

SENSES OF RELIGIOUS PLURALISM (WITH PARTICULAR REFERENCE TO BOSNIAK ISLAM)

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The notion that this conference is about, “religious pluralism,” seems to me to be used in a number of confusingly different ways. My aim in this short paper is to introduce some analytical distinctions that might help us say more precisely what we mean when we speak of pluralism. This also involves examining more closely the largely unexamined notion that religious pluralism is in itself “a good thing.”

Using these distinctions, we can work out a typology of attitudes to religious others that may serve as a guide to comparative research and as a point of departure for formulating hypotheses about connections between such attitudes.

The paper falls into two main parts. In the first, I develop the model or typology I will be using. In the second, I apply the model to a single case study on the attitudes of Bosniak Muslims, mainly for the sake of illustration.

Basic distinctions

Pluralism must be distinguished from *plurality*. Plurality is a state of affairs, pluralism is the attitude supporting that state of affairs, or the idea normatively justifying it.² Plurality is more or less synonymous with “diversity”. There are religiously plural societies in which the idea of religious pluralism does not enjoy widespread support.

Religious pluralism takes on a variety of meanings according to the *domain* in which it applies. Let me just suggest three such domains (there may be others):

- (a) *Theological* religious pluralism (concerning the *truth claims*, including in particular the *salvific efficacy* of other religions).
- (b) *Social* religious pluralism (concerning human relations with religious others)
- (c) *Public* religious pluralism (concerning the relationship between the state and a plurality of religions, including forms of regulating their presence in the public sphere)

As you see, I distinguish between the social and the public. The public sphere is an abstract concept which applies to a subset of highly formalised social relations. When I speak of the social, then, I speak of the remainder of social relations when the public is abstracted, that is, of such relations as between family members, neighbours, people in a crowd, and so on.

Theological religious pluralism vs. exclusivism and inclusivism

Religious plurality and pluralism may be *external* or *internal*, depending on whether the differing religious forms are considered different “religions” or different variants

1 This document contains the draft text of the paper more or less in the state it was when presented in Kotor. I plan to develop the paper further for presentation at the EASR conference in Santander (Spain), September 2004. Comments are welcome: <christian.moe@guest.arnes.si>

2 I am grateful to M. Khalid Masud for formulating this point with clarity during a lecture at the Norwegian Centre for Human Rights in 2002.

of one and the same religion. Internal religious pluralism is just as interesting a topic as external religious pluralism, involving as it does issues of sectarianism, heresiology, etc., and the internal dividing lines of a single religious tradition may be as conflict-prone as the divisions between the major traditions, and quite possibly more so. However, in the following I will deal *only* with attitudes to *external* religious plurality. Taking internal plurality into account would introduce so much complexity as to make my proposed model unmanageable, especially within this short time frame.

Theological religious pluralism is the idea that the beliefs of other religions are *true in their own right*, and that their adherents may achieve salvation in some sense of the word.

In the theological domain, particularly in Christian academic theology, it has become commonplace to distinguish religious pluralism from *exclusivism* and *inclusivism*, thus creating a tripartite typology of models of inter-religious attitudes.

Exclusivism means to claim truth value and salvific efficacy for one's own religion only, denying it to other religions.

Inclusivism means to acknowledge a restricted, derivative truth value and salvific efficacy for other religions, *not* in their own right, but *inasmuch* as these others reflect the truths of one's own religion.

Five theses on the tripartite typology

Following closely a very enlightening discussion of this model by Kate McCarthy, an American Catholic,³ let me make the following claims:

- (1) Actual attitudes may not correspond perfectly to these ideal types, but may overlap at the borders between the types in ambiguous ways.
- (2) The typology cuts *across* religious divisions. That is, within each major religious tradition, all three attitudes are *possible*, and we may *expect* to find each of the three represented, though *whether* we will actually do so is a question to be settled empirically.
- (3) However, each major religious tradition may be characterised as historically being *typically* or *predominantly* exclusivist or inclusivist. This of course is a controversial claim (suggested, but not explicitly made by McCarthy), and like all sweeping generalisations it needs to be appropriately qualified. It is even hotly debated whether this typology is at all cross-culturally valid. Still, we may risk the broad claim that Judaism and Christianity have been predominantly exclusivist, at least until the 20th century, whereas mainstream Islam has shown a considerable inclusivist streak, and Buddhism has been strongly inclusivist.
- (4) Religious pluralism is the rarest of these models and is not widely represented within any of the major religious traditions. (It may be found in its most developed form as a radical strand of liberal academic Christian theology. However, most Christians are probably neither academic theologians nor theologically liberal.)
- (5) My fifth point is a normative claim about the so-called scientific study of religion, as it seeks to distinguish itself from theology: As students of religion we do not take a stand on religious truth claims. Therefore, we also do not take a stand on religious

