# HUMAN RIGHTS IN TWO ORTHODOX OFFICIAL DOCUMENTS – A PUBLIC THEOLOGY ACCOUNT

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**ABSTRACT: Human Rights in Two Orthodox Official Documents – A Public Theology Account.**
This paper represents a critical analysis of Eastesrn Orthodox perspective on Human Rights in two important official documents issued by some of the most prominent patriarchates: Moscow and Constantinople. They are compared and looked at from a public theology's point of view as outlined by Max Stackhouse. At the same time, in this article it will be emphasized the fact that the same Eastern Orthodox theological tradition is to be credited for two significantly different approaches on the topic at hand. The recorded differences are to be interpreted in such a manner as to account for a possible paradigm shift in Orthodox "rights talk". But this shift is more evident in contact with Western environment where the Eastern Orthodox Christian tradition is just one of the religious and public voices in a pluralist, globalized and secularized society.
**Keywords:** *dignity, freedom, human rights, Eastern Orthodoxy, public faith.*

## Introduction

From a Christian point of view, human rights notions revolve around the inalienable human dignity subsequent to the creation of the human being in God's image. There was much debate and discussion on human rights in the Eastern Orthodox context[1] – especially stirred by the documents issued

1 See, for example, the collection of articles edited by Alfons Brüning and Evert van der Zweerde, *Orthodox Christianity and Human Rights* (Leuven, Peeters, 2012) published after Russian Orthodox Church issued two important documents on this topic. Or one acclaimed recently published book, edited by Elisabeth-Alexandra Diamantopoulou and

by the Russian Synod – some voices suggesting even that "Orthodoxy is incompatible with democracy as well as with the norms of Human Rights"[2]. This allegation might echo a more general indictment that deplored "the lack of social engagement, contemplative seclusion and the isolation [of the Eastern Orthodoxy] from the rest of the world"[3].

This paper will try to bring together – in a comparative view – two orthodox perspectives as expressed mainly in two documents issued by the Holy Synod of Russian Orthodox Church (ROC) (though in the focus will be *The Russian Orthodox Church's Basic Teaching on Human Dignity, Freedom and Rights*[4] there will be some references to the previews *Bases of the Social Concept of the Russian Orthodox Church*[5]), and a recent publication endorsed and approved[6] by the Ecumenical Patriarchate (EP) (*For the Life of the World. Toward a Social Ethos of the Orthodox Church*[7]). The reason for this approach is that, although the Russian stance in the human rights debate is

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Louis-Léon Christians, *Orthodox Christianity and Human Rights in Europe: A Dialogue between Theological Paradigms and Socio-Legal Pragmatics* (Bruxelles, Peter Lang, 2018).

2 Alfons Brüning and Evert van der Zweerde, „Introduction: Orthodox Christianity and Human Rights – An Ambiguous Relationship", in *Orthodox Christianity and Human Rights*, p. 10.

3 Radu Preda, *Ortodoxia și ortodoxiile. Studii social-teologice*, Cluj-Napoca, Eikon, 2012, p. 188.

4 The Romanian version used to study the document can be read in Radu Preda, *Ortodoxia și ortodoxiile*, p. 265-293 (*Bazele doctrine Bisericii Ortodoxe Ruse despre demnitate, libertate și drepturile omului*, trans. Dumitru Cotelea). However, the quotations were taken from *The Russian Orthodox Church's Basic Teaching on Human Dignity, Freedom and Rights* (BTHDFR from now on), available at https://old.mospat.ru/en/documents/dignity-freedom-rights/, accessed on 20 august 2021.

5 Although the Romanian version is available (*Fundamentele concepției sociale a Bisericii Ortodoxe Ruse*, trans. Ioan I. Ică jr, in Ioan I. Ică jr, Germano Marani, *Gândire socială a Bisericii. Fundamente, documente, analize, perspective*, Sibiu, Deisis, 2002, p. 185-266), for the quotations in this article, I relied on the English version, *Bases of the Social Concept of the Russian Orthodox Church* (BSC from now on), available at http://orthodoxeurope.org/page/3/14.aspx, accessed on 20 august 2021).

6 As confirmed by the Protocol No. 840/2019 (available at: https://www.goarch.org/documents/32058/5149465/Social+Ethos+Patriarchal+Endorsement.pdf/2320f220-2f4e-4654-a609-b419aa3e9bf5, accessed on August 25 2021).

