

CHURCH AND STATE RELATIONS IN PRESENT-DAY SERBIA

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PART III

The Societal Reality of Religious Freedom and Tolerance

The Echo of Religious Legislation and Policies in Serbian Society

The gap in the legal regulation of church and state affairs in Serbia has had consequences not only for the religious communities but also for Serbian society as a whole. Although regulating still unresolved areas of the existing legal framework of church and state affairs appears to be a priority for the present government, it has been a very slow-moving process. In the meantime, there are several issues regarding the state of religious freedom and tolerance in society, which need to be explored.

Religion is an important issue for most Serbs, as 95% of the total population declared a religious affiliation in the 2002 census.¹ Laws regarding the status and activities of religious communities therefore have an effect on the overwhelming majority of the population, and as such, this subject has been in the center of political and social dialogue for the last few years.

Interviews with several religious leaders and a study of a sample of publications by religious communities show that they agree on the most urgent issues that need to be resolved. The return of confiscated or nationalized property is one of the most important ones. This question has been on and off the agenda of various governments since 1991 but legislation still has not been brought. In the meantime, religious communities are waiting for numerous buildings of worship, parochial homes, agricultural land and other property to be returned to them and many religious groups, including the Jewish Community and the Reformed Christian Church, continue to be very negatively affected by this situation.² Some

¹ Result from the 2002 nation-wide census in the Republic of Serbia, excluding Kosovo and Metohija, (Belgrade: *Bilten Republičkog Zavoda za Statistiku*, May 2003), www.statserb.sr.gov.yu (accessed 18 May 2004).

² Rev. István Csete-Szemesi, Bishop of the Christian Reformed Church in Serbia, interview by author via telephone, 6 January 2004 and Rabbi Isak Asiel, chief rabbi of Serbia and Montenegro, interview by author in Belgrade, 11 February 2005.

local governments have been providing limited financial assistance for the maintenance and renovation of religious buildings but these are individual cases and they always depend on the local situation. Katalin Réti, pastor of the Christian Reformed Church in Subotica, suggests that “a direct way for believers to support their own religious communities through a certain percentage of their taxes” be made possible.³ Other important issues waiting to be resolved include the clarification of the legal position of theological faculties,⁴ and the legal status of employees of religious communities.⁵

The introduction of religious instruction in public schools has been a controversial topic ever since discussions about it began. Especially smaller Protestant and Evangelical communities wanted a more inclusive approach and hoped that the laws would include them among the religious communities, whose religious instruction the state would finance.⁶ The seven religious communities specified in the Government Directive on the Organization and Establishment of Religious Education from 2001⁷ on the whole have been able to organize religious instruction relatively successfully. However, the lack of finances and personnel, as well as the small number of students per school presents obstacles in many cases, especially for the smaller religious communities.⁸ As of 2004, the greatest number of students was attending Serbian Orthodox religious instruction throughout the country. The Reformed Church was conducting religious instruction in several places throughout the northern autonomous province of Vojvodina.⁹ Islamic religious education was present in all schools of the Sandžak region and the Preševo Valley (in the south-western and southern regions of Serbia, respectively).¹⁰ Catholic religious instruction was available for pupils in every school of the Subotica Diocese and was present in many places in the other two dioceses, those of Belgrade and Zrenjanin.¹¹ Greek Catholics were providing religious instruction in several

³ Rev. Katalin Réti, pastor of the Christian Reformed Church in Subotica, interview by author via e-mail, 9 April 2004, the author’s translation from the Hungarian original.

⁴ Rev. Andrija Kopilović, pro-rector of the Theological-catechetical Institute of the Roman Catholic Church in Subotica, interview by author via e-mail, 14 April 2004 and Prof. Mevlud effendi Dudić, director of the Gazi-Isabeg Medresa in Novi Pazar, interview by author via e-mail, 1 April 2004.

⁵ Prof. Mevlud effendi Dudić, interview by author, and Olenka Živković, layperson in the Greek Catholic Church and associate at Dzvoni magazine (published for Ruthenians and Ukrainians living in Serbia) and Julian Rac, parish priest of the Greek Catholic Church in Belgrade, interview by author via e-mail, 7 April 2004.

⁶ See Branko Bjelajac and Dane Vidović (eds.), *Udar na Verske Slobode*. A collection of texts on the position of Protestant multi-national religious minority groups in Serbia. (Belgrade: Alfa i Omega, 2001).

⁷ “Uredba o organizovanju i ostvarivanju verske nastave i nastave alternativnog predmeta u osnovnoj i srednjoj školi”, *Službeni glasnik Republike Srbije*, 46 (2001).

⁸ Rev. Katalin Réti, interview by author and Rev. Andrija Kopilović, interview by author.

⁹ Rev. István Csete-Szemesi, interview by author and Rev. Katalin Réti, interview by author.

¹⁰ Prof. Mevlud effendi Dudić, interview by author.

¹¹ Rev. Andrija Kopilović, interview by author.

places of Vojvodina, including Novi Sad.¹² The Slovak Lutheran Church was also present in many schools throughout Vojvodina, while, due to small numbers, the Jewish Religious Community was mainly conducting its religious education off of school premises, with the exception of one high-school student in Novi Sad.¹³ Religious communities which do not have permission to conduct religious education in public schools, such as the Adventist Church and the Methodist Church, continued to organize instruction in their own buildings of worship.¹⁴ In an opinion poll conducted in May 2003 in 12 elementary and 10 secondary schools in Serbia, students and parents assessed the necessity, content and results of religious instruction in a strongly positive manner.¹⁵

The Special Position of the Serbian Orthodox Church

In Serbia all religious communities are considered equal in the constitution. However, as observers point out, “the majority Serbian Orthodox Church receives some preferential consideration”¹⁶ and “the Serbian Orthodox Church has been offered a special status as the church of the Serbian nation and has been given media and other support.”¹⁷ The lack of regulation regarding the legal position of religious communities in the country has left a vacuum, which has been to the clear advantage of the Serbian Orthodox Church. Although the Church does not enjoy the status of an established religion anymore, it has nonetheless *de facto* taken up the role of an indispensable national church. The Serbian government has been less than ambiguous about embracing Serbian Orthodoxy. As mentioned in my earlier article,¹⁸ leading politicians and political parties have made a clear stand of support for the Serbian Orthodox Church and its primacy in Serbian society, and this tradition seems to be continued by the government that was formed in March 2004. The Serbian Orthodox Church has also been the main recipient of the government’s financial assistance for religious

¹² Olenka Živković, and Julian Rac, interview by author.