3 Kate McCarthy, "Reckoning with Religious Difference: Models of Interreligious Moral Dialogue", in *Explorations in Global Ethics: Comparative Religious Ethics and Interreligious Dialogue*, ed. Sumner B. Twiss and Bruce Grelle (Boulder: Westview Press, 1998).

attitudes to the the truth claims of religious others. The practical point is that, I believe, we should avoid expressing ourselves as if theological religious pluralism is a desirable attitude that ought to be promoted at the expense of exclusivist and inclusivist attitudes. Of course, outside our professional roles, to the extent we are believers, we may favour one or the other. Non-believers, too, may in their role of high-minded citizens favour theological pluralism, if they suppose it to be conducive to desirable social outcomes.

A two-dimensional model of inter-religious attitudes

We now have the makings of a two-dimensional scheme. One dimension concerns the *qualitatively different domains* – theological, social, and public – in which we find different meanings of the term religious pluralism. The other dimension, which we have so far only found in the theological domain, concerns the *degree of acceptance* of other religions, which forms a *discontinuous scale* from exclusivism via inclusivism to pluralism. You realise, of course, where we are headed: No researcher could resist the temptation to display these two dimensions as orthogonal axes and derive a *three-by-three matrix modeling inter-religious attitudes*. I have one here:

		<i>DEGREE OF ACCEPTANCE</i>		
		Exclusivism	Inclusivism	Pluralism
D O M A I N	Theo- logical	Theological exclusivism	Theological inclusivism	Theological pluralism
	Social	Social religious exclusivism	Social religious inclusivism	Social religious pluralism
	Public	Public religious exclusivism	Public religious inclusivism	Public religious pluralism

The only, but big, question is whether this model makes any sense, that is, can the categories of exclusivism, inclusivism, and pluralism meaningfully be extended from their realm of origin, the theological domain, to the social and public realms? Do they take on meanings there that do not parallel those in the religious realm, and would not other divisions take better account of the different nature of the social and public realms? These questions raise their head whenever we extend the meaning of a term to a new domain (indeed, they already raised their head when we extended the tripartite typology from Christian theology to other religions). We shall just have to see.

Social religious pluralism

Social religious pluralism is about accepting religious others in relations between members of society. It is a norm that may be said to predominate in a religiously plural society where this plurality or diversity is considered desirable, so that not only are religious others tolerated, their otherness is considered to enrich society. It means measures of social distance between adherents of different religions (such as those captured by the Bogardus scale) would be low. It is an attitude best captured by fulsome phrases such as “a rich tapestry of belief.”

Social religious exclusivism, on the other hand, is the attitude that society has place only for one's own religion, and takes forms ranging from mere avoidance of religious

others to support of forced conversions and pogroms. (Note that we are dealing with ideas and attitudes: With inclusivism and exclusivism, not with the actual fact of inclusion and exclusion.)

Now, if our scheme is to make sense, there also needs to be something we can meaningfully call *social religious inclusivism*. It is not quite clear what that might be. We might perhaps describe it as the attitude by a dominant religious group that some other groups are sufficiently similar to be acceptable as members of society, though possibly in a subordinate position and subject to assimilatory pressures. The classical Muslim notion of *dhimma* (protection) extended to Jews and Christians would be one example. Another might be the way protestant sects in Norway were tolerated by the national religion within limits, whereas the line was drawn at Catholics.⁴

As a digression: If we broaden our view a little to speak of an *ethno*-religious field, in the former Yugoslavia we find a particularly insidious form of inclusivism which might be called *ethnically assimilationist religious inclusivism*. This characteristic feature of both Greater Croatian and Greater Serbian designs on Bosnia was most strikingly expressed by the Ustaša leader Ante Pavelić in his embrace of the Muslims as “the flower of the Croatian nation.”

