

PERCEPTION OF *GAUDIUM ET SPES* IN ARRANGEMENT OF THE EAST EUROPE

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Post-modernization of 90th years of the XXth century.

The post-Soviet societies of the East Europe at the end of XX century appeared in a situation caused by the necessity of secondary modernization of its political and social institutes.ⁱ Previous modernization in 1985-92 only in a small measure has been prepared by evolution of the Soviet system.ⁱⁱ As a whole, reforms have been based on the will of the top management of the state. Specificity of this problem was determined by deficiency of own preconditions and resources for such modernization, and also asynchronous development and a various degree of readiness of political and public institutes to such modernization.

The essence of necessary modernization can be defined by two concepts: ***decollectivization and decentralization*** of management. However really achieved purpose to the beginning of 90th years of XX century became only self-restriction of the state in area of expertise of its key institutes and followed deinstitutionalization. A systematic policy on correlation of universal state jurisdiction with jurisdictions of corporations of not state nature (for example, institutions of local government, the international organizations, global corporations, religious associations, the family, managing communities) was not carried out. Therefore the reforms undertaken in 1985-1991 can be defined both unsuccessful, and not created new reliable institutional structures.ⁱⁱⁱ In absence of appropriate institutes there was a destabilization of a society, and in 90th years sharp crisis in internal policy of all post-Soviet states was designated.

In the 90th years all post-Soviet countries had the same problems which were presented at the late USSR, but aggravated by the deinstitutionalizational character of the new states. Constitutional reform in these states initially had the limited resource as it was carried out in the deinstitutionalizational climate. The state was in forces to liberalize the sphere of political and economic relations, but could not create the subjects of such relations.

The process of modernization of the East Europe continued in 90th years of XX century was caused by two tasks. The first one: by the necessity of new institutionalization of the states, and the second: by the correlations between the state institutionalization with jurisdiction of other social institutes of the East Europe which could become active participants of public relations alongside with the state.

The first process of strengthening of the state institutes could and can pass as independent process. At the same time the processes of becoming of not state institutes in the East Europe are in direct dependence on an orientation and the contents of the first process. It is connected first of all to a condition of the post-Soviet society, its institutes described by weakness and amorphousness. In this connection becoming of the state jurisdiction can occur any way, being not connected by those processes which occur in society. Alexander Zinovjev, one of the most sober researchers of a phenomenon of the Soviet and post-Soviet society, asserted about dissociation and selfishness of Soviet inhabitants.^{iv} First of all it affects the culture of cooperation and an atmosphere of trust in a society. In the post-Soviet societies there is a deficiency of social institutes - holders of the social

capital.^v

In such situation it was required much more from the state than performance of usual functions. The state during reforms should observe the rules of behavior accepted in pluralistic societies, at absence of the pluralistic society. The post-totalitarian state should be transformed to the national state in absence of the nation.^{vi} Such situation creates exclusive dependence of process of modernization on the leader which carries out it in the East Europe. At the same time, every leader in the East Europe has a problem of consolidations and institutionalization of the new state. The deinstitutionalization all over again has led to a condition of chaos of all social space, and then has demanded acceptance of radical measures on its consolidation.

The new status of the state institutes

Actually, the state, till 90th years of XX century in the East Europe was the unique independent participant of public relations, but in new circumstances it appeared only one of many. Huge spheres of a social life were exempted from its influence and direct management (culture, ideology, education, family, economy, Church). There was a question on how these spheres and institutes will be adjusted further. Here it is possible to allocate three separate aspects of this question.

1. A key question was the problem of the status of the organizations of not state nature and the form of their relations with the government.
2. The accompanying question was the participation of all these institutes in process of legitimation of the government. New institutionalization arises on a democratic basis, and institutes of not state nature anyhow are included in process of legitimation of authorities.
3. There was a question to the separate person - how to act in an ordinary life deprived of the state trusteeship. Ethical problems have risen on the foreground.

