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POSTSECULAR CONFLICTS IN THE CONTEXT OF RECONSTRUCTION OF NATIONALISMS IN THE STATES OF THE BALTIC – BLACK SEA – ADRIATIC TRIANGLE

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Abstract: The article focuses on the main trends in the development of state-religion relations in the era of post-postmodernism as represented at the International Conference "Balkan and Baltic States in United Europe – History, Religion, and Culture IV: Religiosity and Spirituality in the Baltic and Balkan Cultural Space: History and Nowadays" (November 11–13, 2020). The article aims to define and analyse postsecular conflicts that are manifested in the construction of new nationalisms in the countries of the Baltic – Black Sea – Adriatic Triangle. The main problem is the ascertainment of the primary trend in transforming religion-state relations in the transition

to post-postmodernity. The research methodology is the differentiation and systematisation of conflicts as markers that characterise the sociocultural crisis that erupted in the twentieth and twenty-first centuries. The concept of conflict is understood as a discrepancy, contradiction, and clash of positions that not only form new foundations of sociocultural and political discourse about the norm of religion-state relations but also influence the establishment of new trends in the formation of the legal basis for the statuses of religious organisations. As an empirical basis for the research, some countries' regulatory legal acts in the region under study are used, along with data and maps of well-known research centres.

Keywords: Baltic – Black Sea – Adriatic Triangle, conflicts, post-postmodernism, postsecularism, state-religion relations, state policy, statuses of religious organisations

Introduction

Europe is renewing itself. The utilitarian need to maintain economic development pace dictates demographic replacement measures of a declining population, immigration, and cultural policies that cause conservative resistance within the nation-states. This situation is demonstrated by the situation in Europe and, especially, in the Baltic – Black Sea – Adriatic Triangle countries, where in recent decades there has been a struggle between the ideas of European postmodernism and national modernity. The coming cultural wave – a new modern, destroying the past and forming a new metatheories system – recognises as a dissent the attempts of the liberal postmodern to promote the themes of recognition of absolute diversity. Increasingly, postmodernity is recognised not as a fixed chronological phenomenon but as a spiritual state of transition that accompanies the end of any era and its discursive rethinking.

Furthermore, if for treatment in medicine ligatures are used – threads connecting a blood vessel – then the tasks of overcoming the historical transition explain the search for ligatures that will connect with the "Other," who is essential for the dialogue. This search leads to the reaffirmation of religion. Therefore, desecularization processes – the restoration of the connection between the church, religious institutions, and political and state institutions – are becoming more in demand. Religious institutions acquire functionality in building the lost order, value hierarchy, and return to tradition, which is evidence of a conservative post-postmodern reversal, which corresponds to

the Hegelian scheme of "denial of negation": modern – postmodern – post-postmodern.

Our research aims are to identify and analyse the postsecular conflicts that are manifested in the construction of new nationalism in the countries of the Baltic – Black Sea – Adriatic Triangle. The research methodology is the differentiation and systematisation of conflicts as markers that characterise the sociocultural crisis that erupted in the twentieth and twenty-first centuries. We use the concept of conflict in order to emphasise the discrepancy, contradiction, and clash of positions that not only form new foundations of sociocultural and political discourse about the norm of religion-state relations but also influence the establishment of new trends in the formation of the legal and regulatory framework of the statuses of religious organisations. As an empirical basis for the research, we use the regulatory legal acts of some countries in the region under study and data and maps of well-known research centres.

Historical and theoretical foundations of the study

The twentieth century, which took place in the context of dialectical methodology against the background of the discourse "scientific materialism – religion – philosophy," experienced rationalisation, as indicated by Weber's metaphor about "disenchanting the world" (Weber 1993 [1963]: 61), and reductionism of religious and sociopolitical issues to biological and neuropsychiatric aspects. Then, as Robert Palmer noted in the Introduction to "Dionysus: Myth and Cult" by Walter Otto, call to "'kill (God) to dissect' ... burst into the field of Biblical Scholarship" (Palmer 1965: xii). Marxism's ideological antagonism to religious beliefs led to the formation of secular systems in which the state ideology became a religion.

Decades later, in the second half of the twentieth century, totalitarian ideologies and metatheories, like the Gods they killed, were subjected to deconstruction in the ideas of Michel Foucault, Jacques Derrida, Jean-François Lyotard, Jean Baudrillard (Seidman 1994). Niklas Luhmann and Jürgen Habermas believed that the logic of postmodernity would balance the system of state-religion relations. N. Luhmann believed that religion could be realised only in a postmodern situation when it will be liberated in favour of the self-reflection (Luhmann 1977). J. Habermas, developing methodological

atheism, proposed the equalisation of science and religion as two metaphysical doctrines (Habermas 2011: 115). Peter Berger's ideas about historically "falsified secularization" (2008) were developed mainly thanks to J. Habermas, who substantiated the concept of postsecularism as a characteristic of a society in a state of rethinking relations with religion when, in the absence of a clear border, the intersection of secular and religious spaces occurs. By that time, the rationalizers' enthusiasm and a revolt of the iconoclastic elites had lost their strength. In the vacuum created by secularization, the discursive problem of the relationship between private and public has arisen in the context of the problem of delimiting religious/sacred and secular/profane.

The sacred/profane and public/private relationships continued to be rethought in the early twenty-first century. Postmodernism, developed from the 1960s to the turn of the twenty-first century, was criticised in scientific-theoretical and sociopolitical discourse. Philip Rieff (2006) characterised postmodernism as a period when the modernist inversion of the sacred order experienced violation and denial of power, as well as suppression of the prophets. He described postmodernism as a decline characterised by a culture of permissiveness, the transformation of the traditional norm into deviation, the fall of the public person, the end of democracy, and the inability to create a metatheory.

The tendencies of the transition to the era of postsecularism were noted by Daniel Bell (1996 [1976]), Robert Bellah (Bellah & Tipton 2006), Peter Berger, Grace Davie (Berger 1999), Jürgen Habermas (2008; 2011), John Caputo (2001), Ph. Rieff (2006), Ch. Taylor (2015), Bryan S. Turner (2010), Brian T. Trainor (2010), and others. In 2004, Jonathan Fox and Shmuel Sandler named seven reasons why modern "leads to the revival of religion" (Fox & Sandler 2004: 24). P. Berger established a connection between modernity and desecularization but did not prove the latter's direct causal dependence on the former (Berger 2008). Researchers noted the undulating disintegration processes and search for a new sacred order and a new round of militancy between new atheists and carriers of religious proselytising ideas.