Public religious pluralism

Public religious pluralism, I think, is usefully defined as the view that the state should extend the same treatment to other religions as one wishes for one's own religion, and that other religions should have equal access to the public sphere. This would place the state in the role of a neutral arbiter treating the different religions equally, not favouring one religion or a select group of religions.

Before we go on, we need briefly to consider whether the term must also imply that the state takes a *positive* view of religious plurality and of religion as such. Some might maintain that the phrase is meaningless unless the state takes such an attitude and manifests it by actively supporting religion or acting in a spirit of partnership with religious communities. Others might protest that French laicism is a form of public religious pluralism, indeed, the only practically possible form in some societies. Possibly, public religious pluralism spans options ranging from *multi-culturalism* (the active fostering of different religious communities, giving equal consideration to all by giving special consideration to each) via *liberal democracy* (giving equal consideration to all by giving special consideration to none, leaving communities to sink or swim in the marketplace of identity) to *laicism* (the active fostering of a civic identity to supersede religious ones, excluding all equally from the public sphere).

It seems to me that these questions are all connected with a *state-centric* perspective on the issue, which tends to inform models of state-church relations. In keeping with the rest of my model, however, I want to take a *religion-centric* view, or rather, look at attitudes to religious others from the point of view of the believing subject, the adherent of a religion. It is dubious whether the state can be said to have religious others in any meaningful sense: the state is not a religion nor, except as a metaphor, a believer. In the state-centric perspective, therefore, the degree of acceptance of religious others may not be a meaningful dimension. In the state-centric perspective the relevant dimensions are two, namely the degree of acceptance of religion and the degree of acceptance of plurality.

Following my perspective, *public religious exclusivism* would be the demand that the

4 Cf. the paper by Anne Stensvold at this conference.

state protect and promote one's religion, the effect being state religion and the privileging of the state's chosen religion in the public sphere. We may wish to include Marxism and state-sponsored atheism in a broad conception of state religion. Appearances may deceive: Norway has a state religion (Lutheran Protestantism), and that religion enjoys both *de iure* and *de facto* privileges in the public sphere, yet at the same time the Norwegian system is highly pluralist, e.g. subsidising all religious communities equally in proportion to their membership.

And what of *public religious inclusivism*? I submit that this obtains when a religious community is willing to extend to *select* religious others the treatment it demands for itself from the state. The parallel with theological inclusivism is not perfect, since the main point about theological inclusivism is not its selectivity, but its tendency to subsume or subordinate to itself those religions it shows tolerance. Still, perhaps public inclusivism usually involves recognising in those other religions an inferior but sufficient reflection of the qualities that make one's own religion supremely deserving of state protection.

We see that quite a few tweaks are necessary if the extension of these categories from the theological domain is to make sense. This means that the extension may not be a good idea. Instead, one might prefer to look to the plethora of church-state models already developed in sociology and law for meaningful categories in the public domain. Still, I don't think my model breaks down completely when applied to the public sphere, at least if we keep in mind that we take a religion-centric and not a state-centric perspective. We get a tripartite division which I think is actually quite suited to describe current debates in the Balkans, as well as in the wider post-Communist part of Europe: Is the state to protect and promote one religion, a handful of "traditional" religions, or all religions equally?

Correspondences and correlations

In her article on religious pluralism, Kate McCarthy makes some provocative claims: That religious exclusivists are not necessarily averse to inter-religious dialogue – indeed, they are sometimes highly motivated and valuable dialogue partners – and that religious pluralists, however much they may be motivated for dialogue, may in fact bring comparatively little to the table. The theological exclusivists may be as interested in inter-religious cooperation to deal with social problems as anyone, and they may be additionally motivated for dialogue by their zeal to convert others. They also bring valuable resources to the table: Being solidly grounded in their own faith, they have a lot to talk about, and being in tune with the majority of ordinary believers, they may be able to deliver mass support for any efforts jointly agreed.

I would like to expand on McCarthy's point to make the following claim about relationships between the categories in my model:

There is no logically necessary correspondence between attitudes across domains. Empirical study is likely to find varying combinations.