7 There is a Romanian translation of this document (), but here we will use the online version of it *For the Life of the World. Toward a Social Ethos of the Orthodox Church* (FLW – in this paper), available here: https://www.goarch.org/social-ethos#, (accessed on August 25, 2021)

already well-known and fueled a lot of reactions as already mentioned, *For the Life of the World* appears to envisions a rather different approach in an official Eastern Orthodox document. By comparing the positioning of the (probably) most visible Eastern Orthodox patriarchates, there can be discerned important differences between two paradigms that developed in the same broad eastern Orthodox tradition but within very different immediate contexts. The same differences could also be interpreted as a possible paradigm shift that emerged as a consequence of what may be considered a more contemporary approach assumed by some theologians that had to deal with the reality of Orthodoxy as a minority in the West and in a global, complex and secularized world. Although one could underline the imbalanced amount of available material – since the ROC Synod produced an extended document on human rights specifically, while in EP's document there is only one chapter on the subject – there is nevertheless enough material to hint some important similarities and dissimilarities.

After discussing the most important themes in each document, it will follow a brief critical evaluation based on a public theology's perspective as expressed by Max L. Stackhouse, who also reflected on these specific topics from a protestant perspective.

## Some presuppositions for the discussion

In the Eastern Orthodox world and especially in the ex-communist countries, "human rights became… the intersection point between Church… and democratic post-communist state(s)" in their process of legislative reconstruction[8]. It is also important to note, for Eastern European part of the world, "the fact that majority-Orthodox countries quite often have been judged for religious freedom violations by the European Court of Human Rights"[9], and Romania or Russia are among champion countries when it comes to reparations they had to pay after the ECHR decisions[10].

At the same time, it must be acknowledged the negative connotation and effect that the discussion about human rights can have in these coun-

8 Radu Preda, *Ortodoxia și ortodoxiile*, p. 117.

9 Päivi Billie Gynther, *Review: Orthodox Christianity and Human Rights in Europes*, available at: https://publicorthodoxy.org/2020/01/10/orthodox-christianity-and-human-rights/, accessed on 25 august 2021.

10 Radu Preda, *Ortodoxia și ortodoxiile*, p. 171.

tries. For example, the use of the human rights language by the western Christians (especially from evangelical background) and by their brothers (whom they used to help) in Romania, Russia, Ukraine and others was sometimes considered just a coverup language for the unprincipled practices of proselytism[11]. Although it might be true, the questionable morality of this minorities' behavior does not suppress their right to exist and to express themselves. By contrast, for those minorities, this rights language and all the western pressure for religious freedom was a real necessity.[12] Nevertheless, in this context, if the ideological use of rights is added to the image, this would result in a "negative effect" that consists in eroding "of the real and necessary authority of human rights"[13].

Such a positioning has complex underlying causes. In the background one can suspect the famous Byzantine *symphony*, when the Church was entitled to propose if not to impose the public morality and, consequently, to regulate some of the rights in general society and which ROC seems to be nostalgic about[14] (a nostalgy that EP openly dismisses – FLW, § 10.) But there can also be traced here the intertwined religious-national identities, because in those of East-European countries where dominant, Orthodoxy was at least instrumental in forging such an identity, a fact that is strongly emphasized even on the expense of compromising the biblical teaching by giving in to the heresy of phyletism.[15]

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11 Radu Preda, *idem*, p. 175.

12 As signaled by – among others – Peter Kuzmič, "Christianity in Eastern Europe. A Story of Pain, Glory, Persecution, and Freedom", in Charles Farhadian (ed.), *Introducing World Christianity*, Oxford, Wiley-Blackwell, 2012, p. 77-90. "Protestant churches are small minorities in most of these nations and are in general looked upon with suspicion as adherents of the radical movement that in the past has divided Christendom, and as modernized, Western faith, and thus foreign intrusion tat in present, in its various forms, threatens the national and religious identity and unity of the people. Democratically and ecumenically illiterate clergy, with intolerant militant fanatics among them and in their flocks, are fiercely opposed to evangelizing and evangelicals and their Western partners for they view them as disruptive sectarians involved in dangerous proselytizing and unpatriotic activities" (p. 87).

13 Radu Preda, *idem*, p. 176.

14 Cf. Cyril Hovorun, "Is the Byzantine 'Symphony' Possible in Our Days?", *Journal of Church and State*, January 24, 2016, p. 1-2.

