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GEORGIA: Religious freedom survey, August 2004

By Felix Corley, Forum 18 News Service <<http://www.forum18.org>>

In its survey analysis of religious freedom in Georgia since President Saakashvili came to power, Forum 18 News Service notes fundamental obstructions to the activity of religious minorities, such as the impossibility of building non-Orthodox places of worship. Intolerance of religious freedom continues in society, examples including President Saakashvili's statement that the state "should protect Georgia from harmful alien influence and extremism", vandalism of Catholic graves, demands to remove non-Patriarchal Orthodox literature from bookshops, and the Orthodox Patriarchate's call for a church to be closed to "cleanse" it, after a visit by Anglicans had "desecrated" the church. Religious minority leaders have identified the need to gain legal status, but government ministers contradict each other about whether or not a draft religion law will be produced, Prime Minister Zurab Ivnania stating that the public law code should be amended to allow religious organisations to register.

As the first tentative legal steps are at last underway to bring to justice at least some of those responsible for a five year reign of terror on Georgia's religious minorities (see F18News 16 August 2004 http://www.forum18.org/Archive.php?article_id=394), some religious leaders have told Forum 18 News Service that the situation for religious minorities has improved since Mikheil Saakashvili led street protests that ousted President Eduard Shevardnadze last November and brought him to the presidency in January. (See F18News 26 November 2003 http://www.forum18.org/Archive.php?article_id=196).

Others are not sure, insisting that although the atmosphere may have improved, the fundamental obstructions to their activity remain. They have told Forum 18 that religious minority communities are left without equal rights by, for example, the continued refusal to offer legal status to any faiths except the Georgian Orthodox Church, the lack of a religion law defining the rights of religious communities, the privileges still granted to the Orthodox Church in the controversial 2002 concordat, and the impossibility of building non-Orthodox places of worship.

"Is the religious freedom situation better? You can't answer this with a straight yes or no," Giorgi Khutsishvili, head of the Tbilisi [T'bilisi] International Centre on Conflict and Negotiation (ICCN), which has campaigned for an end to religious violence, told Forum 18 on 13 August. "The political atmosphere is easier than under Shevardnadze, and the government's attitude is clear: it's against extremism, for religious tolerance and in general for the European way of behaving. But at the same time the government believes it is very important for it to maintain good relations with the Orthodox Patriarchate."

Pastor Gary Azikov of the Lutheran Church was adamant that the situation had not improved. "Everything is as it was before the new government took over," he told Forum 18 from Tbilisi on 13 August. "Nothing has moved forward." Bishop Giuseppe Pasotto of the Catholic Church also believes the problems for religious minorities have not been tackled as the new government has not yet devised a religious policy. "They have been busy working on other problems," he told Forum 18 from Tbilisi on 13 August. A member of Tbilisi's Baha'i community who preferred not to be named echoed this point to Forum 18 the same day. "The government has been too preoccupied with the issue of Adjara and the conflict in South Ossetia to think about religious concerns."

"The situation is better," Pastor Mamuka Jebisashvili of the Word of Life church told Forum 18 from the capital Tbilisi on 13 August. He pointed out that his church was able to hold a youth conference in a rented Tbilisi theatre in May, an impossibility until this year, while in the town of Gori, where the Word of Life congregation faced repeated harassment in the past, "the fanatics have quietened down". Jehovah's Witness lawyer Manuchar Tsimintia agreed. "There have been no large-scale attacks," he told Forum 18 from Tbilisi on 13 August. "We are continuing our activities and problems are gradually being worked out." This summer, he said, the Jehovah's Witnesses have been able to hold large conventions without violent attacks from self-appointed Orthodox vigilantes. "This is the first year we have been able to do this for five years."

More pessimistic is Fr Zurab Arshvili, a priest of the True Orthodox Church which is under the authority of Metropolitan Ephraim of Boston in the United States. "There have been no new developments on religious freedom," he told Forum 18 from Tbilisi on 13 August. "There has been no progress in being able to build churches." He said that when their parish in the western city of Kutaisi [Kut'ai'si] applied for permission to build a church, officials told them to seek permission from the Georgian Orthodox Patriarchate, as prescribed in the 2002 concordat between the Patriarchate and the government. "Officials won't give permission," he complained. "Even Kutaisi regional court would not give us the permission. The authorities tell our priest there Fr David Georgadze that they understand our plight, but officials say without Patriarchate approval we can't give you permission, otherwise we would lose our

jobs." He said approaches to the city authorities this year have brought the same response.