For instance, it appears possible to combine theological exclusivism with social and public religious pluralism, to hold, in effect, the following view: "I am very sorry that you are going to burn in hell as an infidel. Still, we can be good neighbours in this life. And though my religion is the only true faith and the only one ultimately deserving of the state's protection, I am pragmatic enough to support a secular, neutral state, because it's better than civil war." To what extent this combination actually exists is obviously a matter for research. Still, I risk the *a priori* claim that it exists, because if it did not, given the high prevalence of theological exclusivism, our

religiously plural societies simply would not work.

At the same time, *some correlations are likely to be far more probable than others*. In particular, theological pluralists may usually be assumed to be highly motivated for social and public religious pluralism. Also, though traditional Muslim social inclusivism may stem in great part from the administrative needs of a multi-religious empire, it must also have been helped by its fit with Islamic theological inclusivism

If this is so, an interesting research programme could begin with the question: *What attitudes combine across domains in what situations, and what are the dynamics behind these tendencies?*

Application: Bosniak Muslims

I am not going to carry out that research programme here. Instead, as promised, I am finally going to apply the model to Bosniak Muslims in order to consider whether and in what sense they are religious pluralists in each of the three domains. In the present paper, my only ambition for the case study is to illustrate the use of the model. Therefore I will, in a none too systematic fashion, pick some data points from the public discourse of the Islamic Community and some anecdotal experiences, and plot them on my grid.

As a starting point, whatever sweeping generalisations we are able to make about Islam in general and about Hanafite Sunni Islam in particular are likely to hold true for the Bosnian Muslims. As already indicated, I believe the broad sweep of Muslim history could be characterised as theological and social religious inclusivism.

According to Muslim belief God has revealed his authentic message to many peoples through history, and e.g. Christianity and Judaism started out as authentic pre-Muhammadan forms of “Islam” in the broad sense of the word. Muhammad was the last Messenger, sealing God's revelation, and bringing a new dispensation for all humanity, not for a particular people. The message he brought confirms the authentically divine origins of Christianity and Judaism and, though Muslims believe that the believers of those religions have adulterated their scriptures, there remains unadulterated truth in these religions of the book. Importantly, however, Muslim scholars have tended to agree that the duties these religions prescribe have been abrogated by the law brought by Muhammad.

The theological inclusivism of classical Muslim scholarship is thus a rather qualified one. Only some truth claims of Christians and Jews are only partially and cautiously recognised, while others are rejected as falsehood, in particular the Christian doctrines of the Trinity, the Incarnation, and the death of Jesus. Their prescribed practices have been superseded by a better law, and their failure to abide by this law, if they are aware of it, seriously imperils their chances of salvation. Muslim scholars have given various answers to the question of whether Christians and Jews will be saved.⁵

And yet, this qualified theological inclusivism carried the day, justifying a high degree of social religious inclusivism in Muslim societies. Dhimmitude, though a clearly second-class citizenship by modern standards, gave Jews, Christians, Zoroastrians, and in some instances others as well, security for the persons and their property, freedom of worship, access to most spheres of social activity (though not to government), and even provided them with a degree of legal autonomy. Until the

5 A text I have found useful in this regard is Mohamad Legenhausen's study *Islam and Religious Pluralism*, Al-Hoda, 1999, which is careful not to read contemporary pluralist ideals into classical Islamic thought, and appears to defend a relatively exclusivist theology. Legenhausen, however, focuses on Shi'i Islam, which is not the subject of the present study.

modern age, the position of these minorities in Muslim societies as a general rule compared favourably with the position of Jews, not to mention Muslims, in European Christendom. Pressures to assimilate and convert to Islam, though ever present, were usually subtle and indirect, with some notable exceptions. The form the system took, though not the rationale behind it, bears some resemblance to the ideas of modern multiculturalism. To speak of medieval Muslim societies as religiously pluralist, however, I think is an exaggeration; they may be better described as inclusivist.

To the extent that we may retrospectively identify a public sphere in premodern Muslim societies, however, Muslims tended to be public religious exclusivists. The religion of the state was clearly Islam, the rulers were required to be Muslims, and while the state *protected* all religions of the Book, it generally *promoted* only Islam. There were individual exceptions, to be sure, e.g. cases of financial support by Muslim rulers for the building of churches. In some cases, Christians could attain high positions, but they could not reach the top.