¹³ Rabbi Isak Asiel, interview by author.

¹⁴ Prof. Dr. Jovan Mihaljčić, then-secretary of the South-East European Adventist Union, interview by author via e-mail, 5 May 2004 and Ana Palik-Kunčak, superintendent of the Evangelical-Methodist Church, interview by author in Novi Sad, 21 December 2004.

¹⁵ Zorica Kuburić, ‘Realizacija Verske Nastave u Osnovnim i Srednjim Školama,’ *CEIR – Center for Empirical Research of Religion*, Novi Sad, www.ceir.co.yu (accessed 19 April 2004).

¹⁶ *International Religious Freedom Report 2004*, released by the Bureau of Democracy, Human Rights and Labor, U.S. Department of State, 15 September 2004.

¹⁷ Paul Mojzes, ‘Religious Human Rights in Post-Communist Balkan Countries,’ in John Witte, Johan David Van der Vyver (eds.), *Religious Human Rights in Global Perspective: Legal Perspectives* (The Hague: Nijhoff, 1996), 277.

¹⁸ See Angela Ilić, “Church and State Relations in Present-day Serbia (I)”, *Religion in Eastern Europe* 6 (2004): 35-36.

communities in recent years.¹⁹ In 2003, the state-owned postal service decided to contribute financially to the construction of the Saint Sava cathedral in Belgrade, by temporarily raising the price of their postage stamp, so that citizens (Orthodox or not) had no choice but “donate” a few extra dinars to this cause with each letter they sent.

One important thing we should not forget is that Serbia is an ethnically, linguistically, culturally and religiously very heterogeneous society. The 2002 census lists 63 different religious groups and denominations present in Serbia.²⁰ Geographically, the greatest number of religious communities is found in Vojvodina, where due to historical developments there is a great diversity. The province is home to the majority of Catholic, Reformed and Lutheran believers. The presence of the Serbian Orthodox Church is greatest in Central and South Serbia, while in Kosovo and the bordering Sandžak and Bujanovac-Preševo-Medveđa areas, Muslims form a significant religious community.

After the collapse of Yugoslavia, as Slovenia, Croatia, Bosnia and Macedonia became independent the demographic balance in the new, rump-Yugoslav state changed radically. Serbian Orthodoxy became the absolute majority religion, as many Croats and Hungarians (mostly Catholics and Protestants) left the country in the early 1990s due to direct or indirect pressure on them. At the same time, waves of primarily Orthodox refugees and internally displaced persons entered the country from Croatia, Bosnia and Kosovo, strengthening the numerical advantage of the Serbian Orthodox Church. As one can see from the latest census results, there is now a vast difference in the number of adherents to Serbian Orthodoxy (84.97%) and the second largest religion, Catholicism (5.5%).²¹

In recent years the situation in Kosovo has been a very important issue for the Serbian Orthodox Church, as is evident from the large number of public statements, publications and personal visits to the province by Patriarch Pavle and other clergy in high positions.²² The Church has condemned the continual destruction of Serbian historic and religious monuments (many of which are of outstanding cultural and historical importance), as well as the violence against Serbs living in the province. Kosovo remains in the center of attention and the wave of ethnic hostilities in March 2004, which was exhibited partly

¹⁹ Prof. Dr. Sima Avramović from Belgrade University, one of the authors of the Draft Law on Religious Freedom, interview by author, Belgrade, 5 January 2004.

²⁰ These and the following data are from the results from the 2002 nation-wide census in the Republic of Serbia (Belgrade: *Bilten Republičkog Zavoda za Statistiku*, May 2003), see footnote 1.

²¹ Ibid.

²² For more details, see the official web site of the Serbian Orthodox Church, www.spc.yu.

through acts of religious intolerance toward Serbian Orthodox churches and other religious sites, gave further cause to the Serbian Orthodox Church to keep raising the issue in the Serbian political sphere through meetings with government officials and representatives of international organizations.

Religious Freedom

Paul Mojzes describes four different types of arrangements in Europe regarding religious human rights: Ecclesiastic Absolutism, “only one religious organization is supported by the state”, Religious Toleration, “religion as such is preferred and supported by the state”, Secularistic Absolutism “religion as such is rejected by the state”, and Pluralistic Liberty “the state is really indifferent and neutral toward religion or non-religion” He asks the question whether it is possible to move from a secularistic absolutist society to pluralistic liberty.²³ This, indeed, lies at the heart of the issue of religious freedom in Serbia today. As Mojzes explains, the Communist state viewed Marxism-Leninism as providing the only full understanding of the world,²⁴ but now hostility toward religion is not a guiding force in government policies anymore. Although, he says, pluralistic liberty is difficult to be achieved fully, the intention of modern societies should be towards “pluralism and freedom for all views and practices, except those most patently destructive.”²⁵

Although today there is undeniably a significant degree of religious freedom in Serbia, nonetheless, the situation is still far from being ideal. The International Helsinki Federation for Human Rights, the US State Department, Human Rights Watch and other international organizations and foreign government agencies periodically point out restrictions on religious freedom in the actions and attitudes of the Serbian government and media in their reports. I will briefly highlight a few relevant issues.

a) The Issue of Proselytism

One of the aspects of the freedom of religion, as it is expressed in international documents of human rights protection,²⁶ is the freedom to be able to change one’s belief. The Charter on Human and Minority Rights and Fundamental Freedoms of Serbia and

²³ Mojzes, *op. cit.*, 266-268.