Fr Aroshvili also said that there had been no progress on rebuilding the church in the village of Shemokmedi, destroyed by a self-appointed Orthodox mob in October 2002. No-one has been prosecuted for this (see F18News 16 August 2004 http://www.forum18.org/Archive.php?article_id=394). "The old authorities are still there," he told Forum 18. "The building is still in ruins and if we try to rebuild it we fear they will simply come again and destroy it."

The True Orthodox parish in Tbilisi would also like to build its own church when it has the money, in accordance with plans approved by the city council in 1998. "Although activists from the Liberty Institute supported us under the old government," Fr Aroshvili reported, "now they are close to the new rulers we don't know how they would react if we sent in an application to start building." He said that the five True Orthodox parishes can meet for worship in private homes but, despite the change in government, having full-fledged churches is still a long way off. "The authorities and the people don't object any more to home services, but having a proper church is a different matter - they won't give you permission as this is a matter for the Patriarchate."

Pastor Azikov of the Lutheran Church also said that buildings churches was still a problem, as Lutherans cannot build new churches, and so two of the five Lutheran congregations in the country are therefore forced to meet in private homes, while another congregation rents accommodation in a museum. "Of course these communities want their own churches."

Bishop Malkhaz Songulashvili, head of the Baptist Church of Georgia, told Forum 18 that his congregation in the village of Akhalsopeli in Kvareli [Qvareli] district of eastern Georgia still faces threats from the local population not to rebuild their church. This was burnt out by a mob allegedly incited by the local Orthodox priest Fr Bessarion Zurabashvili in June 2003 (see F18News 3 July 2003 http://www.forum18.org/Archive.php?article_id=96). "The local authorities didn't want to be involved, so they kept shuffling responsibility from one office to another," Bishop Songulashvili told Forum 18 from Tbilisi on 13 August. "Finally the architect's office gave permission in July to rebuild." But he said the Orthodox priest is still there and described the continuing threats as "an alarming signal".

Bishop Songulashvili's concern was echoed by Khutsishvili of the ICCN, which had visited the village in the previous few days. "There is an official decision allowing the church to be restored, but the local Orthodox have pledged to prevent this happening," he told Forum 18. "Our group spoke to the Orthodox and they were categorical. They also said they will not tolerate what they see as any Baptist proselytism." He said that building non-Orthodox places of worship is "not entirely prohibited", but faces strong resistance from the Orthodox, and he is not aware of any non-Orthodox places of worship opening in Georgia in 2004. "Even the Catholics, perhaps the strongest of the non-Orthodox faiths, face lots of resistance to opening new churches," he told Forum 18. "When Orthodox priests are behind a decision, the government won't intervene." He points out that many minority faiths that do have their own places of worship are still too frightened to put up a sign outside.

Bishop Songulashvili says that the Baptists would like to build churches, including in several villages in the Kakheti region of eastern Georgia. "But when we try, nothing happens," he lamented. "Orthodox priests have such influence on local authorities that there is no point for us to apply for permission to build churches." He says the only way is for private individuals to buy a building and convert it into a church. "This has been the pattern for the past twelve years. Nothing has changed," going on to comment that until a law on religion is adopted (Georgia is the only country in the former Soviet Union without one), or there is some other way for non-Orthodox religious communities to gain legal status, it will remain impossible to build places of worship. "Without legal status we don't exist in law."

Bishop Pasotto of the Catholic Church echoed Bishop Songulashvili's comments, saying that "without a religion law we can't build churches, though I admit we haven't tried again this year," he told Forum 18. "I don't think the problems are with the government though. It is more a problem of social attitudes."

Despite this, Bishop Songulashvili believes Orthodox influence over the government has faded. "The Orthodox complain their influence has fallen, and this is true." Khutsishvili of the ICCN believes that President Saakashvili's government is determined to work on the basis of the rule of law. "It is listening less to extremists like the politician Guram Sharadze, who kept inciting people against religious minorities."

