lutheran, Roman Catholic, Orthodox, Old Believers, or Baptist denominations) or Judaism may be taught in public schools. Both Article 6 of the Law on Religious Organizations and Section 10 Education Law mention that the Latvian state will fund and allow Christian religious education in public schools.<sup>64</sup> Students at state-supported national minority schools can have education in the religion of that minority; however, other religious groups can only provide religious education in private schools.

In Ukraine, a presidential decree in 2005 introduced a training course entitled "Ethics of Faith" into public schools. However, the course was not implemented consistently nationwide due to lack of necessary legislation and concerns raised by Jewish and Muslim leaders who said that the courses were based on Christian teachings. Since June 2009 there has been an increase in the number of secondary schools offering optional courses in the Fundamentals of Christian Ethics, Fundamentals of Religious Ethics, and Fundamentals of the Islamic Culture of the Crimea.<sup>65</sup>

Besides religious education, Estonia, Latvia, Lithuania and Ukraine also fund the construction and maintenance of religious buildings which are often valued for their historical and cultural significance—as in every other post-Soviet country. Estonia is the only state in this group that funds religious print or broadcast media. The 1994 Broadcasting Act<sup>66</sup> allows broadcasting organizations to decide upon the content of their programs. Public broadcasting organizations have an agreement with the Council of Estonian Churches (CEC)—a council of 10 churches including the Estonian Evangelical Church and other Christian Churches—that enables council members to provide programs on religious issues.<sup>67</sup> The CEC also holds morning prayers on Estonian radio and broadcasts Christmas and Easter services on Estonian television.<sup>68</sup>

In addition, Estonia, Latvia and Lithuania all fund religious activities other than religious education, clergy salaries or buildings. The Estonian states funds the CEC and exempts religious associations from paying income and property tax and provides reductions on Value Added Tax

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<sup>62</sup> <http://www.bibl.u-szeged.hu/oseas/lithlaw.html>

<sup>63</sup> The student decides after age 14. <http://www.state.gov/g/drl/rls/irf/2009/127321.htm>

<sup>64</sup> Article 6 of the Law on Religious Organizations, <http://beta.religlaw.org/document.php?DocumentID=1755>, <http://beta.religlaw.org/document.php?DocumentID=1782>

<sup>65</sup> <http://www.state.gov/g/drl/rls/irf/2009/127342.htm>, the Ukrainian Ministry of Education and Science

<sup>66</sup> <http://www.esis.ee/ist2004/94.html>

<sup>67</sup> The CEC was founded in 1989 in order to unite Christian religious organizations. The council helps prepare army and prison chaplains and advocates Christian principles in Estonian society, such as religion in primary and secondary schools. The CEC is the only religious body that receives money from the Estonian state. It is composed of the Estonian Evangelical Lutheran Church, the Alliance of Estonian Evangelical Christian Baptist Congregations, the Estonian Methodist Church, the Estonian Christian Pentecostal Church, and the Armenian Apostolic Church's Estonian Saint Gregorian's Congregation. <http://www.euresisnet.eu/Pages/ReligionAndState/ESTONIA.aspx> and cite broadcasting act

<sup>68</sup> [http://www.estonica.org/eng/lugu.html?kateg=41&menyy\\_id=101&alam=56&tekst\\_id=130](http://www.estonica.org/eng/lugu.html?kateg=41&menyy_id=101&alam=56&tekst_id=130)

(VAT).<sup>69</sup> Latvia funded the new university theological faculty and the first Christian elementary school in the country.<sup>70</sup> In Lithuania, state-recognized traditional religious communities are not required to pay social and health insurance taxes for clergy and other employees, and they are not subject to a VAT on basic utilities. While only traditional religious communities receive annual state subsidies, nontraditional groups are eligible for government support for their cultural and social projects.<sup>71</sup> In contrast, the Ukrainian state does not fund religion in any way other than supporting religion in public schools since 2005.<sup>72</sup>

These secular states also have little or no formal incorporation of religion into the state. Estonia and Lithuania have state departments that deal with religious affairs (the Registry of Churches at the Ministry of Internal Affairs in Estonia and the Ministry of Justice's Religious Affairs Department in Lithuania)—as do all other post-Soviet states except Ukraine, Georgia and Latvia.

The Board on Religious Affairs and the New Religions Consultative Council in Latvia were disbanded and their functions were taken over by the Ministry of Justice in December 2008.<sup>73</sup> Although there is no state ministry or department dealing with religious affairs in Latvia, there is an Ecclesiastical Council (EC) (created in 2002) that comments on religious issues for the government. It is chaired by the prime minister and only major religious groups (Roman Catholic, Lutheran, Orthodox, Baptist, Adventist, Old Believers, Methodist, and Jewish) are represented on the council, thus limiting input by other religious groups. In addition, Lithuania has a separate state body that monitors sects (an inter-ministerial commission) and recognizes “traditional” religions in its constitution as well as in its 1995 Law on Religious Communities and Associations.<sup>74</sup> In Ukraine, the State Committee for Religious Affairs was abolished in 2005

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<sup>69</sup> According to Kiviorg, 2 million Estonian crowns (\$163,274) was distributed from the state budget to churches through the CEC in 1998. (Kiviorg 1999:10) Kiviorg notes that there has been some discontent among other denominations with the

fact that majority of the state funds go to the Lutheran Church (p.336). See Kiviorg.

<http://www.euresisnet.eu/Pages/ReligionAndState/ESTONIA.aspx>

<sup>70</sup> [http://www.georgefox.edu/academics/undergrad/departments/soc-swk/ree/YODER\\_RIG.html](http://www.georgefox.edu/academics/undergrad/departments/soc-swk/ree/YODER_RIG.html)

<sup>71</sup> <http://www.state.gov/g/drl/rls/irf/2009/127321.htm>

<sup>72</sup> Article 5 of the 1992 Law on the Freedom of Conscience and Religious Organizations states that the “State shall not interfere with the operation of religious organizations exercised within the bounds of law, shall not finance the operation of any organizations, established on the basis of a religious affiliation.

<http://beta.religlaw.org/document.php?DocumentID=1764>

<sup>73</sup> <http://www.state.gov/g/drl/rls/irf/2009/127319.htm>

<sup>74</sup> Article 43.1 of the constitution states, “The State shall recognize traditional Lithuanian churches and religious organizations, as well as other churches and religious organizations provided that they have a basis in society and their teaching and rituals do not contradict morality or the law.” In Lithuania, no single government agency handles all religious issues. A department in the Ministry of Justice adjudicates religious groups' requests for registration; the State Registrar of Legal Entities, part of the national Registry Center, manages the database of registered religious communities; and the Prime Minister's staff includes an advisor on religious issues. The inter-ministerial Commission to Coordinate Activities of Governmental Institutions that Deal with Issues of Religious, Esoteric, and Spiritualist Groups coordinates investigations of religious groups if there is a concern that actions of a group or actions affecting a group may not be in line with the principles of a democratic society, human rights, and fundamental freedoms. The Minister of Justice appoints the chairperson of the Commission, which includes representatives of the Ministries of Justice, Interior, Education, Health, Foreign Affairs, the General Prosecutor's Office, and the State Security Department. No religious groups have membership on the Commission. The Government established the Commission in 2000 following some parliamentarians' calls for increased control of “sects.” <http://www.state.gov/g/drl/rls/irf/2009/127321.htm>. Article 5 of Lithuania's Law on Religious Communities and Associations states, “The state recognizes nine traditional religious communities and associations existing in

by former Ukrainian President Yushchenko who wanted to make the Ukrainian state more neutral with regard to religion after the Orange Revolution.<sup>75</sup>

Ukraine has only one of the 13 indicators of formal incorporation—the preamble of the Ukrainian constitution mentions God once.<sup>76</sup> None of these four countries make religious appointments, has a concordat with a religious body, intertwines political positions with religious positions, or has a constitution that mention a religion of the people/nation or faith in God. Furthermore, Latvia has none of the 13 indicators of formal incorporation.

However, in Latvia and Lithuania traditional religious groups enjoy certain rights and privileges that nontraditional groups do not. The Latvian government distinguishes between "traditional" (e.g., Lutheran, Catholic, Orthodox Christian, Old Believers, Baptist, Methodist, Adventist, and Jewish) and "new" religious groups.<sup>77</sup> Also, the Latvian Law on Religious Organizations does not permit simultaneous registration of more than one religious association in a single confession. For example, a law on the Russian Orthodox Church prevents other churches from registering with the word "Orthodox" in their names.

In Lithuania, Article 43 of the Constitution recognizes nine traditional religious groups (religious groups that can trace their presence in the country back at least 300 years): Latin Rite Catholics (Roman Catholics), Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Churchgoers, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites.<sup>78</sup> Nontraditional religious groups comprise less than 5% of the population (e.g., Full Gospel Word of Faith Movement, Pentecostals, Jehovah's Witnesses, Baptists, Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints—Mormons, and the New Apostolic Church). The 1995 Law on Religious Communities and Associations further divides registered religious communities into state-recognized "traditional" religious communities, other state-recognized religious groups, and all other registered communities and associations.

Under the Lithuanian Law, some religious groups enjoy benefits not available to others. Traditional religious communities and associations can register marriages, establish subsidiary institutions, establish joint private/public schools, provide religious instruction in public schools, and be eligible to receive government assistance. Their highest religious leaders are eligible to apply for diplomatic passports, their clergy and theological students are exempt from military service, and they may provide military chaplains. Additionally, the Ministry of Justice does not require traditional religious communities and associations to register their bylaws. Traditional religious communities do not have to pay social and health insurance taxes for clergy and other

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Lithuania which comprise a part of the historical, spiritual and social heritage of Lithuania: Roman Catholic, Greek, Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Judaistic, Sunni Muslim and Karaite.”

<sup>75</sup> [http://209.85.129.132/search?q=cache:GJxbZ1lZk1sJ:www.forum18.org/Archive.php%3Farticle\\_id%3D526+Myroslav+Marynovych&cd=12&hl=en&ct=clnk&lr=lang\\_en|lang\\_pl|lang\\_ru|lang\\_uk&client=opera](http://209.85.129.132/search?q=cache:GJxbZ1lZk1sJ:www.forum18.org/Archive.php%3Farticle_id%3D526+Myroslav+Marynovych&cd=12&hl=en&ct=clnk&lr=lang_en|lang_pl|lang_ru|lang_uk&client=opera)

<sup>76</sup> <http://www.rada.gov.ua/const/conengl.htm>

<sup>77</sup> <http://www.state.gov/g/drl/rls/irf/2009/127319.htm>

<sup>78</sup> The Karaites have been in the country since 1397. Karaites speak a Turkic-based language and use the Hebrew alphabet. Some consider Karaites to be a branch of Judaism; their religion is based exclusively on the Old Testament. The Government recognizes the Karaites as a distinct ethnic group.

employees, and they are not subject to a VAT on basic utilities. Finally, while only traditional religious communities receive annual state subsidies, nontraditional groups are eligible for government support for their cultural and social projects.

Registered groups have a right to government funding, to teach religion in public schools, and to register marriages as well as own property for prayer houses, homes, and can gain permits to construct facilities necessary for their activities. Nontraditional religious communities can gain state recognition if they have societal support and have been registered in the country for at least 25 years.<sup>79</sup> However, in practice they do not receive the same state support that traditional religious groups do. They are entitled to perform marriages and do not have to pay social security and health care taxes for clergy and other employees. However, unlike traditional communities, nontraditional communities are not eligible for annual subsidies from the government. They do not receive the exemption from the VAT on utilities and their clergy and theological students are not exempt from military service. In addition, religious communities must register to obtain official status, which is a prerequisite for opening a bank account, owning property, or acting in a legal or official capacity as a community. Unregistered communities in Lithuania have no legal status or state privileges.<sup>80</sup> In contrast to Lithuania, the 2002 Churches and Congregations Act in Estonia and the Non-Profit Associations and Unions Act regulate the activities of religious associations in Estonia relatively equally.

These four countries also have almost no restrictions and regulations on religion. There are no restrictions on conversion, personal matters (e.g., marriage, divorce, and inheritance), public display of religious symbols (including religious dress), religious speech and publications, or religious political parties. Moreover, large-scale state-supported harassment or arrests for religious activities have been largely absent from the Baltic countries and Ukraine, unlike many other post-Soviet countries. However, religious organizations must register in each country (as in all post-Soviet countries) if they desire rights that are afforded with official status (e.g., the right to own property, open a bank account, legal status, and access to resources). Also, Ukraine is the only state in this group which has restrictions on religious political parties (as do Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Turkmenistan and Uzbekistan).<sup>81</sup> There are Christian Democratic parties in Latvia, Estonia, Lithuania, Moldova, Russia, Armenia and Georgia.

Latvia, Lithuania, Estonia and Ukraine are low SER states that do not have established religions. They allow for the public visibility of religion and try to remain relatively neutral toward religion without making excessive restrictions on religion. Some of these countries (e.g., Lithuania and Latvia) formally provide support to some religions and not others which demonstrates an element of both cooperation and discrimination in the state's relationship towards religion. The other two states (i.e. Ukraine and Estonia) try to remain relatively neutral toward all religions by not supporting any religion explicitly or by supporting many of them. Yet, relative to the other post-Soviet countries, all four of these countries have a low level of engagement with religion.

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<sup>79</sup> The Evangelical Baptists, one of 11 Baptist groups in the country, and the Seventh-day Adventists are the only state-recognized nontraditional religious groups.

<sup>80</sup> There were no reports that the government prevented any such groups from worshiping or seeking new members. U.S. State department IRF 2009

<sup>81</sup> Article 5 of the 1992 Law on the Freedom of Conscience and Religious Organizations, <http://beta.religlaw.org/document.php?DocumentID=1764>

### ***Mid-SER States (Georgia, Armenia, Moldova and Russia)***

Tables 5 and 6 show that Georgia, Armenia, Moldova and Russia have medium levels of SER in the post-Soviet region; higher than the former group of countries and lower than Central Asia, Belarus and Azerbaijan.<sup>82</sup> With respect to state use of religious symbols, all four countries have some religious holidays as national holidays (e.g., Christmas, Good Friday and five Armenian church observances in Armenia; Orthodox Christmas, Epiphany, Good Friday, Orthodox Easter, Easter Monday, the Day of the Apostle Andrew, the Day of the Virgin Mary, St. George's Day, and Svetitskhovloba (Celebration of Svetitskhoveli Cathedral) in Georgia; Orthodox Christmas, Orthodox Easter, Easter Monday and Memorial Easter in Moldova; Orthodox Christmas in Russia), and each state has a religious symbol on their state coat of arms.<sup>83</sup>

Additionally, Russia and Georgia have at least one religious reference in their national anthems, and Georgia also has a religious symbol on its state flag.<sup>84</sup> Thus, while these four countries all have mid-range levels of SER, they vary greatly with respect to use of religious symbols; Georgia has all but one indicator for use of religious symbols (religion on state identity cards), Russia has three indicators (religious national holidays, a religious symbol on the coat of arms and in the national anthem), and Moldova and Armenia have only two (religious national holidays and a religious symbol on the coat of arms).

