

CHALLENGES OF RELIGIOUS PLURALISM IN SERBIA

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Paper presented at the international conference “Religious Pluralism”
Kotor (Montenegro), 22-24 March 2004

When assessing the issue of religious freedoms and relations between religious communities and the state in Serbia, one must admit that the situation in this domain is not entirely clear today. Indeed, when we compare this area to other state-related issues, we see that it has not merited enough experts’ attention. For example, the problems in the economic domain, or, even more closely, the status of national and ethnic communities, have had an undisputed priority when compared to religious rights and freedoms, or church-state relations. If this may provide any comfort, some of the important problems related to this area had not been seriously re-examined in Europe until relatively recently. But in Serbia, I would dare to say, one is still faced with many dilemmas and a significant dose of confusion both in the public, and in the state institutions. I do not think that even religious communities are able to easily figure the ways out of that confusion.

Religious Education Controversy

The bewilderment, I am referring to, reached its peak soon after the political changes of October 2000, when an intensive debate was launched in Serbia regarding the Orthodox Church proposal to introduce religious education, as a regular subject, in the public schools. Between November 2000 and late 2001, the Serbian press and electronic media published various articles and contributions on whether religious education should be introduced in the public schools; who would teach this subject and how; would it be a confessional or non-confessional, compulsory or optional subject, etc. Unfortunately, much less discussion was committed in that period to some important preconditions of this initiative. The solution was offered, in a rather hasty manner, by the governmental Decree on the organization and realization of religious education and an alternative subject in the elementary and high schools. Focused on the particular issue of religious education in public schools, our government officials “did not see the forest”, as it were, for the trees. One of the fortunate outcomes of the entire debate was, however, that at least seven religious communities reached the consensus on this matter and established an unprecedented level of cooperation.

Let me pose at least some of the questions that became acute or surfaced during the debate on religious education, but did not merit enough attention of the public.

The Relations between Religious Communities and the State

Who are the partners in this relation? Which religious communities, what state? What constitutional solutions are to be expected in the near future? Will the new law on religious organizations be passed on the level of the state Serbia and Montenegro or just on the republic level?

Before any appropriate law had been passed in the parliament, the Serbian Government's Decree on religious education defined, in its article 1, that the traditional churches and religious communities were: Serbian Orthodox Church, Islamic Community, Roman Catholic Church, Slovak Evangelical Church, Jewish Community, Evangelical Christian Church and Reformed Christian Church. Is this the way in which their status will be defined in the forthcoming legislation? If so, does this mean that Serbia has opted for the model of the so-called "historically recognized religious communities". If so, what were the criteria of their selection? And, most importantly, are other religious communities in this state still equal before the law? What will the Constitutional Court of the Republic of Serbia say about that? This Court has not decided yet whether the introduction of religious education in the public schools was indeed a constitutional act or not.

These are only some of the questions that, in my opinion, deserve a more detailed analysis of the legal experts. Apparently, the relations between religious communities and the state in Serbia should not depend on religious affiliation of a president or government members – be they atheists or firm believers; this should presuppose a much more stable, long-term relationship. Today Serbia needs a new, democratic law on religious communities and religious freedoms.

Human Rights (including religious rights and freedoms and child's rights as a separate segment of this problem that proved to be relevant, for example, for high school children's decision to take, or not take, religious education in schools)

In this context, let us recall the international Child's Rights Convention concerning the freedom of thought, conscience and religion, as well as other international legal acts conducive to many countries and adapted in their own constitutions. For example, one often hears an argument in Serbia that religious education is a fundamental human right. It is, indeed, so. However, what is usually overseen is that such a right may successfully be

realized beyond public school, in religious communities, while the public school, in its long tradition since the Enlightenment, is a lay, non-confessional institution. Furthermore, religious freedoms and rights mean both rights *to believe* and *not believe*. It is, therefore, the right to both religious and non-religious (agnostic or atheist) worldviews.