Speaking about the carriers of the idea of a new order, Ch. Taylor noted that "to be modern means to believe in individual aspirations as a source of meaning and self-determination," and therefore, in the postsecular era, group claims of rights are insignificant compared to the claims of the state, which is pursuing a "policy of recognition" that violates the established pluralism and equality in

the existence of religious groups (Taylor 2015: 231). Anticipating postsecularity as a reaction to the profanation of culture as a result of secularization, D. Bell noted that due to the state's inability to resist globalisation and the destruction of national ligatures, it is the state that initiates the search for cultural support and the returning of the sacred (Bell 1996 [1976]: 168).

The process of returning to the idea of re-enchanting has begun. It was manifested by many conflicts that testify to the acuteness of the transition to postsecularism in the context of the general tendency of the conservative turn towards post-postmodernism.

Manifestations of the metahistorical shift

The reason for the growth of postsecular conflicts is the state of metahistorical transition. Seventy years ago, postwar economic priorities dictated a network-centric logic of development: the rejection of the idea of nationalism in Europe in favour of the idea of a "Europe of regions." The transition to a new logic of development was named "postmodern" and manifested itself in four components:

1) in a metaideological transition as a rejection of the principles of totality, ideocracy, and hierarchy;

2) in a cultural transition. It appears as a rethinking, dialogue, and act in the "network of meanings"; deconstructing and equalising theological and secular type of discourses in their rights to exist;

3) in a political transition. It manifested itself in the concept of a "Europe of regions" popularisation, in large-scale reforms of decentralisation and devolution, in the enlargement of the EU and development of European solidarity policy, and the approval of the phenomenon of transnational law;

4) in an economic transition, which manifested itself as a movement to create a single market, Euroregions, eroding the rigid borders of nations.

However, at the beginning of the twenty-first century, the economy dictated a new transition:

1) the economic transition. It manifested itself in the economic crisis as well as in the regional demographic decline in Europe and the need for demographic replacement of the labour resources;

2) the political transition. It manifested itself as a crisis in the EU's 2015 migration policy, integration policy, recognition policy, and multiculturalism. It appeared in the Visegrad Group's demands, the UK's Brexit, and the growing influence of national patriotism and protectionism;

3) the cultural transition. It was marked in the fashion for populism, in returning for "folk aesthetics," in the essentialism establishment in the understanding of race and ethnicity, in a new eschatology, and in the growth of anti-Semitism and Islamophobia;

4) the metaideological transition manifested in the concept of post-truth, political process absurdism, and "culture of the silent majority," establishing liberal values criticism and searching for mobilisation foundations for constructing the new order. So it explains rethinking God like returning to tradition, which is evidence of the conservative turn – to post-postmodern.

In the trilogy "denial of negation": modern – postmodern – post-postmodern, the latter returns to the renewed modernity (understood in the contexts of the Westphalian era), which is accompanied by a search for ways of national renaissance. The reconstruction of national states in the Baltic –Black Sea – Adriatic Triangle region, experiencing a national revival, is accompanied by desecularization and intensification of the detonation of postsecular conflicts.

The ongoing global changes in culture, economy, and politics are superimposed on specific situations in countries that differ:

1) in the level of religious diversity;

2) by the acuteness of the problems of the status of religious organisations;

3) by the level of interest and readiness of the secular state to be part of (quasi)theological disputes, to use cultural field as a battlefield for national revival and sociopolitical mobilisation.

The level of religious diversity, defined by the Herfindahl-Hirschman index, which ranges from high (in Asia and Africa) to low (in the Middle East and the Caribbean), is moderate in Europe (see Table 1).

Table 1. *Level of religious diversity. Source: Pew Research Center 2014b*

High level (from 7 to 9.4)	**Moderate level (from 3 to 5.4)**	**Low level (from 0.4 to 2.9)**
Countries in Asia-Pacific and sub-Saharan Africa	Countries of Europe	Countries of the Caribbean, Middle East, and North Africa

However, European countries also differ in the level of religious diversity. Table 2 allows us to see the difference between the countries of the Baltic – Black Sea – Adriatic Triangle.

Table 2. *Level of religious diversity, determined by the Herfindahl-Hirschman index scores by country in Europe. Source: Pew Research Center 2014b*

High level (from 7 to 9.4)	**Index**	**Moderate level (from 3 to 5.4)**	**Index**	**Low level (from 0.4 to 2.9)**	**Index**
Bosnia and Herzegovina	6.0	Belarus	4.7	Slovakia	2.9
Latvia	5.7	Czechia	4.1	Greece	2.5
Macedonia	5.4	Montenegro	4.0	Lithuania	2.1
Estonia	5.5	Slovenia	4.0	Serbia	1.6
Sweden	5.4	Hungary	3.7	Croatia	1.4
		Albania	3.7	Poland	1.2
		Ukraine	3.1	Moldova	0.6
				Romania	0.1

Although Europe is defined as a region with a moderate level of religious diversity, more of the Baltic – Black Sea – Adriatic Triangle countries have either moderate or low religious diversity levels, except for Latvia, Estonia, Sweden, Bosnia and Herzegovina. It is illustrated by the Pew Research Center's religious diversity index scorecard (Fig. 1). On the map, it can be seen that the countries of the Baltic – Black Sea – Adriatic Triangle are painted predominantly white in comparison with other regions in Europe.

Also, thanks to Figure 2, which was prepared by J. Evans and C. Baronavsky (2018), we can see that the countries of the Baltic – Black Sea – Adriatic region, especially Romania, Moldova, Bosnia and Herzegovina, Greece, Poland, Serbia, and Ukraine, stand out in Europe, showing an increased level of religiosity. In the map below, it is shown in a darker colour.