These four countries fund religious buildings and religious education in public schools. However, Georgia, Armenia and Russia have optional religious education in public schools, whereas Moldova is the only post-Soviet country with mandatory religious education in public schools. According to the Moldovan 1995 Law on Education, moral and spiritual instruction (favoring the Orthodox faith) is mandatory for primary school students and optional for secondary school and university students.<sup>85</sup> In Armenia, courses in the History of the Armenian Church are part of the public school curriculum and are taught by public school teachers.<sup>86</sup>

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<sup>82</sup> Here it is important to note a difference between Moldova proper and Transdnistria which is a separatist region (unrecognized by the international community) between the Dniester River and the Ukrainian border that declared independence from Moldova in 1990. Transdnistria has its own local government with its own Soviet-influenced currency, constitution, parliament, flag and anthem. Transdnistrian local law recognizes the role of the Orthodox Church in the region's history and there is publically-funded religious education. Religious organizations are not allowed to participate in elections, political party activity or support NGOs in the region.

<sup>83</sup> Moldova's coat of arms includes a cross in an eagle's beak. The current coat of arms for Russia depicts a red shield with St. George and the Dragon, a double-headed eagle with a scepter, orb and three cross-decorated crowns. The Armenian coat of arms features a picture of Noah's Ark atop Mount Ararat and the upper right and lower left corners of the coat's central shield depicts the insignias of two of Armenia's dynasties: the Royal House of Bagratids and the Rubenid Royal House of Cilician Armenia both signified by a lion and a cross. The Georgian coat of arms features St. George and the Dragon upon a centrally-placed shield, two crosses on a ribbon at the bottom of the coat of arms, and a cross atop the royal crown of Georgia at the top. See [flagspot.net/flags.md.html](http://www.crwflags.com/flags/md.html).

<sup>84</sup> The 2004 Georgian flag includes five Christian crosses. See <http://www.crwflags.com/fotw/flags/ge.html>.

<sup>85</sup> U.S. State Department 2009 Report on International Religious Freedom, Moldova. <http://www.state.gov/g/drl/rls/irf/2009/127325.htm>; 1995 Law on Education in Moldova.

<sup>86</sup> The Law on Education in Armenia indicates that public schools should offer a secular education. The law also gives the Armenian Church the right to organize voluntary religious classes in state education institutions using the facilities and resources of those institutions, <http://www.state.gov/g/drl/rls/irf/2009/127297.htm>.

In Georgia public schools have an optional religious class entitled “Religion and Culture” that is supposed to provide general Christian education. However, in many cases the classes are based on the Orthodox faith and are compulsory.<sup>87</sup> Article 5 of the 2002 concordat between the Georgian government and the Georgian Orthodox Church (GOC) gives the GOC a consultative role in curriculum development in public schools.<sup>88</sup> The GOC routinely reviews religious and other textbooks used in schools for consistency with Orthodox beliefs. In addition, Georgian state funding of religious education increased from 1,290,000 GEL (\$720,652) in 2005 to 9,521,100 GEL (\$5,318,917) in 2008.<sup>89</sup>

In Russia, the federal government allows for optional religious courses in Sunday schools, public secondary schools, or in special religious schools. Due to Russia’s complex federal structure with 83 federal districts, including 21 ethnically-defined autonomous regions and a multi-confessional population, there are courses in Islamic, Russian Orthodox, Protestant, Jewish, Catholic, Buddhist, Armenian Apostolic faiths that operate throughout the country.<sup>90</sup> In 2009 the Ministry of Education and Science of the Russian Federation announced a three-year experiment that would make a course on religion compulsory in public schools beginning in spring 2010. Parents and students can choose between three modules—Foundations of Religious Culture (Orthodox, Islam, Judaism or Buddhism), A History of World Religions, or Foundations of Secular Ethics—that will be given twice a week to students in the fourth and fifth classes. Compulsory classes will be introduced in 18 regions in six of the seven federal regions of Russia.<sup>91</sup>

Besides religious education in public schools, Georgia, Armenia, Russia and Moldova also fund other religious activities. In Moldova, the Metropolitan is frequently the only religious figure present at national celebrations and regularly appears on the front pages of government-friendly newspapers. The Metropolitan of Chisinau and all Moldova also holds a diplomatic passport and pro-government television channels regularly show visits of high government officials to Moldovan Orthodox Churches (MOC) and monasteries.

In Russia, state-religion relationships are often regionally-dependent. However, a close relationship between the federal government and the Russian Orthodox Church (ROC) has developed over time since independence in 1991.<sup>92</sup> The ROC has various agreements with

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<sup>87</sup> See Corely (2003).

<sup>88</sup> See 2002 Constitutional Agreement between State of Georgia and Georgian Apostolic Autocephaly Orthodox Church.

<sup>89</sup> Decree No. 1028 of the president on the allocation of additional funding to the Patriarchy and Article 61 of the 2007 Law on State Budget.

<sup>90</sup> Russia had optional religious education in public schools until a new compulsory program began in 2010. There are more than 100 Islamic religious schools, mostly in majority-Muslim regions in the Urals and South Caucasus, as well as Protestant, Roman Catholic, Jewish, Buddhist (1), Armenian Apostolic (1) schools in different parts of the country. The Ministry of Justice of the Russian Federation published statistics on religious education on August 29, 2008. See U.S. State Department 2009 Report on International Religious Freedom, Russia, <http://www.state.gov/g/drl/rls/irf/2009/127333.htm>.

<sup>91</sup> See Malukhin (2009).

<sup>92</sup> There are currently three major Muslim organizations in Russia: The Central Muslim Spiritual Directorate headed by Chief Mufti of Russia, Talgat Tadzhuiddin, and based in Ufa, Bashkortostan, the Union of Muftis of Russia headed by Ravil Gainutdin and based in Moscow, and the North Caucasus Coordinating Council. The first two have been rivals and in 2009 Tadzhuiddin proposed a failed plan to unite the three groups. See Goble (2009).

government ministries to provide greater access to schools, hospitals, prisons, police, and the military than other religious groups. The ROC is also involved in psychological rehabilitation of military personnel returning from conflict zones and cooperates with the Russian Ministry of Internal Affairs to combat extremism.

Georgia is the only country in this group that funds clergy (i.e. Georgian Orthodox clergy) through subsidies or grants. In 2009 the Georgian government gave the GOC a \$15 million grant as well as several gifts including luxury sports utility vehicles for each of the church's ten archbishops.<sup>93</sup> Armenia, Moldova and Russia may provide state subsidies to religious organizations which could be directed toward clergy salaries, but whether or not they do so is unclear.

With respect to formal incorporation, Moldova and Armenia have state departments dealing with religious affairs: the State Services for Religious Affairs in Moldova, the Department of Religious Affairs and National Minorities in Armenia, and the Governmental Commission for the Affairs of Religious Associations and Presidential Council on Cooperation with Religious Associations in Russia. Georgia does not have a religious state ministry or department dealing with religious affairs.

Armenia and Georgia both have concordats with the Armenian Apostolic Church and the Georgian Orthodox Church, respectively. The 2007 Law of the Republic of Armenia Regarding the Relationship Between the Republic of Armenia and the Holy Apostolic Armenian Church Mother See of Holy Etchmiadzin regulates the special relationship between the Republic of Armenia and the Armenian Apostolic Church.<sup>94</sup> According to the document, the Armenian Apostolic Church has the right to offer religious education in state education institutions, have the right to permanent spiritual representation in hospitals, orphanages, boarding schools, military bases and penal institutions without demand (Article 10).<sup>95</sup> The church is also exempt from taxation on funds raised from public fundraising events, donations, as well as the production and sale of religious objects (Article 11).<sup>96</sup>

The 2002 constitutional agreement between the state of Georgia and Georgian Apostolic Autocephaly Orthodox Church grants the patriarch immunity (Article 1.5), exempts GOC clergy from military service (Article 4), gives the church a consultative role in government, and declares the GOC the only religious group with a right to staff the military chaplaincy (Article 4.2).<sup>97</sup> The GOC also does not pay tax on salaries, property, or the sale of religious paraphernalia. No other religion in Georgia receives state funding or government support.

In addition to these two concordats, all four countries have constitutions or laws on religion that mention support or recognition for national religions. Moldova's 2007 Law on Religion

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<sup>93</sup> See Corsco (2009).

<sup>94</sup> The Law of the Republic of Armenia Regarding the Relationship Between The Republic of Armenia and the Holy Apostolic Armenian Church (2007).

<sup>95</sup> The Law on Freedom of Conscience and Religious Organizations permits other religious organizations to have representatives in these places on demand only.

<sup>96</sup> Op. cit.

<sup>97</sup> See 2002 Constitutional Agreement between State of Georgia and Georgian Apostolic Autocephaly Orthodox Church.



recognizes the "exceptional importance and fundamental role of the Christian Orthodox religion, particularly that of the Moldovan Orthodox Church, in the life, history, and culture of the people of the Republic of Moldova."<sup>98</sup> With respect to Russia which understands itself to be a multinational and multi-confessional state, the preamble to the 1997 Russian Law on the Freedom of Conscience and Religious Associations recognizes "a special role of the Orthodox Church in the history of Russia, the formation and development of its spirituality and culture, having respect for Christianity, Islam, Buddhism, Judaism and other religions constituting an integral part of the historical heritage of the peoples of Russia."<sup>99</sup>

Similarly, Article 9 of the Georgian constitution "recognizes the special importance of the Georgian Orthodox Church in Georgian history but simultaneously declares complete freedom of religious belief and confessions, as well as independence of the church from the state."<sup>100</sup> Finally, Article 8.1 of the Armenian constitution states that, "The Republic of Armenia recognizes the exclusive historical mission of the Armenian Apostolic Holy Church as a national church, in the spiritual life, development of the national culture and preservation of the national identity of the people of Armenia."<sup>101</sup>

While these four countries have constitutions or laws on religion that declare recognition or support for a particular religion, none of them make religious appointments, have religious courts, or religious-political arrangements such that seats in legislature granted by religious lines, religious requirement for state officials to hold office, or state officials provided official religious position by virtue of their political office and vice versa.

Georgia, Armenia, Moldova and Russia have much fewer restrictions and regulations on religion than the prior group of countries, but more than Central Asia, Belarus and Azerbaijan. All four states require religious organizations to register in order to have certain rights, as well as other restrictions on religion. Additionally, Moldova and Russia have restrictions on access to places of worship and there are restrictions on public gatherings in the former. In Moldova unregistered groups may not own property, construct buildings or open bank accounts. Article 54 of the new Contraventions' Code (formerly known as the Code of Administrative Offences adopted on October 24, 2008 and entered into force on May 31, 2009) provides for expulsion of foreign religious believers who engage in religious activity in public places without first notifying the mayor's office. Additionally, the Moldovan government continued to deny registration to some groups (e.g., the Pentecostal Church) by using excessive bureaucracy or imposing fines without reason.

In Russia, the 1997 law on Freedom of Conscience and Associations disadvantages some groups because of its three-tiered hierarchy among religious entities as well as the residency requirement. The law is biased against religious groups that are considered nontraditional and thus these groups are often unable to obtain venues for worship. The Law creates three categories

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<sup>98</sup> See the Law of the Republic of Moldova on Denominations (1992).

<sup>99</sup> 1997 Russian Law on the Freedom of Conscience and Religious Associations

<sup>100</sup> Constitution of Georgia (Article 9).

<sup>101</sup> Constitution of Armenia (Article 8.1). The 1997 Republic of Armenia Law on the Freedom of Conscience and on Religious Organization similarly recognizes "the Armenian Apostolic church as a national church of the Armenian people and an important shield for the constitution of its spiritual and national identity preservation".

of religious communities with different levels of legal status and privileges: groups, local organizations, and centralized organizations. The most basic unit is a 'religious group' which has the right to conduct religious services and to teach religion to its members, but cannot have legal status to open a bank account, own property, issue invitations to foreign guests, publish literature, enjoy tax benefits, or conduct worship services in prisons, state-owned hospitals, or the armed forces because it is not registered with the government.

However, a 'local religious organization' can be registered if it has at least 10 citizen members and is either a branch of a centralized organization or has existed in the locality as a religious group for at least 15 years. These organizations can have legal status, bank accounts, property, publish literature, tax benefits, and conduct religious services in prisons, hospitals, and in the military. 'Centralized religious organizations' are religious organizations that must have existed in Russia for more than 50 years and can be registered by combining at least three local organizations of the same denomination. They have the same rights as local organizations and can open new local organizations without waiting. 'Centralized religious organizations' are the only groups that have the right to use the words "Russia" or "Russian" in their official names. Political parties cannot be religious or supported by religious organizations.<sup>102</sup>

In addition to Moldova and Russia, Armenia also has restrictions on religious organizations. The 2007 Law between the Republic of Armenia and the Armenian Apostolic Church grants certain privileges to the Armenian Apostolic Church that are not available to other religious groups as mentioned earlier. Only registered groups may publish more than 1,000 copies of newspapers or magazines, rent meeting places, broadcast programs on television or radio, or officially sponsor visitors' visas. Registration requirements also disadvantage minority religious groups. In order to register religious organizations must "be free from materialism and of a purely spiritual nature," have at least 200 adult members, and subscribe to a doctrine based on "historically recognized holy scriptures."

In Armenia, a more strict draft of changes to the Law on Freedom of Conscience and Religious Organizations was submitted to the National Assembly in 2009 which calls for an increase in the required number of members for a religious organization to register, and seeks to legally define Christian belief as "the belief in Jesus Christ as God and Savior and an acceptance of the Holy Trinity" as a prerequisite for registering Christian religious organizations. Furthermore, the documents also seek legally to define and criminalize "soul hunting"—a pejorative term for proselytizing.<sup>103</sup>

Similarly, Georgia also requires religious groups to register if they want to gain certain privileges such as tax benefits. However, before July 2011 these groups had to be registered as non-profit organizations because there was no legal basis for such groups to be recognized as religious entities before a law on religious entities took effect. However, minority religious groups do not

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<sup>102</sup> See Article 5 of the Federal Law No.125-FZ on the Freedom of Conscience and Religious Associations.

<sup>103</sup> U.S. State Department 2009 Report on International Religious Freedom, Armenia. <http://www.state.gov/g/drl/rls/irf/2009/127297.htm>. The European Commission for Democracy through Law and the OSCE/ODIHR Advisory Council on Freedom of Religion or Belief recommended authors to delete the proposed definition of Christianity and rephrase the statement related to proselytism.

receive or qualify for the same benefits as the GOC (including equal legal status). Until 2011, there was religion law in Georgia and relations between the state and non-Orthodox religious groups are relatively ad-hoc to the advantage of the GOC. Moreover, Georgia's criminal code prohibits interference with worship services, persecution of a person based on religious faith or belief, and interference with the establishment of a religious organization. However, many minority religious groups have difficulty building places of worship and face discrimination from governmental officials.<sup>104</sup>

There is also a certain degree of discrimination in these countries with respect to the media. Some Russian public television channels have several programs that denounce certain religious minority groups (e.g., Pentecostals) as “dangerous cults and sects”. Similarly, in Armenia many state-supported channels explicitly support the Armenian Apostolic church and label religious groups other than this church as enemies of the state and national unity or as “sects”—a pejorative term that refers to “nontraditional” religions especially in the post-Soviet region. Similar instances can be found in Georgia and Moldova as well to a certain extent.