²⁴ *Ibid.*, 267.

²⁵ *Ibid.*, 269.

²⁶ See Article 18 of the *Universal Declaration of Human Rights* and Article 9 of the *European Convention for the Protection of Human Rights and Fundamental Freedoms*.

Montenegro²⁷ guarantees this right. The Constitution of the Republic of Serbia from 1990, however, does not explicitly mention the right to change one's religion. The primarily Orthodox culture and Serbia's history make proselytism a very sensitive issue, which has been much debated in Serbia for centuries. Historically, Catholics have represented the greatest threat to Orthodox Christians in this area. The Muslim Ottoman Empire, on the other hand, was hardly, if ever, involved in directly encouraging conversions to Islam, rather, it applied pressure on non-Muslims in indirect ways, such as levying disproportionately higher taxes on them. Proselytism is regarded very negatively in Orthodox societies for several reasons. Firstly, because of the autocephalous nature of their church, religious and national identities are intertwined. The Serbian Orthodox Church also has the claim as the defender of national values; therefore proselytism becomes a cultural, as well as a religious issue. As years of Communist rule ended, leaders of the Serbian Orthodox Church, as elsewhere in Eastern Europe, were hoping to recover their "lost faithful" but instead they found themselves fighting over them with other religious groups. As Silvio Ferrari claims, the Orthodox Church, which regards other Christian denominations as sister churches, did not expect proselytism from them in what they claimed was a "Christian country."²⁸ As Paul Mojzes describes the situation in the whole of the Balkans, "currently one can observe an area-wide struggle between the dominant church or religion that wishes to restrict the activities of rival denominations and the numerous old and new religious groups that are threatened by the prospect of monopoly (or establishment) by the dominant national church (religion)."²⁹

The historical struggle for political and spiritual control between the Catholic and Orthodox churches on the territory of Yugoslavia has been partly driven by what Michael Radu describes as "the key Serbian Orthodox argument for a Greater Serbia, i.e., the alleged historic mission of the Serbs to protect Orthodoxy from the double threat of Mecca and the Vatican."³⁰ The conflict with the Catholic Church has for long had an ethnic dimension: the struggle against Croat nationalism. Since the end of the wars following the breakup of Yugoslavia, the Roman Catholic Church within Serbia has become much smaller and relatively "safer" in the eyes of the Serbian Orthodox Church. As the total number of

²⁷ Article 26 §1 states: "Everyone has the right to freedom of thought, conscience, belief and religion; including to freedom to remain committed to one's belief or religion or to change them at one's own choosing."

²⁸ Silvio Ferrari, 'Religious Liberty and Proselytism in Europe,' unpublished lecture, from the author's notes, Katholieke Universiteit Leuven, 5 November 2003.

²⁹ Mojzes, *op. cit.*, 271.

³⁰ Michael Radu, 'The Burden of Eastern Orthodoxy' *Religion in World Affairs* 42 (1998): 292.

Catholics³¹ is roughly 6.5% of the Serbian Orthodox Church's adherents,³² they do not represent as great a danger for Serbs as it was perceived in pre-1991 Yugoslavia.³³ Relations between the two churches have improved significantly in recent years. This is in part undoubtedly the result of the tireless efforts of Stanislav Hoćevar, Archbishop of Belgrade, and of Pavle, Serbian Orthodox Patriarch, at building bridges among religious communities through inter-religious dialogue and common religious activities.³⁴

The conflict over proselytism between the Serbian Orthodox Church and the Protestant churches has been a rather different story. Here, the ethnic dimension has never really played a role. Instead, the basic source of tension lies in differences in theology. According to Miroslav Volf, these include differing perspectives on the church, the relationship between church and culture, the relationship between church and state and on what it means to be a Christian.³⁵ Although proselytism in Serbia by Protestants had existed historically, it gained new momentum at the beginning of the 1990s, as part of a phenomenon occurring throughout Central and Eastern Europe. Proselytism by foreign and domestic group became widespread and of much concern for the traditional churches. Converts to other faiths who come from an Orthodox background often face great pressure and antagonism from their friends, family and sometimes even from the local Serbian Orthodox clergy.

b) Small Religious Communities and the Issue of 'Sects'³⁶

As with other countries experiencing change and upheaval, the disintegration of the communist system meant the influx of a large range of religious and esoteric groups into Serbia. Some potentially harmful cults have also appeared which has alarmed the leaders of traditional churches and political groups.

In Serbia, universally acknowledged human rights are protected on an individual level. This provides freedom for individuals to have or not have religious convictions. The

³¹ The category "Catholic" in the census includes, among others, Roman Catholics and Greek Catholics.

³² Calculations based on the results from the 2002 nation-wide census in the Republic of Serbia (Belgrade: *Bilten Republičkog Zavoda za Statistiku*, May 2003), www.statserb.sr.gov.yu (accessed 18 May 2004).

³³ The total number of Catholics in Serbia has dropped by 85,000 since the 1991 census, claims Dragana Radisavljević Čiparizović in Branislav Radivojša, 'Povratak Tradiciji' (*Politika*, 31 May 2003).

³⁴ One thing that may be in Msgr. Hoćevar's favor is that he is a Slovene, the representative of a relatively "neutral" ethnic group.