There is no single modern Muslim position on the issue. Modern Islamist thought, such as that of Mawdudi or Khomeini, tends towards a public religious exclusivism far more rigid than that of medieval Muslim societies, because of their understanding of Islam as the total ideology of the modern state, but it also makes concessions to public inclusivism by granting religious minorities reserved seats in parliament with separate electorates.

So what of the Bosniak Muslims? They take great pride in what they say is their tradition of ethnic and religious tolerance, often asserting that they have always practiced multiculturalism and religious freedom, and that the international community has nothing to teach them in that regard. For evidence they point to the existence of large Catholic and Orthodox communities, the Jewish community that found shelter here after being run out of Spain in 1492, the preservation of churches in Muslim-controlled territories through centuries of Ottoman rule as well as through four years of bitter war in the 1990s. Often cited is the *Ahdname* or charter of freedom granted to the Bosnian Franciscans by the Sultan after his successful conquest of Bosnia. (The many subsequent decisions by Bosnia's Ottoman rulers imposing restrictions on the Catholic faith, such as that of Gazi Husrev-beg forbidding the construction of churches where churches had not previously existed, are never recalled in this context by Muslims, but have been carefully chronicled by Franciscan historians.)

It is difficult to speak of the Bosnian Muslims in isolation from Bosnian Catholics and Orthodox; their lives and fates intermingle and their beliefs and attitudes sometimes come to mirror one another, and all that I say about the Muslims should ideally be set in perspective by comparison with the other two major groups. Still, for that I have neither the time nor the research.

Bosniak social religious pluralism-cum-exclusivism

A number of other qualifications would be in order, but not to waste your time, I would say that in the *social* domain, Bosniak Muslims practiced a fairly benevolent inclusivism as the privileged under Ottoman rule (said inclusivism always being subject to the harsh vicissitudes of imperial politics and external warfare),⁶ and have

⁶ There is little evidence of forced conversion to Islam in Bosnian history, whereas in nearby Kosovo, there were several notable episodes. Of course, a not-so-subtle form of pressure to convert in the later years of the Ottoman Empire was the punitively high taxation of Christians, who were increasingly perceived (not without reason) as a fifth column for the empire's Austrian and Russian enemies. However, the constant need to replenish the empire's war chest led to high taxation of all

since as a rule been staunch supporters of social religious pluralism. How much is left of that attitude after the 1992-1995 war, after ethnic cleansing, the redrawing of ethnic maps, and the carving up of the country into fiefdoms run for the exclusive benefit of one or the other nationalist political elite? What is left of the Bosnia where once – just to cite one of innumerable anecdotes -- two small boys grew up together as neighbours, inseparable, the Catholic tagging along with his Muslim friend to hang out in the mosque yard, the Muslim accompanying his Catholic friend to church, to be kindly and politely rebuffed only when he wanted to take Communion like his friend?⁷ We don't have the answer to that yet, as the necessary research has not been carried out. It may, however, be briefly and correctly stated that on the *declarative* level, the Muslim clergy remains committed to social religious pluralism.⁸

Yet the war had to strengthen exclusivist tendencies and increase social distance between the groups. One example of Muslim social religious exclusivism that came to the fore during the war was the “*ban*” on “*mixed marriages*”, that is, religious intermarriage, that was pronounced by the IZ in 1994. Ethnic/religious intermarriage was considered a positive sign of increasing social integration by the Communists, but to the Muslims, it had been a source of concern, mainly because the children of such marriages were usually “lost to Islam.” both proponents and opponents entertained exaggerated notions about its prevalence, which was thought to be high and rising.⁹ The Islamic Community's “ban” was anomalous (though not unprecedented or unparalleled) in that it also covered marriages between Muslim men and Christian women, which are otherwise allowed in Islamic law. On this point, then, Bosniak Muslims turned more exclusivist than traditional Islamic law. Reasons include a war-induced sense of threat to the survival of the nation, anecdotal indications of bad things happening to Muslim spouses during the war, and a rejection of all things Communist. To put the matter in perspective, it should be noted that the canon law of the Orthodox and Catholic churches as well as that of Islam make such mutually exclusive demands on the religious upbringing of children that the option of mixed marriage is in effect precluded for partners who both wish to live by the precepts of their religious community.

