authorities of even those rights which believers legally possess. Religious believers form a significant proportion of the population in our country, and a normalisation of their legal position is vitally necessary for the State, since it proclaims itself to be lawful and wholly representative.

Because of this, we considered it our Christian and civil duty to form the Christian Committee for the Defence of Believers' Rights in the USSR.

At present, the bishops of the Russian Orthodox Church and the leaders of other religious organizations do not concern themselves with the defence of believers' rights, for a variety of reasons. In such circumstances, the Christian community has to make the legal defence of believers its own concern.

The Committee's aim is to help believers to exercise their right of living in accordance with their convictions. The Committee intends:

1. To collect, study and distribute information on the situation of religious believers in the USSR.
2. To give legal advice to believers when their civil rights are infringed.
3. To appeal to state institutions concerning the defence of believers' rights.
4. To conduct research, as far as this is possible, to clarify the legal and factual position of religion in the USSR.
5. To assist in putting Soviet legislation on religion into practice.

The Committee has no political aims. It is loyal to Soviet laws. The Committee is ready to cooperate with social and state organizations, in so far as such cooperation can help in improving the position of believers in the USSR.

The Committee is made up of members of the Russian Orthodox Church. For centuries, Orthodoxy was the State religion in our country. Orthodox churchmen often allowed the State to use forcible methods to restrict the religious freedom of other denominations. As we acknowledge that any use of compulsion against people on the grounds that they are not Orthodox or belong to a different faith is contrary to the Christian spirit, we consider it our especial duty to take the initiative in defending the religious freedom of all believers in our country, regardless of denomination.

We ask our fellow Christians to pray that God may help us in our human frailty.

Members of the Christian Committee for the Defence of Believers' Rights:

GLEB YAKUNIN,
priest

VARSONOFI KHAIBULIN,
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27 December 1976

Christian Critique of Soviet Draft Constitution

The following Appeal *from members of the Christian Committee for the Defence of Believers' Rights (CCDBR) in the USSR is dated 8 June 1977 and was addressed to L. I. Brezhnev, chairman of the Constitutional Commission which drew up the new Soviet Constitution. The Draft Constitution was unanimously passed by the Supreme Soviet of the USSR on 7 October 1977.*

Respected Chairman of the Constitutional Commission!

The Draft of the new Constitution of the USSR proclaims:

> "A new historical community of people has been formed – the Soviet people. It is a society of high organizational capacity, ideological commitment and consciousness of the working people who are patriots and internationalists."

Nevertheless, this society includes people of greatly differing views, persuasions and beliefs. A significant part of it

consists of people of different religions, who wish to be and are loyal citizens of the Soviet State, although in essence their outlook conflicts with Marxism-Leninism.

Marxist-Leninist theory is the basis of the ideology of the CPSU (Communist Party of the Soviet Union), the ruling party of the USSR, membership of which is in principle *voluntary*. The building of communism is the fundamental and ultimate aim of the CP and its sympathisers. With the Marxist-Leninist theory, communism appears as a society in which all the finest aspirations of mankind will be realized, with the exception of religious ideals, the ideals of the spiritual and moral unity of people with God, and with each other in God. The published programme of the CPSU leaves no doubt that, as far as present day Party theoreticians understand the position of communism and religion, with the approach towards communism, religion must be done away with. The Rules of the CPSU impose upon each member of the Party the duty: "to lead a resolute struggle against the survivals of religion". An anti-religious policy was and remains an integral part of the theory and practice of the CPSU, which is expressed *not only in atheistic propaganda*, which is being carried out by the Party and State organs using State, i.e. *public* resources. One of the manifestations of the anti-religious policy of the CPSU is the legal discrimination against religious organizations, which are established by believers:

- a strict control of their lives by state organs,
- deprivation of their rights as a juridical person,
- and of the right to possess material property,
- prohibition on charitable activities,
- a ban on religious preaching and public worship, outside the prayer buildings,
- a ban on the teaching of religion (with the exception of instruction of children by their parents and teaching in special schools),
- a discriminatory policy of rejecting believers' petitions for the registration of a new community, for the opening of a new church.

Essential elements of religious life are either extremely limited or simply forbidden, under threat of criminal prosecution.