15 See, for example, the analysis of the national identity discourse of Romanian Orthodox Church in Adrian Velicu, *The Orthodox Church and National Identity in Post-Communist Romania*, Cham, Palgrave Macmillan, 2020.

It is widely known and accepted that "the Orthodox theology did not follow… the same route of modernity", because its own different historical development(s)[16]. Nevertheless, it does not mean that Orthodoxy was not at all in contact with modern thought, but it meant that it had to deal only with certain aspects of modernity and that it followed a path that was almost completely different from that of Latin Christianity.

Another objection conveyed by the „Orthodox detractors of human rights… [is] that it [the concept] is inherently linked with a nonrelational, autonomous, individualistic understanding of the human person that does not resonate with experience."[17] In other words, the rejection of the human rights notion and language may, in fact, account for the rejection of a philosophy (or philosophies) that diminishes and twists the Christian concept of person.

If this is the case, although it can look as going against the liberal democracy's ethos, basically, the opposition of Orthodox Christianity could aim to restore the fullness of person as God's image – as understood in Eastern Orthodox tradition of the Church, because "humans were created for more than human rights, and that human rights language has the potential to obfuscate this human destiny for communion with God and with others."[18] However, this is not to say that it might be justifiable to throw away the liberal democratic values altogether, but only to mark also the positive aspect that underlies different Orthodox stances – conflicting with Western thinking – on this sensitive topic.

As already noted, another reason orthodox believers tend to reject the universality of human rights was the perception of it as a secular or liberal Western Concept.[19] But the direct contribution of Christians to the post-WWII effort to prevent any possible barbarism similar to Nazism and the effective ethical, intellectual and popularizing the Universal Declaration of Human Rights has been already documented in details.[20]

16 Preda, idem, p. 189.

17 Aristotle Papanikolaou, *The Mystical as Political. Democracy and Non-Radical Orthodoxy*, Notre Dame, University of Notre Dame Press, 2012, p. 88.

18 Papanikolaou, *The Mystical as Political*, p. 92.

19 Alfons Brüning and Evert van der Zweerde, *cit.*, p. 4-5.

20 Cf. Scott R. Paeth, E. Harold Breinteberg jr, Hak Joon Lee (ed.), *Shaping Public Theology. Selections from the Writings of Max L. Stackhouse*, Grand Rapids, Eerdmans, 2014, p. 273.

It has also been said that behind Russian Orthodox elaboration of a document on human rights, there was an intention "to make new claims in public sphere" and also to put a stronger foot in the negotiation ground with the "global modernity", reclaiming a moral authority (that can be acknowledged only in its context) for a possible response to Western secularism.[21]

These are some of the premises we must have in mind when reading the documents issued by the two Orthodox autocephalous churches.

## ROC's stance on human rights

It is from the very beginning of its document that ROC defines "human rights" in a very religious perspective, announcing the tone for the entire document: "human rights protection is often used as a plea to realize ideas which in essence radically disagree with Christian teaching" (BTHDFR – introduction). The two pillars on which human rights stand are human dignity and freedom.

## Dignity

Although the human dignity is grounded in the fact that "God not only created human nature but also endowed it with qualities in His image and after His likeness" (BTHDFR, I.1) – and thus, the human dignity seems to be the result of creation itself – it will soon turn out that "the notion of 'dignity' has first of all a moral meaning, while the ideas of what is dignified and what is not are bound up with the moral or amoral actions of a person and with the inner state of his soul", "while dignified life is related to the notion of God's likeness achieved through God's grace by efforts to overcome sin and to seek moral purity and virtue" (BTHDFR, I.2).

The implications derived from this interpretation are problematic at multiple levels, but what seems to deny is "full equality and dignity of each human person created in the image and likeness of God" (FLW §29). Building on a subtle and slippery overlapping between dignity as inherent quality, on the one hand, and as an achieved virtue, on another, ROC's

21 Agadjanian, Alexander, „Liberal Individual and Christian Culture: Russian Orthodox Teaching on Human Rights in Social Theory Perspective", in *Religion, State & Society*, vol. 38, No. 2, June 2010, p. 98-99.