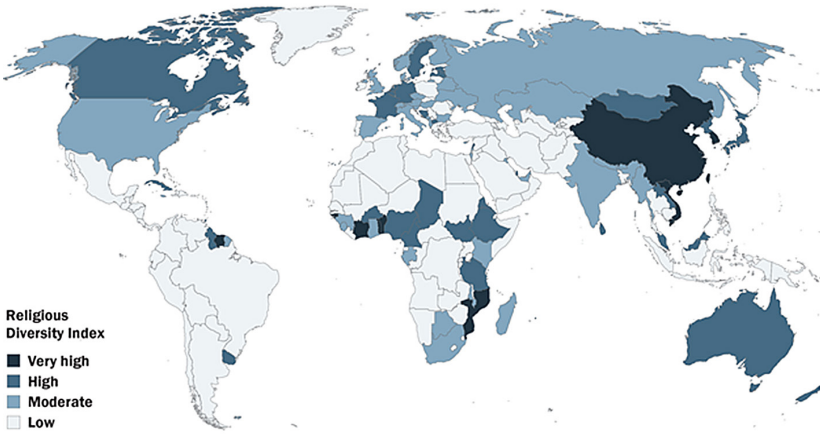

Figure 1. Levels of religious diversity. Countries are shaded according to level of religious diversity. Source: Pew Research Center 2014a.

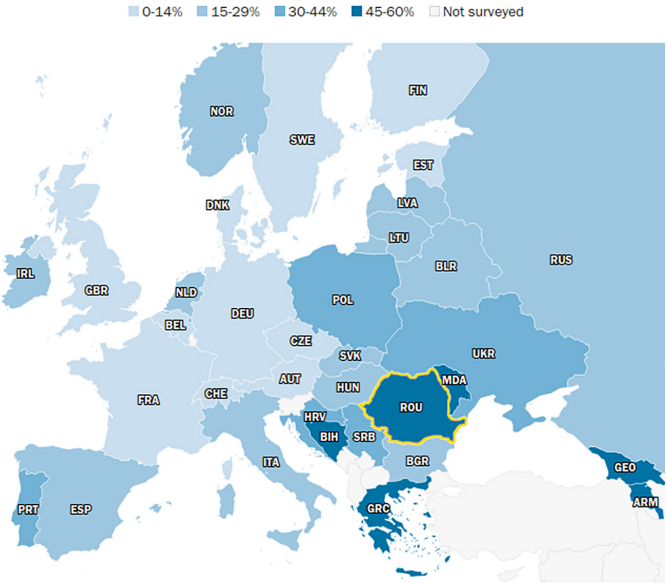

Figure 2. Overall religiosity by country, percents of adults who are highly religious. Source: Evans & Baronavski 2018.

The specificity of this region should be reflected in the policies of states, when equality and nondiscrimination of religious organisations, as well as the preservation of strict secularity, are recognised as guarantees of social stability. However, in practice, we can observe a common tendency towards desecularization, that is, a tendency towards a potential increase in conflict and the use of a religious factor.

In the context of the reconstruction of nationalisms, potentially possible postsecular conflicts become:

1) the conflict of recognition of the significance of religion in postsecular society in the context of metatheory development;

2) the conflict of commodification models: the "supermarket of religions" vs. "state-religious monopoly";

3) the conflict of the recognition of religious organisations. Conflicts of recognition ethics;

4) the conflict of postsecular hierarchisation of religious organisations in the public space;

5) the conflicts of ownership and of church property restitution.

We consider these conflicts in order.

The conflict of recognition of the significance of religion in postsecular society in the context of metatheory development

The capacious twentieth century was twice going through the process of rethinking the significance of religion as a strategy for explicating personal experience, conceptualising and categorising the system of personal experiences about its interpretation and metatheories as "generalizing systematic critical interpretations of religious theory and practice" by the definition given by Gavin Flood (1999: 4).

The first rethinking of metatheories, or "three revolutions of thought" (Darwin's, Marx's, and Freud's theories), those which deprived meaning of religious identity and turned the world into a secular one, led to the assertion of relativism (Palmer 1965: xi). Relativism became the principle of reconciliation

of views when scientific and religious views of the world were recognised as different but equally possible ways of describing reality. The postmodern norm of these two positions' ambivalence has actualised the Pierre Bayle Paradox, known since the seventeenth century. It defines that the recognition of the fact that the level of morality in an atheistic society can be comparable to or even higher than that in religious society does not diminish the significance of religion as a mechanism for solving social problems and restraining the retention of the state's power. In history, this conflict has already been considered. Charles Montesquieu, who formulated the Bayle paradox, criticised relativism, believing that "the non-religious (person) is like an animal that feels freedom only when it is beaten and tortured" (Montesquieu 1996: 33), and advocated religious tolerance, considering this a measure warning against religious tyranny and noting that "the religion that is oppressed, in turn ... as soon as chance allows it, will attack the religion that oppressed it, but not as a religion, but as a tyranny" (ibid.: 36).

At the beginning of the twenty-first century, established relativism began to be recognised as a crisis and a state of searching for a new order basis. Criticism of the postmodern theory of deconstruction as crisis relativism was expressed in the critique of the profanation of culture, in the ideas of premonition of postsecularity, and in the ideas of finding a new co-participle.

The empirical basis for the theoretical shift was the growing activity of competing faith practices in European countries and religious reintegration in response to such activity. Religious structures that are nontraditional for the country (region), which can be presented as cultural and political competitors, are mastering the cultural field and participating in the political process, performed as competing faiths. The search for recognition demands positive discrimination and complete protection by both new and traditional religious groups in the country, and this demand finds a response in the region's national policies.

Thus, if we observed relativism at the first stage – the rejection of secularism as the only possible principle of systemic religion-state relations – then at the second stage, we observe the process of instrumentalisation of religious ideologies and institutions.

The conflict of commodification models: the "supermarket of religions" vs. "state-religious monopoly"

The profanation of culture determined the survival of the *sacred* in the commodification process – the transformation of the *sacred* into a commodity. It is manifested in the existence of religion – in everyday practices:

1) religious labelling of belonging to a religious tradition without realising one's faith, which is defined as belonging without faith or low-emotional religiosity;

2) domestic confession, that is, the manifestation of faith without belonging;

3) syncretism, provided by the constant process of creating self-made religions, combining, for example, yoga practices and self-determination as a Christian;

4) consideration of religious practices for utilitarian purposes, for example, therapeutic purposes;

5) pilgrimage tours, combining utilitarian tourism, therapeutic goals, and religious labelling;

6) one-time religious manifestations, accompanied by the processes of their commercialisation;

7) the deritualisation of a person's life cycle cut off from the agricultural circle;

8) consumerist perception of services provided by a church or other religious organisation.