As in the Baltics and Ukraine, these four states have no formal restrictions on conversion, personal matters (e.g., marriage, divorce, and inheritance), public display of religious symbols (including religious dress), religious speech and publications, or religious political parties. However, they all have other restrictions on religious organizations.

Russia, Moldova, Georgia and Armenia are mid-SER states that have many inclusionary policies toward the public visibility of certain religions. They are not necessarily neutral toward religion nor do they seek to extirpate religion from the public sphere. Rather, they cooperate with particular religions in a variety of ways: they support religious education in public schools, fund religious buildings or religious groups directly, support certain religious activities, formally recognize a particular religion (or group of religions), and some of them have concordats with religious entities. These four countries are also not wholly cooperative towards religion in general, but rather cooperate with particular religions to the detriment of others. This demonstrates an element of both cooperation and discrimination in each state's relationship towards religion. However, all four of these countries have a mid-level of engagement with religion.

### ***High-SER States (Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, Uzbekistan, Azerbaijan and Belarus)***

Tables 5 and 6 show that the Central Asian states, Azerbaijan and Belarus have the highest levels of SER in the post-Soviet region. These countries also have the highest level of restrictions on religion, rather than funding, use of symbols or formal incorporation of religion in the entire region. Each of these countries has some religious holidays as national holidays (e.g., Navruz in Azerbaijan; Orthodox Christmas and Kurban-Ait in Kazakhstan; Eit al-Adha, Eid al-Fitr and Orthodox Christmas in Kyrgyzstan; Eid al-Fitr and Eid al-Adha in Tajikistan; Kurbon Hayit and Ramadan Hayit in Uzbekistan; and Eid al-Fitr, Ramadan, Eid al-Adha and a three-day holiday

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<sup>104</sup> According to Corley (2003), the Patriarchate objects to large quantities of non-Orthodox literature being imported into the country.

commemorating the end of the Hajj in Turkmenistan; and Orthodox/non-Orthodox Christmas, Orthodox/non-Orthodox Easter, Radonitsa (Easter of the Dead), and Orthodox Remembrance of the Ancestors Day in Belarus. Kyrgyzstan and Turkmenistan have religious references in their national anthem, and Turkmenistan along with Azerbaijan and Uzbekistan has a religious symbol on its flags.<sup>105</sup> Additionally, Uzbekistan and Turkmenistan are the only countries in this group with a religious symbol on their coat of arms.<sup>106</sup> Results of the symbols category show that Turkmenistan and Uzbekistan—two of the most restrictive countries in the region with respect to religion—have the highest symbolic use of religion in the post-Soviet region (besides Georgia), while Tajikistan and Kazakhstan have the least. None of these countries includes religion on state identity cards.

With respect to funding of religion, all high-SER states fund religious buildings and religious activities other than education, media, clergy salaries and buildings (except Tajikistan). Uzbekistan and Turkmenistan are the only states in the post-Soviet region (besides Georgia) that explicitly fund clergy salaries. None of these states collect taxes on behalf of religious organizations or has mandatory religious education in schools. However, Tajikistan and Belarus have optional religious education in public schools and there are plans for some of the other countries in this group to do the same within the next few years.

Since September 1, 2009 Tajikistan has had mandatory religious education in public schools. Since 2005 a course on the history of religions with a textbook on the history of Islam has been taught in public schools at the 10th grade level.<sup>107</sup> According to the Tajik Ministry of Education, new books about Muslim customs and specifically the Hanafi branch of Islam will be used in a new mandatory 8<sup>th</sup> grade course in public schools one hour a week called “Knowledge of Islam” beginning in 2010.<sup>108</sup>

Belarus formally has non-confessional religious education classes in public schools; yet, the courses favor the Orthodox faith in practice. Despite Article 9 of the 2002 Belarusian Law on the Freedom of Religion and Religious Organizations which precludes the formation of any attitude towards religion in public schools, there is a special agreement between the Belarusian Orthodox Church (BOC) and Ministry of Education that allows a course on the foundation of Orthodoxy in public schools.<sup>109</sup> The BOC and other traditional religions (i.e., Evangelistic-Lutheran Church, Judaism and Islam) (as defined in the Belarusian law on religion) receive financial aid from the state.

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<sup>105</sup> Turkmenistan’s flag includes a white crescent and five stars representing Islam (<http://www.crwflags.com/fotw/flags/tm.html>). Azerbaijan’s flag depicts a white crescent (<http://www.crwflags.com/fotw/flags/az.html>). Uzbekistan’s flag includes a white crescent representing Islam (<http://www.crwflags.com/fotw/flags/uz.html>).

<sup>106</sup> Both Turkmenistan and Uzbekistan’s coat of arms include a white crescent representing Islam, <http://www.crwflags.com/fotw/flags/uz.html>, <http://www.crwflags.com/fotw/flags/tm.html>.

<sup>107</sup> U.S. State Department 2009 Report on International Religious Freedom, Tajikistan, <http://www.state.gov/g/drl/rls/irf/2008/108507.htm>.

<sup>108</sup> The government issued a textbook to high schools in 2005 on the history of Islam. A course on the history of religions is taught in public schools at the 10th grade level. See Naijbullah (2009).

<sup>109</sup> See Sidorovitch (2005) and the 2002 Belarusian Law on the Freedom of Religion and Religious Organizations.

In Kazakhstan, a compulsory course on general religious studies course was introduced to grades 10 and 11 in September 2009.<sup>110</sup> With respect to funding, registered religious organizations are exempt from taxes on church collections and income from certain religious activities. The government has donated buildings and land, and provides support for the construction of religious buildings (mosques, synagogues, and Orthodox churches).<sup>111</sup>

In Kyrgyzstan, a course on world religions began being taught in secondary schools beginning in 2010/2011.<sup>112</sup> The Kyrgyz government also supports the Islamic University which oversees all Islamic education in the country and standardizes the curriculum to prevent the spread of religious teaching considered extremist.

In Turkmenistan, there is no formal religious instruction in public schools, but the *Ruhnama*—a pseudo-spiritual and historical written by Niyazov in 2001 was taught in all Turkmen schools.<sup>113</sup> However, the book's instruction has substantially decreased since the death of president Niyazov in 2006.<sup>114</sup>

In terms of funding for religious buildings and religion in general, the Turkmen government has built mosques throughout the country such as in Ashgabat, Goktepe, Gypjak, and Mary as part of the government's goal to incorporate Islamic tradition and culture into Turkmen national identity. The Turkmen government specifically desires to promote a moderate understanding of Islam based on Turkmen national traditions (as opposed to foreign influences) and the state provides financial and logistical support to state-sanctioned religious groups. For example, the Council of Religious Affairs receives funding to build new mosques and the government pays most Muslim clerics' salaries and approves appointments to all senior clerical positions. The government also financially supports the Hajj for a limited number of citizens each year. In contrast to Kazakhstan, the Russian Orthodox Church and other religious groups are independently financed.

In Uzbekistan, the teaching of religious subjects in public schools is prohibited by the 1998 Law of the Republic of Uzbekistan on Freedom of Worship and Religious Organizations. Religious instruction is only provided in officially recognized religious schools and with state-approved instructors. However, the Uzbek state financially supports religion in other ways. It funds the preservation of Islamic historic sites and Tashkent Islamic University where students receive a secularly-based religious education. The government occasionally promotes the Naqshbandi order of Sufism in order to curb the influence of “foreign” forms of Islam (e.g., Wahabbism). Similar to Turkmenistan, the government of Uzbekistan provides logistical support for a limited

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<sup>110</sup> See *Religion Classes To Be A Must In Kazakh Schools* (2011).

<sup>111</sup> 44% of the population is nominally Orthodox Christian (CIA World Factbook, 2011).

<sup>112</sup> The State Commission on Religious Affairs (SCRA) has created programs to train clergy and teach about religious groups in public schools. The government has supported this in response to concerns about the spread of Wahhabism and “unconventional religious sects”. See *Children of Kyrgyzstan to study religion in schools since 2010/2011*. (2009).

<sup>113</sup> Niyazov's pseudo-religious cult persists to a certain extent even though Gurbanguly Berdimuhamedow became president in 2007 after Niyazov's death in 2006. This is part of the reason why the International Crisis Group's 2007 report, “Dismantling Totalitarianism? Turkmenistan under Berdimuhamedow”, recognizes no separation between state and religion. See Horak and Sir (2007), p. 34.

<sup>114</sup> Ibid.

number of Muslims to participate in the Hajj. In Azerbaijan religious education is not offered in public schools. The Caucasus Muslim Board (CMB) (a state organ discussed below) controls the state-owned Baku Islamic University.

With respect to formal incorporation of religion into the state, all seven countries have a state ministry or department dealing with religious affairs: the State Committee on Work with Religious Organizations (SCWRO) and Caucasus Muslim Board (CMB) in Azerbaijan, Office of the Plenipotentiary Representative for Religious and Nationality Affairs in Belarus, Committee of Religious Affairs (CRA) in Tajikistan,<sup>115</sup> State Commission for Religious Affairs (SCRA) in Kyrgyzstan, Religious Issues Committee which operates within the Ministry of Justice in Kazakhstan,<sup>116</sup> Council (Gengesh) for Religious Affairs (CRA) in Turkmenistan, and the Committee on Religious Affairs (CRA) in Uzbekistan.

Unlike the prior two groups of secular states, Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan make major religious appointments and each of these countries along with Azerbaijan has a state-controlled Muftiate (i.e. council of Muftis) in addition to the above-mentioned state departments or ministries dealing with religious affairs. These Muftiates are one of the legacies of the Soviet Union. They are state-controlled Islamic bodies created to provide a centralized form of Islam within the boundaries of each state. These institutions also facilitate state control over Islam in their territories and encourage a distinction between “official” and “unofficial” Islam just as the Soviet state had done.<sup>117</sup> Tajikistan is the only Central Asian country without a Muftiate. However, the formally independent, yet indirectly-controlled Islamic Center of Tajikistan that is led by the 27-member Council of Ulama (Islamic clergy)—interprets religious practice, make decisions regarding religion, regulates all Islamic organizations, and issues fatwas.

In Kyrgyzstan, the Muftiate (Spiritual Administration of Muslims of Kyrgyzstan—SAMK) is the highest Islamic body in the country. It was established in 1993 and the head mufti is elected by the Council of Ulama which consists of 30 Islamic clerics and scholars. The SAMK is theoretically independent, yet is influenced by the government and operates parallel to the State Council on Religious Affairs. The Muftiate oversees all Islamic institutions, appoints and dismisses imams, and reviews and standardizes Islamic educational literature in the country.

In Kazakhstan, the Muftiate (Muslim Spiritual Administration of Kazakhstan—DUMK) is also a formally independent organization and while it does not control all mosques in the country, all mosques under its control are branches of the central Muftiate. DUMK appoints imams and provides recommendations for Friday sermons in an attempt to influence the practice of Islam in the country. The Muftiate also oversees the construction of mosques and background checks for aspiring imams. Similar to several other Central Asian countries, the Kazakh government coordinates Hajj travel for its citizens.

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<sup>115</sup> The Center for Islamic Studies was established in 2008 within President Rahmon's executive office to formulate the state's religious policy.

<sup>116</sup> The Religious Issues Committee is a liaison between religious groups and the government.

<sup>117</sup> See Saroyan (1997) regarding the existence of “official” and “unofficial” Islam from the Soviet Union.

In Azerbaijan, registered Muslim organizations are subordinate to the Caucasus Muslim Board (CMB)—a Soviet-era Muftiate that appoints clerics to mosques, administers Islamic education, periodically monitors sermons, and organizes the Hajj.<sup>118</sup> The CMB promotes “official Islam” in the country and is led by a Shiite head and a Sunni deputy. Muslim religious groups must receive a letter of approval from the CMB before they can be registered by the SCWRO which is a secular institution.

Turkmenistan has a Muslim Board which employs all Muslim clerics and is controlled by the Council for Religious Affairs (CRA) under the president.<sup>119</sup> The CRA is composed of a head imam and three deputy chairman—the Mufti of Turkmenistan, the head of the Russian Orthodox Church, and a government representative. The group oversees the selection, promotion and dismissal of all Sunni mullahs as well as Russian Orthodox clergy. Turkmenistan is the only Central Asian country that formally incorporates the Russian Orthodox Church into the state-controlled religious hierarchy.<sup>120</sup>

In contrast to Kazakhstan which has the most non-hierarchical state-religion institutions, Uzbekistan has the most well-defined and hierarchical state-religion institutions. The Committee on Religious Affairs (CRA) is a government agency that implements religious policy wanted by the presidential administration, the State Advisor on Interethnic Relations and Religious Affairs and the Deputy Prime Minister responsible for social affairs. It is accountable to the Cabinet of Ministers and must approve all religious literature. The Uzbek Muftiate (Muslim Spiritual Board) is subordinate to the CRA and controls the Islamic hierarchy, as well as the content of imams’ sermons, religious publications and it issues fatwas. Hokimiats are subordinate to the Muftiate and are provincial posts that control religious activities throughout the country.

With respect to the formal support of or recognition for a particular religion, Belarus and Tajikistan are the only high-SER states with either a constitution or law on religion that mentions support or recognition for a particular religion. The former is the only country in this SER group that has a concordat with a religious organization (the Belarusian Orthodox Church).<sup>121</sup> The 2003 “Agreement on Co-operation between the Republic of Belarus and the Belarusian Orthodox Church” recognizes the special relationship between the BOC and the state.<sup>122</sup> The agreement identifies cooperation on issues related to education, health, family, protection of cultural and historical legacies, and, interestingly, to combating “pseudo-religious structures, a danger to the individual and society, as well as several other sectors of Belarusian society.” The document also grants the BOC the exclusive right to use the term “Orthodox” in its title and in Article 1 of the 2002 Law on Freedom of Religion and Religious Organizations, the state recognizes “the defining role of the Orthodox Church in the historical formation and development of spiritual, cultural and state traditions of the Belarusian people; [and the] inseparability from the general

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<sup>118</sup> The Soviet Spiritual Board of the Transcaucasian Muslims was renamed the Caucasus Muslim Board in 1989.

<sup>119</sup> There is a very small difference between the CRA as a governmental organ or as a religious hierarchy.

<sup>120</sup> In 2005, former president of Turkmenistan, Niyazov, attempted (and failed) to have the Orthodox parishes in Turkmenistan put directly under the jurisdiction of the Russian Orthodox patriarch, instead of under the authority of Central Asian diocese with jurisdiction over all five Central Asian states.

<sup>121</sup> The Belarussian Orthodox Church is a branch of the Russian Orthodox Church.

<sup>122</sup> See *Agreement on cooperation between the Republic of Belarus and the Belarusian Orthodox Church* (2003).

history of the Belarusian people of the Evangelistic-Lutheran Church, Judaism and Islam [i.e. “traditional” faiths].”<sup>123</sup>

In Tajikistan, the preamble to the new 2009 law on religion in Tajikistan recognizes the “special role of the Hanafi school of Islam in the development of the national culture and moral life of the people of Tajikistan”.<sup>124</sup> The Hanafi school of Islam is a Sunni branch with which most citizens in the country identify.<sup>125</sup> No other Central Asian constitution or law on religion has recognized any form of Islam, nor have previous versions of Tajikistan’s law on religion. Therefore, Tajikistan became the first country in the region to do so in 2009.