However, some of President Mikheil Saakashvili's views have caused concern. Following the 12 March police arrest of Old Calendarist priest Fr Basil Mkalavishvili and his associates, responsible for a five-year reign of terror against religious minorities, Saakashvili said, in remarks broadcast on Imedi TV, that "the Georgian state, not some local extremist who beats and raids people, should protect Georgia from harmful alien influence and extremism". Amnesty International believes such a comment "clearly contravenes" Article 18 of the International Covenant on Civil and Political Rights, which guarantees the right to choose and practise one's faith freely.

At the time of his becoming President in November 2003, some religious leaders also expressed scepticism about President Saakashvili's commitment to religious freedom, pointing out that he was minister of Justice at a time when many violent attacks were being made on religious minorities (See F18News 26 November 2003 http://www.forum18.org/Archive.php?article_id=196).

On 10 May 2004, President Saakashvili made comments which cast further doubt on his commitment to religious freedom. When Saakashvili visited a mosque in the port city of Batumi [Bat'umi], he said, according to Caucasus Press, that there are two main traditional religions in Georgia, Christianity and Islam, and went on to say that the country must be cleared from the harmful influence of aggressive religious movements.

Although there have been no large-scale attacks on religious minorities since President Shevardnadze was ousted, many religious leaders are disturbed by continuing intolerance against any manifestation of religious freedom, as well as opposition to the building non-Georgian Patriarchate places of worship. Fr Aroshvili of the True Orthodox complained that, at the end of May, people from the Patriarchate warned the owner of a bookshop, on Tbilisi's central Rustaveli Avenue, to remove from sale books published by the True Orthodox Church. The owner "feared aggression if he failed to comply, so my brother Fr Gela had to come and take the books away." Although booksellers often do stock non-Patriarchate religious publications, many believe this remains risky. "There is still Orthodox intimidation of bookshops that sell non-Patriarchate material," Khutsishvili of the ICCN reported.

As a further sign of intolerance, Khutsishvili told Forum 18 of the recent vandalism of Catholic graves in Georgia's southern Javakheti region.

Examples of intolerance were also given by Bishop Songulashvili, who spoke of a June 2004 attack by one Orthodox priest, Fr David Kvilvidze, on another priest, Fr Georgi Chachava, for his "liberal" views and readiness to work with other Christian churches. Another example was a telephone call in June from the Patriarchate to St Panteleimon's Orthodox Church in Tbilisi, instructing the priest to close the church for a day to "cleanse" it after it had been "desecrated" by a visit to the Sunday liturgy by a delegation from the Church of England Diocese of Norwich, described by the caller as "dogs". Church of England Bishop Stephen Platten of Wakefield told the Anglican 'Church Times' (20 August 2004) that he had discussed this incident with Prime Minister Zurab Jvania, who was "amazed that anyone could be quite so crude", as well as with Patriarch Ilya, who Bishop Platten described as "a godly, kindly patrician figure, but tired and surrounded by the ecclesiastical apparatus of a fallen and discredited empire."

Bishop Songulashvili was also outraged by the instruction in June by an Orthodox priest at the Sveti Tskhoveli Cathedral in the ancient capital of Georgia, Mtskheta, in western central Georgia, to another church official to throw out the Vatican nuncio to Georgia, Archbishop Claudio Gugerotti, who was visiting the ancient cathedral. "The cathedral is a UNESCO world heritage site and gets public money," Songulashvili told Forum 18. "They had no right to kick him out. This was simply a sign of religious intolerance."

Pentecostal pastor Nikolai Kalutsky, whose Tbilisi home was repeatedly blockaded and attacked in recent years by self-appointed vigilantes, led by local Orthodox priest Fr David Imnadze, to prevent worship services taking place there, told Forum 18 that the Constitutional Court still has not ruled on whether he has the right to host religious services in his home. "I expect them to tell me in the next week when the hearing will take place," he told Forum 18 from Tbilisi on 14 August. He took his case to the court after the local police banned him from using his home for services. Kalutsky said he has not tried to hold services in his home this year, despite the change in government. "The ban is against the constitution, but I am law abiding and want to have the verdict from the court to take to the local police, to guarantee that the excesses we saw in the past won't be repeated." In the winter his church meets in a private home in an area of Tbilisi where, in his words, the population is "more friendly", while in summer it meets in the forest close to the city.