In this situation of commodification, religious institutions behave like competing firms, and the state chooses one of the models for minimising management risks in a polyreligious system of relations: 1) the model of "state-religious monopoly"; 2) the "supermarket of religions" model.

The "state-religious monopoly" model is based on the idea of functional postsecularity. The weakness of state institutions may cause the choice of this model due to the low loyalty of the population to state power, the state's need for an alternative system of providing a mobilised basis, interest in creating a mythologeme for national consolidation, and due to the political

activity of marginalised religious movements and groups striving for positive discrimination, and causing spontaneous reintegration of traditional beliefs in this society. By choosing such a model, the state carries out protectionist recognition of the chosen religious organisation, grants it special status, and engages in positive discrimination. For religious teachings that receive such support, this brings positive and negative results, expressed in the doctrine's conservation and a decrease in "marketing attention to a potential buyer." A decrease in religious diversity also accompanies this choice.

An alternative model of the "supermarket of religions" is based on religion-state relations' secularity. This model's choice is caused by the state's recognition of freedom of the market and the encouragement of competition between ideas and beliefs. This model is chosen by a self-sufficient state that is capable, on a political and legal basis, of ensuring the consolidation of all strata of society and dialogue with various religious organisations. Under this model, there is a lack of government interference in theological issues and demonstrated recognition. It supports institutional distancing and anti-defamation policies and promotes equal conditions for religious organisations. Maintaining the state's position as a guarantor of equal opportunities contributes to the liberalisation of religious teachings in their competition for adherents. With this model, a high level of religious diversity remains.

The conflict of the recognition of religious organisations. Conflicts of recognition ethics

State guarantees to religious organisations can be provided in two ways: recognition or way of protection.

The recognition of rights manifests itself in the establishment of state-controlled pluralism, which implies strict state control over intolerant groups and manifestations. There is no systemic anti-cult activity with such control, and state is implementing the PACE and the EU's recommendations on the anti-defamation policy (Guidelines 2014). Also, the standard or simplified registration mechanism for religious organisations is a marker of the ongoing recognition policy.

The mechanism provided for state-religion relations, for example, in the legislation of ***Ukraine*** can demonstrate such a simplified type of registration. Article 14 of the Ukrainian law states that the founders of a religious organisation

can be at least ten citizens who have reached the age of 18 (Ukrainian Law 1991). They must submit to the registration authorities its statute (charter), the resolution about creation, and a document confirming its right to own or use premises. Religious organisations include congregations, schools, monasteries, brotherhoods, missions, and administrations of religious associations consisting of religious organisations. Religious centres register with the State Service at the Ministry of Culture and Information Policy. A religious congregation registers as a legal entity with the regional authorities. They may form the constituent units of a nationwide religious association, which does not register on a national basis and may not obtain recognition as a legal entity. Without legal-entity status, a religious group may not be considered as nonprofit organisations, can not own property, or be qualified for property tax exemptions.

Protection manifests itself as a set of measures that ensure positive discrimination. Affirmative actions of the state are aimed at the legislative provision of guarantees of a special status for a specific religion or a group of selected religions. Today, it is no longer a rarity when the state ensures preferential rights to selected organisations and introduces a complicated registration procedure to restrict others. We will consider the complicated procedure for registering religious organisations using the examples of Latvia, Romania, and Hungary's legislation.

A more complicated procedure for registering religious organisations (in comparison with the Ukrainian one) we can see on the example of the law adopted in ***Latvia*** in 1996, and currently in force with amendments of 2022 (Reliģisko 2022). By law, to register as a congregation, a religious group must have at least 20 members of the age 18 or older. To apply, religious groups must submit charters; a list of all group members; minutes of the meeting of founding; confirmation that members voted on and approved the statutes; and a list of members of the audit committee, which is responsible for preparing financial reports on the group and its statutes. The Ministry of Justice determines the possibility of its registration as a congregation. Ten or more congregations – at least 200 members – of the same faith or denomination may form a religious association or church. The law does not permit the simultaneous registration of more than one religious association of a single faith or denomination or more than one religious group with the same or a similar name. For example, the law prevents any association other than the Latvian Orthodox Church from registering with the word "Orthodox" in its name. Other Orthodox groups,

such as Old Believers, are registered as separate religious associations (Latvia 2019). The provision of the law stipulating that a community formed for the first time must reregister annually during the first ten years was cancelled in 2018 (Reliģisko 2022: Art. 8, P. 4). Under the law, all registered organisations must submit an annual report to the Ministry of Justice regarding their activities.

Romanian legislation sets out a complicated procedure for registering religious organisations. Thus, Article 6 of the law of 2006, as amended in 2014, provides a three-level religious classification system: 1) a denomination (Rom. *cult*); 2) a religious association; 3) a religious group (Lege 2014). Organisations in the top two tiers are legal entities, while religious groups are not. A religious association consists of at least 300 citizens and receives legal status through registration with the Registry of Religious Associations in the court's clerk's office, where the association's main branch is located. To register, religious associations must submit their members' data. To operate as religious associations, organisations also require approval from the National Secretariat for Religious Denominations, which is under the authority of the Office of the Prime Minister (Romania 2019). Articles 17–19 of Section 2 of the law state that recognition by the state as a denomination is acquired through a Government Decree, following a proposal submitted by the State Secretariat for Cults, and goes to religious associations that provide guarantees of sustainability and public interest (Lege 2014). To request recognition as a denomination, citizens shall provide to the Ministry of Culture the following documents: a) proof they are legally established and have been operating uninterruptedly in Romania for at least 12 years; b) the membership lists containing citizens of Romania equal to at least 0.1% of Romania's population. Today, it should be 19,511 people; c) their declaration of faith and documents on the structural organisation.