Theoretically, social institutes could not base more on the state support, and the state could not operate more a social life with the help of administrative methods. Actually, the state remained as the most powerful subject of public relations possessing absolute domination in this sphere.^{vii} Therefore in the East Europe the situation of uncertainty with answers to three previously mentioned questions is still kept.

There is the most simple model providing domination of the state in all three named spheres. It provides the cliental attitude between the state and not state institutes and ideologization of private life, that, to an essence it allows to achieve a short-term successes, nevertheless aggravates all problems of modernization of the countries of the East Europe as a whole.

Successes of modernization

Nevertheless, reform of 90th years, not having achieved the purposes which before it had been put. Not having created in the East Europe community of the legal, democratic, constitutional states, - the reform has made the big changes in the East Europe. It has entered into public consciousness and has legitimated a line of contradictions: freedom - authority, democracy - controllability, decentralization - integrity, human rights - social duties. Reforms have demanded from the persons the reflection on their freedom and the reflection on their ability how to order this freedom. Reforms have demanded from not state corporations the ability to independent realization of the powers and

the responsibility for their execution. Reforms also have forced the state institutes of authority to reckon with existence and activity of the organizations of not state nature.

So, there were questions on the attitude to such contradictions to all participants of public relations. Reforms made active a social idea and social creativity. At last, all states of the East Europe have undertaken attempts of the constitutional construction which unites and coordinates all named processes.

In a situation of plurality of subjects of public relations it is completely impossible to imagine once and for all established forms of their mutual relations. And it means, there is only one opportunity of construction of effective relations between them: creative process. But to create it is possible, only being every instant ready to find such decisions which would be based on all our experience and based on our values and belief, would be ready each time for a new situation. For creativity there is only one condition: this is the condition of freedom.

At the same time, reforms have made inevitable becoming in the East Europe the new social structures based on a principle of freedom and creative decision-making. Those structures arose or on an empty place, or around of existing institutes, which had been transformed during reforms. Inevitably there is a question about the charges for becoming of new structures. How many resources should be spent for repayment of conflicts, arising in the situation of absence of cooperational culture?

At the same time, reforms have shown, that without system and structural transformations the further development of societies of the East Europe is impossible. The support of the status quo and ignoring of three questions connected to the status of not state corporations, and the character of inclusion the positions of the person in public relations, aggravates crisis of the East Europe societies. Collective farms, the state enterprises, civil service, keeping and protecting a standard culture of work, administrations, sources of financing, could not be transformed, making a procommunist lobby in the modern states of the East Europe. Or other example: attempts of continuation of experience of the church-state relations in that kind in which they existed in XIX century in Russian empire or in that model that existed in the USSR - between church hierarchy and political leaders, have found out impasses of development of church mission in the modern world, causing to a life such phenomenon as fundamentalism and corruption in the church environment.

The secular state, the autonomy of Church

The problems of modernization of the East Europe can be shown on the example of the church-state relations. It is obvious, that modern development of the East Europe puts before its societies and Churches some vital tasks:

- definition of a legal status of the person freely participating in social processes,
- definition of the independent status of corporations, including definition of a legal status of Church,
- interpretation in a public policy of the constitutional principles of " the secular state " and "personal freedom",

- definition of the forms of participation of Church and the person in social processes.

For the Orthodox Church, dominating over the East Europe, the construction of relations with the state and the questions connected to its (Church) legal status are new. But novelty of a situation asserts Church in its usual circumstance moving it, on ideas of constitution *Gaudium et spes*, " on recognition and understanding of the world in which we live, in all drama ways and features ".^{viii} Formally, Church and political community became independent subjects in their relation to each other in the East Europe. Actually, we have only formally fixed rule now, which demands certain time for realization .

For the first time for many decades the Church has had an opportunity to get the status of private corporation allowing Church to act independently on the basis of own right, own material resources, proceeding from own interests, pursuing the own purposes, entering in equal in rights relations with any other subjects, including the state.