³⁵ Miroslav Volf, 'Fishing in the Neighbor's Pond: Mission and Proselytism as Challenge to Theology and Church Life in Eastern Europe,' *Religion in Eastern Europe* 16 (1996): 37.

³⁶ In Serbia the word "sekta" is used to describe a very wide range of religious or quasi-religious groups and esoteric cults. Whereas in English 'sect' is often used to denote various smaller denominations without any pejorative meaning, in Serbian there is no such distinction, so small Protestant communities, for example, are sometimes grouped together with Satanists in this category.

principle of the separation of church and state ensures that this can be done without interference from the state. Religious communities as such, however, do not enjoy any specific legal protection, and this situation, coupled with the unresolved issue of registration, leaves them vulnerable in the eyes of the law and against religious intolerance. As Vjekoslav Perica explains, “after the fall of communism... the major local religions and ethnic nationalistic regimes considered domestic religious minorities and foreign missionaries a gross threat, harassed their leaders, obstructed their development of new places of worship, attacked them in the media, and sometimes even persecuted their members.”³⁷ The U.S. State Department found in 1999, that “in practice both the Government and the legal system provide very little protection for the religious rights of minority groups.”³⁸ The International Helsinki Federation for Human Rights quotes in its 2002 report on religious discrimination in Serbia one of the leading domestic experts on the sociology of religion, Professor Dragoljub B. Djordjević, who warns that anti-cult campaigners in the media “create a tremendous confusion with regard to religious communities, in particular the small ones and endanger the religious rights of their members.”³⁹ Looking at current international sociological research, Djordjević proposes a list of characteristics, which may help identify potentially dangerous cults and on the other hand also provide a description of what a legitimate religious community or denomination is.⁴⁰

c) Human Rights within Religious Communities

As the importance of the protection of human rights and the ensuring of religious freedom has become an important agenda item for the Serbian government, the issue of respect for human rights within religious communities may sooner or later also surface in the discussion. Although the skeptical attitude of the government toward the internal issues of religious communities during Communism has been replaced by more trust, nonetheless the way religious communities respect the rights of their faithful is still an important issue and will certainly become the focus of societal dialogue in the near future.

³⁷ Vjekoslav Perica, *Balkan Idols: Religion and Nationalism in Yugoslav States* (Oxford: Oxford University Press, 2002), 15.

³⁸ *International Religious Freedom Report 1999*, released by the Bureau of Democracy, Human Rights and Labor, U.S. Department of State, 9 September 1999.

³⁹ *Report on Religious Discrimination and Related Violations of Helsinki Commitments: Yugoslavia*, International Helsinki Federation for Human Rights, 2002, www.ihf-hr.org (accessed 19 April 2004).

⁴⁰ Dragoljub Djordjević, ‘Tipovi Verskog Oganizovanja’ in *Crkva, Država i Civilno Društvo* (Belgrade: Centar za Demokratiju, 2000), 133-144.

Professor Rik Torfs identifies a few arguments used against human rights in the church. Although his focus is primarily on the Roman Catholic Church, his arguments are relevant for other religious communities as well. Firstly, he says, human rights limit the power of the hierarchy; secondly, the authorities fear that “making room for human rights in the church puts Orthodoxy at risk;” and thirdly, the vision of the law – or its absence - operative among the church hierarchy determines the authorities’ suspicion and hostility toward human rights.⁴¹ As the Serbian Orthodox Church is built on hierarchy and has a strongly centralized structure, by definition this does not leave room for individual rights to be held as a priority. Gerald F. Powers partly justifies the failure of the Serbian Orthodox Church to be a strong and consistent witness for human rights by saying that it reflects an “understandable pastoral priority given one’s own flock.”⁴²

d) Discrimination on the Basis of Religious Identity

Leaders of minority religious communities, when asked whether their members enjoy the same rights and job opportunities as Orthodox believers do, give differing responses. Rabbi Isak Asiel claims that no such discrimination exists against individual Jewish believers. Others admit that discrimination on religious grounds is present in Serbian society.⁴³ However, it is often difficult to exclusively link religious identity as opposed to ethnic belonging to such incidents. Rev. Katalin Réti thinks that discrimination against Reformed Christians is primarily based on their Hungarian ethnicity, as all Reformed in Vojvodina are Hungarian.⁴⁴ Rev. Andrija Kopilović admits that although relations between the Roman Catholic Church and the Serbian Orthodox Church are good, subtle discrimination does exist towards non-Orthodox believers on a personal level.⁴⁵ Professor Mevlud effendi Dudić, director of the Gazi-Isabeg Medresa in Novi Pazar categorically states that Muslims do not enjoy the same rights in everyday life as Orthodox believers do, “in spite of promises and a few small steps taken by the previous [Djindjić] government.”⁴⁶ The U.S. Department of State says that during 2003 and 2004 “the Belgrade Islamic community reported continued

⁴¹ Rik Torfs, *A Healthy Rivalry: Human Rights in the Church* (Leuven: Peeters Press, 1995), 14-16.

⁴² Gerald F. Powers, ‘Religion, Conflict and Prospects for Reconciliation in Bosnia, Croatia and Yugoslavia,’ *Journal of International Affairs* 50 (1996): 221-252.

⁴³ Rabbi Isak Asiel, interview by author.

⁴⁴ Rev. Katalin Réti, interview by author.

⁴⁵ Rev. Andrija Kopilović, interview by author.