document seems to imply that only those who are actively seeking a restored likeness could attend the full human dignity. But such a view poses important theological and anthropological challenges since the road from image to the likeness could be described basically as *theosis*. On the other hand, the image of God talks about dignity, whereas the likeness is about his ethical duty.[22] We could suspect than a confusion between image and likeness. And if this is true, then only Christians appear qualified to possess the genuine human dignity. Further on, the ROC's document uses an interesting but muzzy word play when it tries to equate the noun 'dignity' with the qualificative 'dignified'. The possible consequences of this sort of reasoning could be underlined when we try to determine what is the base for any right of a human being that does not act dignified. Can we recognize some rights to a murder or a thief? Maybe in an attempt to foresee some possible objections, the Russian Synod conceded that:

> A morally undignified life does not ruin the God-given dignity ontologically but darkens it so much as to make it hardly discernable. This is why it takes so much effort of will to discern and even admit the natural dignity of a villain or a tyrant. (BTHDFR, I.4)

We are not told if this effort is concluded by an acknowledgement of the God-given dignity or by a doubtful reasoning that tolerate a different allegation.

Adding another layer to this peculiar definition of dignity, this chapter ends with a puzzling conclusion:

> According to the Orthodox tradition, a human being preserves his God-given dignity and grows in it only if he lives in accordance with moral norms because these norms express the primordial and therefore authentic human nature not darkened by sin. Thus there is a direct link between human dignity and morality. (BTHDFR, I.5)

Although the "sin" is mentioned in the paragraph quoted above, there is no clue of "repentance", "redemption", "forgiveness", "grace" or "salvation" needed although these are the usual correlatives of sin in theologically informed discussions. As for morality, it seems to function as an immediate

22 Cf. Emil Bartoș, *Conceptul de îndumnezeire în teologia lui Dumitru Stăniloae*, trad. Corneliu Simuț, Oradea, Cartea Creștină, 2002, p. 202-204.

indicative of dignity regardless the convictions that back a specific moral behavior. Based on this elusive wording, one may presuppose that morality could be projected as a way out of the sinful state of human being. This pitfall will be nevertheless avoided by asserting that society is not capable of instilling morality, as we shall see, but it still seems to be a requisite condition.

## Freedom

Like dignity, freedom is defined theologically, as "one of the manifestations of God in human nature" (BTHDFR II.1), but is qualified in similar manner to employ that "only those are truly free who take the path of righteous life and seek communion with God, the source of absolute truth" (BTHDFR II.3). This means that freedom is only freedom for goodness and "this freedom will inevitably disappear if the choice is made in favor of evil". ROC goes even as further as to assert that "[t]he social system should be guided by both freedoms [freedom of choice and freedom from sin], harmonizing their exercise in the public sphere" (BTHDFR II.2). One can ask whether there is any distinction between the *modus operandi* of a social system and that of the church, respectively, with regard to human freedom. In fact, the entire document seems to significantly obscure the limit between church and society.

When pretending that an "individual should reconcile his freedom with…. the category of doctrinal and moral tradition", the entire discussion seems moves closely towards the ecclesiastical body. It appears legitimate to raise the question how an atheist or an agnostic can reconcile his/her freedom of choice with a doctrinal and a moral tradition that he or she doesn't share, considering, at the same time, that "no human institutions, including various forms and mechanisms of the socio-political order, can in themselves make people's life more moral and perfect" (BTHDFR III.2). The morality appears to be required and its possibility in social context denied at the same time.

Ironically, when proclaiming the freedom of consciousness, ROC considers that: "Some ideological interpretations of religious freedom insist on the need to recognize all the faiths as relative or 'equally true'. This is inacceptable for the Church which, while respecting the freedom of choice, is called to bear witness to the Truth she cherishes and to expose its mis-

interpretations." (BTHDFR IV.3) Of course, such a view is far from The Universal Declaration of Human Rights, affirming that "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."[23] In these documents, ROC seems to projecting itself as the single trustee of Christian Truth on its jurisdiction. And as such, it can preclude other Christian groups from equal rights based on its definition of what is correct and what is wrong in that territory.

It might be added that such a perspective seems to be drawing upon some kind of intrinsic dominant or influent position in society and in privileged relation with the state. When the church can suggest a course of action rooted in Christian beliefs for the larger society and it can also call in the state and the worldly powers one can presuppose an institutional or a moral vantage point that is acknowledged or implicitly claimed in a given society. And such a claim is even more evident in another document issued by the same Synod, where the Russian Orthodox Church is described as a partner of the State and the nation, under certain conditions: "Church-state co-operation should be realized on the following conditions: the Church's participation in the work of the state is correspondent to her nature and calling; the state does exercise dictate in the Church's social work; and the Church is not involved in the spheres of public activity where her work is impossible for canonical and other reasons." (BSC, III.8)

## Ecumenical Patriarchate on human rights

Although the Russian Synod pretends to be in continuity with the ancient Orthodox tradition when it drew out these documents, it is noteworthy to point out that from the same tradition a different approach developed. And, in spite of the fact that is quite unique in official documents, there are also theologians that embrace this new perspective.