Besides the formal support for or recognition of a particular religion in Tajikistan and Belarus, and the fact that all the high-SER states’ departments or ministries dealing with religious affairs, none of these countries have religious courts or religious-political arrangements such that seats in legislatures are granted by religious lines, religious requirement exist for state officials to hold office, or state officials are provided official religious position by virtue of their political office and vice versa. Additionally, in contrast to mid-SER states, only two of the seven high-SER states have either a concordat with a religious organization or a constitution or law on religion that mentions a specific religion of the people/nation, support or recognition for a particular religion, or faith or reverence in God.

The high-SER states have more restrictions and regulations on religion than the low and mid-SER states. In these countries religious organizations must register, press and publications are censored, and there are restrictions on clergy sermons, the publication and dissemination of written religious material, and on public gatherings. In addition, religious figures or people engaged in religious activities often face harassment, arrest, or other restrictions for religious activities. In Belarus, Azerbaijan, Tajikistan, Turkmenistan and Uzbekistan there are additional restrictions on access to places of worship. Clergy speeches require state approval in Azerbaijan, Tajikistan, Kyrgyzstan, Turkmenistan and Uzbekistan, and there are also restrictions on public dress in these countries. The latter four have restrictions on the public display of religious symbols. Uzbekistan is the only country in the post-Soviet region which has formal restrictions on conversion.

Finally, Tajikistan is the only country with restrictions on the public observance of religious practices and without restrictions on religious political parties as in the other six countries.<sup>126</sup> Moreover, it is the only Central Asian country with a religiously-based political party—the

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<sup>123</sup> 2002 Law on Freedom of Religion and Religious Organizations, Belarus.

<sup>124</sup> See the 2009 Freedom of Conscience and Religious Associations, Tajikistan. President Rahmon also declared 2009 to be the “Year of Imam Azam” in honor of Abu Hanifa who was founder of the sect.

<sup>125</sup> The Hanafi school is one of the four Sunni schools of law.

<sup>126</sup> Each of the assertively secular states has a restriction on religiously-based political parties: Article 5 of the Law on Freedom of Religious Belief in Azerbaijan (According to Article 89 of the Azerbaijani constitution no member of the Milli Mejlis (parliament) may be a minister of religion); Article 8 of the Law and Article 5 of constitution in Belarus; Article 8.4 of the Kyrgyz constitution; Article 5 of the Law of Republic of Kazakhstan on Freedom of Religious Confession and Religious Associations and Article 5.4 of constitution in Kazakhstan; Article 28 of Turkmenistan constitution; and Article 5 of Law and Article 57 of Uzbekistani constitution.



Islamic Revival Party of Tajikistan (IRPT)—that currently has two representatives in the lower house of parliament and 13 deputies in regional parliaments.<sup>127</sup>

In Azerbaijan, religious groups must register with the SCWRO in order to open a bank account or rent property. Unregistered religious groups (e.g., certain Muslim groups, Jehovah's Witnesses, and Evangelical Christian) groups function, but are subject to random police harassment including intimidation, disruptions and government raids. Additionally, some religious services are monitored and there is discrimination against Muslims who convert to "nontraditional" religious groups or who adhere to Salafism. Several Christian groups (and some Muslim groups as well) face harassment by local authorities, detention without cause, and the confiscation of religious materials. Government authorities have detained alleged Islamic radicals, banned Islamic literature, limited religious activities (e.g., Georgian Orthodox churches near the Georgian border) or destroyed religious buildings. In sum, the state's aggressive behavior toward religion affects both Muslim and non-Muslim communities alike.

The law permits religious literature that is approved by the SCRWO, yet the importation and distribution of religious materials (both Islamic and non-Islamic) is restricted. In addition, the state also controls a wide variety of religious activity, including religious television broadcasts and the sales of religious literature.

The Azerbaijani government controls religious education in the country and people who receive religious education abroad are banned from leading Muslim rituals in the country. Article 21 of the 2009 Law on Freedom of Religious Belief states, "The performance of religious rituals and ceremonies of the Islamic faith can be carried out only by citizens of Azerbaijan who have received their education in Azerbaijan."<sup>128</sup> Students do not require permission to receive religious education abroad unless they are state-supported and thus must obtain permission from the SCWRS or the Ministry of Education.

Finally, with respect to restrictions on religious dress, there is no state law that forbids individuals from religious symbols, including wearing headscarves in educational or state facilities. There are several cases in which government authorities prevented women from wearing headscarves in passport photos. Additionally, while there was a government reversal of a ban on the call to prayer in 2007, there is a noise control policy that has been in effect at least since 2009.

In Belarus, the 2002 religion law guarantees religious freedom although the government's control over religion has been increasing over time. According to the document, all unregistered religious activity is banned and religious groups are required to receive prior governmental

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<sup>127</sup> Religiously-based political parties (e.g., the Islamic Renaissance Party of Tajikistan) are permitted in Tajikistan through a 1999 constitutional amendment. The IRP, for example, opposed the communist regime in the early 1990s and was one faction of the Tajik civil war from 1992-1997. The IRP and the Tajik government reached a compromise as part of the 1997 peace accords at the end of the civil war. IRP has stated its opposition to violence, and has a broad agenda with supporters ranging from Islamists to government oppositionists. See Naumkin (2005).

<sup>128</sup> 2009 Law on Freedom of Religious Belief, Azerbaijan.

approval to import and distribute literature.<sup>129</sup> The government also aims to prevent foreigners from leading religious organizations. Both "traditional" and "nontraditional" religious groups find the registration process problematic, especially when it comes to renting, purchasing, building or registering places of worship. Textbooks such as "Man, Society and State" or "Basics of Home and Personal Security" that promote religious intolerance, especially toward "nontraditional" religious groups which are pejoratively labeled as "sects".<sup>130</sup>

Whereas Uzbekistan is one of the most repressive states in dealing with religion and Kazakhstan has been the least repressive in the Central Asian region, Kyrgyzstan has had the most ambiguous policy on religion. Relative to other Central Asian countries, many religious organizations operate relatively unhindered. However since the mid-90s, as in the other high-SER states, Kyrgyzstan has placed increasing restrictions on the activities of religious groups. The country adopted a more restrictive religion law in January 2009 that required religious groups to have at least 200 members in order to register (instead of the previous 10 members). Several religious groups (e.g., Mormons, Jehovah's Witnesses) have had frequent difficulties registering and the SARA regularly monitors religious services. Unregistered religious organizations are prohibited from renting buildings and holding religious services, although some groups still hold regular services.

The new religion law also banned unapproved religious education, private religious schools, and prohibits individuals from seeking unapproved religious education abroad. It also prohibits distribution of religious materials in several locations and prohibits the conversion of citizens from one religion to another (as well as proselytism).<sup>131</sup> Nevertheless, Article 22 of the law protects the right of religious organizations to produce, import, export, and to distribute religious literature and materials. In addition to increased restrictions on the activities of religious groups and more expanded registration requirements, the government also monitors and restricts Islamic groups it considers to be threatening to stability and security. Thus, Kyrgyzstan has banned four political organizations that it considers to be extremist: Hizb-ut-Tahrir, the Islamic Party of Turkestan, the Organization for Freeing Eastern Turkestan, and the Eastern Turkestan Islamic Party. With regard to education, the Minister of Education signed a 2009 decree in February 2009 banning students from wearing religious clothing, yes he amended the decree from an official ban to a recommendation after parents protested.<sup>132</sup>

Kazakhstan had the most liberal policy on religion until the late 1990s. Since the war on terror following September 2001, each of the Central Asian governments has strengthened their control over the activities of religiously-based groups via legislation or enforcement. Nevertheless, relative to the other central Asian countries, Kazakhstan still has the fewest number of rules and regulations on religion among the high-SER states. For example, the country has no ban on

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<sup>129</sup> Law of the Republic of Belarus of October 31, 2002 number 137-3 On Introduction of Changes and Amendments to the Law of the Republic of Belarus On Freedom of Conscience and Religious Organizations.

<sup>130</sup> U.S. State Department 2009 Report on International Religious Freedom, Belarus, <http://www.state.gov/g/drl/rls/irf/2009/127300.htm>

<sup>131</sup> See Corley (2009).

<sup>132</sup> There is societal pressure for women not to wear the hijab. See *The veil and fundamentalism are back in Bishkek*. (2005).

private religious education, mosques hold religious classes and there is no central state-controlled authoritative religious institute as there is in most of the other Central Asian states.

Unlike Uzbekistan which has a clearly-defined institutional structures dealing with religion, in Kazakhstan there exist parallel state and religious structures with confusion over the division of responsibilities. Despite a few Islamist groups such as Hizb ut-Tahrir, the majority of religious organizations in Kazakhstan pursue their own aims. The majority of religious groups worship largely without government interference. Nevertheless, this does not prevent occasional interference by government officials, especially in the religious activities of Muslims not affiliated with the SAMK and “foreign” minority religious communities such as evangelical Christians, Jehovah's Witnesses and Scientologists.

Kazakhstan has its fair share of restrictions on religion that warrants its classification as a high-SER state despite its relatively lower level of religious repression. Religious organizations must register with the Ministry of Justice and have at least 10 members. Participating in an unregistered religious organization is subject to fines. Some religious groups have been banned (Hizb ut-Tahrir) or have had an exceedingly difficult time registering despite fulfilling the requirements (e.g., Jehovah's Witnesses).

In addition, as in the other high-SER states, “nontraditional” religious groups have been the object of rhetorical attacks by the government. For example, the Ministry of Education issued a “State Programme of Patriotic Education of Citizens of Kazakhstan for 2006-8” which attacks “nontraditional” and “extremist” religious minority groups (Jehovah's Witnesses and Hare Krishnas). The program was approved by a presidential decree of President Nazarbayev in 2006. The program attacks. Similarly, the Justice Ministry issued a booklet entitled “How not to fall under the influence of religious sects” in 2006 which attacks Baptists, Ahmadi Muslims and Jehovah's Witnesses.<sup>133</sup>

Uzbekistan has the most stringent laws on religion and the most cohesive policies on religion in the region. The 1998 Religion Law requires all religious groups to register with a list of at least 100 citizen members. Under the law, only registered religious groups have the right to freedom of worship, freedom from religious persecution, and the right to establish schools and train clergy, yet there are still many groups that are denied registration even though they fulfill the requirements. Missionary activity, religious education in public schools, and private religious teaching are banned and religious activities by unregistered religious organizations are illegal. Religious groups also require a license to publish or distribute materials and these materials must be approved by the CRA. The Religion Law restricts the right to publish, import, and distribute religious literature solely to registered central offices of religious organizations, of which seven existed: an interdenominational Bible Society; the Muslim Board of Uzbekistan; two Islamic centers; and Russian Orthodox, Full Gospel, Baptist, and Roman Catholic offices.<sup>134</sup> In addition, the government confiscates imported religious literature (e.g., Christian literature, literature with both Christian and Muslim titles) and controls access to domestic publications.

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<sup>133</sup> See Bayram (2008).

<sup>134</sup> Uzbekistan's border with Afghanistan and fear of the spread of Taliban-like organizations may be part of the reason why the government is more restrictive in its policies.

The criminal code in Uzbekistan distinguishes between "illegal" groups (i.e., unregistered or prohibited groups) and organizing such groups is punishable by up to five years in prison. There are similar criminal punishments for participation in such groups or illegally producing, storage, import, or distribution of their materials. The law also limits religious instruction to officially sanctioned religious schools (there are two institutes of Islamic higher education—Tashkent Islamic Institute and the state-controlled Tashkent Islamic University). The state approves instructors and restricts Shi'a Islamic education by not permitting the training or recognizing education from abroad. Thus, Shi'a imams in Azerbaijan are educated in Sunni madrassahs that offer some courses in Shi'a jurisprudence. As with the other countries in Central Asia, many of these policies affect both Muslim and non-Muslims alike.<sup>135</sup>

Similar to other high-SER states, Uzbekistan has banned Islamic organizations that it deems extremist (e.g., Hizb-ut-Tahrir (HT), Akromiya, Tablighi Jamaat and Nur). As in the other high-SER states, the government of Uzbekistan espouses prejudice against certain minority religious groups via television and in public meetings. For example, in February and March 2009 two documentaries aired on state-controlled television declaring the group Nur as an "extremist sect" with a pan-Turkic state-building aims.

In Tajikistan, the 2009 religion law extended state control over all religious denominations, yet it disproportionately affected Muslims. The registration process became more burdensome under the law, many groups have been denied and there are population quotas for mosques. Moreover, a religious group must submit a charter with at least 10 members and evidence of government approval to register with the DRA. The state also controls religious literature such that all denominations must submit copies of literature to the Ministry of Culture for approval. Publishing houses are mostly prohibited from publishing in Arabic, and the government monitors the operations of mosques and attended services to listen to imams' messages.

Unlike in Uzbekistan and some other Central Asian countries, imams in Tajikistan are not explicitly instructed what to say at Friday sermons-though they are monitored.<sup>136</sup> The 2009 law stipulates that imams and imam-khatibs of mosques must be selected by appropriate state bodies in charge of religious affairs which organizes attestations of imams and quizzes them on their knowledge of Islamic principles and seminars.<sup>137</sup> The government also tightly controls religious instruction in schools such that religious homeschooling outside the immediate family is forbidden. The Islamic Center in Dushanbe oversees 21 madrasas and one Islamic and private religious schools must register with the Ministry of Justice and be licensed. The also government inspects the curricula at private madrassahs and monitors classes.

There is a Ministry of Education decree banning women and girls from wearing the hijab in educational institutions although unevenly enforced (enforcement has been more rigorous in Dushanbe). Religious dress is strongly discouraged in public agencies, such that instances have been reported where observant Muslim men have been told to shave their beards if they wanted

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<sup>135</sup> See Rotar (2003) and Mushfig (2009).

<sup>136</sup> There are also restrictions on sermons. According to Qosimi Bekmuhammad who is a Tajik expert on politics and religion, state clerics "avoid speaking about important topics, the problems of today and tomorrow, and concentrate on topics from 500 years ago." See Pannier (2011).

<sup>137</sup> See Najibullah (2007).

to work in bazaars, obtain passports or work in government. These acts exist because the government of Tajikistan views the hijab, niqab and other indicators of Islam to represent a foreign and Arab culture that does not complement the Hanafi school of Sunni Islam practiced by most Tajik Muslims.

The government bans groups it considers to be extremist or threaten social harmony (e.g., HT, the Salafiya movement, Jamaat Tabligh, Jehovah's Witness) and Islamic organizations are most targeted.<sup>138</sup> In addition to formal bans, the government has intimidated and harassed members of targeted groups. The 2007 Law on Observing National Traditions and Rituals limited certain religious rituals such as the number of guests at funerals and eliminated engagement parties.<sup>139</sup> The DRA controls participation in the Hajj, including travel arrangements and the number of people who can attend. In addition, a fatwa by the Council of Ulama fatwa has prohibited women from praying in mosques since 2004.