⁴⁶ Prof. Mevlud effendi Dudić, interview by author, the author’s translation from the Serbian original.

difficulties in acquiring land and government approval for an Islamic cemetery near the city.”⁴⁷

e) The State of Religious Tolerance in Society

Just how religiously tolerant is Serbian society? The answer to this question is assessed very differently by representatives of various religions. The Serbian government’s own assessment would probably also differ from that of international organizations, who for years have warned of the religious intolerance present in Serbia. A few important issues to remember is the great diversity of religious identities in the country, their historical interaction with each other, and the adversity towards everything non-Serb and non-Orthodox that certain political parties and media have fanned since the breakup of Yugoslavia. To a large extent, Tito built Yugoslavia on the importance of tolerance. The Titoist slogan “Brotherhood and Unity” echoed positively in Yugoslav ears for decades. The brutal wars following the breakup of the country shattered this ideal. People saw that their differences proved to be stronger than their common characteristics and experience and that this led to tragedy in the end. Bitter disappointment left many people disillusioned, who had seen Yugoslavia as an ideal for a society embracing its diversity. The notion of tolerance lost its former value in the eyes of many Serbs.

Today, attacks of violence especially against smaller religious communities are, unfortunately, too regular to ignore. Sometimes even the clergy or the buildings of the majority Serbian Orthodox Church are the target of such acts. Although several of these incidents occur against establishments that also represent a specific ethnic minority, numerous examples of clearly religiously motivated acts of violence and vandalism undoubtedly exist. Oslo-based *Forum 18 News Service* publishes a yearly account of attacks on religious minorities in Serbia and Montenegro. They claim that “Evangelical-Methodists, Jews, Seventh Day Adventists, Serbian Evangelicals, Jehovah Witnesses, Lutherans, Romany Pentecostals, Baptists, Hare Krishna devotees, Catholics, and Muslims were all victims of different types of attack in 2003, ranging from hate speech and graffiti to physical assaults.”⁴⁸ A common characteristic of such cases is that the perpetrators are hardly ever caught by the

⁴⁷ *International Religious Freedom Report 2004*, released by the Bureau of Democracy, Human Rights and Labor, U.S. Department of State, 15 September 2004.

⁴⁸ Branko Bjelajac, “Serbia: Religious Freedom Survey, August 2004 – Attacks on Religious Minorities in 2003”, 5 August 2004, http://www.forum18.org/Archive.php?article_id=387 (accessed 6 August 2004).

police and brought to justice. Far from striving to present a complete account of such acts, a few recent examples demonstrate the diversity of the religious communities that are targeted:

- During the night of 21-22 March 2005 anti-Semitic posters and graffiti, partly directed against B92 television and radio station and two non-governmental organizations, appeared in several locations in Belgrade. Messages were spray-painted on the wall in front of the Jewish graveyard and at the entrances to the offices of the Helsinki Committee for Human Rights in Serbia and the Humanitarian Law Center. President of Serbia Boris Tadić, the Serbian government, numerous political parties, as well as some religious leaders immediately condemned these messages.⁴⁹
- On 28 January 2005 a group of youngsters verbally insulted Jovo Andan, a Serbian Orthodox priest in Prijepolje.⁵⁰
- During the night of 26-27 January 2005 unknown perpetrators vandalized the memorial to Holocaust victims in the town of Novi Kneževac.⁵¹ The incident took place immediately after the sixtieth anniversary of the liberation of the Auschwitz concentration camp.
- On 27 March 2004 the Catholic cemetery in Subotica was vandalized.⁵²
- On 18 March 2004, in reaction to the renewed wave of violence in Kosovo against ethnic Serbs living in the province and the destruction of Serbian Orthodox churches and monasteries, mobs vandalized and set fire to mosques in the city centers of Belgrade and Niš.⁵³ The Serbian government, the Serbian Orthodox Church, the Roman Catholic Church and other religious communities such as the Protestant-Evangelical Church, among others, condemned these incidents.
- That same night, two Molotov cocktails were thrown at the Bible Cultural Center run by a local Church of God congregation in Niš.⁵⁴
- During the night of 26-27 February 2004, unknown perpetrators broke the windows of the Baptist church in Novi Sad.⁵⁵
- In January 2004, unknown persons flooded the basement of the Reformed church in Sombor. Graffiti saying, “Serbia is an Orthodox land” also appeared on the walls of the Reformed churches in Sombor and Pančevo.⁵⁶
- On the night of May 24, 2003, unknown attackers set fire to the house of Dragana Bukomirović in Beli Potok by throwing Molotov cocktails at it. Bukomirović is chairwoman of the Sanatan-sansta Association for Spiritual Learning.⁵⁷
- On 16 April 2003 Adventist Pastor Josip Tikvicki was hospitalized with a concussion “after being severely beaten in the night of 15-16 April when he challenged people who were attacking his church in the city of Zrenjanin.”⁵⁸

⁴⁹ “Antisemitske parole protiv B92”, 22 March 2005, www.b92.net (accessed 23 March 2005) and “Antisemitizam na fasadama” (*Politika*, 23 March 2005): 10.

⁵⁰ “Napadnut sveštenik”, based on the report of Beta News Agency (*Politika*, 29 January 2005): 9.

⁵¹ B. Ž., “Vandalizam u Novom Kneževcu: oskrnavljeno spomen-obeležje” (*Politika*, 30 January 2005): 11.

⁵² Beta News Agency, 28 March 2004, www.beta-news.com (accessed 5 April 2004).

⁵³ Forum 18 News Service, http://forum18.org/Archive.php?article_id280 (accessed 20 March 2004).

⁵⁴ Report from Church of God minister Obrad Nikolić in Niš to Forum 18, 19 March 2004.

⁵⁵ Report from Baptist pastor Žarko Djordjević in Novi Sad to Forum 18, 27 February 2004.

⁵⁶ Rev. Katalin Réti, interview by author.

⁵⁷ Humanitarian Law Agency, 5 June 2003, www.hlc.org.yu (accessed 23 April 2004).