Pastor Kalutsky believes that it is now possible for religious minorities to print religious literature locally, though he says there is still a risk that any literature might be destroyed by "fanatics". "We don't yet have a 100 per cent guarantee that it is safe." Pastor Azikov of the Lutheran Church pointed out that without legal status, non-Orthodox communities have no right to publish, saying his Church therefore "Is not risking it". Pastor Jebisashvili of Word of Life said it is now easier to print literature, as did Catholic Bishop Pasotto. Bishop Songulashvili of the Baptists says his Church has never had a problem producing literature locally. However, the Baha'i representative told Forum 18 that publishing is "not very easy", adding: "Some companies are not happy to print our material - they have only limited understanding. Plus they are afraid that if the government finds out they might have problems."

Most religious leaders said they were optimistic that the new Education Minister, Kakha Lomaia, was making an honest attempt to turn religious education in schools into an informational subject, rather than Orthodox instruction. "I believe the education minister is a good person who wants to change the religious education lessons to include non-Orthodox faiths fairly," Pastor Jebisashvili told Forum 18. But Bishop Songulashvili lamented that there is still "no clarity" on the issue. "We do not need religious instruction in schools, what we need is religious education." He welcomed a conference at the end of July with education ministry officials, educationalists and non-governmental organisations to look at different models of religious education and European standards of how to teach it.

Khutsishvili said that the ICCN was working with another NGO in Tbilisi, the Caucasian Institute for Peace, Democracy and Development, on a project to draw up new teaching materials "that teach religions as they are, not as the Orthodox see them". He says some "enlightened" schools are already "correcting" the syllabus, but that Orthodox instruction still occurs, especially in rural schools. Not all schools introduced religious education classes. "I would say about half the schools in Tbilisi have these classes," the

Baha'i representative told Forum 18. Compulsory class visits to local Orthodox churches seem to be declining. "My eight-year old daughter was taken several times last year to church to be told how to pray," the Baha'i noted. "But at a different school this year they have never been taken. As time goes on, schools and teachers try to be more tolerant."

Jehovah's Witness lawyer Manuchar Tsimintia said that he had not heard recently of any teachers making Jehovah's Witness children go to local Orthodox churches in school time. "But I don't think the syllabus has yet been officially changed," he told Forum 18. He also said that he had not heard of any cases in 2004 of Jehovah's Witnesses being sacked from their job as teachers, as had happened in previous years.

All religious leaders spoke of the need to have the possibility to register religious communities, either through a new law or through an amendment to the public law code. Bishop Songulashvili gave the current inability of non-Georgian Patriarchate communities to build places of worship as an example of the need for a religion law, saying that "without legal status we don't exist in law." Although religious leaders said they had looked at draft religion laws circulated recently, Bishop Songulashvili complained of the lack of clarity. He said that Foreign Minister Salome Zourabichvili had recently told him and the visiting Bishop of Wakefield, Stephen Platten, that a draft text will be issued for comments before going to parliament in the autumn. However, only the following day both the deputy Justice Minister Giorgi Papuashvili and Prime Minister Zurab Jvania told them no draft text was under discussion.

"Prime Minister Jvania supported the idea of amending the public law code to allow religious organisations to register," Bishop Songulashvili told Forum 18. "I think this is not a bad idea. Let religious communities get registration and later adopt a religious law if needed." One recent improvement is that, in November 2003, the Ministry of Justice restored state registration to the Jehovah's Witnesses. This had been removed after the extremist politician Guram Sharadze, with the backing of the Georgian Patriarchate, initiated a 1999 legal case for annulment of the Jehovah's Witnesses' registration, alleging their "anti-State, anti-national, and anti-Orthodox activity".

Bishop Songulashvili believes religious communities have three main needs: to be able to obtain legal status, acquire the right to engage in social ministry and educate their followers in schools and in their own colleges. "If any draft law meets these three needs, we will be happy."

On religious violence under President Shevardnadze see http://www.forum18.org/Archive.php?article_id=182

On difficulties over places of worship under President Shevardnadze see http://www.forum18.org/Archive.php?article_id=184

On difficulties over religious literature under President Shevardnadze see http://www.forum18.org/Archive.php?article_id=191 and http://www.forum18.org/Archive.php?article_id=192

On lack of legal status under President Shevardnadze see http://www.forum18.org/Archive.php?article_id=185

A printer-friendly map of Georgia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=georgi>

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