The Church meets with new and new societies during its history. It is very important for Church in its unconditional necessity of recognizing these societies, to be able to keep necessary distance from which it is possible to recognize the society. It is very important for Church to be in a condition of not - dissolving, stay in a condition of not - identity with a society surrounding Church with its various cultural forms. If the effect of distance disappears, there comes a condition of an identification. Certainly, not the presence of Church disappears, but the opportunity of dialogue between Church and a society is essentially reduced, the space of the pastor's work and sermon is narrowed.

Therefore the first important question in mutual relations between Church and a secular society and the state is getting by Church the status of private corporation that would mean a recognition on the part of the state of Church's canonical norms as local legal system which can cooperate with national legal system. In this case the canonical right would form a basis for definition of the status of Church in borders of national legal system. This problem now is not solved. Till now in the post-Soviet states the legal status of Church is not settled properly, that creates set of problems in the field of the church property, in tax sphere, and also in sphere of education. As a result, we have the increasing contradiction between the actual status of Church and its administrative and legislative treatment on the part of the state authorities.

Only the reality of Church allows to make adequate interpretation of concept of "the secular state", as not carrying out sacral functions, but nevertheless, guaranteeing execution of these functions to the citizens and Church. This state guarantee for Church and Christians an opportunity to educate and to protect the private initiative of Christians and by that not admitting deep secularization of public life.

The status of private corporation for the first time for many decades allows for the Church to designate a circle of themes for dialogue with a modern society. At the same time, this status is not determined precisely and up to the end. The state arranged on principles of Westphalian Peace, prefers to consider Church as an element of the state unified system, as ordinary "religious organization", as "private sphere" of citizens. The similar approach complicates for Church an opportunity to come in partner relations with institutes of society and the state. It is absolutely clearly, that this approach complicates construction of effective internal policy for the state, too. Today already becomes obvious, that struggle of Church for an establishment of protectionist relations with the state weakens Church and results to de of constitutionalism and to inclusion of Church in the mechanism of legitimation as political power resource. In this case the Church

imprisons itself and the bases of the participation in public processes with independent and strong moral position.

The process of ignoring of the fact of corporate nature of Church by the state results in increasing of threat of totalitarianism in the state and fundamentalism in the church sphere. Both the fundamentalism and totalitarianism are based on aspiration to replace the personal beginning by a formalistic approach, a principle of the personal responsibility by the social form and abstract. Both the fundamentalism and totalitarianism simplify the understanding of a society of people in a set of the similar individuals forming the monolithic whole. It is probably easy to operate with such people. However, meeting such unplanned circumstance as personal freedom and the corporate nature of other social subjects, totalitarian and fundamentalist systems try or to ignore them, or to battle to them in all accessible ways. Our Church has tested such influence of totalitarianism in XX century. In XX century the Church protected conscience of the person, being in a condition of persecution on the part of political authority and the social structure. In XX century the Church supported the certain model of the person resisting to vision of the person of communistic authority. But supporting such model of the person which possesses a freedom of conscience and the creative beginning, the Church acted for own corporate rights, too.

Today the situation in the East Europe has changed: the Church formally has found corporate rights which it didn't have in XX century. Church, appeared in difficult position, because it was important for Church to find the balance between maintenance of model by that person which appeared lonely in a situation of full social chaos and maintenance of an institution дефрагментированной public system.

Charles Schmitt, analyzing development of relations between Church and the state, marked, that the Church supports always the system of order because any order " should be formal; for any order is a legal order As it has taken place, the church can enter the union with this order just as it entered the union with any order... It requires the state form because otherwise there is nothing that would correspond its representative in essence nature..."^{ix}

So the Church in the East Europe appears in the center of those problems which are solving now by the societies of this European region. Character of Church's presence in the mentioned sphere carries as functional, so as dysfunctional features. Character of Church's action in the East Europe depends now on interpretation of concepts "the secular state", "an autonomy of Church", autonomy of the subject".