A different approach can be identified in *For the Life of the World*, where human rights are clearly related to dignity, freedom and democracy, "a very rare blessing indeed, viewed in relation to the entire course of hu-

23 The Universal Declaration of Human Rights, art. 18 available at: https://www.un-.org/sites/un2.un.org/files/udhr.pdf, accessed on August 26 2021.

man history, and it would be irrational and uncharitable of Christians not to feel a genuine gratitude for the special democratic genius of the modern age" (FLW §10). There is an undeniable preference for democracy here, contrasting the ROC stance according to which "the Church does not give preference to any social system or any of the existing political doctrines." (BSC III.7)

Since Orthodox Christians shouldn't "fear the reality of cultural and social pluralism", they "should support the language of human rights, not because it is a language fully adequate to all that God intends for his creatures, but because it preserves a sense of the inviolable uniqueness of every person, and of the priority of human goods over national interests, while providing a legal and ethical grammar upon which all parties can, as a rule, arrive at certain basic agreements." This language is to be seen as a solution for the divisions caused by political and even religious perspectives, a language that "has the power to accomplish this with admirable clarity" the preservation of human dignity and freedom in a just society (FLW §12).

Freedom is a close correlative of dignity. To be sure, the perfect freedom is conveyed in a theological frame:

> To be fully free is to be joined to that for which one's nature was originally framed, and for which, in the depths of one's soul, one ceaselessly longs. The conventions of human rights cannot achieve this freedom for any of us; but those conventions can help to assure individuals and communities liberty from an immense variety of destructive and corrupting forces that too often conspire to thwart the pursuit of true freedom. (FLW §62)

But FLW acknowledges a "negative liberty" and, at the same time, stands for a set of "basic freedoms, such as freedom of conscience, freedom of thought, freedom of speech, freedom of the press… freedom of association, freedom of religion… freedom of workers to form unions, freedom from all forms of forced labor (even for those in prison)… freedom from discrimination in housing or employment on any basis" and so forth – and these freedoms must not be Christianized, but protected as such by the states (FLW §63).

Definitely, the human rights as conventions have their own shortcomings – when compared with Christian goals – since they "cannot accomplish or even address everything that the Orthodox Church desires for

human beings", and still the language of human rights is "a usefully concise language that can help to shape and secure rules of charity, mercy, and justice that the Church regards as the very least that should be required of every society; and so it is a language that must be unfailingly affirmed and supported by all Christians in the modern world" (FLW §63).

In spite of the fact that this concept admits higher qualification, it has to be seen also as a baseline, as a minimum that Christian must respect, affirm and actively support. One must not be moral in order to have his dignity acknowledged. On the contrary, the EP's document insists on abolishing torture or death penalty, admitting the necessity of imprisonment for those who can cause harm to others (FLW §48, 49).

Because it tries to elaborate a general social ethos, *For the Life of the World* does not allot extensive space for the "rights talk". But the clues brought together above point to a different perspective, one that delineate more clearly the fact that Christians must support the human rights even if these are weaker version of what lays ahead of human being if the Christian pathway is followed.

EP's document (FLW) seems to be also more in tune with the conclusion of Holy and Great Council of the Orthodox Church (Crete, 2016), in which human rights are regarded in a significantly different light:

> The Orthodox Church confesses that every human being, regardless of skin color, religion, race, sex, ethnicity, and language, is created in the image and likeness of God, and enjoys equal rights in society. Consistent with this belief, the Orthodox Church rejects discrimination for any of the aforementioned reasons since these presuppose a difference in dignity between people.
>
> The Church, in the spirit of respecting human rights and equal treatment of all, values the application of these principles in the light of her teaching on the sacraments, the family, the role of both genders in the Church, and the overall principles of Church tradition.[24]

Surely, this document does not include an attempt to define more accurately what human rights presuppose, but we can see, nevertheless, a

24 „The Mission of the Orthodox Church in Today's World", https://www.holycouncil.org/-/mission-orthodox-church-todays-world, accessed on August 30, 2021.

different attitude behind the quoted paragraphs. And this kind of attitude also pervades the EP's document.