Thus, the strategy and tactics of the governing CPSU in the building of communism presuppose diverse forms of struggle with religion, through law, administration, and propaganda. The CPSU asserts in theory and realizes in practice the principle of the incompatibility of communism and religion.

The Draft of the new Constitution does not essentially change the legal position of religion in the USSR. Art. 52 of the Draft, which proclaims freedom of conscience, like Art. 124 of the previous Constitution, does not grant believers the freedom to preach (which the first Constitution of the RSFSR did guarantee). Art. 25 legalizes *"a uniform system of education, which is devoted to a communist upbringing"*.

This means that school curricula at all levels of education, from primary to higher schools, will in future be filled with anti-religious content. And pupils, regardless of their personal attitude towards religion, will be obliged to assimilate this material. This apparently also means that the teaching of religion will be prohibited as before (with the exception of instruction of children by their parents and teaching in special theological institutions).

But a particular fear is aroused in believers by that clause of the Draft, where for the first time in Soviet history "the building of a communist (i.e. atheist, according to the authors of the Draft) society" is declared, *by legislation*, to be the supreme goal not only of the Party, but of the whole State:

> *"The Soviet State is a new type of State, the principal instrument in the building of communism." "The supreme goal of the Soviet State is the building of a classless communist (read: atheist) society."*

Amongst the chief tasks of the State *"the education of the citizen of a communist society"* is particularly indicated. A citizen of a *"communist society"*, from the point of view of the contemporary ideology of the CPSU, is certainly *an atheist*.

The Constitution is the fundamental

law of the State, having binding power over all its citizens. With the acceptance of the proposed Draft, all Soviet citizens, including millions of believers, will be bound by legislation to participate in the building of a totally godless society, which is completely unacceptable to a religious conscience. To a religious mind Art. 6 of the Draft is also unacceptable; it states in particular that:

> *"The CP, armed with Marxism-Leninism, determines the general perspectives of the development of society ... directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism."*

A believer cannot agree with the Constitutional legalisation of compulsory godlessness for the whole of society. In fact, the preamble and Art. 6 of the Draft set out the theses of the Party Programme, which have now been elevated to the status of national law. Thus, the borderlines between the Party and the State are obliterated once and for all, and the Soviet citizen's passport becomes a communist's Party card. The Draft of the new Constitution turns the Soviet State, by a legal document, into *an ideocratic-totalitarian State.*

IF THIS DRAFT IS ACCEPTED, THEN IN ALL SERIOUSNESS BELIEVERS WILL FACE AN AGONISING QUESTION: CAN THEY, WITHOUT PREJUDICE TO THEIR RELIGIOUS CONSCIENCE, REMAIN CITIZENS OF A STATE WHICH PROCLAIMS BY LAW THAT NATIONAL ATHEISM IS ITS GOAL?

"Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's" – such is the unalterable God-given principle for the relationship of the Christian to the State. This principle warns Christians against both extremes: against the anarchic rejection of state power, and against concessions to the State, in the event of excessive claims. Christianity has remained loyal to the State and its laws under all social and economic systems that have existed until now: slave-owning, feudal, capitalist and socialist. But whenever the state laws encroached upon the conscience of Christians, then Christians were obliged to violate them, even under threat of terrible torture and death.

We expect the Constitutional Commission to treat with understanding the problems which confront the religious conscience of believers in our country. We hope that our Appeal will be studied properly when the final text of the new Constitution is drawn up.

A possible way out of the legal crisis which is arising, is as follows:

1. The ruling Party excludes from its Rules the clause which obliges each member "to lead a resolute struggle against the survivals of religion".
2. It officially accepts the principle of the compatibility of communism and religion.
3. That the possibility, in principle, of religion existing with communism is included as a proposition in the text of the new Constitution of the USSR.

Members of the Christian Committee for the Defence of Believers' Rights in the USSR:

GLEB YAKUNIN
VARSONOFI KHAIBULIN
VIKTOR KAPITANCHUK.