Bosniak theological religious inclusivism-shading-into-pluralism

The religio-legal rationale for the ban on mixed marriages was found in a minority tradition in Islamic law that considered marriage to women of the Book forbidden, based on a saying by a Companion of the Prophet that he knew no worse polytheism (*shirk*) than saying “Jesus is the son of God.” This problematic argument would seem to undermine the case for Islamic religious inclusivism across the board, not just in the case of marriage. As such it sits uncomfortably with the mainstream Muslim inclusivism, and in particular with the pluralist tendencies that seem unusually influential in Bosnian Islam.

The Qur'an provides resources from which one can construct a case for pluralism, as

its subjects, including Muslims.

7 Childhood reminiscences from one of my interviews in Sarajevo.

8 Though much has been made of a wartime article in a local nationalist rag by a hotheaded young religious intellectual, later a spokesman for the SDA party, concerning plans for turning Bosnia into a “strong Muslim state” with privileges for committed Muslim nationalists.

9 In fact, in Yugoslavia as a whole 12-13 percent of marriages were mixed, and in Bosnia 11-12 percent, with little change over time from 1962 to 1989. Muslims in Bosnia were more than seven times as likely to marry endogamously than “randomly” across ethnic lines, and outside Bosnia they were more so. See Nikolai Botev, “Where East Meets West: Ethnic Intermarriage in the Former Yugoslavia, 1962 to 1989”, *American Sociological Review* 59:3 (June 1994), 461-480.

did Enes Karić, Bosnia's preeminent Islamic exegete. Just before the war, he argued on the strength of verses often cited in Bosnia, such as 49:13, that religious diversity is the will of God, and he compares the Qur'anic message to the pluralist ideas of Catholic theologian Hans Küng, according to whom God is not the property of either Christians, Muslims or Buddhists. The Qur'an shows, argued Karić, that God “did not want people to be of one religion, he wanted differences, dynamics – in a word, he wanted life.”¹⁰

There is an influential group of Islamic intellectuals in Sarajevo, most notably Rusmir Mahmutćehajić, who promote, as the only true remedy for Bosnia's and global conflicts, a theological religious pluralism based on Bosnian tradition interpreted through a “perennial wisdom school” recension of Sufi thought and other religious mysticisms. I have dealt with this so-called “Bosnian paradigm” at length elsewhere, and will only make a few brief points here.¹¹

(a) The main thrust of the “Bosnian paradigm” is a strong theological pluralism that portrays different religions as “paths leading to the same mountaintop”. Perhaps typically for strong theological pluralism, it is actively promoted only by a very small, elite group of scholars, and it is based on premises that are highly controversial in mainstream theology – namely the ideas of the “perennial wisdom” school of Rene Guenon, Frithjof Schuon, S. Hossein Nasr and others. Still, this controversial school enjoys a considerable popularity in Bosnia and the scholars in question enjoy an influence out of all proportion to their number.

(b) These scholars combine a cultural outlook that poses as a conservative rejection of modernity and liberal theory in favour of ancient tradition, and a practical outlook on life that is, paradoxically, markedly liberal, cosmopolitan, at times post-modern. The ends they seek are social and, as far as I can make out, public religious pluralism (possibly public inclusivism).

(c) They are not unambiguously theological pluralists. Their writings oscillate somewhat between pluralism and classic Islamic inclusivism.

Besides this elite movement, however, there are also popular brands of theological pluralism among Bosniak Muslims, at least among secular, educated people who typically have an Islamic faith, experience it as a private matter of intimate conviction, lack a traditional and formal training in Islamic theology, and keep their distance to the clergy. On a recent brief field trip through this country, I met many such people, several of whom independently of one another told me that an educated person should read not only the Qur'an, but the Bible and the Bhagavad Gita. They had done so, and found that at bottom, the holy books all carried the same message (an observation they then sometimes wanted me, as an expert on religion, to confirm). This is the kind of layman's theological pluralism that I had almost forgotten was widespread in Bosnia, perhaps because the war has really done harm to it, or perhaps I just meet too much with trained clergy when I am there.