## A critical evaluation

Protestant public theologian Max L. Stackhouse noticed that "some oppose the idea of human rights, one of the pillars of democracy, claiming that its implicit assumption—that humanity consists of autonomous individuals—is a modern secularist invention"[25] which seems to be the case of ROC's position. And even more specifically, theorist had noticed that in place of Soviet Union we have "a Russia that in public statements identifies itself quite explicitly with Russian Orthodoxy"[26]. This identification could be responsible in part – at least – for the ROC's positioning.

For the future of democracy, human rights, based on God's image, represent a fundamental pillar alongside with the conviction that "God calls each person to live a godly life that is manifest in the development of excellence in all areas of worldly life"[27]. Based on what we already discussed about BTHDFR it seems that ROC does not endorse a notion of universal human rights but a rather limited notion that includes only those citizens able to attest a dignified moral life. If this is the case, then not only the "rights talk" is hindered, but the idea of pluralism is subverted. Since there is no real backing for a notion of dignity that grants an inalienable rights to all human beings, the foundation for a genuine pluralism is shaken. And because the concept of dignity is monopolized by the Orthodox view in an Orthodox majority country, virtually no other definition could be accepted and promoted in society which can lead to undermining the very notion of religious pluralism. In any case

> The Judeo-Christian tradition offers two deeply rooted biblical themes that undergird the "principled pluralism" that presses society toward the kind of democracy that is the necessary supplement to the idea of the image of God, on which human rights

25 Max L. Stackhouse, "Public Theology and Democracy's Future", in *The Review of Faith & International Affairs*, 2009, 7:2, p. 49.

26 The observation belongs to Samuel P. Hantington. Michael Cromartie (ed.), *Religion, Culture, and International Conflict A Conversation*, Lanham, Rowman & Littlefield, 2005, p. 2.

27 Max L. Stackhouse, "Public Theology and Democracy's Future", p. 52.

> rest, and to the idea of vocation, on which professional integrity rests.[28]

While rightfully signaling "that human rights are often violated in the modern world and human dignity is trampled down not only by the state authorities but also transnational structures, economic actors, pseudo-religious groups, terrorist and other criminal communities" and emphasizing "that human rights and dignity have to be defended against the destructive aggression of the media", ROC seems to extend its legitimate care for the citizens in a rather nationalistic direction that has to do with "[p]rotecting the rights of nations and ethnic groups to their own religion, language and culture" and in a vaguely defined opposition to "the actions of destructive cults" (BTHDFR V. 2.).

The consequence is that because of this approach, ROC seems to fall close to the category of those who "that considered the 'us' to be the only 'all,' denying rights, even the term 'humanity,' to any outside the 'us.'"[29]

One of the most important things that ROC criticizes about the human rights is their secular individualistic emphasis that either "turned into a notion of the rights of the individual outside his relations with God (BSC IV.7) or is jeopardizing "the unique way of life and traditions of the family and for various religious, national and social communities" (BTHDFR IV.9). Stackhouse, on the other hand, underlines the "profound individualism" that can secure "moral inviolability of each person" and links this to "a certain 'soul sovereignty' with regard to individual human rights that, if denied, leads to dehumanization of humanity"[30]. Basically, this *individual* accent is needed in order to protect from communitarian unjust intrusions and abuses, and also to ensure the necessary freedom of choices regardless of one's tradition and peer pressure group. It sets a limit to any kind of coercive action whether we speak about punishment for a crime or converting to a different religion or following a vocation or marrying a person that is not acceptable in one's family view. This goes explicitly against ROC's

28 Max L. Stackhouse, "Public Theology and Democracy's Future", p. 54.

29 Max L. Stackhouse, „Reflections on the 'Universal Absolutes'", in *Journal of Law & Religion*, vol. 14, nr. 1 (1999-2000), p. 104, n. 11.

30 Scott R. Paeth, E. Harold Breinteberg jr, Hak Joon Lee (ed.), *Shaping Public Theology. Selections from the Writings of Max L. Stackhouse*, Grand Rapids, Eerdmans, 2014, p. 279.

attempt to safeguard Orthodox tradition against sects and cults that could have the opportunity to be active on Russian territory. Similar concerns were also expressed with regard to Romanian context in post-communist years.[31] The non-Orthodox religious organizations were described as alien, competing or making proselytism. Although, the moral aspect of those practices is debatable, the individual right to choose what to believe should not be limited based on ethical practice of a specific religious groups. The warning signs are to be in moral and religious areas.