In Turkmenistan the most recent (2004) law on religion increased registration fees and established two legal categories for religious communities: religious groups (comprising at least five and fewer than 50 members of legal age) and religious organizations (comprising at least 50 members). The law reduced the numerical thresholds for registration from 500 members to five members and made it possible for all minority groups eligible to register. Nevertheless, both registered and unregistered minority religious communities have trouble obtaining facilities to use for worship. As with the other Central Asian countries, unregistered religious groups are forbidden from a wide variety of activities involving gathering, literature and proselytizing. Groups which violate this are subject to fines, detention, and other forms of harassment –this especially applies to religious minorities groups such as Protestants, Jehovah's Witnesses and Hare Krishna, as well as Shi'a Islam which is practiced by ethnic Azeris and Iranian minorities in the west of the country (occasionally this applies to Sunni Islam as well—the dominant religious denomination in Turkmenistan). Foreign missionary activity and related literature are prohibited and monitored. The CRA must approve imported religious literature.

The government of Turkmenistan also controls access to Islamic education. Article 6 of the 2004 law allows mosques to provide religious education to children after school for four hours a week with the approval of parents. Citizens of Turkmenistan also have the right to receive religious education individually or with other persons; however, private religious education is forbidden. The theology faculty in the history department at Turkmen State University in Ashgabat is currently the faculty allowed to provide Islamic education and train imams.<sup>140</sup> In addition to religious education, religious activity at mosques is tightly regulated as a list of mosque-goers must be posted above the doors of mosques in order to visit.<sup>141</sup> Orthodox priests also received instructions for sermons.

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<sup>138</sup> The ban on Hizb ut-Tahrir (HT) remained in effect. HT is an extremist Islamist political organization motivated by a socio-religious ideology that is virulently anti-Semitic and anti-Western and calls for the overthrow of secular governments. See Naumkin (2005).

<sup>139</sup> 2007 Law on Observing National Traditions and Rituals, Tajikistan.

<sup>140</sup> See Rotar (2005). Turkmenistan: "Virtual catastrophe" for Muslim Theological Faculty.

<sup>141</sup> Prior to Niyazov's death in 2006 imams were also required to must place copies of the Ruhnama in each mosque and to quote from it during sermons. See Rotar (2005). Turkmenistan: More pressure against Islamic religious practice.

There are also restrictions on religious dress in Turkmenistan. Only religious leaders may wear religious garb publicly and a 1994 decree has banned all Turkmen from wearing jeans, shorts and miniskirts. Likewise, in 2009 authorities banned medical staff from wearing jewelry to work and introduced a uniform for national television workers and there is an unofficial dress code in schools and state agencies.<sup>142</sup>

The high-SER group's higher level of restrictions than its level of support is what causes it to have a higher level of engagement in religion than the mid-SER states. While all seven of the high-SER states have far more regulations and restrictions on religion than the other states in the region—none of them have restrictions on dietary laws, laws on personal status (e.g., interfaith marriage, burial or divorce), blasphemy laws, or activities during religious holidays.

This section has shown that there are considerable differences between these three subgroups of post-Soviet states in which there is a low, medium and high level of SER. The puzzle is *what determines the level of state engagement with religion in these 15 countries?* The next few sections will examine whether several structural variables such as regime type, the level of religious fractionalization, the predominant religion in a country or level of economic development have an impact on SER.

## **Chapter 5**

### **Operationalization and Measurement of Independent Variables**

#### ***Regime Type***

Regime type is measured using scores from Freedom House (FH).<sup>143</sup> These annually issued scores measure political rights and civil liberties for each country using an average of ratings. The FH scores range from 1 (most free) to 7 (least free). I have rescaled the scores for each country so that 1 indicates 'least free' and 7 indicates 'most free' to provide a more intuitive understanding of results.

#### ***Type of Religion***

Type of religion is measured as three separate variables that indicate the percentage of adherents to Islam, Orthodoxy and Catholicism in each country. These percentages were taken from CIA Factbook 2009. Figures from the CIA Factbook for type of religion and religious fractionalization (below) are most likely not correct since religion is often taken as a proxy for ethnicity. However, this is not a big problem because these categories are civilizational,

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<sup>142</sup>In 2009, school administrations in Abadan city in Akhal oblast made female teachers wearing high-collared ankle-length dresses. The dress code for national television workers is a long blue traditional Turkmen dress for women and brown trousers, a sleeveless jacket and skullcap for men. See Turkmenistan: The state tightens dress code regulations. (2007). *Institute for War and Peace Reporting*.

<sup>143</sup>Freedom House, 'Freedom in the World, Comparative Rankings, 1975–2005,' online at [freedomhouse.org](http://freedomhouse.org).

especially in the post-Soviet context where claiming a particular religion encompasses a way of life and of behaving. In other words, in this region religion is about culture and not necessarily practice.

### ***Economic Development***

Economic development is measured using log per capita GDP which is gathered annually from the IMF 2009 outlook.<sup>144</sup> This way of capturing economic development is a common methodology in the development literature.

### ***Religious Fractionalization***

Religious fractionalization is measured using the ethnic, religious and linguistic fractionalization index developed by Alesina et al., (2002).<sup>145</sup> They use a method based on the Herfindahl Index to measure the probability that two random individuals from selected populations belong to different religious groups. The level of fractionalization usually ranges from zero (complete fractionalization) to one (religious homogeneity). However, I have reversed the scale in this project. Thus one indicates complete religious heterogeneity and zero indicates complete religious homogeneity. The Herfindahl Index is more commonly used in economics to measure of the size of firms in relationship to a particular industry. It is also an indicator of the amount of competition among groups. The Herfindahl Index is the sum of squares of the market shares,  $s_i$ , of each individual firm (or sum of squares of the percentages of each religious group,  $i$ , in a given society). The fractionalization index is computed as one minus the Herfindahl Index:

$$FRAC_j = 1 - \sum_{i=1}^N s_{ij}^2,$$

Where  $s_{ij}$  is the share of group  $i$  ( $i=1 \dots N$ ) in country  $j$ ,

Alesina et al. only provide religious fractionalization index for 2003. As a result, I updated religious demographic data for 2009 using the CIA World Factbook for 2009. I employed the same list of religious groups as Alesina within different religious denominations. For example, Christian groups were divided into Protestant, Anglican, Roman Catholic, and Orthodox. Muslim groups were divided into Sunni and Shia. Hindu, Buddhist, Jewish, Sikh, and indigenous religions were also classified as well as a separate category for “other faiths”. Finally, I included more in-depth coverage of non-believers and persons in unspecified religious groups in the same category. In some cases, numbers of adherents to specific Christian or Muslim denominations were unknown.

<sup>144</sup> United Nations Statistic Division, <http://unstats.un.org/unsd/default.htm>

<sup>145</sup> See Alesina et al., (2002) the following authors for the construction and use of the religious fractionalization index.

## **Chapter 6**

### **Methodology and Analysis**

I employ regression analysis in order to understand possible relationships between SER and religious fractionalization, regime type, percent Muslim, percent Western Christian, percent Eastern Christian, and economic development. Each determinant of SER is either a structural or cultural variable that is distinct. The aim is to assess whether the relationship between these explanatory variables and SER elicits empirical support when one controls for other possible determinants. I use OLS regression<sup>146</sup> since SER is a ratio-level variable ranging from a possibility of 0 to 1 that is an averaged index of four equally-weighted components: state funding for religion, state restrictions on religion, state use of religious symbols, and incorporation of religion.<sup>147</sup> Each of these four components has been rescaled to 0-1 as well.<sup>148</sup>

This section presents six tables of regression results using bivariate and trim models.

Table 7 shows bivariate regressions in which SER is regressed upon each independent variable.

Table 8 shows trim models based on the following regression equations:

Model 1:  $\alpha + \beta_1(\text{religious fractionalization}) + \epsilon$ .

Model 2:  $\text{SER} = \alpha + \beta_1(\text{religious fractionalization}) + \beta_2(\text{regime type}) + \epsilon$ .

Model 3:  $\text{SER} = \alpha + \beta_1(\text{religious fractionalization}) + \beta_2(\text{regime type}) + \beta_3(\text{economic development}) + \epsilon$ .

Model 4:  $\text{SER} = \alpha + \beta_1(\text{religious fractionalization}) + \beta_2(\text{regime type}) + \beta_3(\text{economic development}) + \beta_4(\text{percent Muslim}) + \epsilon$ .

Model 5:  $\text{SER} = \alpha + \beta_1(\text{religious fractionalization}) + \beta_2(\text{regime type}) + \beta_3(\text{economic development}) + \beta_4(\text{percent Muslim}) + \beta_5(\text{percent Western Christian}) + \epsilon$ .

Model 6:  $\text{SER} = \alpha + \beta_1(\text{religious fractionalization}) + \beta_2(\text{regime type}) + \beta_3(\text{economic development}) + \beta_4(\text{percent Muslim}) + \beta_5(\text{percent Western Christian}) + \beta_6(\text{percent Eastern Christian}) + \epsilon$ .

Tables 9, 10, 11 and 12 show trim models using the same six models for Funding, Symbols, Incorporation, and Restrictions and Regulations, respectively.

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<sup>146</sup> If I had created an additive index of SER, I would have rescaled each of the four components from 0 to 10 so that the total SER score would range from 0 to 40. However, this method would have effectively weighted the component variable with even more yes-or-no count variables and either Poisson or negative binomial regression would have been employed. Poisson regression or negative binomial regression, on the other hand, is commonly used when count variables are involved because the presence of count variables violates the assumption that the dependent variable is normally distributed. Negative binomial regression is normally used instead of Poisson regression when the count variables are predominately zero.

<sup>147</sup> There is no a priori way of determining an accurate weight for an index (See Fleischmann, et al. 1992), and I have weighted each factor equally since I consider them to have a relatively similar level of importance.

<sup>148</sup> The Cronbach's alpha coefficient of items in this scale is .7 which indicates an acceptable level of internal consistency. See Joseph A. Gliem, Rosemary R. Gliem, "Calculating, Interpreting, and Reporting Cronbach's Alpha Reliability Coefficient for Likert-Type Scales," *Midwest Research to Practice Conference in Adult, Continuing, and Community Education* (The Ohio State University, Columbus, OH, 2003).



The regressions include 15 cases which is below the recommended sample size for results to be interpreted with a high degree of confidence. While there are no hard and fast rules on what specific sample sizes are best (this depends on research goals, design, type of statistical analysis and a host of other factors), there are several rules of thumb regarding sample sizes used to examine relationships. Green (1991) suggests having a sample size of at least 50 for correlation or regression with a higher sample size as the number of independent variables increases. Harris (1985) recommends a sample size of at least 10 per independent variable if there are 6 or more independent variables in a regression equation. Sample sizes that are too small can lead to inaccurate results. An adequate sample size also allows for a high probability of determining as significant an effect size of a given magnitude. It is for this reason that I have decided to use both bivariate and trimmed models.

In the bivariate analysis presented in Table 7, religious fractionalization, regime type, level of economic development and percent of the population that is Muslim are significant predictors of SER. The sign of each of their regression coefficients is in the expected direction. Worse Freedom House scores, lower levels of economic development, lower levels of religious fractionalization and higher percentages of the population that is Muslim are all associated with higher SER. The regime type variable as measured by Freedom House scores also has the highest Adj.  $R^2$  at 62%. The variables for percent Western Christian and percent Eastern Christian are not significant.

**Table 7: Bivariate Regressions: SER Regressed on Hypothesized Determinants<sup>a</sup>**

Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Constant	0.53 (0.08)	0.48 (0.03)	0.83 (0.16)	0.26 (0.03)	0.34 (0.03)	0.33 (0.04)
Religious fractionalization	-0.44* (0.16)					
Regime type		-0.04*** (0.01)				
Economic development			-0.14** (0.04)			
Percent Muslim				0.00** (0.00)		
Percent Western Christian					-0.00 (0.00)	
Percent Eastern Christian						0.00 (0.00)
Adj. $R^2$	0.31	0.62	0.39	0.37	0.04	0.06
$N$	15	15	15	15	15	15

\* $p < 0.05$ ; \*\* $p < 0.01$ ; \*\*\* $p < 0.001$

<sup>a</sup>Entries in this table are unstandardized regression coefficients with standard errors in parentheses.

The trimmed models for SER are presented in Table 8. The last column shows the fully specified model. The other columns show trimmed models. Regime type is statistically significant in all the first five specifications—also with much higher adjusted  $R^2$  relative to the

bivariate models in Table 7. That is, less democratic regime types appear to be associated with higher levels of SER. None of the other variables, except for religious fractionalization the bivariate model 1 are statistically significant.

**Table 8: Trimmed Regressions: SER Regressed on Hypothesized Determinants<sup>a</sup>**

Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Constant	0.53 (0.08)	0.55 (0.06)	0.68 (0.12)	0.68 (0.17)	0.69 (0.16)	0.58 (0.20)
Religious fractionalization	-0.44* (0.16)	-0.23 (0.12)	-1.78 (0.13)	-1.78 (0.15)	-0.7 (0.17)	-1.89 (0.21)
Regime type		-0.3** (0.01)	-0.03** (0.01)	-0.03* (0.01)	-0.04* (0.01)	-0.03 (0.01)
Economic development			-0.05 (0.04)	-0.05 (0.04)	-0.06 (0.04)	-0.04 (0.05)
Percent Muslim				0.00 (0.00)	0.00 (0.00)	0.00 (0.00)
Percent Western Christian					0.00 (0.00)	0.00 (0.00)
Percent Eastern Christian						0.00 (0.00)
Adj. R <sup>2</sup>	0.31	0.68	0.69	0.66	0.68	0.68
N	15	15	15	15	15	15

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\*p<0.05; \*\*p<0.01; \*\*\*p<0.001

<sup>a</sup>Entries in this table are unstandardized regression coefficients with standard errors in parentheses.

Since SER is an omnibus index, it does not tell us what potential impact any of the independent variables may have on funding, use of symbols, incorporation, or restrictions and regulations on religion. Tables 8 through 12 present regression results as trimmed models for each of these independently. As Table 9 shows, less democratic regime types, and higher percentages of Western or Eastern Christian populations are associated with more funding for religion. The model for use of religious symbols is rather weak and yields no statistically significant results. Table 10 shows that the incorporation of religion into the state is associated with less democratic regimes and lower levels of economic development and populations that have higher Western or Eastern Christian populations which are all statistically significant at the lowest level (.95). Finally, more religiously homogeneous states and the presence of larger Muslim populations are statistically significant with regard to regulations and restrictions on religion. Regime type is also statistically significant across all of the trimmed models. Less democratic states or more authoritarian states are associated with higher levels of regulations and restrictions.