Clerical public religious inclusivism masquerading as pluralism?

Finally, let us consider whether the Bosniak Muslims are public religious pluralists. If

¹⁰ Enes Karić “Bog svih ljudi”, *Preporod* 9(88):20; cf. *id.*, “Islam i mir”, *Preporod* 18(89):3.

¹¹ Christian Moe, “A 'Bosnian Paradigm' for religious tolerance?”, paper presented at the EASR 3rd conference, Bergen, 9 May 2003. A draft version, not incorporating comments by the scholars whose work is surveyed in the paper, is still available online at <<http://folk.uio.no/chris/moe/papers/Bosnian-paradigm.draft.pdf>>

you go to the people and carry out a survey – as I have not – I would wager that the result would be yes by a majority. The vast majority of Bosniaks, be they believers or non-believers, do not want some kind of “Islamic state”, and they would generally want fair and equal treatment for the different religions in the public sphere. Believers and atheists would differ sharply only over the degree to which religions should at all be visible in the public sphere. I would not wager a great deal of money, because I am not going to risk the claim that a majority of Bosniaks would wish new religious movements such as Hare Krishna or Sai Baba to enjoy equal treatment with the big traditional religions, but I think they just might.

Clearly, however, the clerical establishment would not. This is not a question of Muslim attitudes, however, as much as it is a question of concerted action by the Islamic, Catholic, Orthodox, and Jewish leaderships, working through their joint forum, the *Inter-Religious Council*. However, it is my impression that the Islamic Community in practice often takes a kind of implicit leadership role in this cooperation. The Council was established in 1997 in an effort to knock religious heads together to kick-start reconciliation processes after the war. Despite the very bad blood between, particularly, the Orthodox on the one hand and the Muslims on the other, the communities have proved fairly adept at working together to advance what they define as their common interests, such as demanding the return of nationalised property. Their crowning achievement, in this regard, was Bosnia's new *Law on freedom of religion and the legal position of churches and religious communities*, passed by parliament in December last year. (Please note that the comments in the present paper relate only to the draft presented by the Inter-Religious Council in 2002, not to the law finally adopted by Parliament).¹² This was actually drafted by the Inter-Religious Council aided by legal experts, and the parentage shows.

A new law was certainly needed to replace the existing law from 1976, a Communist instrument for controlling religious communities. The law drafted by the four major religious communities in most regards lives up to their claim that it reflects the very highest international human rights standards. Its article 15 on relations between the state and religious communities, for instance, very nicely embodies the principles of public religious pluralism. I am sure both that, on the one hand, the Islamic Community's basic support for liberal values and a secular state helped contribute to that outcome, and that on the other hand, the process of working out this draft helped educate the Islamic and other communities in the requirements of religious freedom.

Still, there were some notable problems with the draft law that *reisu-l-ulema* Mustafa Cerić, on behalf of the Inter-Religious Council, proudly handed to the Bosnian Presidency in late 2002. The chief problem¹³ was the *extremely high threshold for registering a new church or religious community as a legal entity*: This required *1,000 signatures* of adult Bosnian citizens acting as as “founding members”, complete

12 The 2002 draft is available in English as “Text for a law on freedom of opinion” from the WCRP website <<http://www.wcrp.org>>.

Most of the problems apparently persisted in the revamped text that emerged from the Presidency of Bosnia-Herzegovina, though some changes were made, as is evident from the extensive critique of the text at that state by the US Helsinki Commission, “Bosnia and Herzegovina's draft religion law: Draft text fails to meet OSCE commitments on religious freedom” (Washington, DC: Commission on Security and Cooperation in Europe, 2003), available at <<http://www.csce.gov>>.