It is very important, that the Church appeared to be included in discussion concerning the given concepts, appeared included in decision-making process and appeared the active subject influencing the spent policy.^x

Means of Church

What kind of means does the Church in the East Europe have in previously mentioned process? Z. Mariten in his works repeatedly came back to a discussion about strong and weak means of Church's mission.^{xi} It's completely not casual, that the state reforms have led to involving of Christian Churches in public sphere: the Church really has numerous strong means which not only Church wishes and can use , but also political system. The trust of the population to Church on all space of the East Europe is characterized by the biggest parameters among all other institutes.^{xii} The church, alongside with the state, appeared the corporation representing the certain order and vision of a

social reality. In this situation the Church receives an opportunity to use strong means, addressing to the state resources, information, financial, for strengthening of the presence and mission. So it also occurred last 15 years. At the same time, last 15 years have shown limitation of these means and their unfitness as self-sufficient means. Last 15 years have shown, that strong means, which the Church has today, are unusable without application of weak means.^{xiii} Strong means at the first sight seems to be more effective and can bring the greater success. But weak means - will transform a reality and make it irrevocably. Occurrence and display of such weak means - the most valuable, that happened in the East Europe last 15 years. It is necessary to relate to such weak means first of all the social doctrine of Churches, both Roman Catholic, and Orthodox, rendering not direct, but very strong indirect influence on a situation in the East Europe. There is an unconditional connection between the social doctrine of Orthodox Church and Roman Catholic Church. Thus, it's essentially important to mark that tools of weak means of Church in this case are entered in model of society and the state which has been incorporated by constitutions of the countries of the East Europe and also a liberal idea of the countries of the East Europe.^{xiv} So, the influence of the social doctrine has very wide spectrum of action, it is not direct and immediate, that's it why gets the big force and influence.

The social doctrine of Church makes necessary civilization context and gives tools for the decision of those questions which are faced to the state, Church and the person in the East Europe. Also the social doctrine makes a platform of rapprochement of positions of Catholic and orthodox Churches on the major questions of their participation in a life of a modern society. The social doctrine includes Church in social processes on the basis of a principle personalizm, allowing for the Church to use its weak, but most effective means.

Personalizm

The church documents touching questions of the social doctrine, are addressed mainly to the person and assert the person in the certain direction of social activity. As constitution *Gaudium et spes*, as the Social doctrine of the Orthodox Church does not offer any strong means for the person, but they allocate the person with quality of actual freedom and strengthen the person in such choice. Presence of such person in the East Europe has key value for modernization spent in region, making a basis of reforming of the East Europe and its development in long-term prospect.

Defining the corporate rights as private corporation, actualizing the concept of "the secular state" the Church acts simultaneously and for the certain model of the person - as such member of a society which possesses personal freedom. Also in this case the Church supports the certain model of a society which recognizes personal freedom and which is based on set of cooperating among themselves normative systems.

Reforms have put a number of questions before each person. The person, resolving social questions, enters secret area of own life. Social questions are inverted first of all to organization of the person. How he should behave, how should he build relations with other people? How is based the order in life of each person, if not with the help of the social order. There is a connection between the internal order of the person and the social order. We can't get answers on these questions in legal documents of the states of the East Europe. Only the Church doctrine can give answers on these questions, and it's possible to receive the answers to them probably, only having entered the tradition of Christianity.

Human freedom is not a source of the disorder and chaos. On the contrary, it is a condition of the

many-sided order adjustable by different normative systems. The XXth century has objectively shown, that it is impossible to create system which would be adjusted only by one normative or ideological system. The attempt of such regulation undertaken in the USSR, has turned back enormous falling of morals and loss of ability of members of a society to the social responsibility.

Modern society as never earlier requires moral reference points, in the normative systems of social regulation based on a principle персонализма and personal freedom. But this society also requires and such system of interaction which would be based on partnership, i.e. on a mutual recognition of equality of the subjects participating in relations. Dialogue which is conducted between Church and a modern society, should lead us to a condition of partnership. Partners should meet some requirements. These are requirements of an openness, cooperation, trust and the responsibility. The partnership assumes first of all mutual respect of the status of partners. Its one more important basis is orientation of partners to own sphere of the responsibility. The church should have such sphere of the responsibility.