⁵⁸ Forum 18 News Service, 17 April 2003.

- On 24 December 2002 a mob of about 50 people with icons and candles in their hands physically prevented Anglican believers from entering the Patriarchate of the Serbian Orthodox Church in Belgrade, where their congregation was to celebrate Christmas at the invitation of Patriarch Pavle. Among those gathered for the Anglican service was the British ambassador to Yugoslavia and other foreign diplomats. The Serbian Orthodox Church and then-president of Yugoslavia Vojislav Koštunica both issued statements condemning the incident as shameful and contradicting Orthodox and universal Christian values.⁵⁹
- In November 2002 the local government of Pančevo decided to reconstruct the German Lutheran-Reformed graveyard, but the graveyard was in fact “partially destroyed” by the workers.⁶⁰
- In April 2002 “a hand grenade was thrown at the newly built Jehovah's Witness kingdom hall in Vrbas.”⁶¹

Representatives of religious communities and non-governmental organizations keep raising their voices regularly and demand that the government react to and investigate such violent attacks against religious communities.

f) The Role of the Media

Siniša Malešević states that “two systems or apparatuses, educational and informational, are the main channels of ideology dissemination in every modern society.”⁶² As during Tito’s reign Yugoslavia’s educational system and media were both in the hands of the state, this task was made easier by their automatically assumed and expected cooperation. Today, media controlled by the state are still powerful but independent media are also flourishing. What is the general message that comes across considering religious communities? What role, if any, do journalists play in fostering religious tolerance in Serbian society?

“One problem,” according to the World Evangelical Alliance, “is that the media are extremely politicized and little more than a tool for the political elite, for whom Serb nationalism is a popular vote winner.”⁶³ The U.S. Department of State claims that during 2004 “antisect propaganda continued in the Serbian press, which labels minority Christian churches – including Baptists, Adventists, and Jehovah's Witnesses – and some other

⁵⁹ B92 News Service, 25 January 2002, www.b92.net (accessed 14 March 2004).

⁶⁰ *Ibid.*

⁶¹ Forum 18 News Service, 14 August 2003 (accessed 19 March 2004).

⁶² Siniša Malešević, *Ideology, Legitimacy and the New State: Yugoslavia, Serbia and Croatia* (London: Frank Cass Publishers, 2002), 293.

⁶³ World Evangelical Alliance, 20 August 2003, <http://www.evangelicalalliance.org.au> (accessed 20 January 2004).

minority faiths “sects.” Religious leaders have noted that instances of vandalism often occur soon after press reports on sects.”⁶⁴

A list of violent attacks from 2002 compiled by *Forum 18* clearly illustrates this point:

- “On 16 November 2002 the ‘Glas javnosti’ daily newspaper tried to connect ‘Novi Život’ (Campus Crusade for Christ) with the suicide of student Milan Kirćanski, in the context of ‘dangerous sects’ that are active in Serbia.”⁶⁵
- “During March 2002 Jehovah’s Witnesses were very negatively portrayed in ‘Vranjske novine,’ the local newspaper of Vranje. A house that supposedly belonged to them and that was reported on in the previous edition was stoned, because they were repeatedly called sects.”⁶⁶
- “From 24 February to 2 March the Adventist church in Belgrade was stoned three times. On 26 February, on BK TV, there was a repeated TV program in which Protestants were very negatively portrayed and Adventists were associated with Satanists. On 4 March a group of high school students yelled and threatened people at the front door of the Belgrade Adventist church. Police intervened and went to the neighboring school to interview and warn the students.”⁶⁷

Religious hate speech continues to be a problem which is all too often present in the Serbian media. This is partly a legacy of the wars and the surrounding propaganda of the 1990s. In his article “How to Make Enemies” Miroslav Kiš depicts the various phases that lead individuals as well as societies to see their former neighbors and best friends as enemies. These begin with consciously creating a distance, and through the use of propaganda and depicting the group in question as a scapegoat, it culminates in the rationalization of evil.⁶⁸ This aptly describes the progression that took place in the Serbian media before, during and after the wars of the 1990s. Throughout 1997 “the programming of the state-controlled TV Belgrade regularly [included] the demonization of certain ethnic and religious groups.”⁶⁹ The 1998 publication *‘Hate Speech’ in the Balkans* of the International Helsinki Federation for Human Rights observed (three years after the end of the Bosnian war) that the Catholic Church and Islam were still continually depicted by the Serbian media as the main enemies of Serbdom and Orthodoxy.⁷⁰ As Professor Mevlud effendi Dudić charges, “state-owned

⁶⁴ *International Religious Freedom Report 2004*, released by the Bureau of Democracy, Human Rights and Labor, U.S. Department of State, 15 September 2004.

⁶⁵ Forum 18 News Service, 14 August 2003.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ Miroslav M. Kiš, ‘How to Make Enemies,’ *Religion in Eastern Europe* 23 (2002): 16.

⁶⁹ Kevin Boyle and Juliet Sheen (eds.), *Freedom of Religion and Belief: A World Report* (London: Routledge, 1997), 187.

⁷⁰ Mariana Lenkova (ed.), *‘Hate Speech’ in the Balkans* (Vienna: The International Helsinki Federation for Human Rights, 1998), 96-107.

television... has until now permanently equated Islamic attitudes with those of terrorists and fundamentalists.”⁷¹ It will be an enormous challenge not only for the media but also for Serbian society in general to move away from the stereotypes they have embraced. Although article 51 of the Charter on Human and Minority Rights and Fundamental Freedoms⁷² of Serbia and Montenegro (as well as article 44 of the Constitution of the Republic of Serbia) prohibits the instigation of religious intolerance and hatred, little seems to have been done so far to enforce its stipulations.⁷³

Religious leaders agree that the extremist and intolerant views expressed (sometimes even by clerics themselves) do not reflect the official theology and position of any of the major religious communities in Serbia. The powerful impact of the media nonetheless needs to be recognized.