Hungary's legislation demonstrates an incredibly complicated procedure for registering religious organisations. In 2019, a 2018 parliamentary amendment to the 2011 religion law entered into force. Now the law replaces the previous two-tier system of incorporated churches and religious organisations with a four-tier system of, in descending order (Törvény 2011; Hungary 2019):

1) established or incorporated churches (Hung. *A bevett egyház*);

2) registered churches, also called Registered II (Hung. *A bejegyzett egyház*);

3) listed churches, also called Registered I (Hung. *A nyilvántartásba vett egyház*);

4) religious associations (Hung. *A vallási egyesület*).

To be recognised as established churches, they should obtain support from Parliament. The Budapest-Capital Regional Court reviews registration applications in the remaining three categories. Religious groups at all four levels have a status of legal entities. However, to qualify for established church status, a religious group must first obtain registered status and then conclude a Comprehensive Cooperation Agreement with the State (Törvény 2011: 3/B, 9/G. § *1). The government submits such an Agreement to Parliament, which must approve it by a two-thirds majority vote. The registered church becomes established when the Agreement is approved by Parliament. To qualify for registered church status, a religious group must have operated as a religious association for at least 20 years in the country or at least 100 years internationally, or have operated as a listed church for at least 15 years in the country or at least 100 years internationally. This status also requires that the group has 10,000 registered members residing or staying in Hungary and that the group has received tax donations from an average of 4,000 persons per year in the five years before the application (Törvény 2011: 3/A, 9/E. § *). To obtain the listed church status, a religious group must have been in the status of a religious association for at least five years in the country or at least 100 years internationally and receive tax donations on average from 1,000 people per year for three years before applying (Törvény 2011: 3, 9/D. § *1). Religious association is the union of individuals professing the same convictions.

The laws of all four states mentioned above proclaim secularism, pluralism, and the equality of religious organizations. However, we see entirely different recognition mechanisms and volumes of opportunities provided in practice. The ethical conflict of recognition manifests itself in the contradiction between the legal norms that guarantee the equality of religious organisations and the legal norms that establish the hierarchy of recognition. It is a conflict between the norms of formal ethics and the circumstances that has developed in the state's political activity.

The conflict of postsecular hierarchisation of religious organisations in the public space

The state, which guarantees religious organisations' rights through protection, seeks to emphasise the elitism of a particular religious organisation. It is done by building a hierarchical pyramidal model of various religious organisations' statuses.

At the base of the pyramid presented, below the first lowest level of recognised organisations (let us call it level zero), are unregistered religious groups or even sects. Further, at the first lower level, there are officially registered religious groups with the status of private-law entity. As a rule, they do not have special agreements with the state and do not have state support, concessional financing, or special rights. At the second level, there are religious organisations with the status of public-law entity, which are recognised as partners of the state, acting based on special agreements, special laws, or statutory norms. At the highest third level are preferential religious organisations that have the status of folk, traditional, historical, prevailing, which replace the status of a state religious organisation.

Below, we will consider examples of such pyramidal systems provided for in the legislation of states, many of which, as former socialist ones, have reconsidered their relations with religious organisations over the past decades, having enlisted traditional religions' support while formally proclaiming secularity.

Hungary demonstrates the most controversial new system of religion-state relations. In recent decades, Hungary's state policy has instrumentalised the dialogue between the state and traditional religious organisations. The Constitution of Hungary stipulates that the state and the church operate separately but provide for "cooperation ... to achieve the public good." The Hungarian Constitutional Court also ruled that religious differentiation is permissible if it is based on actual differences in social roles. Therefore, the Preamble to the 2011 Hungarian Constitution states: "We are proud that our King St. Stephen ... made our country a part of Christian Europe. We recognise the role of Christianity in the preservation of statehood. We value the various religious traditions of our country" (Hungary 2019).

The 2011 law on religion automatically deregistered more than 300 religious organisations that had incorporated church status. These organisations had

to reapply if they wanted to regain incorporated church status, and their applications were to receive support from Parliament. As a result, the 2011 law listed 27 incorporated churches, while the total number of registered churches was 32. Under the amended law of 2018, 32 churches maintained their incorporated (or, in the new terminology, established) status (Hungary 2019). The updated church law of 2018 introduced a four-tier classification system for religious groups with different registration forms: established, registered, listed churches and religious associations (Törvény 2011), with which the government has signed the different in duration and scope of rights types of agreements. With the religious association, the agreement is signed for five years, with the registered church – for ten years, and with the listed church – for fifteen years. The agreement with the established church is valid indefinitely. We already pointed out that established churches are comprised of registered churches that have entered into comprehensive agreements with the state. Such type of agreements must be approved by Parliament with a two-thirds majority, and after that, the church law is amended to include the new church on the list of established churches (Törvény 2011).

Thus, the government may enter into agreements with registered, listed churches, but these agreements would not be comprehensive and therefore would not require parliamentary approval. However, they can include government subsidies for both "public interest" and "religious" activities (Hungary 2019). It means that even within the same level – recognised churches – the state has discretionary powers to treat religious groups differently. David Baer defined the new Hungarian law as "legal fiction." He rightly pointed out that the space for self-will of the government is manifested in obtaining the highest level's status. The 2018 law fixes the Parliament's political prerogatives about the established churches and expands the government's discretionary powers to select applicants to lower levels. The law treats religious communities in a completely arbitrary manner by assigning privileges based on state discretion (Baer 2018).

The law allows taxpayers to donate one percent of their income taxes to any religious community in any of the four categories since 2020. However, only established and registered churches are eligible to receive a state subsidy matching the one percent tax donations as state support. Religious communities registered in one of the four tiers have the right to open their schools. The state provides a subsidy, based on the number of students enrolled, for employee

salaries at all such schools. Only established churches automatically receive an additional subsidy for the schools' operating expenses. Established, registered, and listed churches may perform pastoral services in military facilities, prisons, and hospitals. The Catholic, Reformed, and Lutheran Churches, and Jewish congregations (which the government calls "historical churches") may provide pastoral services without seeking permission (Hungary 2019). Other established churches must seek permission. And here again, we see that the state has discretionary powers to treat religious groups differently, even within the same level. Thus, tiers are a mechanism for distributing different rights to different religious groups.