13 Serious concerns were also raised by some provisions that seemed to provide for censorship of Bosnia's often raucously anti-clerical media. The draft law provided prison terms of up to three years for the crime of insulting a religious official, and up to 60 days for the misdemeanor of ridiculing or denigrating a religion (art. 20-21). This attack on the freedom of expression, however, falls outside the scope of the present paper.

with their birthdates, current addresses and personal identity numbers (art. 18). (Those religious communities already registered under the existing law, however, would not need to re-register.) Coupled with the fact that, under the draft law, all the rights and capacities – indeed, the very definition -- of churches and religious communities were tied to their status as legal entities, this barrier to registration could easily be seen to discriminate against and restrict the religious freedom of new entrants to the marketplace of belief.¹⁴

In addition, new entrants could not “use the same or a similar name” or “use the symbols, insignia or attributes” of an existing religious community without the said community's consent. One wonders if this in effect could turn e.g. the word “Islamic” or a symbol such as the cross into a registered trademark, that new religious bodies would have to license from the established communities. The Assembly of the Islamic Community had in fact in 1995 considered demanding that the state ask the state to ban any other institution or media from calling themselves “Islamic” or “Muslim.”¹⁵ Though at the time, wiser counsels prevailed and no such demand was pressed, the idea seems to have returned through the back door of the religious freedom law.

The four “*historically established*” religious communities – the Islamic and Jewish communities and the Catholic and Orthodox churches – were singled out for *special recognition*. They alone were mentioned by name in the *preamble*, which recognised their contribution to “the advancement [of] mutual understanding, tolerance and respect for the right to freedom of conscience and religion” (quite a mouthful in light of Bosnia's recent history). They were also explicitly granted continuation of their *legal personality* (art. 9.2). The fact of special recognition is not reprehensible in itself (many countries combine religious non-discrimination with a symbolic recognition of their historically dominant religion e.g. in their constitution), and it does not appear to imply any actual discrimination. Still, it is noteworthy how the four religious communities wrote themselves into the law they drafted.

In the case of the law on religious communities, then, the Islamic Community – acting in concert with the other traditional churches, but taking a leading or at least secretarial role – blended the public religious pluralism required by international standards with a strong concession to public religious inclusivism. That is, it gave special consideration to a select group of “traditional” religions by protecting them from encroachment by foreign churches and new religious movements. In this the Bosniaks are not alone in former Socialist Europe, and one can to some extent sympathise, particularly in the light of the insensitive and aggressive proselytising carried out e.g. by some American Evangelical groups. Still, the Islamic Community should not be assumed to fully support religious pluralism in the public domain. It should be noted, however, that its Christian counterparts are at least as averse to full public religious pluralism, and far more so in the case of the Orthodox Church, if policies in the Republika Srpska can be taken as a guide to the attitudes of the church (a big if).

14 The Presidency's draft text reduced the required threshold to 300 members and 30 founding members (still high), and provided for an additional status besides that of “churches or religious communities”, namely that of religious “associations,” which would not have legal entity status and which were explicitly barred in this version of the draft from enjoying the same rights (Presidency draft, art. 5.3, cf. US Helsinki Commission, pp. 2 and 6). In fact, the Presidency draft, in its art. .5, *litra f*, prohibited “(t)he formation of associations of religious officials or believers without the consent of the relevant church or religious community authorities.”

15 Assembly meeting 28 September 1995, see *Glasnik* 7-9 (1995): 296, cf. *Oslobodenje* interview with *reis* Mustafa ef. Cerić quoted in *Preporod* 8 (1998): 11.

Conclusion

We find that the Bosniak Muslims are prevailingly theological inclusivists, but that there are also important trends, both elite and popular, towards theological pluralism. Social religious pluralism has been their ideal. Research is needed to learn how far the war experience has strengthened exclusivist tendencies. At least one social exclusivist policy of the Islamic Community, that on intermarriage, was defended i. a. on theological exclusivist grounds.

Social religious inclusivism does not appear to be a viable option. The *dhimma* system is sometimes spoken of as an ideal minorities' rights regime, but this is historical apologetics, not policy. The Islamic Community's commitment to public religious pluralism is qualified by its wish to bar new competitors from entrance, leading it to promote a form of inclusivism for the select group of "historically established" religions. So we find the Muslims and their religious community all over the map.

This need not surprise us, nor does it necessarily devalue the proposed model as an analytical tool: At least it gives us a map across which to find them. Thus mapped out, they may be easier to compare with other groups.

We may also take heed of the point that attitudes to religious others, on this model, are not simply linear ranges from exclusivism to pluralism. They turn out to be multi-dimensional and discontinuous. Any simple scalar comparison of religious pluralism between groups will thus be contingent on the weighting of the individual dimensions.