8 June 1977
Moscow

In addition to the CCDBR's Appeal, *the Council of Churches of Evangelical Christians and Baptists (CCECB) also criticized the Draft Constitution. The CCECB is the governing body of those Baptist communities which do not recognize the authority of the All-Union Council (AUCECB) – the body recognized by the State as head of the ECB Church in the Soviet Union. The following* Appeal *from the CCECB, dated 14 August 1977, was sent to the Constitutional Committee, the Praesidium of the Supreme Soviet of the USSR and to the Council of Ministers of the USSR. It first appeared in the* samizdat *Baptist periodical* Bratsky Listok, *No. 4, 1977.*

Before the acceptance of the new Constitution of the USSR, which for years to come will determine the lives and activities of the whole nation, we are making yet another attempt (this is now

the third) to convince the higher organs of our State of the urgent necessity for radical changes – the granting to citizens of true freedom of conscience, and the consolidating in the Constitution of equality before the law for all citizens, regardless of their outlook.

Unfortunately, constitutional inequalities which have existed for decades have been transferred to the Draft of the new Constitution with no essential alteration. Indeed, it is sad that the new law did not plan positive changes and did not provide for new forms of relationship between the Church and the State, to replace the forms which took shape during the period of the cult of personality.

In what do we see this inequality?

This inequality exists even in Art. 52 of the Draft Constitution, which is supposed to guarantee citizens freedom of conscience.

In this article the right of believers "to conduct religious worship" is set against the far from equivalent right of atheists "to conduct atheist propaganda". It is quite impossible to comprehend the striking inequality between the rights of believers and of atheists, if one removes Art. 52 from the context of the articles, which together form the basis for a social, political and economic system as a whole, and the rights and freedoms of citizens in particular. We believers find ourselves here in the position of citizens completely without rights, whereas atheists, as such, are endowed with absolutely limitless possibilities.

For instance, the Draft Constitution (in Art. 34) proclaims the equality of citizens before the law, "without distinction of origin ... sex ... education ... attitude to religion" and so on, and then in Art. 6 it maintains:

> "The leading and guiding force of Soviet society and the nucleus of its political system, of all state organizations and public organizations, is the Communist Party of the Soviet Union."

Thus, the Constitution sets aside an absolutist position for the *fighters against religion*, and in this way is turning the whole country into a state of a specific type, a theomachistic state, which means – without equal rights for all.

Why do we say "fighters against religion"? Because the Communist Party is essentially atheistic, and because in its Rules it states as obligatory for members:

> Art. 2. "A member of the Party is obliged ... d) ... to lead a resolute fight against ... religious prejudices ..."

This inequality is found in other articles of the Draft of the Constitution. For instance, the rights in Art. 50 can be enjoyed only by atheists. It says:

> "... in order to strengthen and develop the socialist system, citizens of the USSR are guaranteed freedom of speech, of the press, and of assembly ... Exercise of these political freedoms is ensured by putting public buildings, streets and squares at the disposal of the working people and their organizations, by broad dissemination of information, and by the opportunity to use the press, television and radio."

All these rights are guaranteed only in order to strengthen the socialist, which means atheistic, system, since socialism, in accordance with the prevailing ideology of our country, is seen as the first phase of the construction of a godless society, for which religion is a "drug" and "the opium of the people". (Of course, as Christians, we consider these definitions to be untrue and blasphemous.) In these conditions, the very existence of believers is regarded as a hindrance in the way of the goal, and every attempt to actively spread religion – as a deliberate attempt to undermine and weaken the socialist system.

Therefore, there can be no discussion about believers making use of this set of constitutional rights, which it grants exclusively in the interests of strengthening the socialist system.

By entrusting the sceptre of supreme power to atheism, the Constitution again consolidates the priority of atheism over religion, the superiority of unbelievers over believers and the power of the Party over the Church. And these advantages, which in point of fact are illegal, are used by atheism on the grandest scale possible. Otherwise, why is atheism found in palaces and Christianity in the camps? Why are atheists

the judges and Christians the accused? Atheism controls the state industry of propaganda, but believers are allowed only "to conduct worship". Why is atheism broadcast by television cameras and radio microphones, while the Church's mouth is gagged? Why, over a comparatively short time, in our brotherhood alone, were more than a thousand believers taken into custody? Why have we had recently more than ten martyrs for the faith? Why are there many thousands of copies of confiscated spiritual literature? And finally, why have dozens of prayer houses been seized, and why are there millions of roubles in fines?