**Table 9: Trimmed Regressions: Funding Regressed on Hypothesized Determinants<sup>a</sup>**

Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Constant	0.42 (0.14)	0.44 (0.13)	0.63 (0.29)	0.92 (0.36)	0.93 (0.31)	0.52 (0.31)
Religious fractionalization	-0.02 (0.27)	0.21 (0.27)	0.29 (0.29)	0.07 (0.33)	0.39 (0.34)	-0.07 (0.33)
Regime type		-0.04 (0.02)	-0.03 (0.02)	-0.04 (0.02)	-0.06* (0.02)	-0.04 (0.02)
Economic development			-0.07 (0.09)	-0.09 (0.09)	-0.14 (0.08)	-0.05 (0.08)
Percent Muslim				-0.002 (0.00)	-0.001 (0.00)	0.001 (0.001)
Percent Western Christian					0.004 (0.002)	0.01* (0.002)
Percent Eastern Christian						0.003* (0.001)
Adj. R <sup>2</sup>	0.08	0.11	0.08	0.13	0.32	0.56
N	15	15	15	15	15	15

\*p&lt;0.05; \*\*p&lt;0.01; \*\*\*p&lt;0.001

<sup>a</sup>Entries in this table are unstandardized regression coefficients with standard errors in parentheses.**Table 10: Trimmed Regressions: Symbols Regressed on Hypothesized Determinants<sup>a</sup>**

Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Constant	0.69 (0.18)	0.69 (0.41)	0.67 (0.44)	0.88 (0.58)	0.87 (0.59)	0.77 (0.76)
Religious fractionalization	-0.55 (0.36)	-0.53 (0.41)	-0.54 (0.46)	-0.69 (0.54)	-0.92 (0.64)	-1.03 (0.83)
Regime type		-0.04 (0.03)	-0.01 (0.03)	-0.01 (0.04)	0.002 (0.04)	0.01 (0.06)
Economic development			0.01 (0.14)	-0.01 (0.15)	0.02 (0.16)	0.04 (0.19)
Percent Muslim				-0.001 (0.002)	-0.002 (0.002)	-0.001 (0.004)
Percent Western Christian					-0.003 (0.004)	-0.003 (0.004)
Percent Eastern Christian						0.001 (0.004)
Adj. R <sup>2</sup>	0.09	0.02	0.08	0.14	0.20	0.34
N	15	15	15	15	15	15

\*p&lt;0.05; \*\*p&lt;0.01; \*\*\*p&lt;0.001

<sup>a</sup>Entries in this table are unstandardized regression coefficients with standard errors in parentheses.

**Table 11: Trimmed Regressions: Incorporation Regressed on Hypothesized Determinants<sup>a</sup>**

Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Constant	0.26 (0.09)	0.27 (0.09)	0.51 (0.18)	0.78 (0.20)	0.79 (0.17)	0.68 (0.21)
Religious fractionalization	-0.21 (0.17)	-0.12 (0.19)	-0.03 (0.19)	-0.23 (0.19)	-0.03 (0.19)	-0.14 (0.23)
Regime type		-0.01 (0.01)	-0.01 (0.01)	-0.02 (0.01)	-0.03* (0.01)	-0.02 (0.02)
Economic development			-0.09 (0.06)	-0.11 (0.05)	-0.14* (0.05)	-0.11 (0.05)
Percent Muslim				-0.002 (0.001)	-0.001 (0.001)	0.00 (0.001)
Percent Western Christian					0.003* (0.001)	0.003* (0.001)
Percent Eastern Christian						0.001 (0.0001)
Adj. R <sup>2</sup>	0.03	0.04	0.12	0.33	0.52	0.50
N	15	15	15	15	15	15

\*p<0.05; \*\*p<0.01; \*\*\*p<0.001

<sup>a</sup>Entries in this table are unstandardized regression coefficients with standard errors in parentheses.

**Table 12: Trimmed Regressions: Regulations and Restrictions Regressed on Hypothesized Determinants<sup>a</sup>**

Variable	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Constant	0.75 (0.21)	0.80 (0.16)	0.92 (0.36)	0.16 (0.29)	0.16 (0.29)	0.36 (0.36)
Religious fractionalization	-0.98* (0.42)	-0.48 (0.34)	-0.43 (0.38)	0.13 (0.27)	0.27 (0.32)	0.49 (0.30)
Regime type		-0.08** (0.02)	-0.08* (0.03)	-0.05* (0.02)	-0.06* (0.02)	-0.07* (0.03)
Economic development			-0.04 (0.12)	0.02 (0.08)	0.00 (0.08)	-0.04 (0.09)
Percent Muslim				0.01** (0.001)	0.01** (0.001)	0.004 (0.002)
Percent Western Christian					0.002 (0.002)	0.001 (0.002)
Percent Eastern Christian						-0.002 (0.002)
Adj. R <sup>2</sup>	0.24	0.59	0.56	0.83	0.82	0.82
N	15	15	15	15	15	15

\*p<0.05; \*\*p<0.01; \*\*\*p<0.001

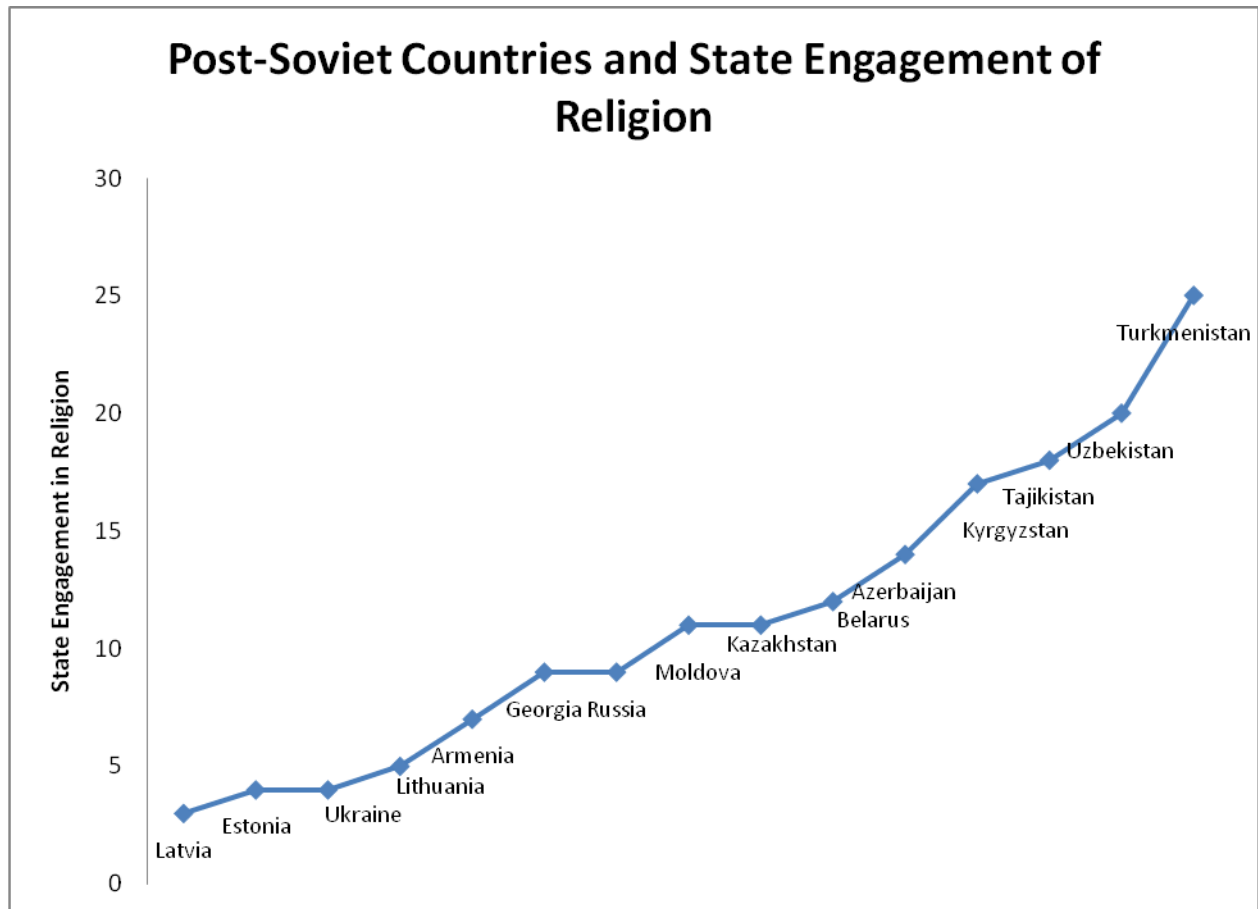
<sup>a</sup>Entries in this table are unstandardized regression coefficients with standard errors in parentheses.

In general the results show that there is a strong correlation between a lower level of economic development and SER in the bivariate model, as well as with regulations and restrictions on religion, specifically. However, GDP per capita does not appear to be a significant predictor of SER or its other aspects in most of the models. Similarly, there is a strong correlation between lower levels of religious fractionalization and SER only in the bivariate model and with respect to regulations and restrictions on religion. This may provide some support for Fox's argument (2006) that religiously homogeneous states are significantly more likely to become involved in religion. The results also show that the presence of larger Muslim populations is correlated with SER, as well as regulations and restrictions on religion. However, this is not the case for predominately Orthodox or Catholic populations. While these differences exist between and within the 15 countries, there is a clear West-to-East gradient and a Western Christianity/Eastern Christianity to Islam gradient. As I am more interested in explaining broad differences between the three groups rather than within countries, the percent Muslim within a population appears to hold a lot of explanatory power.

Yet, as hypothesized, regime type is the most consistent indicator of SER, funding, incorporation, and restrictions and regulations. That is, lower Freedom House scores or more authoritarian regime types are strongly associated with SER in the bivariate and all but one trimmed model, as well as funding, incorporation and restrictions and regulations. Empirically, the country with one of the most consistent low levels of SER in the post-Soviet grouping is democratic Latvia. The Slavic core hybrid regimes of Russia, Ukraine, and Belarus are next with mid-levels of SER, followed by the more authoritarian states of the Caucasus (Armenia, Azerbaijan, and Georgia), and Central Asia (Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan) with some of the highest levels of SER in the region. Regime type does not explain variation within the post-Soviet sub-regions, such as why Lithuania has a higher SER than Estonia in the Baltics, or why it is higher in Uzbekistan than in Kazakhstan in Central Asia. However, I am more interested in explaining broad differences between the three main groups. Therefore, regime type appears to hold a lot of explanatory power.

Figure 2 shows the continuum of low, mid and high SER states in the post-Soviet region. Here one can see that there is a clear pattern of democratic to less democratic regimes as SER increases, as well as a pattern that shows an increase in SER as the percent Muslim in a population increases.

**Figure 2: SER Level by Country**



The following section explores how regime type and the percentage of the population that is Muslim has impacted SER in post-Soviet space. This will include a discussion of the politics of one example from the low, medium and high SER descriptions—Estonia, Georgia and Uzbekistan, respectively. For example, why did particular presidents make the choices they did? What were their strategies? What was the role of different religious actors?

## **Chapter 7**

Nobody wants to admit this, but religion and regime type matter. Religious self-identification of the majority of the population matters. Also, the orientation of the political elite towards Europe and the west matters. This section provides a discussion of how these different levels of SER came about in their countries. I will discuss the patterns found between both regime type and percent Muslim with SER as I argue that the intersection of a specific set of conditions at a particular time impacted the level of SER in the 15 post-Soviet countries.

Table 13 shows that there are several historical layers for this group of countries that include the pre-Soviet, Soviet and post-Soviet eras. Despite their historical, demographic, political and economic differences, all of these countries had the following similarities:

1. **Pre-Soviet** (ancient regime): Incorporation into the Russian empire in which there was an alliance between the Russian Orthodox Church and monarchy where the Tsar was the head and supreme defender of the church.<sup>149</sup>
2. **Interim independence or self-management** after the collapse of the Russian empire in 1917 and before the formation of the Soviet Union in 1922.
3. **Soviet**: Incorporation into the Soviet Union as Union Republics from 1922. As discussed in the first section, religious policy in the Soviet Union was influenced by changing political, economic and social situations in the country, despite the fact that the CPSU formally promoted the disappearance of religion. Thus, there were a variety of religion and state policies over time rather than one central and formal policy on religion.
4. **Post-Soviet**: Independence after the collapse of the Soviet Union in 1991 and the formation of secular statehood.

**Table 13: Differences in level of SER**

	<b>Low-SER</b>	<b>Mid-SER</b>	<b>High-SER</b>
	Latvia <u>Estonia</u> Lithuania Ukraine	Armenia <u>Georgia</u> Russia Moldova	Kazakhstan Kyrgyzstan Tajikistan Azerbaijan Belarus Turkmenistan <u>Uzbekistan</u>
<b>Pre-Soviet Union (1721-1917)</b>	Ancien regime I (Russian empire) <sup>150</sup>	Ancien regime I (Russian empire) Previous kingdoms in Georgia and Armenia <sup>151</sup>	Ancien regime I (Russian empire) No prior independence (except for Azerbaijan)
<b>Interim period (1917-1922)</b>	Independence for Baltics (from 1918)	Independence for Armenia (1918-1920), Georgia (1918-1921), Moldova <sup>152</sup> , Russia (civil war)	Independence for Azerbaijan (1918-1920)
<b>Soviet Union (1922-1991)</b>	Ancien regime II Late Soviet incorporation for the Baltics (religion subjugated)	Ancien regime II (religion subjugated)	Ancien regime II (religion subjugated)

<sup>149</sup> There were many differences in the way and times at which different geographic areas were incorporated into the Russian empire differences. For example, the Russian Empire had incorporated most of the present day area of the Baltics by the 18<sup>th</sup> century, and Central Asia and the Caucasus by the end of the 19<sup>th</sup> century.

<sup>150</sup> Parts of Estonia and Latvia were subjects of the Polish-Lithuanian Commonwealth in the 16<sup>th</sup> Century before they were incorporated into the Russian Empire.

<sup>151</sup> Both Georgia and Armenia had kingdoms prior to conquest of the Caucasus by the Russian Empire in the 19<sup>th</sup> Century.

<sup>152</sup> A Moldavian Democratic Republic existed from 1917 until Moldavia was partially incorporation into the Soviet Union.

<b>Post-Soviet Union (1991-present)</b>	Consensus between religionists and secularists on the absence of an established church	Consensus between religionists and secularists on state recognized/privileged religion(s), but not established religions	No consensus between religionists and secularists
<b>Critical junctures and conditions</b>	Late incorporation into USSR (for the Baltics) USSR collapse Accession to the European Union Relative democracies <sup>153</sup>	Incorporation into USSR USSR collapse Internal territorial conflicts Hybrid regimes <sup>154</sup>	Incorporation into USSR USSR collapse First time independence (except for Azerbaijan) Authoritarian states

Despite the fact that all 15 countries shared these 4 historical layers, variations in state secularism throughout the region can be explained by a combination of intersecting factors and impacting critical junctures. This chapter will discuss the a quintessential case from each level of SER (Estonia for low SER, Georgia for mid SER and Uzbekistan for high SER) and the politics that led to each state's level of engagement with religious groups.

### *Low-SER Estonia*

With a population of only 1.3 million, Estonia has the lowest level of any form of SER in the post-Soviet region. Estonian political, social and economic development has been closely linked with the West since independence—more so than most other post-Soviet countries. Similar to its Baltic neighbors, Estonia previously gained independence in 1918 after centuries of Russian, German and Scandinavian rule. It was a member of the Soviet Union from 1940 until subsequent independence in 1991. Since then, the country has quickly aligned itself with the West, becoming a member of the European Union and NATO in 2004, OECD in 2010 and adopting the Euro as its currency in 2011. These accomplishments were also achieved with a great deal of support from Estonia's linguistic kin to the north—Finland—which has helped to enable a smooth transition.