Similar examples of emphasising the privileged status of particular religions are to be found in ***Finland***, where a four-tiered classification system for religious groups exists.

The Evangelical Lutheran Church (ELC) of Finland has a constitutional status. Only Finland's ELC is enshrined in the 1999 Constitution (The Constitution of Finland 1999: 76 §). The hallmark of the special status of the ELC is a special church law that regulates its status and the order of its enactment (Kirkkolaki 2019: 1O, 2L, 2 §), which includes the exclusive initiative of the church's organ, the General Synod, and noninterference by government legislative bodies in the content of ecclesiastical bills. It means that the General Synod has the power to introduce bills enacting and changing the church law. Parliament, which enacts the law, only has the right to approve or reject an ecclesiastical bill. The ELC of Finland and its parishes are a self-administered body like the municipalities. After 1869, the ELC of Finland is no longer a state church. However, it maintains ties with the state, and therefore the debate over whether the Lutheran Church is a state church or a folk church continues.

The Finnish Orthodox Church (FOC) has a traditional legal status (Kotiranta 2015: 277). In the Constitution, there is no direct provision for the FOC. Thus, the Orthodox Church's legal status differs from that of the Lutheran Church. The FOC status is regulated by new laws of 2003 and 2006. The "Freedom of Religion Act" mentions two churches: the ELC of Finland and the FOC (Uskonnonvapauslaki 2003: 1L, 3 §). The particular law of 2006 states the FOC has the special status under public law (Laki 2006).

The two higher-level churches have in common that the ELC Church Act is an Act of Parliament, just as the Act of Parliament also regulates the confession

and structure of the FOC. ELC and FOC also receive church taxes and an annual subsidy from the state budget.

On the bottom, two hierarchical pyramid levels are registered religious organisations, whose legal status is enshrined in the law (Uskonnonvapauslaki 2003: 3L), and unregistered religious groups. If registered groups have the right to acquire property and enter into legal relations with other legal entities, then unregistered groups can only conduct worship.

Sweden is even more conservative than Finland. In Sweden, only in 1999, the Church of Sweden was separated from the state: the state status of the church was replaced by the status of the national church. The Church of Sweden is "an Evangelical-Lutheran religious community, is an open National Church." It is the only religious organisation regulated by its law (Swedich Law 1998a: Ch. 1, Art. 1–3). However, it is classified as a semi-state church due to ties with Riksdag and the monarch. The Act of Succession, which is part of the Swedish Constitution, maintains the requirement that the monarch always adheres to a pure evangelical doctrine (Swedish Constitution 1810: § 4). In another part of the Constitution, the Instrument of Government states: "The opportunities of religious minorities ... shall be promoted" (Swedish Constitution 2016: Ch. 1, Art. 2). Other religious groups' rights are determined by the Act 1998, according to which registered religious communities refer to 1) the Church of Sweden and 2) the registered religious communities (Swedish Law 1998b: S. 5). Only those who register with the Swedish Agency for Support to Faith Communities (SST) are eligible to receive tax and grants.

We also find the elements of hierarchy in the system of religious relations in ***Latvia***'s legislation, although the law of Latvia mentions that the state is separated from the church (Reliģisko 2022: Ch. V, Art. 5). Latvian law grants the eight traditional groups – Lutherans, Catholics, Latvian Orthodox Christians, Old Believers, Baptists, Methodists, Seventh-day Adventists, and Jews – some rights and privileges not given to other religious groups, including the right to teach religion courses in public schools and the right to officiate at marriages without obtaining a civil marriage licence from the Ministry of Justice. The Christian denominations are given the privileged right to teach the Christian faith basics in public schools and local government schools through government funding (Reliģisko 2022: Art. 6). For other religious groups, the law does not provide for such funding. These eight groups are also the only religious groups

represented on the government's Ecclesiastical Council, chaired by the Prime Minister.

The lower level of hierarchy consists of registered religious groups. For them, the guaranteed rights are the following: to engage in religious activities in hospitals, prisons, and military units; to own property; to conduct financial transactions to receive donations that are not taxed; and to apply for funds for the restoration of religious buildings. At the bottom level of the pyramid are unregistered groups.

In a number of the region's countries, especially in Orthodoxy, we are considering reviving the model of the church-state symphony. It is becoming typical for church-state relations in Greece, Romania, Serbia, Bulgaria, Belarus, and Ukraine.

In ***Greece***, the Constitution recognises Greek Orthodoxy as the prevailing religion (Greek Constitution 2019: Art. 3, S. 2). The law establishes the hierarchy of religious organisations (Greek Law 2014):

> 1) an ecclesiastical legal entity or church (Ecclesia) or religious body is the association of three religious legal entities of the same religion with central structure; it operates upon its statute and is administered by religious bodies;
>
> 2) religious associations (they are religious legal entities after registering if they have at least 300 citizen members; they do not receive government funding but do receive limited tax exemptions);
>
> 3) a religious community is a group with a confession of faith (they are not legal entities and do not receive support from the state).

Recognition is done through the civil courts, and registration is done with the General Secretariat for Religious Affairs. The number of recognised religions is eighteen. The law does not apply to organisations belonging to the Greek Orthodox Church (GOC), or other Eastern Orthodox Church, to a Judaism organisation, and to a Muslim organisation of minority of Thrace (Greek Law 2014: Art. 16). They are formally equal to the GOC and have status of official religious public law legal entities. Nevertheless, in terms of constitutional status, the GOC occupies a higher hierarchy position. The Catholic Church, Anglican Church, two evangelical Christian groups, and the Ethiopian, Coptic, Armenian Apostolic, and Assyrian Orthodox Churches automatically acquired the status of religious legal entities or ecclesiastical legal entity of private law

(Greek Law 2014: Art. 13). A group recognised as ecclesiastical legal entity is eligible for state support. State-provided funding is determined by the number of adherents and the religion's actual needs. The GOC, the Muslim minority of Thrace, Jewish communities, and the Roman Catholic Church continued to receive government benefits not available to other communities.