For the debate over religious rights and freedoms to be constructive, it is not sufficient that the public be divided into two opposing groups (as was the case with the Serbian debate), where those two groups could hardly communicate “from their trenches”. This is especially so when we take into account strong antagonism between the religious communities and human rights organizations in Serbia. Representatives of academic community and NGOs certainly know that the rights and freedoms of religious communities, as well as the minority rights, pertain to a special domain. Accordingly, they should be able to hear what religious communities propose. In a constructive way, those experts may point out the possible counterproductive consequences of some solutions, especially the ones that could affect religious communities. Instead, our non-religious experts are often very critical towards the demands of religious communities. The civil society proponents must also get used to these proposals, and be able to hear and understand. Despite obvious differences, there are also some significant parallels between religious organizations and NGOs (e.g. the spirit of philanthropy, institutions of volunteer work and endowments, peace-building efforts, etc.).

At any rate, all those who participate in similar debates bear an enormous responsibility. What is needed here is a more flexible approach, avoiding extreme positions and simplifications.

The Issues Related to Minorities and “Minor” Religious Communities

This is especially important in Serbia, because in the province of Vojvodina only, there are more than 30 different religious organizations! Religious diversity is often a major challenge for religious liberties; and democracy is necessary, yet not sufficient for religious freedom and pluralism. (One should only recall the restrictive Russian Law Proposal of July 1997). Religious freedom, in fact, means the responsibility to protect freedoms and rights of others as one’s own rights. The extent to which religious communities are ready to support rights and freedoms of their sister-churches and other religious communities indicates their awareness of their own rights and freedoms. On the other hand, the low level of consciousness of one’s own rights and freedoms most often results in ignoring, or even violating, the rights of others. In the Serbian and ex-Yugoslav context, one should also not forget the religious elements of the conflicts that took place during the past decade. The

minority issue (both ethnic and religious minorities) was particularly important in this context.

Conflict and Dialogue

The former Yugoslav society experienced, within a very short period, two ideological extremes and "cultural shocks": the highly secularized society of the 60s and 70s (in which the communist, atheist ideology left its characteristic marks on the political, cultural, national and religious fields), had in the 80s and 90s suddenly to face the "ghost of nationalism", including the traditionalist identification of religion and nationality. In other words, one quasi-religious system (communism) gave way to another (nationalism). The widespread semi-literacy of citizens with regard to religious matters further contributed to the rise of ecclesiastical nationalism and nationalist populism. This made it possible that in this region, under the conditions of war and long-lasting politicization of religion (first to communist, then to nationalist tunes), one witnessed a subsequent, secondary influence of religion on politics and inter-ethnic conflict. This found its expression in the theories concerning religious roots of the Yugoslav conflicts. I would argue that the 1991-1995 wars in former Yugoslavia had some religious aspects, but not religious roots. They were primarily a result of political and inter-ethnic conflicts. Religion, however, appeared as a significant element of ethnicity, and this is probably the reason why the war itself, in this context, is often considered as an inter-religious conflict.

Notwithstanding the controversial issue of responsibility of religious communities for supporting the wars in former Yugoslavia, in which way can they now come forward as agents of reconciliation and stabilization between the Balkan states? Is there, indeed, room - and more importantly - readiness for reconciliation and what would the potential role of religious communities in such a process be?

It is legitimate, in this context, to pose the following question: *How* can the churches participate in the protection of the national, religious, ethnic rights of *other* religious and confessional groups? The *reasons* for such actions they may, of course, find in some universal principles representing the core of their teachings, their "catechisms". The respect for the freedom of religion, authenticity and uniqueness of other religious traditions - including readiness to protect those freedoms as one's own - are the ultimate tests of tolerance for every religious organization. They are, indeed, the indicators of their true adherence to religious pluralism and coexistence with other communities. Now, how to put that principle in practice

in actual situations, in concrete programs and actions whose goals are the protection of democracy, human rights, minorities' rights and respect for religious pluralism?