A history of Western Christianity, presence of democratic government, and decisions taken by political leadership since 1991 have contributed to the low level of engagement with religion in the country. First, Estonia has a history of being a part of Western Christianity. Christianity was accepted in the 13<sup>th</sup> century, followed by the establishment of a state church under the Pope, reformation in the 16<sup>th</sup> and 17<sup>th</sup> centuries, and legal separation of state and church under the 1918 constitution.

<sup>153</sup> Ukraine is the exception here.

<sup>154</sup> See Levitsky and Way (2010).



Since the reformation movement, the Lutheran church has played a leading role in Estonia. Yet, the country still has had a history of separation between church and state and only 28% of the population belongs to any type of church—14% Evangelical Lutheran, 13% Orthodox, and 1.4% other Western Christian groups (e.g., Methodists, Catholics and Pentecostals).<sup>155</sup> 72% of the population declares an unspecified religion, says it is unaffiliated, or has no religion at all. Moreover, in a 2008-2009 poll by GALLUP, Estonia was declared one of the 10 least religious countries in the world because only 14% of the population said religion was an important part of their daily lives.<sup>156</sup>

Thus, with most of its population as non-religious or unaffiliated, Estonia has not experienced any major religiously-based political movements (no strong religion-national symbiosis) and the political leadership has not felt threatened by powerful religious groups or authorities. As mentioned in chapter 4, the largest and most significant religious body in the country is the Council of Estonian Churches (CEC) which is an ecumenical council of 10 Christian churches that occasionally work together for their own autonomous aims. Yet, the council does not heavily interfere into the affairs of government and other than providing essential freedoms and autonomy, as well as providing several tax exemptions; the Estonian state is not heavily involved in religious affairs.

Second, Estonia has pursued democratic governance since independence. The country has had the highest Freedom House score of the post-Soviet region since 1991, with the free organization of political parties, active press, vibrant civil society, and an independent judiciary. Estonia also has very minor corruption (ranked 29 out of 183 countries by Transparency International's 2011 Corruption Perceptions Index). This has gone hand in hand with the establishment of a free market economy which was able to rebound well from the recent economic crisis, high growth, and one of the highest per capita income levels in Central Europe and the Baltic region (a GDP per capita of \$20,666).

However, Estonia's main domestic problem has been its policies towards and integration of its substantial Russian minority which makes up 30% of the population. The 1995 Citizenship Law requires people to pass the citizenship test in Estonian in which failure can lead to either lack of citizenship or termination from their job where the use of Estonian is required in certain work environments (e.g., the public sector). Thus, in 2011 about 7% of the population had undetermined citizenship. The Estonian government has since adopted a variety of policies to help citizenship seekers and now funds Estonian language courses. Despite this problem, Estonia has been on a relatively consistent path of European integration and fellowship with the West.

Movement towards European integration and membership to the Union largely motivated the democratization process. Estonia has had three presidents since 1992 (Lennart Meri, Arnold Rüütel and Toomas Ilves), and even though they each represented different political parties (National Coalition Party Pro Patria, People's Union of Estonia, Social Democratic Party, respectively) with varying platforms, each of them supported membership to the Union. In the Estonian case this meant successful adherence to European Union taxation, energy, economic

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<sup>155</sup> US State department, Freedom of Religion in Estonia (2009).

<sup>156</sup> See Crabtree and Pelham (2009).

and agricultural policies, in addition to basic norms such as the establishment of rules on religious freedom and state separation.

Meri's coalition made a clear break with the Soviet past and led Estonia on a decisive turn toward the West which included the subsequent ratification of key conventions protecting freedom of religion or belief as provided by the United Nations, European Council and OSCE. Estonian political leadership was thus critical for upholding the actual enactment of religious freedom. For example, Meri's refused to sign a June 13, 2001 law (Article 14(3)) on churches and congregations that would ban registering religious groups whose economic or administrative decisions were made outside of Estonia. He argued that the law would cause disproportionate restrictions on religious freedom and breach the autonomy of religious organizations.<sup>157</sup> In his view, the law also encroached upon basic religious rights that he deemed necessary in a democratic society.

The law, which would have also denied registration to groups such as the Adventist Church, that had been traditionally active in Estonia for a long period of time, was also opposed by religious groups and authorities such as the Russian Orthodox Church and the CEC. In other words, democratic governance, the presence of a population that traditionally belongs to Western Christianity, a weak religion-national symbiosis, and a modern history of protecting religious freedom have worked together to influence relatively low SER in Estonia.

### *Mid-SER Georgia*

Georgia has a mid-level amount of SER which is influenced by three factors: 1. a hybrid political regime with a mix of democratic institutions and undemocratic behavior, 2. the strong role of the Georgian Orthodox Church (GOC) and religion-national symbiosis, and 3. an agreement between secular and religious leaders regarding a cooperative church-state relationship.<sup>158</sup> This section will discuss each of these in turn and their role in the Georgian state's engagement with religion.

Especially since the Rose Revolution in 2003, Georgia has been on a course of integration with the West. Specifically, the country has sought to strengthen political and economic ties with the United States and the European Union, and has thus joined several international institutions including the Council of Europe (1999), World Trade Organization (2000), European Neighbourhood Policy (2004), Black Sea Synergy (2007), and Eastern Partnership (2009). The country has also made strides towards democratic governance, extensive police reform which eliminated much of the day-to-day corruption that is still present in Georgia's South Caucasian neighbors, and the country has become a large attractor for foreign aid and foreign direct investment. Yet, although the country has made progress in these areas, the lack of a completely free press, fair political competition, and abuses of power at the highest levels remain.

This contradiction between progressive and democratic actions and undemocratic behaviors is also reflected in the state's relationship with religion. On one hand, the government has upheld a

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<sup>157</sup> See Corley (2001), <http://www.keston.org.uk/kns/2001/010629ES.htm>.

<sup>158</sup> It is important here to note that all of the mid-level SER states have hybrid regimes that are have democratic institutions in place, yet occasional undemocratic practices. See Levitsky and Way (2010).

position that Georgia is a secular country with a separation of church and state (Article 9 of the Georgian Constitution and Article 5 of the draft Law of Georgia on Religion and Religious Associations), and that Georgia is a land of religious tolerance and freedom—as declared in several international conventions on religious freedom and tolerance of which Georgia is a part (e.g., the Council of Europe’s 2011 Declaration on Religious Freedom). On the other hand, the government plays religious favorites. That is, the government favors the GOC to which 83% of the population belongs to the detriment of many religious minority groups.

With a population of 4.5 million, Georgia has long been part of Eastern Christendom having adopted the Orthodox faith in the 4th century. The GOC is favored in Georgia in several ways. First, the country is highly religious in that 91% of the population considers religion to be important in their daily lives, 58% identify themselves as religious, and 17% of the population attends religious services once a week or more often.<sup>159</sup> Second, Article 9 of the constitution which recognizes the special importance of the GOC in Georgian history and thus highlights the church’s supreme role above other religions in the country. Third, the GOC has a concordat with the government from 2002 which provides the legal basis for the GOC’s privileged status in the country. This privilege includes a right to oversee religious education in schools, a monopoly on military chaplaincy and other provisions as detailed in Chapter 4.

Religious minority groups receive unequal treatment in Georgia. Some organizations have had trouble receiving construction licenses and permits, there is an uneven tax structure for minority groups, and there is also discrimination at the societal level which has led both the Council of Europe and the United Nations to urge Georgia to do more to protect religious minority groups.<sup>160</sup> Moreover, the GOC is also the only religious organization to receive monetary support from the state—in 2010 the GOC received \$13.3 million dollars from the state budget (Corso 2009). The lack of a formal law on religious organizations before 2011 enabled the GOC to garner a majority of state support as other religious groups had no clearly defined domestic legal document identifying their rights.

However, a 2011 Law on Religious Organizations in Georgia finally allows religious organizations other than the GOC to be registered as legal entities of public law rather only as a noncommercial legal entity of private law (e.g., NGO).<sup>161</sup> The exact substance of the new law

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<sup>159</sup> Caucasus Research Resource Centers. (2011). "Caucasus Barometer". [dataset] Retrieved from <http://www.crrccenters.org/caucasusbarometer/> on {February 1, 2012}.

<sup>160</sup> In July 2011, the parliament created a legislative amendment to the Georgian civil code allowing religious associations “that have historical ties or those religious groups that are regarded as a religion under the law of Council of Europe member states” the right to register as public legal entities. Prior to the passing of this amendment, minority religious groups had to register as non-profit organizations. The passing of this amendment unleashed a watershed of opposition from the GOC, oppositionist political parties and leaders, and much of the Georgian population, with subsequent protests by people, who see the amendment as a threat to the constitutional agreement between the state and the church or fear that other churches will become equal to the Orthodox Church. 69% of those who were aware of the passage of the amendment did not support it. See Civil Georgia. Bill on Legal Status of Religious Minorities is Passed with Final Reading (2011). See Civil Georgia. Thousands Protest Law on Religious Minorities Legal Status (2011). National Democratic Institute for International Affairs (NDI), September 2011 Survey on Voting and Political Attitudes in Georgia.

<sup>161</sup> See *Civil Georgia*. Bill on Legal Status of Religious Minorities is Passed with Final Reading, July 5, 2011. Retrieved from <http://www.civil.ge/eng/article.php?id=23706> on {February 1, 2012}, and *Civil Georgia*. Thousands Protest Law on Religious Minorities Legal Status. July 10, 2011.

and the rights that it affords religious minority groups remains obscure. However, it is important to note that an amendment to the law explicitly states that it is only valid for religions with “close historical ties with Georgia or are defined as a religion by laws in Council of Europe member states” (These groups include the Armenian Apostolic Church, Judaism, Islam, Baptists). This means that many other groups, notable U.S. based religions (Jehovah’s Witnesses, Evangelicals, Pentecostals, etc.) are not included within the new law. Thus, the GOC has a privileged placed in both Georgian society and this position is protected by the Georgian state—a state which has declared a separation between church and state and which has verbally promoted religious tolerance and freedom at the same time that it has supported one church over many. Why?

Secular and religious elites in Georgia have made an agreement to cooperate because it strengthens both of their positions. As mentioned in Chapter 4, the leader of the GOC, patriarch Ilya II, is considered to be the most trusted person in Georgia by 84% of the population—more than any political figure.<sup>162</sup> He and the institution he represents are significant in Georgian society and carry a great deal of legitimacy. As a result, both incumbent and oppositional leaders in Georgia have often and openly sought the support of the church to strengthen their political positions. President Saakashvili and opposition leaders publically prayed with the patriarch before the April 2009 protests against the president. The patriarch took a lead role in trying to establish peace between Georgia and Russia after the August 2008 war as an envoy to the Russian Orthodox patriarch in Moscow. This demonstrates the GOC’s utility to the Georgian regime in foreign policy.

From the perspective of secular elites, an alliance with the GOC has been viewed as beneficial to seek more legitimacy by association and to gain support while dealing with tremendous economic and political changes since independence. Another reason why political elites support the GOC is because being Orthodox is often understood as one of the essential characteristics of being Georgian by the majority of the population (despite the country’s ethnic, sub-ethnic, linguistic and religious diversity). Political elites thus use the strong connection between national and religion as a tool to connect the Georgian nation to the state—and therefore, in many ways the Georgian state operates as an ethno-nation even though it is a multinational state (This is a separate, yet fascinating topic upon which this dissertation does not focus).

From the GOC’s perspective, seeking a formally recognized privileged position from the state would secure the church’s power over what it considered to be its terrain—the borders of Georgia and the souls within it. This would mean preventing other religious faiths, especially those considered to be foreign (e.g., Lutherans, Jehovah’s Witnesses), and with outside funding or support, from encroaching upon what the GOC sees as its territory.

Thus, the level of SER in Georgia has been influenced by the presence of a hybrid political regime which enables the government to proclaim a separation of church and state and religious

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Retrieved from <http://www.civil.ge/eng/article.php?id=23728> on {February 1, 2012}.

<sup>162</sup> Caucasus Research Resource Centers. (2011) "Caucasus Barometer". [dataset] Retrieved from <http://www.crrccenters.org/caucasusbarometer/> on {January 1, 2009}. National Democratic Institute (March 2011) Survey on Voting and Political Attitudes in Georgia, 92% of Georgians say they “like” the Patriarch (Saakashvili 66%), 84% trust the GOC CB 2011 (most trusted followed by army—80% and president Saakashvili—56%), rate the performance of patriarch 81% said very well, the next highest is the Georgian army at 30%.

freedom while privileging one religion over others, as well as partnership between the Georgian state and the GOC regarding a cooperative church-state relationship.

### *High-SER Uzbekistan*

There is an undeniable relationship between countries that have a large Muslim population and high SER. All of the Central Asian states and Azerbaijan have high SER. With a population of 29 million, 88-90% of whom identify with Sunni Islam, Uzbekistan has one of the highest levels of SER in the post-Soviet region.<sup>163</sup> As in Estonia and Georgia, regime type, predominant religion and the relationship between secular and religious leaders has influenced the level of SER. Specifically, the fact that Uzbekistan has a predominately Muslim population, an undemocratic regime, and a disagreement between religionists and secular authorities over the relationship between religion and state have all had an impact on the degree of SER in the country.

Uzbekistan was largely unprepared for independence in 1991. The country has undergone very few political reforms since independence and its economic sector remains largely undiversified. After 22 years as president, Islam Karimov has managed to maintain his hold on power in a country that has no free and fair elections, no independent media or free speech, and which is located in the heart of Central Asia with a relatively short southern border to Afghanistan. Unlike post-Soviet countries that are located in or near Eastern Europe, Uzbekistan has no possibility of joining the EU and has no serious interest in “looking west”, democratizing or undertaking norms of religious tolerance and freedom. The Uzbek state has thus been using a two part strategy to maintain control over the religious sphere. First, the state draws upon religious symbols to promote Islam as a cultural element of Uzbek national identity. Second, the state controls the practice and expression of Islam, and other religions, through a complex institutional hierarchy, and set of laws and policies.

Islam holds historical and cultural significance in Uzbekistan, especially as the country is known for having the most religious population in Central Asia, and there has been an increased interest in religious practice and religious education since independence. Central Asia was largely cut off from most of the Islamic world during the Soviet Union. However, the region has had its own unique Islamic past including a private underground system of spiritual education that existed since the late Russian Empire, history of Jadidism, presence of Islamic political parties during the early 20<sup>th</sup> century, and a relaxation of religious freedoms during World War II.<sup>164</sup> Moreover, some of the most revered religious sites in all of Central Asia (Samarkhand and Bukhara) are located in modern day Uzbekistan.

Although there has been a certain degree of religious revivalism in post-independence Uzbekistan, the state remains secular and the experience of state atheism along with the inability to practice religion freely during the Soviet Union has left its legacy. Today, being Muslim in Uzbekistan is largely an aspect of cultural identity and does not necessarily imply a high degree of religious practice. This is why Karimov regularly refers positively to Islam as an important

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<sup>163</sup> CIA World Factbook. 9% of the population is Eastern Orthodox and 3% other.

<sup>164</sup> See Khalid (2000) for a history of Jadidism in Central Asia.

element of Uzbek cultural and national identity, and makes a point to participate in the celebration of Muslim holidays, and encourage use of Islamic state symbols (e.g., on the flag).