In ***Romania***, the 2006 law with amendments from 2014 emphasises the unique position of the Romanian Orthodox Church (ROC), its "important role," and the role of "other churches and confessions recognised in the national history" (Lege 2014). After the 2014 amendments to the law, which have provided for the creation of a three-level hierarchy in the system of religious organisations (groups, associations, and denominations), and as a result of the complexity of the procedure for registering denomination status, in Romania, there are eighteen organisations recognised as cults (denominations). They include the ROC, the Roman Catholic Church, the Greek Catholic Church, and others (Romania 2019). Under the law, recognised cults (denominations) are legal entities of public utility (Lege 2014: Art. 8, P. 1). The state promotes the support given by the citizens to the cults through withholdings from income tax; provides tax benefits and support upon request; and, through contributions, depending on the number of Romanian citizens and actual needs, provides the payment of salaries to personnel (Lege 2014: Art. 10). Thus, the hierarchy of organisations in Romania looks like this: at the highest level is the ROC with the status of a cult, which plays an "important role" for statehood. The seventeen cults are at a lower level, and their status in terms of formal law is equal to that of the Romanian Orthodox Church and is defined as a public legal entity or legal entities of public utility. The lower level of hierarchy consists of religious associations with the status of a private legal entity. At the bottom level of the pyramid are religious groups without separate legal entity status (Lege 2014).

The ***Serbian*** Orthodox Church "has had an exceptional historical, state-building and civilizational role in forming, preserving and developing the identity of the Serbian nation," as established in the law of Serbia (Serbian Act 2006: Art. 11). The law grants special treatment to seven groups:

> 1) traditional churches include the Serbian Orthodox Church, the Roman Catholic Church, the Slovak Evangelical Church, the Christian Reformed Church, and the Evangelical Christian Church; and

2) two traditional religious communities: an Islamic and a Jewish religious community. They have the status of a legal entity under certain laws (Serbian Act 2006: Art. 10). These groups have been automatically registered and are eligible for value-added tax refunds and chaplain services to the military. Those organisations that are not called traditional can obtain the status of a legal entity under civil law. Only registered groups can be exempted from multiple taxes, receive government funding, and are provided with governmental pensions for clerics. Twenty-five groups enjoy these benefits.

The Preamble of the 2002 ***Bulgarian*** law emphasises the "special and traditional role of the Bulgarian Orthodox Church (BOC) in the history of Bulgaria," expressing respect for Christianity, Islam, Judaism, and other religions (Bulgarian Law 2002). The law establishes the BOC as a legal entity, exempting it from the mandatory court registration required for all other groups. There are 191 registered religious groups in addition to the BOC. The government provides equal rights and funding for all registered groups. Unregistered religious groups may be engaged in religious practice but lack the privileges granted to registered groups.

The Preamble of the ***Belarusian*** law, as amended in 2011, states the recognition of a "determining role" of the Belarusian Orthodox Church (BOC) in the "historical formation and development of ... state traditions," a "historical role of the Catholic Church in Belarus," and the "inseparability from the general history ... of Belarus of the Evangelic Lutheran Church, Judaism, and Islam" (Belarusian Law 1992). The law does not consider traditional faiths such as the priestless Old Believers, Greek Catholics (Uniates), and the Calvinist churches, which have roots in this country dating to the seventeenth century. The Cooperation Agreement between the state and the BOC aiming to "solving problems of ... moral improvement of society," provides the BOC with a special relationship with the state (Cooperation 2003). Unlike other groups, the BOC receives state subsidies and possesses the exclusive right to use the word "Orthodox." Article 2 of the Agreement calls to fight against unnamed "pseudo-religious structures that present a danger," while not restricting the religious freedom of other religious groups (ibid.).

The formation of a new model of national-religious relations is observed in ***Ukraine***. The interest of politicians in constructing a new format for these

relations and the involvement of state structures in theological disputes demonstrated the process of obtaining a Tomos of autocephaly for the newly created Orthodox Church of Ukraine (OCU). The initiative of creating the OCU and the appellation to the Ecumenical Patriarchate to obtain the Autocephaly of the OCU was voiced by former President Petro Poroshenko in Ukrainian Parliament on April 17, 2018. On October 11, 2018, Patriarch of the Ecumenical Church Bartholomew announced the abolition of the legal force of the Synodal Letter of 1686 on the entry of the Kyiv Metropolis into the jurisdiction of the Moscow Patriarchate and on the recognition of the heads of the Ukrainian Orthodox Church – the Kyiv Patriarchate (UOC-KP) – Filaret and the Ukrainian Autocephalous Orthodox Church (UAOC) – Makariy by the canonical hierarchs of the Orthodox Church. The creation of the united OCU, headed by Metropolitan Epiphany, was announced in the Tomos provided by Patriarch Bartholomew on January 6, 2019. With the subsequent merger of the UOC-KP, the UAOC, and five percent of the Ukrainian Orthodox Church – Moscow Patriarchate (UOC-MP) communities into the OCU, a long-standing conflict between diocesan administrations about supremacy emerged (Mitrokhin 2020; OCU 2020). As a result, Filaret, the UOC-KP head, refuses to recognise the Tomos. The situation with the OCU remains difficult, including the issues of redistribution of property and recognition, taking into account the split in international Orthodoxy on this issue.

The activity of politicians can be observed in Latvia, where there is a struggle around the Latvian Orthodox Church and the Latvian Orthodox Autocephalous Church, as well as in Montenegro, where in 2019, at the initiative of President Milo Đukanović, the issue of autocephaly of the Montenegrin Orthodox Church was raised, which implies the loss of the canonical connection with Serbian Orthodox Church.

The tendency to create their own national churches and the revisionism of canonical territories are associated with the deepening of postsecularization processes, which paradoxically do not coincide with the general tendency to decrease believers' numbers. This paradox confirms the strengthening of the religious factor's instrumentalization in reorganising national spaces and geopolitical reconstruction.

The conflicts of ownership and of church property restitution

The materialisation of the ideological and ideological-political postsecular conflicts of revisionism has expressed the emergence and growth of the number of property conflicts, their redistribution, and disputes arising in connection with various national approaches to policy restitution of church property. The peculiarities of the legislation on restitution are markers of the (non)recognition of a religious organisation. Most countries of this region under consideration adopted property restitution laws in the 1990s. The practice of restitution processes often manifests preferences of the state towards certain religions.