For example, during the 1990s, the representatives of the Serbian Orthodox Church (SOC) undertook some concrete actions against religious intolerance in Serbia. Let me mention only few cases. The Serbian Patriarch publicly condemned a series of bombing attacks on the Bajrakli Mosque in Belgrade. The mosque was attacked several times during the war, but the real tragedy is that it was set on fire in the year 2004, in the aftermath of the war and Milosevic's rule. The Patriarch also visited the former Yugoslav rabbi and directed a very touching ecumenical epistle to the Jewish Community after the publication of an anti-Semitic text. Furthermore, when such an article was published in the official journal of the SOC, the editor in chief was soon replaced. Today, when some Evangelical communities in Serbia are exposed to public criticism, including discrimination, a Serbian Orthodox bishop made a praiseworthy gesture. Not only that he positively assessed the Pentecostal publication "Book of Life" (distributed in front of some Belgrade schools), in which some events from Jesus' life were described in a popular manner, he also wrote a preface for this book. Finally, the most recent example: Metropolitan Amfilohije tried physically to protect the Belgrade mosque from the hooligans.

After mentioning these positive examples of the SOC engagement on behalf of the minorities and non-Orthodox religious communities, it would be appropriate in this context to point out those cases in which the SOC, as a majority church, could demonstrate much more willingness and strength in condemning religious intolerance and discrimination in the post-war period. A number of small religious organizations, publicly castigated as "sects", are today active in Serbia. Notwithstanding the relatively correct attitude of the state authorities towards them, they have been exposed, during the last decade, to the public- and media-disqualification, including discrimination and physical attack. Among these communities there is a small number of Protestant and Evangelical communities (i.e. Baptists, Adventists, Pentecostals, etc.) - approximately 1% of all believers in Serbia. These Christians are often associated, in some Orthodox Church circles and the press, with the unpopular Scientologists, Satanic cults or the "Moonies". As a result of that, one may bear witness to the significant dose of ignorance, intolerance, xenophobia or, at least, lack of ecumenical sensitivity, expressed by some representatives of the press or Serbian Church.

It is interesting that a sort of ecclesiastical nationalism, or Orthodox "fundamentalism", is present both among the laypeople and clergymen, including the Church hierarchy. In this context, a thesis is often mentioned that no one may be a good Serb if he/she is not an Orthodox believer, and that the Serbs who are not Orthodox are not the real Serbs.

What mostly irritates the SOC ideologists is the situation in which the traditional mono-confessional scheme *Serbs* (i.e. *Serbian nation*) = *Orthodoxy* (i.e. *SOC*), under the influence of the present religious "market", transforms slightly in the pluralist direction, along the line: *Serbs* = *Orthodox as well as Protestants* (i.e. various Protestant denominations). Besides a significant number of atheists and agnostics in the so-called "Orthodox homogeneous regions", there is a constant fear in the majority church circles that, under the more liberal activity of religious organizations in Post-Communism, the Serbian nation could be divided in the confessional sense as well.

We may conclude from the above that in Serbia it is important to further support the initiatives leading to inter-confessional and inter-religious cooperation. In the domain of legislation, a greater attention, in my opinion, should be paid to the problems of religious intolerance and discrimination. The only normative act that still regulates the position of religious institutions in Serbia today is article 41 of the Constitution of Serbia that guarantees, in a rather general manner, freedom of religion and claims that all religious communities are separated from the state and free in performing their religious activities. In the forthcoming legislation (the new Constitution of Serbia and Law on Religious Freedoms) it would be very important to fully respect the distinction between the state and religious communities and avoid possible discrimination of any religious community through registration or similar procedure (something that the new proposal of the Law on Religious Freedoms does not avoid). Religious communities should be equal before the law, and in their various public procedures.

To conclude: There are, indeed, ways in which inter-religious and inter-confessional relations could be more effectively promoted: one is certainly through serious, constructive and continual religious dialogues; the other is perhaps through the more active and concrete support of these communities not only to their own believers, but also to members of *other* religious communities, with the goal of advancing religious freedoms in Serbia.