Atheism, being an artificially constructed theory for the justification of sheer permissiveness, has already become compulsory dogma, authorizing the administrative fight of atheists against their fellow-citizens, who are believers. By this, millions of people, often against their conscience, are forced to lead a by no means ideological war against the Church and God and to accept on themselves the inevitable responsibility for the bad results of their own unfairness.

When, for a public servant or law-abiding citizen, the question of his relation to religion and to believers becomes a question of "to be or not to be", i.e. to become a member of the ruling body or to be forced out, – then already it is not the laws and ideas of humanity which take over, but atheist interests, and under the first requirement of the higher organs a public servant becomes a real persecutor:

the judge – without fail will condemn an innocent believer for his virtuous life;
the psychiatrist – will pronounce a believer mentally ill and place him in a special psychiatric hospital;
the teacher – will create an unbearable situation at school for children of believers;
the head of a college – will send down a student who will not renounce God;
the manager of an enterprise – will reduce the duties of a believer or dismiss him altogether;
the governor of a prison or camp – over and above the demand of the regime, will create intolerable conditions for the prisoner who is a believer;
the journalist – will write a libellous article about believers.

This is always the way, and at all levels. And everywhere there will be false justification and there will be no impartial investigation, for there is no impartiality!

And yet the founders and leaders of our State well understood what genuine freedom of conscience is. [Quotations from the works of V. I. Lenin, Vol. 12, pp. 143–145; from an article by V. D. Bonch-Bruevich (manager of *Sovnarkom* affairs under Lenin) *Collected Works*, Moscow 1959, Vol. 1, pp. 244–245 and others. *Ed.*]

However, the law of 1929 on religion encroached upon the life of the Church. It forbade church activities outside prayer buildings; it forbade material support for the faithful who are in need, and would not permit the publication of spiritual literature. The law laid the practical leadership of the Church on the atheist administration ... The slightest breach of this unjust law, and the law of criminal offence comes into force.

So the Church is placed in bondage to state atheism, and is subjected to persecution.

Three secret instructions (in 1931, 1961 and 1968) go even further in their violation of the rights and freedoms of believers. And a recent denial of their presence by such a respectable agency as TASS (*Izvestia*, 16 June 1977, No. 141, "Allegations which contradict reality") only proves the unlawfulness of their existence.

... In recent times special *commissions on religion* have been formed, which cover the whole country and penetrate the whole apparatus of state power. Together with representatives for religious affairs, these commissions spend all their time interfering in Church affairs, questioning and interrogating believers, investigating, tracking down and persecuting them.

The aim in practice of creating the commissions was to struggle against attempts at a manifestation of freedom in the official Church, and to suppress the uncensored Church.

Formally these commissions are con-

sidered voluntary, but everywhere they are headed by the vice-chairmen of local Soviets or by secretaries of executive committees. Members of town and district Party committees, workers of the KGB, the Procuracy, the militia, public health, education and so on participate in the work of the commission. Their tasks include "the implementation of constant supervision over the activities of religious organizations and the clergy". The commissions bring before the local Soviets (to which the very members of the commissions belong) for examination, proposals on "calling to account those guilty of breaking the laws on religion".

Firms, establishments, housing offices, street committees, educational institutions, trade unions and other organizations are ordered by these commissions systematically to follow all believers, wherever they go.

Thus, the vice-chairman of the executive committee, L. Arkhipkina, in her article "Protecting rights" (in the magazine *Zarya*, January 1973) wrote:

> "The commission has a plan of action regarding believers. Individual believers are assigned to each one of its members. The commission has a photograph of each believer, on which is shown his nationality, age, address, where he prays and so on. This enables them to know what the believer does, and when and where."