From an evangelical point of view, if a given society is capable to "establish mechanisms restoring harmony between human dignity and freedom" (BTHDFR III.1), it might blur the distinction between church and society or between citizens and believers. This idea is somehow clarified later, when the document states: "No human institutions, including various forms and mechanisms of the socio-political order, can in themselves make people's life more moral and perfect and eradicate evil and suffering. It is important to remember that public and social forces have a real power and duty to stop evil in its social manifestations, but they cannot prevail over sin as its cause." (BTHDFR III.2). But the solution to this problem, namely the "personal religious life", although consistent with the last statement, seem to be in contradiction with the idea of a society able to restore de harmony between dignity and freedom unless the society is, as a whole, a Christian one.

In the end, it might be useful to notice that not only theologians from a protestant tradition criticize the sort of stance ROC is affirming. The Greek theologian Pantelis Kalaitzidis, an Orthodox himself, conceded that "the culture of human rights seems, indeed, to represents especially a challenged that historical and real Orthodoxy, as well as orthodox theology, were not able to take and answer always in an affirmative manner", and, in fact, this culture seems to be absent from Eastern Orthodox countries.[32] Likewise, after arguing that the idea of rights must be theistically grounded, Aristotle Papanikolau asserts that "the Orthodox notion of divine-human communion… actually implies the rhetoric of huma rights" event to

31 See, for example, Radu Preda, *Biserica în Stat. O invitație la dezbatere*, București, Scripta, 1999, pp. 54-56, where the authors talks about „sects".

32 Pantelis Kalaitzidis, *Ortodoxie și modernitate. O introducere*, trad. Florin-Cătălin Ghiț, Cluj-Napoca, Eikon, 2010, pp. 45-46.

the point "that Christians promote a space that maximizes the conditions for the possibility of rejecting God" granting thus religious freedom. In a direct critique of ROC's document, Papanikolau breaks the link between dignity and morality, considering that dignity is linked to our uniqueness which is derived from being loved by God. He concludes:

> Recognizing that political communities are necessitated in part because of sin and fear, Orthodox can, and indeed must, endorse human rights talk, since human rights structure relations in such a way that humans are treated as unique and irreplaceable, thus mirroring sacramental communities. In other words, human rights can be considered a practice that realizes uniqueness and irreducibility, even if to a lesser degree than what is possible.[33]

## Conclusion

In this paper, there were analyzed together to Eastern Orthodox perspectives on human rights. The overtly assumed intention was to point similarities and dissimilarities that can emphasize significant differences in the working paradigms of the two bodies that issued the documents. As we saw, the ROC's document strongly connects human dignity, human freedom and morality, lending a religious frame to the discussion about human rights. This approach proved to have significant problems: dignity seemed dependent upon acting morally dignified, freedom was only for doing acts of goodness, and human rights appear to be granted only to those that accept a Christian world view and act towards having a relationship with God. As a consequence, dignity and freedom was basically refused to atheist or agnostics. Furthermore, the minority religious groups seem also to be imperiled by such a view, since they could be ranged as sects or cults. In a way, we can talk about an attempt to monopolize the "rights talk". Although some merit could be found in this reasoning – namely a defense against harsh individualism or secularism – the overall aspect of this paradigm has important pitfalls.

A more balanced approach was identified in EP's document. Although it sprang from the same Eastern Orthodox tradition, the importance of democratic and pluralist ethos was clearly emphasized. Dignity and freedom are not defined in a religious exclusivist manner, even if they

33 Aristotle Papanikolaou, *cit*., pp. 117, 130.

admittedly have an important theological dimension. Nevertheless, the governments are to secure human rights for every citizen, irrespective of their social or moral status – wrongdoers have their rights too.

From a public theology point of view – as put forward by Stackhouse – the human rights have Christian roots and must be supported by every Christian believer. Even individualism is connected to a necessary soul sovereignty that must be preserved. And a similar view was embraced also by Orthodox theologians, signaling a possible change of paradigm that is drawing upon the same Eastern Orthodox theological tradition that at times seemed to be incompatible with democracy and democratic values.

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