For example, in ***Ukraine***, the restitution of church property is provided by the 1991 law, in which stipulates that religious buildings and property that are state property are transferred to the organisations on whose balance they are free of charge or returned to the ownership of religious organisations free of charge by decisions of Regional State Administrations (Ukrainian Law 1991: Art. 17). The 2002 Government Decree established that religious buildings could be transferred to a religious organisation, provided that the relocation of organisations occupying these buildings was ensured (Decree 2002). However, restitution is impossible as a rule due to the financial impossibility of resolving issues with the relocation of organisations located there. For example, according to Yosyf Zisels, co-chairman of the Association of Jewish Organizations and Communities – VAAD of Ukraine:

> *The issue of restitution does not ... even theoretically discussed in the public space, although under the Memorandum between the World Jewish Restitution Organization and representatives of Jewish organizations of Ukraine on joint action on the issue of restitution 1994 – it should be about restitution of 2,500 objects.* (Shchur 2020)

Between 1992 and 2019, the government returned to the Jewish community 2,4 percent of the objects (JUST 2020: 187). Y. Zisels points out, for instance, that the return of the Choral Synagogue of Brodsky in Kyiv within six years was crowned with success thanks to a "ransom" of $100,000 transferred to the city (Shchur 2020). This situation has drawn criticism from the WJRO (WJRO Ukraine n.d.). Restitution disputes also arise between Orthodox churches

connected with creating a single OCU and the redistribution of property (Teise 2019). Also, it concerns disputes between Orthodox churches and the Ukrainian-Greek Catholic Church, for example, over the right to worship in the Saint Sophia Cathedral of Kyiv in 2019–2020.

Poland is listed as the EU state with the worst legal provision for restitution. Sixteen attempts to create a comprehensive programme to address these issues also failed (JUST 2020: 139–140). There is no agreement in Polish society on this issue. The Polish Confederation of Freedom and Independence seeks to criminalise WWII restitution (Kasztelan & Hruby 2019). Nevertheless, Poland has laws enabling the restitution of particular communal religious property. The property of religious organisations is returned to them only in an administrative manner through five special commissions (for the Jewish community, the Lutheran Church, the Orthodox Church, the Catholic Church, and one for all other denominations). The Catholic Church in Poland has made great strides in this process. The Polish State provided this church with direct funding and the return of 93 percent of the nationalised property (JUST 2020: 141). However, other congregations were less successful in it. For example, the Orthodox Church has achieved the return of only 52 percent of religious property, while the Jewish one has returned 45 percent (JUST 2020: 138).

In ***Hungary***, restitution was ensured by the 1991 law (Törvény 1991). The law established the right of ownership of religious organisations to property taken from them after 1948. The law stipulated that cultural and educational institutions that use church property should not suffer from the restitution process, and provided for the return of buildings to religious communities within ten years, but the state's financial problems did not allow this requirement to be met. The 1997 Agreement with the Holy See stipulated that almost half of the buildings subject to restitution would remain in state ownership, but their value would become a source of annual income for the church. For the amount of the assessed property subject to restitution, securities were issued – for 143 billion forints, of which compensation was paid to churches (Palinchak 2015: 168). Due to financial issues, the time limit for resolving all issues was extended from 10 to 20 years in 1997. The state also resolved the restitution of property of persons who suffered during the Holocaust, as Act XXIV was adopted (Törvény 1992). However, claimants faced numerous procedural challenges (JUST 2020: 85).

Serbia is the only country in the Baltic – Black Sea – Adriatic region that has adopted comprehensive legislation on real estate restitution. The Law on Restitution and Compensation of Property No. 72/2011 was adopted here in 2011. The law established that restitution took precedence over compensation, made no distinction between nationals and foreign applicants, did not set deadlines for applying for restitution, and guaranteed compensation of up to € 500,000 to successful applicants if the property could not be returned. Although Article 1 states that the law only applies to property confiscated after March 9, 1945, the Serbian government has stated that paragraph 2 of this article also allows a request for restitution of confiscated property during the Holocaust to be filed without specifying any deadlines (Nelson 2019: 721).

Conclusions

The five types of conflicts addressed in this article demonstrate the deepening of postsecularism and the contradictions it generates. The signs of a postsecular situation are an aggravation of cognitive-discursive contradictions between supporters of militant atheism and carriers of religious proselytism in the issue of recognising the importance of religion as a relevant way of knowing and describing reality; articulation of religious themes in the context of describing the foundations of statehood, nation; the popularity of the model of state-religious monopoly with the formal declaration of the secularity and equality of religious organizations; public marking of belonging to the tradition at the level of the state political elite and bureaucracy; recognition of the possibility of differentiating religious groups according to their significance in the history of statehood; granting religious structures the status of public-law entities and returning them to public and political spheres; rejection of religious liberalism and violation of the ethics of recognition; normative and legal regulation of the hierarchisation of recognition, legislative registration of pyramidal models in the system of religion-state relations; replacement of the state church status with more liberal statuses of prevailing, established, folk, national, traditional, and others; lack of equal and transparent approaches in the policy of providing restitution.

The Baltic – Black Sea – Adriatic Triangle states, which occupy a particular geopolitical location and are characterised by a multivector nature and severity

of ethnic and religious contradictions are in the epicentre of these contradictions. The activation of geopolitical actors about the existing order's remodulation is observed in the instrumentalisation of religious themes. Religious identity, like ethnic identity, in this region at the present stage is becoming a mechanism for modelling the political process. The states of the region are strengthening the policy of differential treatment of religious organisations to construct nations-states while demonstrating the fulfilment of the recommendations of the common European structures with regard to the state's preservation of an impartial and neutral position toward religion. European norms do not exclude the possibility of differential treatment. Under the OSCE Guidelines, the "State may choose to grant certain privileges to religious or belief communities," provided that "they are granted and implemented in a non-discriminatory manner" and that "there is an objective and reasonable justification for the difference in treatment" (Guidelines 2014: § 38–40). These recommendations aim to ensure the protection of religious minorities and preserve maximum pluralism. However, these recommendations are used for political mobilisation and ensuring the neoconservative development of nations in practice.

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