Signs of Hope: Inter-Religious Dialogue

On a more positive note, dialogue has been taking place in the last few years among representatives of various religious communities. The importance several religious groups attach to such meetings is shown by the fact that they usually send their highest level representatives. As we have seen, the government has also been involved in talks with representatives of religious communities during the preparation phases of the draft laws on religious freedom and on religious instruction in public schools. This is a welcome sign of cooperation and will hopefully lead to a deepening of mutual respect between the state and the religious communities. All the religious leaders I have interviewed agree that ongoing dialogue among the various religious communities is an indispensable factor in building a pluralistic and religiously tolerant society. Belgrade Catholic Archbishop Monsignor Stanislav Hočevar stresses that the religious dimension should be viewed as the most important one in inter-religious dialogue: only this will lead to “reconciliation, peace, involvement, voluntarism and hope.”⁷⁴ He also points out that religious communities need to

⁷¹ Prof. Mevlud effendi Dudić, interview by author.

⁷² Article 51 reads, “Any provocation and instigation of national, ethnic, religious and other inequality, as well as provocation and conflagration of national, ethnic, racial, religious and other hatred and intolerance shall be prohibited and punishable.”

⁷³ Hopefully this may change soon, as the first direct joint civil action regarding hate speech (against the Roma community) was filed by three NGOs in March 2004 with a court in Belgrade against the Kurir daily newspaper. See “First Direct Civil Action by Non-governmental Organizations concerning Hate Speech Filed in Serbia,” European Roma Rights Center, 22 March 2004.

⁷⁴ His Excellency Monsignor Stanislav Hočevar, Archbishop of Belgrade, interview by author via e-mail, 23 April 2004, translated by author from the Serbian original.

be secure in their own identity if they want to enter into societal dialogue.⁷⁵ This view is echoed by Belgrade sociologist Professor Milan Vukomanović, who hopes that inter-religious dialogue will also continue without international pressure, as religious communities become more confident and independent.⁷⁶

One of the examples of inter-religious cooperation from the last few years is the Maribor Initiative,⁷⁷ the main goal of which is to bring reconciliation among religious communities and focus on building democracy, respecting human rights and religious minorities in South-Eastern Europe. The meeting of the round table discussions of 14 and 15 December 2001, which were, among others, attended by Archbishop Hočevar and Mufti of the Sandžak region Muarem effendi Zukorlić, resulted in the Belgrade Declaration on Religious Communities and Religious Freedoms in a Democratic Society.⁷⁸ The Declaration emphasizes the importance of inter-religious reconciliation and dialogue. Many other discussions have taken place in recent years, exploring the place of religion in society, the relationship of the state and religious communities and other topics. Although they signal an important step of cooperation, just how much practical benefits they will lead to remains to be seen.

As an example of practical cooperation, in January 2004 Archbishop Hočevar preached at an ecumenical church service, which was held in a Lutheran church in Subotica, and led by Superintendent of the Evangelical Christian (Lutheran) Church Arpad Dolinski. Serbian Orthodox Bishop of the Bačka region Irinej (Bulović) and Bishop of the Reformed Christian Church Ištvan Čete Semeši also attended the service.⁷⁹ A conference on the contribution of churches can make to the cultural, religious and interethnic cooperation on the path to European integration, held in Subotica and Bečej between 22 and 24 November 2004, was one of the most significant events of recent times. It was organized by the Diocese of Bačka of the Serbian Orthodox Church and the Roman Catholic Bishopric of Subotica, with the support of the Reformed Christian Church, the Slovak Evangelical Church and the Evangelical Christian Church. Beside the highest-level leaders of these churches,

⁷⁵ Ibid.

⁷⁶ Milan Vukomanović, 'Religion, Conflict, Reconciliation' in Milan Vukomanović and Marinko Vučinić (eds.), *Inter-religious Dialogue as a Way of Reconciliation in South Eastern Europe* (Belgrade: Čigoja Štampa, 2001), 27.

⁷⁷ The Maribor Initiative was started by ISCOMET – International Scientific Conference Minorities for Europe Tomorrow, a Slovenian non-governmental organization.

⁷⁸ Goran Bašić and Silvo Devetak (eds.), *Demokratija i Religija: Izbor tekstova i diskusija* (Belgrade: Altera, 2003): 241-244.

⁷⁹ Beta News Agency, 25 January 2004, www.beta-press.com (accessed 19 April 2004).

representatives of the government, including Minister for Religious Affairs Milan Radulović and Serbian Prime Minister Vojislav Koštunica, as well as delegates of the councils of ethnic minorities and non-governmental organizations also participated.⁸⁰ The official message of the conference, adopted at the end of the working meetings, called churches to a “fruitful dialogue fraternal cooperation.”⁸¹

As Serbia is aiming at European integration, the situation of ethnic and religious minorities in the country has become an important issue for discussion. In an effort to engage religious leaders in building a tolerant society, President of Serbia Boris Tadić visited the town of Novi Pazar in November 2004 as the first Serbian president to pay a visit to the headquarters of the Islamic Community of Sandžak, where he met with Mufti Muamer Zukorlić. During his visit Tadić stated that “in order for this society to develop further, it needs to understand itself as multiethnic and multiconfessional” and that “tolerance is the principle of the future existence of this society.”⁸² President Tadić also met with high-level representatives of the Serbian Orthodox, Roman Catholic, Lutheran and Reformed churches in Novi Sad in March 2005, where they discussed issues relating to the churches’ involvement in public life, the return of property to religious communities and religious assistance in the armed forces.⁸³

Serbia: On the Road toward Religious Pluralism?