Yet, there is a strong enough religion-national symbiosis for the Uzbek state to find Islam threatening. Although the state honors the cultural legacy of Islam, the practice and expression of Islam is tightly controlled by the government in order to suppress alternative sources of legitimacy and subjugate potential powerful opponents. Clandestine Islamic organizations began to arise during the last two decades of the Soviet Union, followed by a sort of religious revival after independence. Left without a strong state apparatus, the country's newly found independence was accompanied by a growth of specifically Islamist organizations that advocated a strong role for Islam in political and social life as an answer to problems arising from the collapse. Independence also saw the presence of Islamist organizations in Uzbekistan agitating for an Islamic state.

The Islamic Movement of Uzbekistan (IMU) and Hizb-ut-Tahrir (HTI) are two Islamist organizations which have influenced post-independence state building in Uzbekistan—and which have been officially declared terrorist organizations by the state.<sup>165</sup> IMU has existed since 1996 and operates within the borders of Uzbekistan. It is composed of salafists and jihadists who advocate the use of armed struggle to topple Karimov's regime and to create an Islamic state. The organization has been involved in several terrorist activities including a December 1991 standoff with the Ministry of Interior where militants, demanding an Islamic state, segregated schools and the implementation of sharia law, took hostages in the Communist Party headquarters in Namangan. The IMU was also responsible for the February 1999 bombing of government buildings in Tashkent in an attempt to kill the president, and IMU members formed the Namangani Battalion during the Tajik civil war from 1992-1997 in which they fought alongside the Tajik Islamic opposition. Finally, in summer 1999 militants took the Mayor of Osh hostage in neighboring Kyrgyzstan and flew to Afghanistan after being paid a ransom for a hostage release by Kyrgyz authorities. Once there, militants fought alongside the Taliban after September 11<sup>th</sup>.

HTI is the Party of Islamic Liberation which arose just before the breakup of the Soviet Union. It advocates nonviolent political struggle to create an Islamic state encompassing all of Central Asia (and eventually the entire world), thereby rejecting the nation-state as a concept.<sup>166</sup> Members of HTI are not jihadists or salafist, but rather call for dialogue with Central Asian regimes for their eventual removal. HTI is active in Tajikistan and Kyrgyzstan as well as Uzbekistan and its primary mode of operation is education and the dissemination of literature that denounces capitalism (deemed the ideology of the unbeliever), democracy (seen unjust, unequal and legislated by man rather than God), pluralism (which establishes nationalist and patriotic parties), and the free market (perceived to hinder developing countries for developing their economies). Through the use of patronage-style networks and a relatively vague theological and legal platform, the organization has been able to gain support from people belonging to different branches of Islam. It has been relatively successful in recruiting sympathizers and thrives on the fact that the Central Asian states have not provided democracy or modernization.

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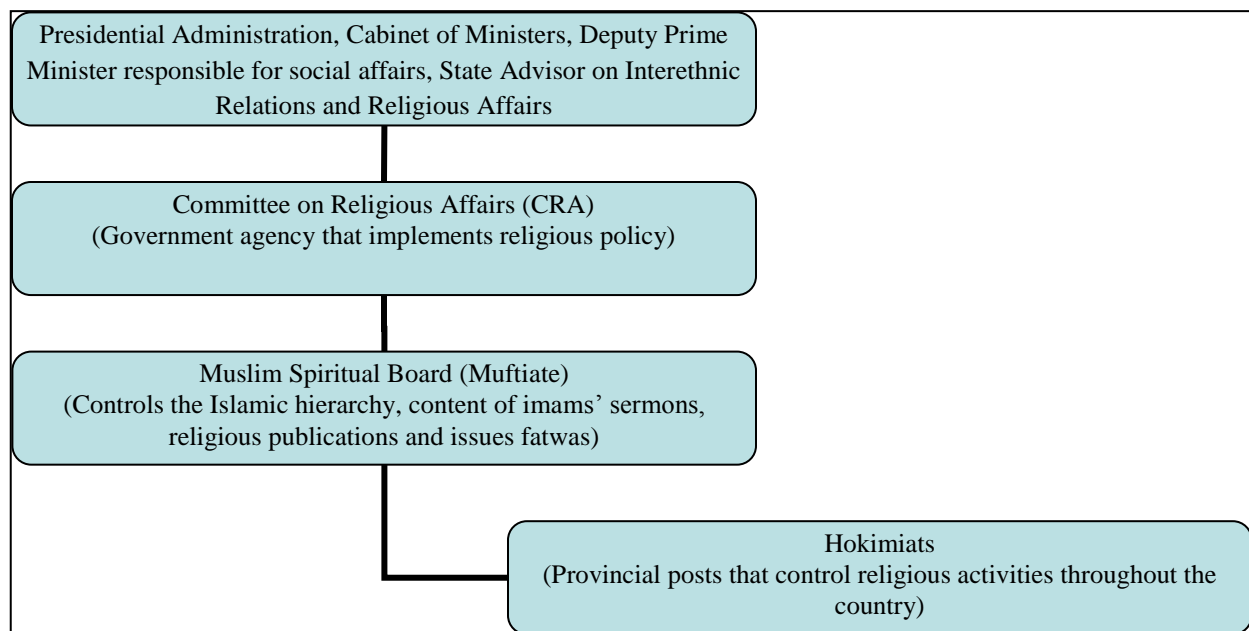
<sup>165</sup> See Nauman (2005) and Khalid (2007).

<sup>166</sup> HTI is notable for rejecting the idea of the nation-state, especially considering the proliferation of Islamic organizations divided along ethnic lines after the Soviet collapse. See Yemelianova (2002).

The fundamental problem that Islamist organizations such as IMU and HTI pose for the Uzbek leadership is that Islamism is advocated as a solution to everyday problems which the current secular government has failed to adequately address— poverty, social inequality, corruption, oppression and high levels of unemployment. The way that the Uzbek government controls organizations such as the IMU, HTI and other rather innocuous ones is by requiring the registration of religious groups, and having strict control over religious education, activity and literature throughout the country. Uzbekistan’s leadership has been able to capitalize on the war on terror after September 11<sup>th</sup> in order to toughen its religious policies in the name of fighting against Islamic extremism.<sup>167</sup>

Therefore, Karimov chose to consolidate power by maintaining the Soviet era policy of incorporating Islam into the state and by controlling religion as much as possible. As mentioned in Chapter 4, Uzbekistan has the most defined system governing the state-religion relationship in Central Asia (Figure 3). From the presidential administration (including the cabinet of ministers, deputy prime minister and State Advisor on Interethnic Relations and Religious Affairs), to the Committee on Religious Affairs, Muslim Spiritual Board and local Hokimiats, almost every aspect of religious activities are tightly controlled within the dictates of government.

**Figure 3: Hierarchy of State-Religious Institutions in Uzbekistan**



<sup>167</sup> The aftermath of September 11<sup>th</sup> also created an environment in which declaring oneself as Muslim or religious was synonymous with extremist or radical. Thus, many Uzbeks (as well as other Central Asians and Azerbaijanis) are hesitant to identify as “religious” largely due to the presence of Muslim persons, groups or ideas that are deemed foreign to Central Asia (such as Saudi Wahhabis).

Uzbekistan also has a regimented set of policies that govern religious activities and worship, and that tightly controls religious education, the distribution of religious materials and missionary activity. As described in Chapter 4, only registered religious groups have the right to freedom of worship and freedom from religious persecution and all religious activities by unregistered religious organizations are illegal. Missionary activity, religious education in public schools, and private religious teaching are banned. The publication, importation and distribution of religious literature are regulated and must be approved by the CRA. Finally, organizing or participating in religious groups that are either unregistered or prohibited by the government is punishable under the criminal code.

This study of SER in Uzbekistan shows that the high level of engagement with religion has been heavily affected by the presence of Islamist organizations vying for power in a country in which Islam has salience, an authoritarian government that could impose restrictions with disregard for religious freedom, and a disagreement between secular and religious authorities about the state-religion relationship.

## **Chapter 8**

### **Conclusion**

Someone without deep understanding of religious policy during the Soviet Union would find it surprising that all 15 post-Soviet countries, with such divergent relationships between religion and state, were once constituent parts of the same union. One would not expect such radical state-religion trajectories after decades under a state that had a hostile attitude towards religion. Yet, seeking to answer what determines the level of state engagement with religion in the 15 post-Soviet countries, we find that religion and regime type matter.

Religion can be an impetus for social organization and a source of independent power from the state. The examination of the 15 countries shows us that the strategies of state actors vary due to the set of conditions with which they are faced. A democratic state that has a population of predominately Western Christian identification or which is secular is less likely to have a lower level of engagement with religious groups (positive or negative) than an authoritarian state or one which has a predominant Muslim population. An examination of case studies, frequencies and regression analysis shows this to be the case.

While a significant relationship between SER and economic development and religious fractionalization has not been shown, a qualitative assessment of political strategies demonstrates that the presence or absence of consensus between secular leaders and religious authorities during the state-building period can critically impact state engagement.

By examining low-SER Estonia, mid-SER Georgia and high-SER Uzbekistan, we see different outputs. In Estonia, the political leadership focused on democratizing and joining the West, and with its predominately Western Christian (or secular) population, came to an agreement with religionists on relatively liberal policies towards the religious sphere. In Georgia, the political leadership has focused on making political and economic reforms towards Western integration, but must contend with one of the strongest religion-national symbioses found in the entire



Eurasian region. This has made the GOC almost more powerful and more legitimate than the state that has resulting in a consensus between religionists and secularists on the special role and rights of the GOC over other religious groups. Finally, in Uzbekistan, the presence of a potential powerful threat to the state by Islamist organizations, confounded by a post 9-11 environment and particular geography bordered on Afghanistan and Iraq, has resulted in a fundamental lack of consensus between religious and secular leaders. The authoritarian state mixed with a religion-national symbiosis has created a unusual brand of state support for Islam culturally, but aggression towards any aspect of organization or independence from groups that identify with it.

In addition to showing that religion, regime type and political strategy matter, this dissertation has broken new ground. It is the first work to conceptualize and operationalize SER as state funding for religion, use of religious symbols by the state, formal incorporation of religion into the state, and regulations and restrictions placed on religion. It is also the first systematic comparative analysis of state engagement with religion across the 15-post-Soviet countries, with an examination of empirics from the region. Additionally, this dissertation has sought to bring this region in to the light regarding the large body of state-religion literature. Finally, through its use of both qualitative and quantitative methods, an overarching aim of this dissertation has been to defy the notion a secular state is monolithic. That is, to show that secular states are varied and changing. Thus, to better understand the nature of secular statehood, we should inquire about *types* of secularism and the reasons behind them.

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 Indonesia Constitution, Art. 29  
 Kazakhstan Constitution, Art. 1  
 Kyrgyzstan Constitution Art. 1.1 and Art. 8.3  
 Latvia Constitution, Art. 8  
 Lebanon Constitution  
 Lithuania Constitution, Art. 43  
 Moldova Constitution  
 Nigeria Constitution  
 Russia Constitution, Art. 14  
 Syria Constitution, Art. 3  
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## Appendix

### Worldwide State-Religion Regimes (173 countries)

	Secular <sup>168</sup>	Non-secular
Africa	Angola Benin Botswana Burkina Faso Burundi Cameroon Cape Verde Central African Republic Chad Republic of Congo Equatorial Guinea Eritrea Ethiopia Gabon Gambia Guinea Guinea-Bissau Ivory Coast Kenya Lesotho Liberia Madagascar Malawi Nigeria <sup>169</sup> Mali Mauritius Mozambique Namibia Niger Rwanda Senegal Sierra Leone South Africa Swaziland Tanzania Togo Uganda Democratic Republic of Congo Zambia	Djibouti <sup>170</sup> Mauritania Somalia Sudan

<sup>168</sup> China, Cuba, North Korea, and Vietnam have been classified as antireligious states by other authors. I classify them as secular because there is little difference between them and some assertively secular states.

<sup>169</sup> The twelve northern states of Nigeria use Shari'a courts to adjudicate criminal and civil matters for Muslims and common law and customary law courts to adjudicate cases involving non-Muslims. Nigeria is classified as a secular state despite this because it is secular regarding the federal state.

<sup>170</sup> Only state Islam is the religion of state in French version of the constitution

	Zimbabwe	
East Asia and the Pacific	Australia Burma China Fiji Indonesia <sup>171</sup> Japan Laos Mongolia New Zealand North Korea Papua New Guinea Philippines Singapore Solomon Islands South Korea Thailand Vanuatu Vietnam	Brunei Cambodia Malaysia
Europe	Austria Belgium Cyprus France Germany Greece Ireland Italy Luxembourg Netherlands Portugal Spain Sweden Switzerland	Andorra Finland Denmark Iceland Liechtenstein Malta Norway United Kingdom
Near East and North Africa	Lebanon <sup>172</sup> Turkey	Algeria Bahrain Egypt Iran

<sup>171</sup> Indonesia is classified as a secular state despite the fact that Article 29 of the Indonesian constitution states, “The State shall be based upon the belief in the One and Only God.” While this statement poses a problem for state neutrality toward atheists, it does not mean that Indonesia’s legal and judicial processes are within institutional religious control or that there is an established official religion. Furthermore, some regions of Indonesia (e.g., Aceh) have adopted Islamic law, Indonesia is secular regarding the central government.

<sup>172</sup> I classify Lebanon as a secular country because the religious courts and laws are for family matters only. They do not bind parliament, government or highest court in the country. Unlike Pakistan, for example, Lebanon does not have a federal sharia court that intervenes to parliament's legislation.

		Iraq Israel Jordan Kuwait Lybia Morocco Oman Qatar Saudi Arabia Syria <sup>173</sup> Tunisia United Arab Emirates Yemen
Post-communist	Albania Armenia Azerbaijan Belarus Bosnia Herzegovina Bulgaria Croatia Czech Republic Estonia Georgia Hungary Kazakhstan Kyrgyzstan Latvia Lithuania Macedonia Moldova Montenegro Poland Romania Russia Serbia Slovakia Slovenia Tajikistan Turkmenistan Ukraine	

<sup>173</sup> I classify Syria as a non-secular state because while the country does not have an established official religion and is the only Arab country that does not recognize Islam as the official religion, Syria's legal and judicial processes are not outside of institutional religious control. Article 3 (entitled "Islam") of the Syrian constitution states, "(1) The religion of the President of the Republic has to be Islam. (2) Islamic jurisprudence is a main source of legislation"

Additionally, members of certain religious groups in Syria are governed by religious laws concerning marriage and divorce (e.g., Shari'a for Muslims and civil law for Catholics). The classification of Syria as a non-secular state differs with Kuru and other authors such as Barro and Mcleary who classify Syria as a secular state because it does not recognize Islam as the official religion and is ruled by a staunchly secularist Baath party and Alawite minority.

	Uzbekistan	
Southeast Asia	Bhutan India Nepal	Afghanistan Bangladesh Maldives Pakistan Sri Lanka
Western Hemisphere	Argentina Bahamas Barbados Belize Bolivia Brazil Canada Chile Columbia Cuba Dominican Republic Ecuador El Salvador Guatemala Guyana Haiti Honduras Jamaica Mexico Nicaragua Panama Paraguay Peru Suriname Trinidad & Tobago United States Uruguay Venezuela	Costa Rica