The personal access to participation in public processes should be provided for Churches during reforms. It updates a calling of Christians and makes each Christian as a person, representing Church in the action and service, in any place and for any time. Outside of this personal action of Church's members the Church loses an objective basis for recognition of the modern world. Turning dialogue with the world, waste of Church of the social capital, and deprivation of a vicarial basis of Church action is in that case possible.

Principles for action

In the East Europe during the secondary modernization which has begun in 90th years of XXth century one more problem connected to themes which are resolved in constitution *Gaudium et spes* and Social doctrine of Russian Orthodox Church was designated. It is a problem of a ratio of ideology and natural bases of a social life. The constitutional reforms which have been lead in 1985-1992 have ended by deinstitutionalization of the states of the East Europe. The ideology has acted and has been chosen as such basis of social consolidation. In Belarus have directly started talking about "the state ideology"^{xv}, in Russia - about "ideas for Russia", in Ukraine - about the "Ukrainian idea". But the ideology has functions to be not-personal; it creates mass of people, and does not distinguish in them the person. The secondary modernization which has begun in the East Europe therefore contains threats in relation to civilization bases of the region.

Thus, it's cardinaly important to think about inclusion of Church in discussion about a problem of position of the person in the East Europe and think about overcoming of break between a church and secular humanitarian ideas.^{xvi}

It is important, that tasks have risen before each person in the East Europe and it is chance for dialogue with Church not only at a level of officials, but at a level of the person. As asserts *Gaudium et spes* "there where the pluralistic society prevails, there should be a correct understanding of relations between political community and Church, and clear distinction between tasks which Christians undertake, individually or as group, on their own responsibility as the citizens led by Christian conscience, and actions, which, in the union with their pastors, they carry out on behalf of Church".

There are two main principles which are in *Gaudium et spes* and which are the key for ordering and rooting of a social life in the modern East Europe. These are principles of subsidiarity and solidarity. These categories allow to make the social and political model which differs from ideological model

of the East Europe. The countries of the Central - East Europe (Poland, Hungary, Czech, Slovakia which in the doctrine and in practice have apprehended these categories - having carried out their reception from the right of EU, and also from the canon law of Catholic Church - have avoided set of the difficulties felt today in the states of the East Europe.^{xvii} In countries of the East Europe these principles have not been perceived during the constitutional reform properly. Very often many familiar concepts are ignored, as if they are not noticed.

Meanwhile, just these principles return the person and a society to the beginnings on which the political life is based, to the roots of justice and responsibility, and also to fair distribution of the responsibility in a society. The principle of subsidiarity allows to order a life on the basis of a measure of the person, introducing in public sphere necessary feeling of justice and mind.

Principles of subsidiarity and solidarity allow to achieve an institutional variety and a variety in general, keeping a society in the consolidated condition based on organic instead of on mechanical unity. The principle of solidarity allows the countries of the East Europe to leave from a socialist heritage and from socialist practice, at the same time having kept measurement of justice in public sphere and economy. The principle of solidarity allows to see in public sphere not only great subjects, but also and small groups who appear to be rather significant elements of new system.

At the same time, church documents return consciousness of Christians in the East Europe to the process of civilization - to construction of a city in which different people live together and can achieve perfection - through paying attention to transient things through which connection with supreme purpose, nevertheless, can be achieved.

Rapprochements of positions of Christians

These processes pull together positions of Orthodox Church and Roman Catholic Church. And novelty of processes in which Orthodox Church includes, pays its attention on experience of the Western Christianity which experience is like valuable magnifying glass through which all sees more precisely and more largely. Certainly, that the Orthodox Church, entering the mutual relations with the new state, possesses own consciousness, but builds these mutual relations in view of comprehension of such documents, as *Gaudium et spes*, asserting the personal principle as the central for Church action in the modern world.^{xviii} In this plan, constitution *Gaudium et spes* surpasses value of the internal church document, making a basis of modern process of a civilization.