Eileen Barker from the London School of Economics calls our attention to the difference between religious diversity, meaning the existence of many different religions, and pluralism, meaning the “relatively peaceful coexistence and cooperation of different religious confessions.”⁸⁴ Religious diversity is a given factor in Serbian society. Whether it will be turned into cooperation, which is beneficial for all, is yet to be seen. Of course, reaching religious pluralism is not without its challenges. Stephen V. Monsma and J. Christopher Soper describe three basic questions that arise in a pluralistic situation, two of which are

⁸⁰ “Vesti”, Information Service of the Serbian Orthodox Church, 17 November 2004, www.spc.org.yu/Vesti-2004 (accessed 5 December 2004).

⁸¹ “Izveštaj sa konferencije o doprinosu crkava verskoj, kulturnoj i međunacionalnoj saradnji na putu evropskih integracija, održane u Bečeju i Subotici”, 26 November 2004, Information Service of the Serbian Orthodox Church, <http://www.spc.org.yu/Vesti-2004/11/26-11-04-c.html> (accessed 5 December 2004).

⁸² S. Bakračević, “Tolerancija je princip postojanja” (*Politika*, 24 November 2004): 7.

⁸³ Tadić: Crkva da se pita” B92 News Agency, 11 March 2005 www.b92.net (accessed 20 March 2005).

⁸⁴ Eileen Barker, ‘Religious Freedom and Confessional Pluralism’ in *Crkva, Država i Civilno Društvo*. Collection of presentations from the International Round Table discussion *Church, State and Civil Society* held on 5 and 6 June 1998 in Belgrade (Belgrade: Centar za Demokratiju, 2000), 95-101.

relevant for the present-day Serbian context.⁸⁵ First, how far can a democratic polity go in permitting religiously motivated behavior that is contrary to societal and welfare norms? Liberal philosopher Will Kymlicka in writing about minority groups condemns what he terms internal restrictions, which “limit the right of group members to question and revise traditional authorities and practices.”⁸⁶ Looking at the example of Western democracies, who have dealt with such issues in recent years, we can conclude that no general rule exists, but ensuring the protection of the constitutionally guaranteed human rights and health of individuals is always seen as a priority.

Secondly, Monsma and Soper ask, should the state encourage and promote consensual religious beliefs and traditions in an attempt to support the common values and beliefs that bind a society together and make possible limited, democratic government? As a response, Mient Jan Faber emphasizes the importance of finding a common value system among religious communities, which can “stimulate in the whole of society a common value system,” especially in the present-day Serbian situation, where many religious communities have, until recently, regarded each other as enemies.⁸⁷

The government’s responsibility in a democratic society, where church and state are separate and the freedom of religion and the equality of all religious communities is guaranteed, is to provide an impartial and evenly balanced environment for all these communities. Although the importance and special contribution of the Serbian Orthodox Church to Serbian society cannot be denied and should be given due recognition, the legal standing of all religious communities should be placed on the same level. In my view, recent governments have not treated the resolution of outstanding questions regarding religious communities as their high priority. Therefore, I see a need for the present government to take further action by legislation and by exhibiting an equally neutral attitude toward all religious communities. The comment made by Minister of Religious Affairs Milan Radulović in 2004, in which he states that he wants the country’s recognized religious communities to have a say in which religious communities and under what circumstances can be legally recognized,⁸⁸ causes concern regarding the direction for the future.

⁸⁵ Stephen V. Monsma and J. Christopher Soper (eds.), *The Challenge of Pluralism: Church and State in Five Democracies* (Oxford: Rowman & Littlefield Publishers, 1997), 3.

⁸⁶ Will Kymlicka, *Multicultural Citizenship* (Oxford: Oxford Press, 1996), 36-37.

⁸⁷ Mient Jan Faber ‘Religious Pluralism’ in *Crkva, Država i Civilno Društvo* (Belgrade: Centar za Demokratiju, 2000), 82-84.

⁸⁸ Interview with Milan Radulović, Tanjug News Agency, (*Politika*, 9 March 2004): 9.

Violations of human rights in the form of violent attacks against religious communities as well as religious hate speech do not show a tendency of abating. In my opinion, in such a situation a more concerned and efficient response by the police and eventually the country's court system would be necessary. As the government is limited in its scope of action (and in its role to provide remedy for all societal evils) a stronger civil society will be an important actor in bringing change to the current situation. Networks of non-governmental organizations, citizens' groupings, voluntary associations and the like will be able to rally around certain issues and raise their voices. Civil society networks already exist in Serbia but "the government has been slow to approve legislation that limits the possibilities for political interference in their registration and activities."⁸⁹

Society is never a static entity and old stereotypes, true for centuries, may not accurately describe reality anymore. Whereas "being a Serb means being an Orthodox" still rings true for many people, religious affiliation seems to now run less along ethnic lines, especially among the younger generation. Demographic presumptions made by statisticians and politicians are being challenged.⁹⁰ The Serbian state will have to take into consideration the ever-changing dynamics of society if it wishes to provide relevant solutions to these dominant problems.

⁸⁹ Dušan Pavlović, *Nations in Transit 2004: Serbia and Montenegro*, www.freedomhouse.org (Freedom House, 2004): 25. *Nations in Transit* is a yearly report assessing democratic development in post-Communist countries in categories which include constitutional, judicial and legislative framework, corruption, governance and civil society.

⁹⁰ The example of one Protestant Evangelical church from the southern Serbian town of Leskovac illustrates this: its more than one thousand members are mostly Roma. Whereas the Roma in Serbia have traditionally been presumed to be mainly Orthodox, this church and its affiliate churches in southern Serbia are challenging this stereotype.