This is the content of one directive from such a commission, sent to firms in Kharkov:

> "To the secretary of the Party organization.
>
> To the chairman of the Local Factory and Works Committee.
>
> In order to control the observance of religious laws, we ask you to produce lists of believers who work in your factories. The lists should show: full name, date of birth, profession, religious denomination, and any sign of violation of the laws on religion, as at 1 Dec. 1973.
>
> It is essential also to indicate what changes occurred in 1973, amongst the staff who are believers. We ask you to report in addition possible changes for 1974, with regard to the above questions.
>
> The lists should be presented not later than 10 Dec. 1973 to the chairman of the Commission on the Observance of Laws on Religious Cults.
>
> Secretary of the executive committee – Chairman of the Commission on Religious Cults for Kharkov, in the Oktyabrsky district.
>
> KASHINA"

How can one combine this lack of rights and the persecution of believers with such promises as this:

> "Now the time will come, and it is not far off, when all will have the full right to believe what they like, to have whatever religion they choose. The time will come ... when the Church shall be completely separate from the State. All will have the right to freedom of assembly, to free speech, and to preach anywhere, whatever they like. Everybody will have the right to publish and distribute world-wide whatever he wishes." (V. D. Bonch-Bruevich, *Collected Works*, Vol. 1, pp. 189–199, Moscow, 1959.)

Life shows that these promises, the recent Helsinki agreement and the International pacts on rights, which have legal force – all this is powerless before the all-destructive practice of atheism. In destroying in man the commandment "Thou shalt love the Lord thy God", atheism cannot help but also destroy the other commandment connected with it, "Thou shalt love thy neighbour as thyself". And when denial of God and of human dignity exists on a mass-scale, then every positive law will lose its power.

In this connection, we cannot remain silent about the most terrible method of pressure on the Church – the KGB's widespread penetration of it in order to gain control of the Church's leadership from within.

This forcible infiltration was started at the end of the 1920s, but it grew during the period of mass repressions and particularly during and immediately after the war. More than 40 years were spent on this systematic operation, while servants, who agreed to collaborate with

the KGB and the SPDR, were securely placed in nearly all responsible parts of the official Church, the leadership of which is now in full union with these organs and under their definitive control.

They are all obliged to conceal their union behind a dense curtain of secrecy, for they well know that such collaboration is considered a crime by believers and non-believers alike.

Under these conditions, our brotherhood, which, having cleared its conscience by penitence, at the cost of many victims, remains on the path of independent service to God, is considered by the organs of the KGB and the SPDR to be a dangerous temptation to others, and to threaten loss of control over the Church as a whole. Therefore, all their efforts are presently being thrown into placing our brotherhood in a similar position of dependence on atheism.

Although we consistently remain loyal and keep a positive attitude towards the State as such, at the same time, we are obliged to renounce the unlawful collaboration imposed upon us, testifying in this way that we are renouncing it not out of stubbornness, but insofar as otherwise it would tragically predetermine our eventual fate as Christians, and our faith would lose all meaning.

All the above-stated testifies that constitutional discrimination against believers, anti-church laws, acts under the law, the Council for Religious Affairs, the special commissions on cults and the KGB – all this is enlisted in order to conduct the struggle with religion purely administratively. And the result is constant oppression of believers everywhere.

Realizing the seriousness of the problem, caused not through the fault of believers, we all however see the urgency of its solution. And we see this solution in constructive measures for the restoration of real freedom of conscience for citizens, which can only be attained:

by abolishing the discriminatory laws on religion;
by disbanding the anti-religious commissions;
by an unconditional renunciation of control over the Church, by any state organs – in favour of church independence and self-government.

We consider that such a step will have only positive consequences for the State and society, and we think that the new Constitution should create the prerequisites for this.

We suggest also that the following principles be confirmed constitutionally:

1. Citizens of the USSR are guaranteed freedom of conscience. In relation to religious and atheist ideology, the State is neutral.
2. Religious and atheist societies and unions are independent of the State and enjoy the status of private societies, with the right to own social property.

   The creation, activities, and propagation of ideas of such societies, are permitted without hindrance, as long as they are not accompanied by a breach of the state code which is the same for all citizens.
3. Schools (including higher schools) are neutral in relation to religion and atheism. Citizens are provided with knowledge of atheist ideology on a faculty (voluntary) basis.

With respect

COUNCIL OF CHURCHES OF EVANGELICAL CHRISTIANS AND BAPTISTS

14 August 1977