Social doctrine of Russian Orthodox Church (2000) much is united with *Gaudium et spes*, and first of all - taking care of the person, defending of a human measure in social processes. Personal aspirations of the individual in this case should find understanding and care on the part of Church. It is a key to those transformations which can occur in the East Europe. The church is responsible for them. The stoppage of reforms and the their reference back in the East Europe is possible only on a background of indifference to a principle of personality and to humanistic values in Church people.

The value of such documents as *Gaudium et spes* or *Social doctrine of Russian Orthodox Church (2000)* - is in their inspiration which they give to separate Christians for their social action. Among that chaos which people have formed in the East Europe in the XXth century the social doctrine of Church sounds in completely special image. They remind people, that institutional action of Church is only a condition for personal action of Christians. Institutional distancing of Church from the forms of a public life, allows Church to cooperate with a modern society, but simultaneously, allows the Christian to be in a modern society as a Christian, to enter into social structures and to act as a member of Church. Moral principles of a public life, preached by Church, can be realized only

through a life of Christians. In "Pastor" of Herm there is a majestic picture of formation of such reality: Herm narrates about construction of the tower consisting of white stones, the correct form Each stone going on construction, shows a parallelepiped. Before stones become a part of construction, they are squared, because in the nature there are no such correct forms. The tower is building, because there is a master and there is a plan, that's why there is a hope.

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^v См. Салингмен Э. Проблема доверия. — М., 2003; Klimczak B. Etyka gospodarcza. — Wrocław, 2003.

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^{viii} We must therefore recognize and understand the world in which we live, its explanations, its longings, and its often dramatic characteristics. // *Gaudium et spes*.

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^{xiv} Коровицына Н. В. [Центральная Европа в поисках новой региональной идентичности](#): Регион "догоняющей" модернизации: коммунистический и либерально-демократический опыт. // http://www.history.machaon.ru/all/number_11/analiti4/europe/korovitsina/index.html

^{xv} См. например Сайт Президента Республики Беларусь: www.president.gov.by/rus/forum/ideologia/.

^{xvi} Светский гуманизм остается гуманизмом "без корней", вечной альтернативой государственному существованию, а церковная мысль мало занималась и заботилась социальным вопросом, который возникает как следствие потребности согласования индивидуальных волей. Потому реформы социального строя в 90-е годы оказались обращенными к различным субъектам, которые имели схожие интересы, но не были объединенными. Попросту отсутствовала инфраструктура такого взаимодействия. В Восточной Европе необычайно актуальны рассуждения С. Вейль в ее книге "The need for roots".

^{xvii} Z. Gilowska, G. Gorzelak, B. Jałowicki, Monitoring reformy terytorialnej organizacji kraju - projekt programu badań (w:) G. Gorzelak (red.), Decentralizacja terytorialnej organizacji kraju: założenia, przygotowanie, ustawodawstwo, „Raporty CASE”, Warszawa 1999; Swianiewicz P. Institutional Performance of Local Government Administration in Poland // Ten Years of Transition: Prospects and Challenges for the Future of Public Administration: Proceedings from the 8th annual conference held in Budapest, Hungary, 13 – 15 April, 2000 / Ed. by J. Jabes. – Bratislava, 2001. – P. 162 – 186.

^{xviii} Pressing upon the Christian to be sure, are the need and the duty to battle against evil through manifold tribulations and even to suffer death. But, linked with the paschal mystery and patterned on the dying Christ, he will hasten forward to resurrection in the strength which comes from hope.(30)

All this holds true not only for Christians, but for all men of good will in whose hearts grace works in an unseen way.(31) For, since Christ died for all men,(32) and since the ultimate vocation of man is in fact one, and divine, we ought to believe that the Holy Spirit in a manner known only to God offers to every man the possibility of being associated with this paschal mystery.

For having been created in the image of God, Who "from one man has created the whole human race and made them live all over the face of the earth" (Acts 17:26), all men are called to one and the same goal, namely God Himself.